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CHAPTER X. PUBLIC JUSTICE.

§ 1. Police.

1. *General.*—In previous issues of the Year Book a résumé was given of the evolution of the police force in Australia up to the passing of the Police Act of 1862 (25 Vic. No. 16) in New South Wales, but considerations of space preclude its inclusion in the present volume.

2. *Strength of Police Force.*—(i) *General.* The strength of the police force in each State during the five years ended 1921 is given in the table hereunder. It may be mentioned that the police forces are entirely under State control, but, by arrangement, the Commonwealth Government utilizes their services in various directions, such as the collection of particulars for Commonwealth electoral rolls, etc.

POLICE FORCES.—STRENGTH, 1917 TO 1921.

State.	Area of State in Sq. Miles.	1917.	1918.	1919.	1920.	1921.
New South Wales ..	310,372	2,557	2,481	2,569	2,630	2,738
Victoria ..	87,884	1,650	1,558	1,719	1,733	1,736
Queensland ..	670,500	1,152	1,141	1,119	1,126	1,105
South Australia ..	380,070	540	521	541	566	593
Western Australia	975,920	472	465	466	473	493
Tasmania ..	26,215	235	235	243	240	240
Northern Territory	523,620	27	28	32	32	30
Total ..	2,974,581	6,633	6,429	6,689	6,800	6,935

The figures for New South Wales for 1921 are exclusive of 34 "black trackers," i.e., natives employed in detection of offenders chiefly in outlying districts, and four female searchers. For Queensland the figures exclude 65 native trackers; for South Australia 10 "black trackers" and 1 female searcher, and for the Northern Territory 28 "black trackers." There are also 44 "black trackers" and 5 female searchers in Western Australia, not included in the table. According to the returns, women police are employed in all the States except Queensland, the respective numbers being—New South Wales, 4, Victoria 3, South Australia 10, Western Australia 6, and Tasmania 2. Their work is mainly preventive, and the importance and usefulness of their duties have been referred to in very high terms, especially by the Commissioner of Police in South Australia.

(ii) *Proportion to Population.* The average number of inhabitants to each officer in each State during the same period is as follows. In considering these figures, allowance must, of course, be made for the unequal area and unequal distribution of the population of the various States.

POLICE FORCES.—COMPARISON WITH POPULATION, 1917 TO 1921.

State.	Number of Persons per Sq. Mile, 1921 Census.	Inhabitants to each Police Officer.				
		1917.	1918.	1919.	1920.	1921.
New South Wales ..	6.76	475	784	779	786	770
Victoria ..	17.43	855	914	857	872	885
Queensland ..	1.13	593	613	648	664	692
South Australia ..	1.30	819	867	866	860	839
Western Australia	0.34	648	662	686	697	676
Tasmania ..	8.16	827	844	844	877	889
Northern Territory	..	180	174	145	132	130
Total ..	1.83	746	782	777	788	787

3. **Duties of the Police.**—In addition to the ordinary employment attaching to their office, the police are called upon to perform many duties which in other countries are carried out by various functionaries. Thus, in New South Wales, according to the Report of the Inspector-General, the time of one-fifth of the force was taken up during 1921 in extraneous duties unconnected with the protection of life and property, while the cash value of the services rendered to other Government departments was stated as over £200,000 per annum. The Queensland Commissioner refers to the circumstance that in 1921 no less than 66 subsidiary offices were held by the police. In South Australia, the Commissioner alludes to the large number of subsidiary duties performed by police officers, and mentions that in 1921 over 80,000 inquiries were made on behalf of other departments.

While these special tasks doubtless involve some degree of sacrifice of ordinary routine duties, the fact that the general intelligence of the police is adequate for their performance, besides being most creditable, results in a large saving of the public money.

4. **Cost of Police Forces.**—The expenditure from Consolidated Revenue on the police forces, and the cost per head of population in each State during the five years 1917 to 1921 are given in the following table:—

POLICE FORCES.—COST, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
TOTAL.					
	£	£	£	£	£
New South Wales ..	709,649	722,754	977,506	1,101,767	1,150,323
Victoria ..	371,413	397,025	490,016	577,407	579,351
Queensland ..	337,259	346,802	407,480	476,153	458,955
South Australia ..	136,158	151,090	159,258	197,157	211,428
Western Australia ..	136,752	136,295	171,832	186,717	184,245
Tasmania ..	49,448	54,960	66,940	79,372	79,105
Northern Territory ..	10,210	10,200	11,435	12,970	15,520
Total ..	1,750,889	1,819,126	2,284,467	2,631,543	2,678,927

PER HEAD OF POPULATION.

	s. d.	s. d.	s. d.	s. d.	s. d.
New South Wales ..	7 5	7 5	9 9	10 8	10 11
Victoria ..	5 3	5 7	6 8	7 8	7 6
Queensland ..	9 10	9 11	11 1	12 9	12 0
South Australia ..	6 2	6 8	6 10	8 1	8 6
Western Australia ..	8 11	8 10	10 9	11 4	11 0
Tasmania ..	5 1	5 7	6 6	7 7	7 5
Northern Territory ..	42 1	41 11	49 2	61 7	79 5
Total ..	7 1	7 3	8 9	9 10	9 10

The total for New South Wales in 1921 includes £91,000 payment to the Police Super-annuation Fund. Similar payments in Victoria and Queensland amount to £41,800 and £39,000 respectively, while smaller sums are included in the returns for other States.

The relatively high cost per head in Queensland and Western Australia is due to the fact that there are in those States extensive areas of sparsely settled country, in which mounted patrols have to be maintained. In view of the small number of its white population and the vast extent of country to be patrolled, the figures for the Northern Territory necessarily show a very high average. The duties of the police, moreover, chiefly pertain to matters connected with the control of aborigines.

The general advance in cost during the period under review is due to increases in salaries and rise in prices of supplies and equipment.

5. **Interstate Police Conferences.**—In February, 1921, a Conference of the chief officers of the police forces of the various States was held in Melbourne. In addition to the discussion of matters of common interest, arrangements were made for the interchange of detectives. The results have been satisfactory, and it is proposed to extend the system.

§ 2. Lower (Magistrates') Courts.

1. **General.**—In considering the criminal returns of the various States, due allowance must be made on account of several factors, such as the relative powers of the courts, both lower and higher, etc. In the case of lower courts, the actual number of laws in each State the breach of which renders a person liable to fine or imprisonment must be taken into account. Again, the attitude of the magistracy and police towards certain classes of offences is a factor, for in the case of liquor laws, or laws connected with vagrancy or gaming, the views of magistrates, and instructions issued to the police, may be responsible for considerable variations in the returns. The strength and distribution of the police forces, and the age-constitution and distribution of the State's population, also influence the results. Due weight should also be given to the prevalence of undetected crime, but information on this point can be obtained only for the State of Victoria. It may be mentioned that each State has its own separate judicial system, the Commonwealth jurisdiction being confined to the High Court of Australia, which is largely a Court of Appeal intermediate to the Privy Council, although it has also original jurisdiction, and the Commonwealth Court of Arbitration and Conciliation. Full particulars regarding the judicial power of the Commonwealth will be found in Chapter III. of the Commonwealth Constitution, which is quoted in full in Chapter I. of this work.

2. **Powers of the Magistrates.**—In New South Wales there is no general limit to the powers of the magistrates in regard to offences punished summarily, their authority depending in each case on the statute which creates the offence and gives them jurisdiction. Except in the case of a very few statutes, and excluding cumulative sentences, the power of sentence is limited to six months. Imprisonment in default of payment 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 debts, liquidated or unliquidated, the amount recoverable is not exceeding £50 before a court constituted of a stipendiary or police magistrate at certain authorized places, and not exceeding £30 at any other place before a court constituted of a stipendiary or police magistrate or two or more justices of the peace. The amount in actions of damage is limited to £10, but may extend to £30 by consent of parties.

In Victoria, the civil jurisdiction of magistrates is restricted to what may be designated ordinary debts, damages for assault, restitution of goods, etc., where the amount in dispute does not exceed £50. No definite limit is fixed to the powers of the magistrates on the criminal side, and for some offences sentences up to two years may be imposed. The proportion of long sentences is, however, comparatively small.

In Queensland, generally speaking, the maximum term of imprisonment which justices can inflict is six months, but in certain exceptional cases, such as offences against sections 233 and 445 of the Criminal Code (betting-houses and illegally using animals) sentences of twelve months may be imposed. No limit exists as to the extent to which cumulative sentences may be applied, but in practice the term is never very lengthy.

In South Australia, under the Minor Offences Act, magistrates can impose sentences up to six months, and under the Summary Convictions Act, up to three months. The Police Act of 1916 gives power to sentence up to one year, with hard labour, in the case of incorrigible rogues; while under the Quarantine Act of 1877, and the Lottery and Gaming Act of 1875, sentences of two years may be imposed.

Under the Petty Offences Act of 1867, in Tasmania, any person charged with having committed, or with having aided or abetted in the commission of an offence, in regard to property of a value not exceeding £10, may, on conviction, for a first offence, before two or more justices in Petty Sessions, be imprisoned for any term not exceeding one year, and for a term not exceeding two years for a second or subsequent offence.

3. **Persons Charged at Magistrates' Courts.**—The total number of persons who were charged before magistrates in each State is given below for the five years 1917 to 1921 :—

MAGISTRATES' COURTS.—PERSONS CHARGED, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
New South Wales ..	71,666	76,870	78,103	89,572	94,685
Victoria	52,175	58,965	58,470	56,698	62,402
Queensland	24,243	25,006	21,926	24,180	24,479
South Australia ..	8,627	9,161	8,804	10,143	10,622
Western Australia ..	11,885	11,599	9,769	10,430	10,775
Tasmania	5,278	6,583	6,362	6,629	7,185
Northern Territory ..	239	301	221	221 ^a	115
Total	174,113	188,485	183,655	197,873	210,263

(a) Year 1919. Returns for 1920 not available.

Investigation of the returns shows that considerable variations in the total for single States are occasioned by breaches of new Acts, or the more stringent enforcement of the provisions of existing Acts. Any deductions drawn from the total returns as to the increase or otherwise of criminality must, therefore, be largely influenced by a careful analysis of the detailed list of offences.

4. **Convictions and Committals.**—The figures given in the tabulation above include, of course, a number of people who were wrongly charged, and statistically are not of general importance. The actual number of convictions in connexion with the persons who appeared before the lower courts in each year of the period 1917 to 1921 is, therefore given hereunder. A separate line is added showing the committals to higher courts.

MAGISTRATES' COURTS.—CONVICTIONS AND COMMITTALS, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
New South Wales .. { Convictions	59,999	63,811	64,518	74,667	80,214
.. { Committals	1,383	1,308	1,680	2,239	2,594
Victoria { Convictions	38,757	44,900	44,623	43,088	46,924
.. { Committals	495	406	575	795	776
Queensland { Convictions	21,985	22,818	19,773	21,922	22,479
.. { Committals	312	207	255	309	328
South Australia .. { Convictions	7,417	7,898	7,527	8,628	8,968
.. { Committals	82	79	74	123	121
Western Australia .. { Convictions	10,535	10,162	8,702	9,198	9,605
.. { Committals	126	96	127	112	120
Tasmania { Convictions	4,722	5,854	5,807	6,033	6,474
.. { Committals	40	37	55	72	88
Northern Territory { Convictions	230	255	187	187 ^a	100
.. { Committals	3	6	3	3 ^a	8
Total { Convictions	143,645	155,698	151,137	163,723	174,764
.. { Committals	2,441	2,139	2,769	3,653	4,035

(a) Year 1919. Returns for 1920 not available.

5. **Convictions for Serious Crime.**—While the figures given in the preceding table refer to the entire body of convictions, the fact must not be overlooked that they include a large proportion of offences of a technical nature, many of them unwittingly committed, against various Acts of Parliament. Cases of drunkenness and minor breaches of good order, which, if they can be said to come within the category of crime at all, at least do

so in a very different sense to some other offences, also help to swell the list. The following table, has therefore, been prepared for the purpose of showing the convictions at magistrates' courts for what may be regarded as the more serious offences, *i.e.*, against the person and property, either separately or conjointly, and forgery and offences against the currency :—

MAGISTRATES' COURTS.—CONVICTIONS FOR SERIOUS CRIME, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
TOTAL.					
New South Wales ..	5,499	6,355	7,232	7,704	8,057
Victoria ..	2,830	3,162	2,976	4,294	3,719
Queensland ..	1,403	1,427	1,526	1,357	1,747
South Australia ..	490	534	629	772	855
Western Australia ..	845	884	995	993	976
Tasmania ..	390	479	594	548	550
Northern Territory ..	50	18	11	11 ^a	42
Total ..	11,507	12,859	13,963	15,679	15,946

(a) Year 1919. Returns for 1920 not available.

PER 10,000 OF THE POPULATION.

New South Wales ..	28.9	32.7	36.1	37.2	38.2
Victoria ..	20.0	22.2	20.2	28.4	34.2
Queensland ..	20.5	20.4	21.1	18.1	22.8
South Australia ..	11.1	11.8	13.4	15.9	17.2
Western Australia ..	27.6	28.7	31.1	30.1	29.3
Tasmania ..	20.1	24.2	29.0	26.0	25.8
Northern Territory ..	103.1	37.0	23.6	23.6	107.4
Total ..	23.3	25.6	26.9	29.3	29.2

6. Decrease in Serious Crime, 1881 to 1921.—(i) *Rate of Convictions.* The figures quoted in the preceding table show that while during the last five years the rate of serious crime has increased somewhat, if the comparison be carried back to 1881 the position is seen to be more satisfactory. The rate of convictions at magistrates' courts per 10,000 of the population is given below for each of the years 1881, 1891, 1901, 1917, and 1921. Only the more serious offences particularized in the preceding sub-section have been taken into consideration.

MAGISTRATES' COURTS.—SERIOUS CRIME.—RATE OF CONVICTIONS, 1881 TO 1921.

Year.						Convictions per 10,000 Persons.
1881 ..	..	..	..	..	..	69.3
1891 ..	..	..	..	..	..	44.8
1901 ..	..	..	..	..	..	29.1
1917 ..	..	..	..	..	..	23.3
1921 ..	..	..	..	..	..	29.2

The figures already quoted refer to total convictions, and in respect of individuals necessarily involve a considerable amount of duplication, especially in minor offences, such as petty larcenies, *etc.*, in which the same offender appears before the court many times in the course of a year.

(ii) *Causes of Decrease.* The statistics given above show that there has been a considerable decrease in crime throughout Australia during the period dealt with. The results so far quoted are restricted entirely to the lower or magistrates' courts. There has also been a gratifying decrease in regard to offences tried at the higher courts, as will be seen later.

Attempts have been made to account for this decline: *e.g.*, advance in education, enlightened penological methods, etc. Much depends upon what is meant by education. Many classed in census statistics as "educated" can barely read and write. In this connexion, moreover, it ought not to be forgotten that collaterally with the introduction of ordinary intellectual education certain people have departed from their pristine virtues. In regard to the deterrent effect of punishment, it may be said that in respect of many offences, notably drunkenness, vagrancy, petty larcenies, etc., it appears to be almost negligible. In general, punishment has declined in brutality and severity, and has improved in respect of being based to a greater extent upon a scientific penological system, though in this latter respect there is yet much to be desired. Recent advances in penological methods will be referred to in a subsequent sub-section. Here it will be sufficient to remark that under the old régime, a prisoner on completion of a sentence in gaol was simply turned adrift on society, and in many cases sought his criminal friends, and speedily qualified for readmission to the penitentiary. Frequently he was goaded to this by mistaken zeal on the part of the police, who took pains to inform employers of the fact of a man having served a sentence in gaol. For a long time any assistance to discharged prisoners was in the hands of private organizations, such as the Salvation Army Prison Gate Brigade, but in some of the States, and notably in New South Wales, the authorities themselves look after the welfare of discharged prisoners in the way of finding work, providing tools, etc. Improvements in the means of communication and identification have been responsible for some of the falling-off noticeable in the criminal returns, the introduction of the Bertillon system having contributed to certainty of identification. In his report for the year 1910 the Inspector-General of Police in New South Wales states that "criminals have a wholesome dread of the finger-print system, and I have not the slightest doubt that it is one of the principal causes of the diminution of serious crimes." Part of the improvement may no doubt be referred also to the general amelioration in social conditions that has taken place during the last fifty years.

7. *Drunkenness.*—(i) *Cases and Convictions.* The number of cases of drunkenness and the convictions recorded in connexion therewith during the period 1917 to 1921 will be found in the following table:—

DRUNKENNESS.—CASES AND CONVICTIONS, 1917 TO 1921.

State.	1917.		1918.		1919.		1920.		1921.	
	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.
New South Wales ..	21,063	20,902	20,651	20,511	19,834	19,546	26,080	25,843	29,047	28,702
Victoria ..	7,575	4,101	5,987	3,049	6,237	3,000	7,154	3,834	7,821	4,334
Queensland ..	13,562	13,065	12,302	11,518	12,178	11,403	12,017	11,712	12,166	11,744
South Australia ..	3,097	3,072	3,308	3,298	3,197	3,171	3,403	3,443	3,465	3,443
Western Australia ..	4,023	4,598	4,058	4,020	3,612	3,595	4,222	4,185	4,135	4,103
Tasmania ..	415	407	433	426	485	474	536	530	539	531
Northern Territory ..	210	207	81	81	109	109	(a)109	(a)109	51	51
Total ..	50,545	46,352	46,820	42,903	45,652	41,298	53,581	49,661	57,024	52,908

(a) For 1919. Returns for 1920 not available.

The number of convictions is, as might naturally be expected, almost identical with the number of cases. Victoria, however, is an exception, but in this State it is explained that offenders are generally discharged on a first appearance, and no conviction is recorded, a similar procedure being also adopted in the case of those arrested on Saturday and detained in custody till Monday. The logic of excluding these cases from the list of convictions is certainly open to doubt.

(ii) *Convictions per 10,000 of Population.* The convictions for drunkenness per 10,000 of the population during each of the years from 1917 to 1921 are given hereunder :—

DRUNKENNESS.—CONVICTIONS PER 10,000 INHABITANTS, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
New South Wales	109.7	105.5	97.7	124.9	136.1
Victoria	29.1	21.4	20.4	25.4	28.2
Queensland	191.2	164.8	157.4	156.7	154.0
South Australia	69.5	73.0	67.7	70.1	69.2
Western Australia	150.3	130.6	112.5	127.0	123.1
Tasmania	21.0	21.5	23.1	25.2	24.9
Northern Territory	426.6	166.3	234.2	234.2	130.5
Total	93.7	85.3	79.5	92.6	96.9

The convictions for drunkenness taken by themselves are not an altogether satisfactory test of the relative sobriety of the inhabitants of each State, inasmuch as several important factors must be taken into consideration. The age and sex constitution of the people, for example, is by no means identical in each State, Western Australia having by far the largest proportion of adult males. Owing to the smallness of the population the figures for the Northern Territory are, of course, abnormal. The avocations of the people affect the result, since persons engaged in strenuous callings are, on the whole, more likely to indulge in alcoholic stimulants than those employed in less arduous ones. The distribution of the population is also a factor, the likelihood of arrest or summons for drunkenness obviously being greater in the more densely populated regions, and lastly, allowance must be made for the attitude of the magistracy, the police, and the public generally in regard to the offence. Due account also must be taken of the recent legislation dealing with the limitation of hours during which liquor may be sold in hotels.

(iii) *Consumption of Intoxicants.* It is not unusual to supplement statistics of drunkenness by furnishing also the relative consumption of alcoholic beverages. Deductions drawn therefrom will be very misleading if they fail to take into account also the consumption of non-intoxicating beverages such as tea and coffee, and the general habits of the people. Throughout the greater part of Europe, tea and coffee are consumed but sparingly, while Australia, as is well known, is one of the greatest tea-drinking countries of the world.

The following table shows the consumption of spirits, wine, and beer per head of the population in Australia during each year of the quinquennium 1918-22 :—

INTOXICANTS, CONSUMPTION.—AUSTRALIA, 1918 to 1922.

Year.	Consumption per Head of Population.		
	Spirits.	Wine.	Beer.
	Imp. Galls.	Imp. Galls.	Imp. Galls.
1917-8	0.50	0.50	11.92
1918-9	0.39	0.50	12.50
1919-20	0.45	0.50	13.39
1920-21	0.36	0.50	12.20
1921-22	0.36	0.50	11.49

(iv) *Treatment of Drunkenness.* (a) *General.* Though the problem of the correct method of dealing with dipsomania is by no means an easy one, it seems fairly clear that the present plan of bringing offenders before magistrates, and subjecting them to the penalty of imprisonment or fine, has little deterrent effect, as the same offenders are constantly reappearing before the courts. Further, the casting of an inebriate into prison, and placing him in his weakened mental state in the company of professional malefactors, certainly lowers his self-respect, and doubtless tends to swell the ranks of criminals. Examination of the prison records in New South Wales some years ago disclosed the fact that over 40 per cent. of the gaol population had commenced their

criminal career with a charge of drunkenness. During the last few years the dangers of moral contamination in this way have been more accurately appreciated, and a system of classification of prisoners has been adopted whereby the petty offender is as far as possible kept from association with the more evilly-disposed. The Comptroller-General of Prisons in Queensland stated in his Report for the year 1907 that "the drunken habit in many cases is merely one of many symptoms which jointly indicate the existence of a graver condition than simple habitual drunkenness."

(b) *Remedial.* Legislation has been passed in each State, providing for the commitment of inebriates to special Government institutions. The laws in the various States are as follows:—New South Wales, Inebriates Act 1912; Victoria, Inebriates Act 1915; Queensland, Inebriate Institutions Act 1896; South Australia, Inebriates Acts 1908, 1913, and 1920; Western Australia, Inebriates Acts 1912 and 1919; Tasmania, Inebriates Act 1885, Inebriate Hospitals Act 1892. Curative work was first undertaken by the Government of New South Wales in 1907. In most cases the institutes are connected with the gaols, and, naturally, custodial measures are still a strong feature in their management; nevertheless, the results of remedial measures have been encouraging.

8. *First Offenders.*—In all the States and in New Zealand statutes dealing with first offenders have been in force for some years, the dates of passing the Acts being as follows:—New South Wales, 1894; Victoria, 1890, 1908, and 1915 (Crimes Act, sec. 340); Queensland, 1887; South Australia, 1887 and 1913; Western Australia, 1892; Tasmania and New Zealand, 1886. The method of procedure is practically the same in all cases, i.e., with regard to most first offenders the magistrate or judge is empowered to allow the offender to go free on recognizances being entered into for his good behaviour for a certain period. In practice, this humane law has been found to work excellently, very few of those to whom its provisions have been extended having been found to relapse into crime.

9. *Children's Courts.*—Special courts for the trial of juvenile offenders have been established in New South Wales, Victoria, Western Australia, Tasmania, and New Zealand within the last few years, while Children's Courts, although not under that name, are practically provided for by the State Children's Acts of 1895 and 1900 in South Australia. The object of these Courts is to avoid, as far as possible, the unpleasant surroundings of the ordinary police court.

10. *Committals to Superior Courts.*—(i) *General.* In a previous sub-section it has been pointed out that comparisons of criminality based on a consideration of the total returns from magistrates' courts are somewhat inadequate, seeing that the figures include numbers of cases which are merely technical breaches of laws having in some instances a purely local significance. The committals to higher courts give a better basis of comparison, although even in this connexion allowance must be made for the want of uniformity in jurisdiction. The table below gives the number of committals in each year from 1917 to 1921, with the rate of such committals per 10,000 of the population.

COMMITTALS TO SUPERIOR COURTS, 1917 TO 1921.

State.		1917.	1918.	1919.	1920.	1921.
New South Wales	.. { No.	1,383	1,308	1,680	2,239	2,594
	.. { Rate	7.3	6.7	8.4	10.8	12.3
Victoria..	.. { No.	495	406	575	795	776
	.. { Rate	3.5	2.9	3.9	5.3	5.0
Queensland	.. { No.	312	207	255	309	328
	.. { Rate	4.6	3.0	3.5	4.1	4.3
South Australia	.. { No.	82	79	74	123	121
	.. { Rate	1.9	1.7	1.6	2.5	2.4
Western Australia	.. { No.	126	96	127	112	120
	.. { Rate	4.1	3.1	4.0	3.4	3.6
Tasmania	.. { No.	40	37	55	72	88
	.. { Rate	2.1	1.9	2.7	3.4	4.1
Northern Territory	.. { No.	3	6	3	3	8
	.. { Rate	6.2	12.3	6.4	7.1	20.5
Total	.. { No.	2,441	2,139	2,769	3,653	4,035
	.. { Rate	4.9	4.3	5.3	6.8	7.4

(ii) *Decrease in Rate since 1861.* The above figures show that the rate of committals for serious crime has increased by 50 per cent. during the last five years, but if the comparison be carried further back, it will be found that, as compared with the earlier years, there has been a considerable improvement. This will be evident from an examination of the following figures, which show the rate of committals per 10,000 persons in Australia at various periods since 1861 :—

RATE OF COMMITTALS, AUSTRALIA, 1861 TO 1921.

Year	..	..	..	..	1861.	1871.	1881.	1891.	1901.	1911.	1921.
Committals per 10,000 inhabitants	..	22	14	12	11	8	6	7			

The decline in proportion to population since 1861 has therefore been about 68 per cent.

§ 3. Superior Courts.

1. *Convictions at Superior Courts.*—The number of convictions at superior courts, with the rate per 10,000 of the population are given below for each of the years 1917 to 1921 :—

SUPERIOR COURTS.—CONVICTIONS, 1917 TO 1921.

State.		1917.	1918.	1919.	1920.	1921.
New South Wales	{ No.	661	622	762	1,027	1,111
	{ Rate	3.5	3.2	3.8	5.0	5.3
Victoria..	{ No.	303	245	347	461	520
	{ Rate	2.2	1.7	2.4	3.0	3.4
Queensland	{ No.	226	193	254	302	338
	{ Rate	3.3	2.8	3.5	4.0	4.4
South Australia ..	{ No.	59	46	47	83	97
	{ Rate	1.3	1.0	1.0	1.7	1.9
Western Australia	{ No.	55	55	63	69	70
	{ Rate	1.8	1.8	2.0	2.1	2.1
Tasmania	{ No.	28	18	39	51	57
	{ Rate	1.4	0.9	1.9	2.4	2.7
Northern Territory	{ No.	1	..	..	..	3
	{ Rate	2.0	..	..	..	7.7
Total						
..	{ No.	1,333	1,179	1,512	1,993	2,196
	{ Rate	2.7	2.3	2.9	3.7	4.0

The rate in 1901 was 4.6 per 10,000, and the decrease to the end of 1921 was, therefore, about 13 per cent.

In considering the above figures allowance must be made for the various factors enumerated in a preceding paragraph. South Australia and Tasmania, it will be noted, show the smallest proportion of serious crime, while the rates for New South Wales and the Northern Territory are the highest, the figures for the latter, however, owing to the particular conditions prevailing there being abnormal.

2. *Offences for which Convictions were Recorded at Superior Courts.*—In the following table will be found a classification of the principal offences for which persons were convicted at the higher courts during each year of the period 1917 to 1921. Owing to lack of uniformity in the presentation of the returns the information is confined to the chief offences against the person only.

SUPERIOR COURTS.—CONVICTIONS, SERIOUS CRIME, AUSTRALIA, 1917 TO 1921.

Offences.	1917.	1918.	1919.	1920.	1921.
Murder, and attempts at ..	21	14	34	20	29
Manslaughter	9	7	14	18	17
Rape, and attempts at ..	15	11	3	7	8
Other offences against females ..	79	75	66	69	87
" " " the person	239	155	220	223	235
Total	363	262	337	337	376

The total convictions for similar offences in 1901 amounted to 432, the decline during the period 1901 to 1921 amounting therefore to about 13 per cent.

3. Habitual Offenders.—In New South Wales the Habitual Criminals Act of 1905 gives judges the power of declaring a prisoner, after a certain number of sentences, to be an habitual criminal, and as such to be detained until, in the opinion of the authorities, he is fit to be at large. At the end of 1921 there were 26 persons in prison under this Act. Since the passing of the Act, 83 males and 1 female have been declared to be habitual criminals. The Indeterminate Sentences Act came into force in Victoria in July, 1908, and up to the end of June, 1922, 674 prisoners had been released on probation or parole. Of this number, 216 were re-convicted or returned for not observing the conditions of release, and 458 have not returned to prison. Of the latter, 217 are still on probation or parole, and 233 have completed their probation and are out of the Board's control. At the 30th June, 1922, the number under indeterminate detention was 114. The provisions of the Habitual Criminals Amendment Act of 1907 were put into force in South Australia in 1909, and 23 criminals had been declared to be habitual offenders up to the end of 1921. Of these, 20 had been released after serving the indeterminate portion, and 3 were serving the definite portion of their sentence. The Criminal Code Amendment Act of 1914, which makes provision for the detention and control of habitual criminals, was assented to in Queensland on the 3rd December, 1914, but up to the end of 1921 no prisoners had been brought under its provisions. In Western Australia, under the Criminal Code Amendment Act of 1918, power is given to declare a prisoner after a certain number of convictions to be an habitual criminal. Six prisoners were sentenced to preventive detention in 1921. During the period in which the Habitual Criminals and Offenders Act of 1907 (now Indeterminate Sentences Act 1921) has been in force in Tasmania, 117 men and 4 women have been released under its provisions, and the results, according to the Sheriff, have been satisfactory, only four prisoners having defaulted. Naturally it will be some time before the full effect of these measures on the prevalence of crime can be estimated. The Comptroller-General of Prisons in New South Wales stated, however, that the system has exercised a wholesome deterrent effect on the criminal who is not a prisoner, while the Indeterminate Sentence Board in Victoria states that it has become impressed with the advantages which this form of sentence offers, both from a reformatory and deterrent standpoint, over the ordinary sentence.

4. Capital Punishment.—The table below gives the number of executions in each State during the period 1917 to 1921:—

EXECUTIONS, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
New South Wales	2	..	..	..	..
Victoria .. ..	..	2	..	..	..
Queensland .. ..	..	..	..	..	..
South Australia .. ..	..	..	1	1	..
Western Australia .. ..	..	..	..	..	..
Tasmania .. ..	..	..	..	..	..
Total	2	2	1	1	..

In the early days of the history of Australia the penalty of death was attached to a large number of offences, many of which at the present time would be dealt with in the lower or magistrates' courts. With the growth of settlement, and the general amelioration in social and moral conditions, the list was, however, considerably curtailed, and the existing tendency is practically to restrict death sentences to cases of murder. It may be remarked that in cases of rape, which is a capital offence in some of the Australian States, the penalty has been but sparingly inflicted during the last few years. Juries are reputed to be loth to convict on this charge, owing to the uncertainty whether sentence of death will be pronounced.

Under the Criminal Code Amendment Act of 1922 capital punishment was abolished in Queensland.

During the period 1861 to 1880 the annual average number of executions in Australia was nine, from 1881 to 1900 the average was six, for the period 1901 to 1910 the figure stood at four, while the average for the last quinquennium was one.

§ 4. Prisons.

1. **Prison Accommodation and Prisoners, 1921.**—The table below shows the number of prisons in each State, the accommodation therein, and the number of prisoners in confinement at the end of 1921 :—

PRISON ACCOMMODATION AND PRISONERS, 1921.

State.	Number of Prisons.	Accommodation in—		Prisoners at End of Year.
		Separate Cells.	Wards.	
New South Wales	24	1,500	..	1,273
Victoria	15	1,439	640	733
Queensland	12	601	380	309
South Australia	13	759	466	252
Western Australia	22	681	909	211
Tasmania	2	100	..	95
Northern Territory	3	16	62	4
Total	91	5,096	2,457	2,877

The figures refer to prisoners under sentence, and are exclusive of aborigines.

2. **Prisoners in Gaol, 1917 to 1921.**—The number of prisoners in gaol at the 31st December in each of the years 1917 to 1921 is given below. As stated above, the figures refer to prisoners under sentence, and are exclusive of aborigines. A separate line is added in each instance showing the proportion per 10,000 of the population.

PRISONERS IN GAOL, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
New South Wales .. { Number ..	1,292	959	941	1,128	1,273
.. { Proportion	6.8	5.0	4.7	5.5	6.0
Victoria { Number ..	689	588	665	700	733
.. { Proportion	4.9	4.1	4.5	4.6	4.8
Queensland { Number ..	260	255	279	275	309
.. { Proportion	3.8	3.6	3.9	3.7	4.0
South Australia .. { Number ..	268	233	222	229	252
.. { Proportion	6.1	5.2	4.7	4.7	5.1
Western Australia .. { Number ..	195	185	158	167	211
.. { Proportion	6.4	6.0	4.9	5.1	6.3
Tasmania { Number ..	46	55	72	63	95
.. { Proportion	2.4	2.8	3.5	3.0	4.5
Northern Territory .. { Number ..	12	7	3	3	4
.. { Proportion	24.7	14.4	6.4	7.1	10.2
Commonwealth .. { Number ..	2,762	2,282	2,340	2,565	2,877
.. { Proportion	5.6	4.5	4.5	4.8	5.3

The proportion to population of prisoners in gaol under sentence has fallen by about 5 per cent. for Australia during the last five years, but, if the comparison be carried farther back, the position is seen to be more favourable, the proportion in 1891 being as high as 16 per 10,000.

3. Improvement of Penological Methods.—(i) *New South Wales.* During recent years Australia, in common with most other civilized countries, has introduced considerable modifications and improvements in methods of prison management. Under the old system, punishment partook more or less of the character of reprisal for wrongdoing, and the idea of constituting the prison as a reformatory agency was in the background. But in recent years there has been an earnest attempt at effecting a moral reformation in the unfortunates who lapse into crime. This aspect of prison management has been specially prominent in New South Wales. A short account of the reorganization of the prison system in this State appears in preceding Year Books (see No. V., p. 922), but considerations of space preclude its repetition here. At the present time it is found that good results have followed the principles of scientific classification and restricted association of prisoners, together with the provision of separate institutions for the treatment of inebriates. Special efforts are put forward to provide reproductive work of a regular and intelligent nature. At the chief penitentiaries for males and females in the metropolis, a careful classification of prisoners is carried out, and provision is made for the treatment of special cases at some of the larger country gaols. Young first offenders are employed at the Emu Plains Prison Farm, and first offenders over the age of 25 years are drafted to the Prisoners' Afforestation Camp at Tuncurry, on the Manning River. This institution, which was opened in 1911, has given very satisfactory results. Over 176,000 seedlings were planted in 1921, and many thousands of trees, some up to 40 feet in height, are flourishing. The Shaftesbury Inebriate Institution was established in 1915 for the treatment of non-criminal inebriates, and in the following year provision was made for the accommodation and treatment of voluntary paying guests. In many instances prisoners received into the gaols are found to be suffering from contagious diseases, and, under the Prisoners Detention Act such persons may be detained until cured.

Amongst other improvements introduced during the last two years were the relieving of the monotony of non-working hours at week-ends by the provision of concerts and lectures at the principal gaols, by more open-air exercise on Saturday afternoons and Sundays, and by the supply of a greater variety of interesting books and magazines to the prison libraries. As the Comptroller-General points out, these changes have been brought about, not from sympathy with the criminal, but as ordinary necessities to the wholesome functioning of the mind.

In 1902 the system of finger-print identification of criminals was introduced, and in the following year bureaux were established in the various States for the exchange of records. Very successful results have attended the introduction of the system.

(ii) *Victoria.* Space will not permit of more than a passing reference to the improvements brought about in prison management in the other States. In Victoria there is an excellent system of classification and allocation of prisoners in various grades to different gaols, while at the important penal establishment at Pentridge careful segregation into several classes is carried out. In common with the other States the latest humane methods of accommodation and prison treatment have for some time been employed. An afforestation camp known as McLeod Settlement, French Island, was opened in 1916, and on the 30th June, 1922, there were 31 inmates. In addition to the work of afforestation some of the land has been laid down in crops, and a commencement has been made in poultry and pig-keeping. It is stated that the experiment has resulted in improvement, both in demeanour and physique of prisoners, and in many cases has led to a return to honest citizenship. A farm has also been established about 3 miles from the prison at Castlemaine, and the inmates are taken to and fro daily. The number in confinement

on the 30th June, 1922, was 42. Accommodation has been provided for housing a certain number of prisoners on the farm site. The orchard planted in connexion with the farm contains about 1,000 fruit trees. Provision has been made for practical instruction in carpentering and other work which will help in securing employment for prisoners on release.

Under the Venereal Diseases Act, prisoners where necessary receive medical treatment, and after release the treatment where required is continued outside the prison at places gazetted by the Health Department. Provision is also made for dental attention where necessary, the treatment being free if the prisoner is unable to pay or to make arrangements for payment.

(iii) *Queensland.* Queensland prisons have been considerably modernized during the last few years. Amongst recent reforms may be mentioned the provision of a separate institution at Brisbane for long-sentence prisoners, and the extension of the principle of classification and separation. Juvenile offenders, i.e., those between the ages of 16 and 21 years, are kept apart from other prisoners and treated in accordance with the latest reformatory methods. The penal establishment at St. Helena has been converted into a farm colony, and well-conducted prisoners receive special treatment there during the latter stages of their sentences. Greater facilities have been provided for the instruction of prisoners in trades which will afford them a means of earning a livelihood on their release, and the prison libraries have been replenished with useful and interesting literature. Under the provisions of the Health Act, prisoners suffering from venereal disease may be detained until danger of infection has ceased.

(iv) *South Australia.* The present system of gaol administration was drafted mainly on English and European lines by the late W. R. Boothby, C.M.G., and has since been as far as possible adapted to modern penological procedure. At the Yatala Labour Prison, which is the largest in the State, the number in confinement on the 31st December, 1921, was 122. The prisoners are graded into three classes—first offenders, second offenders, and old offenders, the various classes being kept apart. The Adelaide gaol, which had 70 prisoners in confinement at the end of 1921, is the next in point of importance. Provision is made for the special treatment of inebriates at the Adelaide and Gladstone gaols.

(v) *Western Australia.* A Royal Commission in 1911 recommended the adoption of various reforms in connexion with the prison system of Western Australia. The bulk of these were carried out, and included, amongst other things, an extension of the principle of separate treatment, improvement in prisoners' dietary scale, more satisfactory arrangements in regard to remission of sentences, and better conditions in regard to hours of labour, leave of absence, etc., for the staff. Amongst other improvements introduced may be mentioned the grant of an eight hours' day to officers, enlargement and improved hygiene of cells, additional library facilities, assistance to discharged prisoners by provision of railway passes and monetary aid, appointment of committees to look after the welfare of discharged prisoners, and the remodelling of the "mark" system. The military method of control at Rottnest Island, coupled with considerable privileges to well-conducted prisoners, has proved very successful. Under the Prisons Act Amendment Act of 1918 a portion of Fremantle Prison was set aside as a reformatory prison in 1919, and first offenders are kept separate from other prisoners.

(vi) *Tasmania.* The number of convicted prisoners in confinement in Tasmanian gaols on the 30th June, 1922, was 90, of whom 87 were confined in the penal establishment at Hobart and three at the Launceston gaol. There were no prisoners in the country gaols. The completion of alterations to the Hobart gaol has facilitated the classification of offenders, and afforded greater opportunities for teaching trades. Youthful offenders are kept apart from ordinary prisoners.

§ 5. Civil Courts.

1. **Lower Courts.**—The transactions of the lower courts on the civil side during each of the last five years are given in the table hereunder. As pointed out previously the jurisdiction of the courts is by no means uniform in the various States.

LOWER COURTS.—CIVIL CASES, 1917 TO 1921.

State.		1917.	1918.	1919.	1920.	1921.
New South Wales ..	{ Cases No.	31,172	32,135	31,847	34,475	37,557
	{ Amount £	88,576	94,026	92,853	111,531	145,176
Victoria ..	{ Cases No.	32,187	31,870	34,841	38,300	45,319
	{ Amount £	143,469	149,755	155,009	158,198	202,606
Queensland ..	{ Cases No.	11,867	10,957	9,289	10,428	14,339
	{ Amount £	51,302	53,710	56,555	58,476	84,277
South Australia ..	{ Cases No.	14,579	13,619	14,600	18,030	20,334
	{ Amount £	42,774	52,847	58,647	73,505	103,715
Western Australia ..	{ Cases No.	13,798	11,387	11,990	12,306	15,240
	{ Amount £	44,937	40,243	43,601	46,765	63,162
Tasmania ..	{ Cases No.	4,611	4,489	4,325	4,954	1,442
	{ Amount £	29,080	28,769	30,537	34,329	36,571
Total	{ Cases . No.	108,214	104,457	106,892	118,493	134,231
	{ Amount £	400,138	419,350	437,202	482,804	635,507

The figures just given represent the returns from Petty Sessions Courts in New South Wales and Victoria, the Petty Debts Courts in Queensland, the Local Courts of South Australia and Western Australia, and the Courts of Requests in Tasmania.

2. **Superior Courts.**—In the next table will be found the transactions on the civil side in the Superior Courts during each of the years 1917 to 1921.

The New South Wales returns refer to the total amounts sued for, and not the sums actually awarded after trial in the District Courts, and are exclusive of judgments signed in the Supreme Court, for which the amount is not available.

SUPERIOR COURTS.—CIVIL CASES, 1917 TO 1921.

State.		1917.	1918.	1919.	1920.	1921.
New South Wales ..	{ Causes No.	862	846	933	1,148	1,344
	{ Amount £	274,646	259,902	333,539	377,419	475,816
Victoria ..	{ Causes No.	573	583	661	760	906
	{ Amount £	88,177	108,919	100,200	122,840	226,736
Queensland ..	{ Causes No.	126	184	172	225	231
	{ Amount £	27,169	19,994	44,567	19,707	32,513
South Australia ..	{ Causes No.	13	18	20	39	52
	{ Amount £	..	4,518	3,491	16,938	5,673
Western Australia ..	{ Causes No.	108	141	138	174	288
	{ Amount £	14,639	30,100	26,757	28,890	54,339
Tasmania ..	{ Causes No.	326	329	237	145	246
	{ Amount £	20,481	17,453	29,808	14,507	13,651
Total	{ Causes No.	2,008	2,101	2,161	2,491	3,067
	{ Amount £	425,112	440,886	538,362	580,301	808,728

(a) Exclusive of judgments signed, Supreme Court, the amount not being recorded.

3. **Divorces and Judicial Separations.**—The number of divorces and judicial separations in each State during the period 1917 to 1921 is shown below. The figures refer in the case of divorces to decrees made absolute in each year.

DIVORCES AND JUDICIAL SEPARATIONS, 1917 TO 1921.

State.	1917.		1918.		1919.		1920.		1921.	
	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.
New South Wales ..	383	13	380	11	427	7	556	11	789	18
Victoria ..	202	..	233	3	346	2	373	2	388	1
Queensland ..	16	3	24	2	25	1	45	1	56	2
South Australia ..	20	1	17	..	30	..	32	2	88	1
Western Australia ..	24	..	63	..	37	..	29	..	21	..
Tasmania ..	7	..	4	..	6	2	18	..	40	..
Northern Territory ..	..	..	..	..	..	..	..	..	..	..
Total ..	652	17	721	16	871	12	1,053	16	1,382	22

The average annual number of divorces and judicial separations in Australia at decennial periods from 1871 to 1920 is as follows :—

DIVORCES AND JUDICIAL SEPARATIONS.—AUSTRALIA, 1871 TO 1920.

	1871-1880.	1881-90.	1891-1900.	1901-10.	1911-20.
Averages ..	29	70	358	401	719

The bulk of the divorces and judicial separations refer to New South Wales and Victoria, the Acts of 1899 and 1889 in the respective States having made the separation of the marriage tie comparatively easy. In some statistical works it is customary to compare the divorces in any year with the marriages in the same year. The comparison is, however, quite valueless, as there is no necessary connexion between the figures.

4. **Probates.**—The number of probates and letters of administration granted, together with the value of the estates concerned, are given below for each State for the period 1917 to 1921 :—

PROBATES AND LETTERS OF ADMINISTRATION, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
New South Wales ..	{ Number 6,498 Value £ 11,923,328	{ 6,877 11,827,552	{ 7,188 17,131,131	{ 5,737 12,265,044	{ 5,461 13,895,765
Victoria ..	{ Number 5,835 Value £ 9,486,584	{ 6,935 11,009,294	{ 7,404 13,844,186	{ 5,837 14,672,239	{ 5,769 12,554,865
Queensland ..	{ Number 841 Value £ 2,706,692	{ 959 2,335,848	{ 1,122 3,733,964	{ 1,027 3,594,844	{ 1,130 4,039,379
South Australia ..	{ Number 1,946 Value £ 3,188,871	{ 2,321 4,760,203	{ 2,319 3,470,000	{ 1,844 3,831,914	{ 1,784 3,115,106
Western Australia ..	{ Number 1,176 Value £ 1,119,024	{ 1,574 1,193,841	{ 1,353 2,451,828	{ 948 1,438,192	{ 1,059 1,854,099
Tasmania ..	{ Number 513 Value £ 844,276	{ 435 928,317	{ 564 1,390,836	{ 517 1,095,536	{ 518 1,207,252
Total ..	{ Number 16,809 Value £ 29,358,775	{ 19,101 32,055,055	{ 19,950 42,021,945	{ 15,910 36,897,769	{ 15,721 36,666,466

5. **Bankruptcies.**—(i) *General.* The returns in bankruptcy during each of the last five years are given in the following table.

For several reasons comparisons drawn from these figures are of little value. In the first place, the statements of assets and liabilities are notably unsatisfactory, particularly in regard to the former. Then, again, there is wide dissimilarity in regard to the laws in force in the various States and the methods of procedure thereunder in connexion with bankruptcy. Further, there are no means of knowing how many persons in each State who were in a bankrupt condition made private arrangements with their creditors either personally or by intervention of a solicitor. The figures quoted in the table exclude private arrangements in Victoria, South Australia, and Western Australia, and the liquidations in Queensland and Tasmania.

BANKRUPTCIES, 1917 TO 1921.

State.		1917.	1918.	1919.	1920.	1921.
New South Wales	Number ..	301	264	316	344	394
	Liabilities £	227,663	221,928	323,222	204,594	311,900
	Assets £	208,093	115,776	189,920	139,550	166,457
Victoria	Number ..	222	243	207	186	300
	Liabilities £	152,338	131,247	184,041	154,658	180,044
	Assets £	94,390	77,089	130,328	53,229	92,048
Queensland	Number ..	137	170	144	118	150
	Liabilities £	81,148	35,837	68,291	73,853	65,803
	Assets £	29,084	11,694	26,863	57,904	18,760
South Australia	Number ..	108	91	59	60	67
	Liabilities £	122,036	137,469	78,888	81,610	121,987
	Assets £	79,810	109,641	63,724	54,502	96,658
Western Australia	Number ..	56	23	31	25	30
	Liabilities £	46,588	9,559	23,958	46,381	43,944
	Assets £	44,829	4,010	21,190	41,875	35,899
Tasmania	Number ..	2	1	..	..	6
	Liabilities £	1,255	912	..	..	1,829
	Assets £	5	118	..	..	1,599
Northern Territory	Number ..	..	..	1	..	..
	Liabilities £	..	..	115	..	..
	Assets £	..	..	7	..	..
Total ..	Number ..	826	792	758	733	947
	Liabilities £	631,028	536,952	678,515	561,096	725,307
	Assets £	456,211	318,328	432,032	347,060	411,421

(ii) *Deeds of Arrangement, etc.* The figures given above are, as explained, exclusive of private arrangements. In Victoria during 1921 the deeds of arrangement numbered 100, the declared liabilities and assets being £186,305 and £140,430 respectively. Liquidations under the Insolvency Act in Queensland numbered 13, the total liabilities and assets amounting to £16,618 and £15,021 respectively. In South Australia 88 compositions were arranged during the year. Under the Bankruptcy Amendment Act of 1898, 11 compositions, 5 schemes of arrangement, and 38 deeds of assignment were made in Western Australia. In Tasmania, 12 liquidations involving liabilities £12,437 and assets £8,282, and 6 compositions with liabilities £1,268 and assets £330, were arranged during 1921.

6. *High Court of Australia.*—Under the provisions of section 71 of the Commonwealth Constitution Act, the judicial power of the Commonwealth is vested in a Federal Supreme Court, called the High Court of Australia, and in such other courts as the Parliament creates or invests with federal jurisdiction. The Federal High Court possesses both original and appellate jurisdiction. The powers of the Court are defined in Chapter III. of the Constitution Act and in the Judiciary Acts of 1903–20. At present the Court consists of a Chief Justice and six other judges. Sittings of the Court are held in the capitals of the various States as occasion may require. The following statement shows the transactions of the High Court for the quinquennium 1917–21 :—

COMMONWEALTH HIGH COURT.—TRANSACTIONS, 1917 TO 1921.

Items.	1917.	1918.	1919.	1920.	1921.
I. ORIGINAL JURISDICTION.					
Number of writs issued ..	106	76	93	123	155
Number of causes entered for trial ..	18	8	8	20	24
Verdicts for plaintiffs ..	6	4	3	6	13
Verdicts for defendants ..	5	1	..	5	4
Otherwise disposed of ..	47	10	5	31	22
Amount of judgments ..	£6,025	£3,463	£1,730	£6,907	£15,403
II. APPELLATE JURISDICTION.					
Number of appeals set down for hearing	72	67	54	65	68
Number allowed ..	31	33	20	20	31
Number dismissed ..	33	27	25	31	24
Otherwise disposed of ..	8	7	9	14	13
III. AMOUNT OF FEES COLLECTED.					
Amount in each year ..	£619	£708	£502	£675	£742

During the year 1921 the Court dealt also with other matters as follows :—

Appeals from Assessments under the Taxation Assessment Acts ..	17
Special cases stated for the opinion of the Full Court	16
Applications for Prohibition	2
Applications under the Trading with the Enemy Act	1

7. **Commonwealth Court of Conciliation and Arbitration.**—A more or less detailed statement regarding the operation of this Court, which was established under the provisions of the Commonwealth Conciliation and Arbitration Act of 1904–20, will be found in Chapter XIII.

§ 6. Cost of Administration of Justice.

1. **Expenditure by the State.**—The table below shows the expenditure from Consolidated Revenue during each of the last five years in connexion with the administration of justice in each of the States. Expenditure on police and on prisons are given on separate lines. With regard to the figures quoted for "other" expenditure, a slight allowance has to be made for the fact that some extraneous expenditure has been included which it was found impossible to disentangle from the total, but the amount is in no instance large.

STATE EXPENDITURE ON JUSTICE, 1917 TO 1921.

State.		1917.	1918.	1919.	1920.	1921.
		£	£	£	£	£
New South Wales ..	Police	709,649	722,754	977,506	1,101,767	1,150,323
	Gaols	90,633	87,875	92,781	113,882	120,136
	Other	276,722	277,805	309,632	370,061	400,943
Victoria ..	Police	371,413	397,025	490,016	577,407	579,351
	Gaols	55,027	54,328	61,937	75,986	74,161
	Other	163,381	166,946	193,481	227,190	224,670
Queensland ..	Police	337,259	346,802	407,480	476,153	458,955
	Gaols	33,626	35,346	36,802	40,190	36,236
	Other	128,328	124,763	140,374	149,068	143,592
South Australia ..	Police	136,158	151,090	159,258	197,157	211,428
	Gaols	22,040	23,063	27,381	31,940	33,359
	Other	39,569	41,124	60,784	52,500	54,129
Western Australia ..	Police	136,752	136,295	171,832	186,717	184,245
	Gaols	22,104	23,939	28,669	30,417	28,715
	Other	75,184	71,787	83,546	97,779	89,987
Tasmania ..	Police	49,448	54,960	66,940	79,372	79,105
	Gaols	6,619	6,418	8,274	9,774	10,097
	Other	21,223	21,407	29,289	33,322	34,114
Northern Territory a	Police	10,210	10,200	11,435	12,970	15,520
	Gaols	2,972	3,048	2,663	3,857	4,171
	Other	1,991	2,196	1,925	3,396	3,289
Total ..	Police	1,750,889	1,819,126	2,284,467	2,631,543	2,678,927
	Gaols	233,021	234,017	258,507	306,046	306,875
	Other	706,398	706,028	819,031	933,316	950,724

(a) See 2, Federal Expenditure, below.

The rise in expenditure during the last few years was due chiefly to increases in wages and salaries and heavier outlay on stores and supplies.

For the purposes of comparison the figures in the table above have been reduced to a population basis, and the results are given in the table following :—

STATE EXPENDITURE ON JUSTICE PER HEAD, 1917 TO 1921.

State.	1917.	1918.	1919.	1920.	1921.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
New South Wales .. { Police	7 5	7 5	9 9	10 8	10 11
.. { Gaols	0 11	0 11	0 11	1 1	1 2
.. { Other	2 11	2 10	3 1	3 7	3 10
Victoria .. { Police	5 3	5 7	6 8	7 8	7 6
.. { Gaols	0 9	0 9	0 10	1 0	1 0
.. { Other	2 4	2 4	2 8	3 0	2 11
Queensland .. { Police	9 10	9 11	11 3	12 9	12 0
.. { Gaols	1 0	1 0	0 11	1 1	0 11
.. { Other	3 9	3 7	3 10	4 0	3 9
South Australia .. { Police	6 2	6 8	6 10	8 1	8 6
.. { Gaols	1 0	1 0	1 2	1 4	1 4
.. { Other	1 9	1 10	2 7	2 2	2 2
Western Australia .. { Police	8 11	8 10	10 9	11 4	11 1
.. { Gaols	1 5	1 7	1 10	1 10	1 9
.. { Other	4 11	4 8	5 3	5 11	5 5
Tasmania .. { Police	5 1	5 7	6 6	7 7	7 5
.. { Gaols	0 8	0 8	0 10	0 11	0 11
.. { Other	2 2	2 2	2 10	3 2	3 2
Northern Territory .. { Police	42 1	41 11	49 2	61 7	79 5
.. { Gaols	12 3	12 6	11 5	18 4	21 4
.. { Other	8 2	9 10	8 3	16 1	16 10
Total .. { Police	7 1	7 3	8 9	9 10	9 10
.. { Gaols	0 11	0 11	1 0	1 2	1 1
.. { Other	2 10	2 10	3 2	3 6	3 6

Owing to the smallness of the white population, large area to be policed, and cost of supplies, transport, etc., the figures for the Northern Territory must necessarily appear somewhat abnormal.

The total expenditure in connexion with the administration of justice in the various States has risen from 10s. per inhabitant in 1901 to 14s. 5d. in 1921. Police expenditure increased by 4s. 1d. per head, the average for gaols declined by 1d., while the expenditure on courts and the remaining machinery of justice increased by 5d. per head during the same period. Increased salaries and allowances, and the heavier cost of materials and equipment, were largely responsible for the rise in the rate per head during the last few years.

2. Federal Expenditure.—(i) *High Court.* With the exception of that for the Northern Territory, the expenditure shown in the foregoing tables is that incurred by the State Governments only, and does not include expenditure in connexion with the Federal High Court, which is given hereunder for the period 1916–17 to 1921–22.

EXPENDITURE ON FEDERAL HIGH COURT, 1916–17 TO 1921–22.

Year.	Amount.	Year.	Amount.
	£		£
1916–17	31,780	1919–20	34,370
1917–18	31,352	1920–21	34,669
1918–19	30,337	1921–22	33,776

(ii) *Other Expenditure.* Other items of expenditure during 1921–22 by the Commonwealth Attorney-General's Department include—Secretary's office, £18,358; Crown Solicitor, £18,248; Court of Conciliation and Arbitration, £4,949; Public Service Arbitrator, £4,524. Including the High Court expenditure, but excluding that in connexion with Patents and Copyright, the total expenditure by the federal law authorities in 1921–22 amounted to £103,568.