

COMMONWEALTH BUREAU OF CENSUS AND STATISTICS

CANBERRA, AUSTRALIA

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SOCIAL STATISTICS : AUSTRALIA

NO. 37 : DIVORCE

QUARTER ENDED SEPTEMBER, 1965

CONTENTS

| <u>Table</u> | | <u>Page</u> |
|--------------|--|-------------|
| .. | Explanatory Notes | 2 |
| | <u>I. PETITIONS FILED : DISSOLUTION OF MARRIAGE, NULLITY OF MARRIAGE AND JUDICIAL SEPARATION</u> | |
| 1. | Petitions Filed : States, quarter ended September, 1965 | 3 |
| 2. | Petitions Filed : Australia, 1960 to September quarter, 1965 | 3 |
| 3. | Petitions Filed for Dissolution of Marriage : States, 1960 to September quarter, 1965 | 4 |
| | <u>II. DECREES GRANTED : DISSOLUTION OF MARRIAGE, NULLITY OF MARRIAGE AND JUDICIAL SEPARATION</u> | |
| 4. | Decrees Granted : States, quarter ended September, 1965 | 4 |
| 5. | Decrees Granted : Australia, 1960 to September quarter, 1965 | 5 |
| 6. | Dissolutions Granted : States, 1960 to September quarter, 1965 | 5 |
| 7. | Grounds on which Decrees were Granted : States, quarter ended September, 1965 | 6 |
| 8. | Dissolutions Granted : Ages of Parties at time of Dissolution, Australia, quarter ended September, 1965 | 7 |
| 9. | Dissolutions Granted : Duration of Marriage and Number of Children, Australia, quarter ended September, 1965 | 7 |

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EXPLANATORY NOTES

This bulletin contains statistics of divorce for the quarter ended September, 1965, and for previous periods. For further details in respect of past periods, see previous issues in this series and the annual bulletin "Demography". Details for 1964 were shown in "Social Statistics No. 33 - Divorce, Quarter and Year Ended December, 1964", issued on 24th August, 1965.

2. The Commonwealth Matrimonial Causes Act 1959 came into operation on 1st February, 1961. This Act provides a uniform law throughout Australia with respect to divorce and other matrimonial causes, and supersedes the matrimonial causes laws of the States and Territories except in so far as the transitional provisions of the Act keep them in force for the purpose of completing pending proceedings. Therefore statistics of petitions filed since February, 1961, are on a uniform basis for all States and Territories, but statistics of decrees of dissolution, nullity and judicial separation granted since that date include some decrees made on petitions under the superseded laws and are to that extent not uniformly based. By 1965, such decrees had dwindled to an insignificant number. Because of differences in legislation and also some variations from State to State in the bases of compilation of divorce statistics prior to the introduction of the uniform system, the figures for 1960 are not strictly comparable with those for later years.

3. Under the new legislation a court may grant decrees of dissolution of marriage (commonly known as divorce), judicial separation, nullity of marriage, restitution of conjugal rights and jactitation of marriage (i.e., that a person should refrain from making the false claim that a marriage has taken place between him and another person.). Orders may be made for the custody and welfare of children, maintenance, the settlement of property, and damages for adultery.

4. The statistics in this bulletin refer only to petitions filed and final decrees granted, for dissolution, nullity and judicial separation. Statistics of petitions filed relate only to the original petition in a suit, i.e., a cross-petition contained in an answer by the respondent is not taken as a separate petition.

I. PETITIONS FILED

TABLE 1. - PETITIONS FILED FOR DISSOLUTION OF MARRIAGE,

NULLITY OF MARRIAGE AND JUDICIAL SEPARATION : QUARTER ENDED SEPTEMBER, 1965

| Petition for - | N.S.W. | Vic. | Q'ld. | S.A. | W.A. | Tas. | N.T. | A.C.T. | Aust. |
|---------------------------|--------|------|-------|------|------|------|------|--------|-------|
| Dissolution of Marriage - | | | | | | | | | |
| Husband Petitioner | 469 | 286 | 169 | 109 | 103 | 34 | 9 | 13 | 1,192 |
| Wife Petitioner | 818 | 372 | 177 | 171 | 92 | 47 | 10 | 14 | 1,701 |
| <u>Total</u> | 1,287 | 658 | 346 | 280 | 195 | 81 | 19 | 27 | 2,893 |
| Nullity of Marriage - | | | | | | | | | |
| Husband Petitioner | 1 | .. | .. | 1 | .. | 2 | .. | .. | 4 |
| Wife Petitioner | 6 | 1 | 1 | 3 | 1 | .. | .. | .. | 12 |
| <u>Total</u> | 7 | 1 | 1 | 4 | 1 | 2 | .. | .. | 16 |
| Dissolution or Nullity - | | | | | | | | | |
| Husband Petitioner | .. | 1 | .. | .. | .. | .. | .. | .. | 1 |
| Wife Petitioner | 1 | 3 | 1 | 1 | .. | .. | .. | .. | 6 |
| <u>Total</u> | 1 | 4 | 1 | 1 | .. | .. | .. | .. | 7 |
| Judicial Separation - | | | | | | | | | |
| Husband Petitioner | .. | .. | 1 | .. | .. | .. | .. | .. | 1 |
| Wife Petitioner | 2 | .. | .. | .. | .. | .. | .. | .. | 2 |
| <u>Total</u> | 2 | .. | 1 | .. | .. | .. | .. | .. | 3 |
| Total Petitions - | | | | | | | | | |
| Husband Petitioner No. | 470 | 287 | 170 | 110 | 103 | 36 | 9 | 13 | 1,198 |
| Per cent. | 36 | 43 | 49 | 39 | 53 | 43 | (a) | (a) | 41 |
| Wife Petitioner No. | 827 | 376 | 179 | 175 | 93 | 47 | 10 | 14 | 1,721 |
| Per cent. | 64 | 57 | 51 | 61 | 47 | 57 | (a) | (a) | 59 |
| <u>TOTAL</u> | 1,297 | 663 | 349 | 285 | 196 | 83 | 19 | 27 | 2,919 |

(a) Percentage not calculated.

TABLE 2. - PETITIONS FILED FOR DISSOLUTION OF MARRIAGE,

NULLITY OF MARRIAGE AND JUDICIAL SEPARATION : AUSTRALIA

| Petition for - | 1960 | 1961 | 1962 | 1963 | 1964 | Quarter ended - | | | | |
|---|-------|-------|-------|-------|--------|-----------------|---------------|----------------|---------------|----------------|
| | | | | | | Sept., 1964 | Dec., 1964 | March, 1965 | June, 1965 | Sept., 1965 |
| Dissolution of Marriage - | | | | | | | | | | |
| Husband Petitioner | 3,709 | 4,394 | 4,072 | 4,000 | 4,215 | 1,046 | 1,100 | 1,073 | 1,062 | 1,192 |
| Wife Petitioner | 4,385 | 5,110 | 5,176 | 5,602 | 5,933 | 1,650 | 1,503 | 1,513 | 1,611 | 1,701 |
| <u>Total</u> | 8,094 | 9,504 | 9,248 | 9,602 | 10,148 | 2,696 | 2,603 | 2,586 | 2,673 | 2,893 |
| Nullity of Marriage - | | | | | | | | | | |
| Husband Petitioner | 23 | 13 | 15 | 11 | 14 | 5 | 4 | 3 | 6 | 4 |
| Wife Petitioner | 32 | 44 | 35 | 28 | 30 | 6 | 10 | 8 | 3 | 12 |
| <u>Total</u> | 55 | 57 | 50 | 39 | 44 | 11 | 14 | 11 | 9 | 16 |
| Dissolution or Nullity - | | | | | | | | | | |
| Husband Petitioner | .. | 3 | 6 | 5 | 5 | 2 | 3 | 1 | 3 | 1 |
| Wife Petitioner | .. | 4 | 5 | 10 | 12 | 5 | 3 | 4 | 2 | 6 |
| <u>Total</u> | .. | 7 | 11 | 15 | 17 | 7 | 6 | 5 | 5 | 7 |
| Judicial Separation - | | | | | | | | | | |
| Husband Petitioner | 7 | 2 | 2 | 3 | .. | .. | .. | .. | .. | 1 |
| Wife Petitioner | 31 | 9 | 18 | 26 | 34 | 5 | 9 | 6 | 6 | 2 |
| <u>Total</u> | 38 | 11 | 20 | 29 | 34 | 5 | 9 | 6 | 6 | 3 |
| Dissolution or Judicial Separation - | | | | | | | | | | |
| Husband Petitioner | .. | .. | .. | 1 | .. | .. | .. | .. | .. | .. |
| Wife Petitioner | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. |
| <u>Total</u> | .. | .. | .. | 1 | 1 | .. | .. | .. | .. | .. |
| Total Petitions - | | | | | | | | | | |
| Husband Petitioner No. | 3,739 | 4,412 | 4,095 | 4,020 | 4,234 | 1,053 | 1,107 | 1,077 | 1,071 | 1,198 |
| Per cent. | 46 | 46 | 44 | 42 | 41 | 39 | 42 | 41 | 40 | 41 |
| Wife Petitioner No. | 4,448 | 5,167 | 5,234 | 5,666 | 6,010 | 1,666 | 1,525 | 1,531 | 1,622 | 1,721 |
| Per cent. | 54 | 54 | 56 | 58 | 59 | 61 | 58 | 59 | 60 | 59 |
| <u>TOTAL</u> | 8,187 | 9,579 | 9,329 | 9,686 | 10,244 | 2,719 | 2,632 | 2,608 | 2,693 | 2,919 |

TABLE 3. - PETITIONS FILED FOR DISSOLUTION OF MARRIAGE (a)

| Period | N.S.W. | Vic. | Q'ld. | S.A. | W.A. | TAS. | N.T. | A.C.T. | Aust. |
|-----------------|--------|-------|-------|-------|------|------|------|--------|--------|
| Year - 1960 | 3,746 | 1,798 | 863 | 781 | 560 | 274 | 26 | 46 | 8,094 |
| 1961 | 4,215 | 2,289 | 1,084 | 865 | 620 | 321 | 40 | 70 | 9,504 |
| 1962 | 4,093 | 2,148 | 1,083 | 910 | 651 | 276 | 39 | 48 | 9,248 |
| 1963 | 4,339 | 2,163 | 1,061 | 1,005 | 623 | 271 | 50 | 90 | 9,602 |
| 1964 | 4,484 | 2,357 | 1,121 | 1,034 | 653 | 322 | 53 | 124 | 10,148 |
| Quarter ended - | | | | | | | | | |
| September, 1964 | 1,158 | 603 | 333 | 299 | 164 | 85 | 13 | 41 | 2,696 |
| December, 1964 | 1,160 | 645 | 272 | 248 | 156 | 82 | 13 | 27 | 2,603 |
| March, 1965 | 1,114 | 566 | 303 | 265 | 204 | 77 | 15 | 42 | 2,586 |
| June, 1965 | 1,140 | 616 | 302 | 309 | 160 | 88 | 13 | 45 | 2,673 |
| September, 1965 | 1,287 | 658 | 346 | 280 | 195 | 81 | 19 | 27 | 2,893 |

(a) This table excludes petitions filed for nullity of marriage, judicial separation and any petitions for two or more alternative types of relief.

II. DECREES GRANTED

TABLE 4. - DISSOLUTIONS OF MARRIAGE,

NULLITIES OF MARRIAGE AND JUDICIAL SEPARATIONS GRANTED (a) :

QUARTER ENDED SEPTEMBER, 1965

| Decree for - | N.S.W. | Vic. | Q'ld. | S.A. | W.A. | Tas. | N.T. | A.C.T. | Aust. |
|---------------------------|---------|------|-------|------|------|------|------|--------|-------|
| Dissolution of Marriage - | | | | | | | | | |
| Husband Petitioner | 435 | 241 | 107 | 105 | 66 | 36 | 7 | 14 | 1,011 |
| Wife Petitioner | 622 | 352 | 153 | 140 | 86 | 40 | 3 | 22 | 1,418 |
| <u>Total</u> | 1,057 | 593 | 260 | 245 | 152 | 76 | 10 | 36 | 2,429 |
| Nullity of Marriage - | | | | | | | | | |
| Husband Petitioner | 1 | .. | .. | .. | 1 | .. | .. | .. | 2 |
| Wife Petitioner | 2 | 2 | .. | .. | .. | .. | .. | .. | 4 |
| <u>Total</u> | 3 | 2 | .. | .. | 1 | .. | .. | .. | 6 |
| Judicial Separation - | | | | | | | | | |
| Husband Petitioner | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Wife Petitioner | .. | .. | .. | .. | .. | 1 | .. | .. | 1 |
| <u>Total</u> | .. | .. | .. | .. | .. | 1 | .. | .. | 1 |
| Total Decrees - | | | | | | | | | |
| Husband Petitioner | No. 436 | 241 | 107 | 105 | 67 | 36 | 7 | 14 | 1,013 |
| Per cent. | 41 | 41 | 41 | 43 | 44 | 47 | (b) | (b) | 42 |
| Wife Petitioner | No. 624 | 354 | 153 | 140 | 86 | 41 | 3 | 22 | 1,423 |
| Per cent. | 59 | 59 | 59 | 57 | 56 | 53 | (b) | (b) | 58 |
| <u>TOTAL</u> | 1,060 | 595 | 260 | 245 | 153 | 77 | 10 | 36 | 2,436 |

(a) Decrees absolute.

(b) Percentage not calculated.

TABLE 5. - DISSOLUTIONS OF MARRIAGE, NULLITIES OF MARRIAGE
AND JUDICIAL SEPARATIONS GRANTED (a) : AUSTRALIA

| Decree for - | 1960 | 1961 | 1962 | 1963 | 1964 | Quarter ended - | | | | |
|---------------------------------|-------|-------|-------|-------|-------|-----------------|---------------|----------------|---------------|----------------|
| | | | | | | Sept., 1964 | Dec., 1964 | March, 1965 | June, 1965 | Sept., 1965 |
| Dissolution of Marriage - | | | | | | | | | | |
| Husband Petitioner | 3,078 | 3,068 | 3,308 | 3,257 | 3,377 | 993 | 956 | 884 | 712 | 1,011 |
| Wife Petitioner | 3,555 | 3,643 | 3,935 | 4,216 | 4,536 | 1,287 | 1,382 | 1,186 | r1,024 | 1,418 |
| Granted on Petitions of Both | .. | 1 | 2 | 3 | 4 | 1 | .. | 2 | .. | .. |
| <u>Total</u> | 6,633 | 6,712 | 7,245 | 7,476 | 7,917 | 2,281 | 2,338 | 2,072 | r1,736 | 2,429 |
| Nullity of Marriage - | | | | | | | | | | |
| Husband Petitioner | 26 | 15 | 12 | 7 | 11 | 2 | 4 | .. | 4 | 2 |
| Wife Petitioner | 37 | 22 | 28 | 25 | 33 | 11 | 9 | 4 | 8 | 4 |
| <u>Total</u> | 63 | 37 | 40 | 32 | 44 | 13 | 13 | 4 | 12 | 6 |
| Judicial Separation - | | | | | | | | | | |
| Husband Petitioner | 2 | .. | 2 | .. | .. | .. | .. | .. | .. | .. |
| Wife Petitioner | 11 | 2 | 3 | 7 | 6 | .. | 3 | .. | 3 | 1 |
| <u>Total</u> | 13 | 2 | 5 | 7 | 6 | .. | 3 | .. | 3 | 1 |
| Total Decrees - | | | | | | | | | | |
| Husband Petitioner No. | 3,106 | 3,083 | 3,322 | 3,264 | 3,388 | 995 | 960 | 884 | 716 | 1,013 |
| Per cent. | 46 | 46 | 46 | 43 | 43 | 43 | 41 | 43 | 41 | 42 |
| Wife Petitioner No. | 3,603 | 3,667 | 3,966 | 4,248 | 4,575 | 1,298 | 1,394 | 1,190 | r1,035 | 1,423 |
| Per cent. | 54 | 54 | 54 | 57 | 57 | 57 | 59 | 57 | 59 | 58 |
| Granted on Petitions of Both | .. | 1 | 2 | 3 | 4 | 1 | .. | 2 | .. | .. |
| <u>TOTAL</u> | 6,709 | 6,751 | 7,290 | 7,515 | 7,967 | 2,294 | 2,354 | 2,076 | r1,751 | 2,436 |

(a) Decrees absolute. r - Revised.

TABLE 6. - DISSOLUTIONS OF MARRIAGE GRANTED (a)

| Period | N.S.W. | Vic. | Q'ld. | S.A. | W.A. | Tas. | N.T. | A.C.T. | Aust. |
|-----------------|--------|-------|-------|------|------|------|------|--------|--------|
| Year - 1960 | 3,243 | 1,296 | 696 | 610 | 540 | 210 | 5 | 33 | 6,633 |
| 1961 | 3,156 | 1,248 | 779 | 718 | 466 | 286 | 23 | 36 | 6,712 |
| 1962 | 3,113 | 1,615 | 920 | 685 | 582 | 248 | 38 | 44 | 7,245 |
| 1963 | 3,293 | 1,616 | 910 | 765 | 553 | 260 | 38 | 41 | 7,476 |
| 1964 | 3,024 | 2,130 | 981 | 887 | 542 | 229 | 31 | 93 | 7,917 |
| Quarter ended - | | | | | | | | | |
| September, 1964 | 796 | 729 | 259 | 250 | 134 | 69 | 10 | 34 | 2,281 |
| December, 1964 | 959 | 679 | 256 | 225 | 142 | 50 | 6 | 21 | 2,338 |
| March, 1965 | 783 | 477 | 306 | 258 | 146 | 60 | 10 | 32 | 2,072 |
| June, 1965 | 765 | 452 | 167 | 147 | 112 | 61 | 6 | r26 | r1,736 |
| September, 1965 | 1,057 | 593 | 260 | 245 | 152 | 76 | 10 | 36 | 2,429 |

(a) Decrees absolute. This table excludes nullities of marriage and judicial separations granted. r - Revised.

TABLE 7. - GROUNDS ON WHICH DISSOLUTIONS OF MARRIAGE, NULLITIES OF MARRIAGE
AND JUDICIAL SEPARATIONS WERE GRANTED (a) - : QUARTER ENDED SEPTEMBER, 1965

| Ground | N.S.W. | Vic. | Q'ld. | S.A. | W.A. | Tas. | N.T. | A.C.T. | Aust. |
|---|--------|------|-------|------|------|------|------|--------|-------|
| DISSOLUTION OF MARRIAGE | | | | | | | | | |
| Single grounds - | | | | | | | | | |
| Desertion | 472 | 287 | 142 | 78 | 34 | 31 | .. | 8 | 1,052 |
| Adultery | 247 | 159 | 40 | 68 | 56 | 8 | 6 | 14 | 598 |
| Separation | 180 | 123 | 53 | 59 | 47 | 25 | 2 | 7 | 496 |
| Cruelty | 54 | 9 | 15 | 28 | 3 | 2 | 1 | 2 | 114 |
| Drunkenness | 16 | 1 | 1 | 3 | 1 | 2 | .. | 1 | 25 |
| Failure to pay maintenance | .. | .. | .. | .. | 2 | .. | .. | .. | 2 |
| Non-compliance with restitution decree | 4 | .. | .. | .. | .. | .. | .. | .. | 4 |
| Refusal to consummate | 3 | 2 | 2 | .. | .. | .. | .. | 1 | 8 |
| Insanity | 2 | 1 | .. | .. | .. | .. | .. | .. | 3 |
| Frequent convictions | 6 | 3 | .. | 1 | .. | 1 | .. | .. | 11 |
| Inflicting grievous bodily harm | .. | .. | .. | 1 | .. | .. | 1 | .. | 2 |
| Rape | .. | 3 | .. | .. | .. | .. | .. | .. | 3 |
| Other single grounds | 3 | .. | .. | 1 | .. | 1 | .. | .. | 5 |
| Dual grounds - | | | | | | | | | |
| Desertion and adultery | 11 | 2 | 3 | 1 | 3 | 2 | .. | .. | 22 |
| Desertion and separation | 20 | 3 | 2 | 2 | 2 | 2 | .. | .. | 31 |
| Desertion and cruelty | 10 | .. | .. | .. | 1 | 2 | .. | .. | 13 |
| Desertion and drunkenness | 4 | .. | 1 | 1 | .. | .. | .. | .. | 6 |
| Cruelty and drunkenness | 17 | .. | 1 | 2 | 1 | .. | .. | 3 | 24 |
| Other dual grounds | 5 | .. | .. | .. | 2 | .. | .. | .. | 7 |
| Three grounds or more | 3 | .. | .. | .. | .. | .. | .. | .. | 3 |
| <u>Total</u> | 1,057 | 593 | 260 | 245 | 152 | 76 | 10 | 36 | 2,429 |
| NULLITY OF MARRIAGE | | | | | | | | | |
| Bigamy | 1 | .. | .. | .. | .. | .. | .. | .. | 1 |
| Incapacity to consummate | 2 | 2 | .. | .. | 1 | .. | .. | .. | 5 |
| <u>Total</u> | 3 | 2 | .. | .. | 1 | .. | .. | .. | 6 |
| JUDICIAL SEPARATION | | | | | | | | | |
| Adultery | .. | .. | .. | .. | .. | 1 | .. | .. | 1 |

(a) Decrees absolute.

TABLE 8. - DISSOLUTIONS OF MARRIAGE GRANTED (a) : AGES OF PARTIES AT TIME OF DISSOLUTION OF MARRIAGE, AUSTRALIA, QUARTER ENDED SEPTEMBER, 1965

| Age of Husband (Years) | Age of Wife (Years) | | | | | | | | | | Total Husbands | |
|--------------------------|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-----------|----------------|----------|
| | Under 20 | 20-24 | 25-29 | 30-34 | 35-39 | 40-44 | 45-49 | 50-54 | 55-59 | 60 & over | No. | Per cent |
| Under 20 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| 20-24 | 2 | 46 | 7 | 1 | .. | 1 | .. | .. | .. | .. | 57 | 2 |
| 25-29 | .. | 96 | 159 | 26 | 2 | .. | .. | .. | .. | .. | 283 | 12 |
| 30-34 | 2 | 24 | 191 | 147 | 30 | 6 | 2 | .. | .. | .. | 402 | 17 |
| 35-39 | .. | 4 | 60 | 169 | 188 | 47 | 7 | 4 | .. | .. | 479 | 20 |
| 40-44 | .. | 2 | 15 | 35 | 154 | 150 | 26 | 11 | .. | .. | 393 | 16 |
| 45-49 | .. | .. | 4 | 9 | 44 | 118 | 97 | 23 | 4 | 3 | 302 | 12 |
| 50-54 | .. | .. | .. | 3 | 18 | 49 | 98 | 78 | 10 | 2 | 258 | 11 |
| 55-59 | .. | .. | .. | 1 | 7 | 9 | 28 | 44 | 27 | 9 | 125 | 5 |
| 60 and over | .. | 1 | 1 | .. | 4 | 6 | 10 | 14 | 37 | 57 | 130 | 5 |
| Total (No. Wives) | 4 | 173 | 437 | 391 | 447 | 386 | 268 | 174 | 78 | 71 | 2,429 | .. |
| Wives (%) | .. | 7 | 18 | 16 | 19 | 16 | 11 | 7 | 3 | 3 | .. | 100 |

(a) Decrees absolute. This table excludes nullities of marriage and judicial separations granted.

TABLE 9. - DISSOLUTIONS OF MARRIAGE GRANTED (a) : DURATION OF MARRIAGE AND NUMBER OF CHILDREN OF MARRIAGE (b), AUSTRALIA, QUARTER ENDED SEPTEMBER, 1965

| Duration of Marriage (Years) | Dissolutions of Marriage with - | | | | | | | Total Marriages Dissolved | | Total Number of Children (b) |
|--|---------------------------------|---------|------------|------------|------------|------------|--------------------|---------------------------|----------|------------------------------|
| | No Children | 1 Child | 2 Children | 3 Children | 4 Children | 5 Children | 6 or more Children | No. | Per cent | |
| Under 5 | 109 | 46 | 14 | 3 | 3 | .. | .. | 175 | 7 | 95 |
| 5 - 9 | 237 | 194 | 137 | 38 | 17 | 3 | .. | 626 | 26 | 665 |
| 10 - 14 | 126 | 118 | 146 | 78 | 22 | 6 | 3 | 499 | 20 | 783 |
| 15 - 19 | 97 | 89 | 128 | 89 | 43 | 8 | 6 | 460 | 19 | 872 |
| 20 - 24 | 71 | 66 | 83 | 56 | 13 | 12 | 8 | 309 | 13 | 560 |
| 25 - 29 | 82 | 47 | 34 | 12 | 9 | 3 | .. | 187 | 8 | 202 |
| 30 and over | 134 | 27 | 6 | 3 | 2 | 1 | .. | 173 | 7 | 61 |
| Total (No. Marriages Dissolved) | 856 | 587 | 548 | 279 | 109 | 33 | 17 | 2,429 | .. | .. |
| Dissolved (%) | 35 | 24 | 23 | 12 | 4 | 1 | 1 | .. | 100 | .. |
| Total Number of Children (b) | .. | 587 | 1,096 | 837 | 436 | 165 | 117 | .. | .. | 3,238 |

(a) Decrees absolute. This table excludes nullities of marriage and judicial separations granted.

(b) Living children under 21 at time of petition. The term "children" used in the Commonwealth legislation refers to living "children of the marriage" under 21 years; but the table above includes a small number of dissolutions granted to petitions filed under old legislation in which the term "children" was used differently.

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COMMONWEALTH BUREAU OF CENSUS AND STATISTICS

CANBERRA, A.C.T. 18TH FEBRUARY, 1966.

NOTE. - Inquiries concerning these statistics may be made in Canberra by telephoning 496155 Extension 28 or, in each State capital, by telephoning the office of the Bureau of Census and Statistics.