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SECTION XXIII.

PUBLIC JUSTICE.

§ 1. Police.

1. **Introductory.**—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.

In general terms the police forces of Australia may be said to be satisfactory both in regard to physique and intelligence, while as regards methods of prevention and detection of crime it is believed that the system in vogue here compares very favourably with those of the older-settled countries of the world.

2. **Strength of Police Force.**—The strength of the police force in each State during the five years ended 1918 was as follows. 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 Commonwealth electoral rolls, etc. :—

POLICE FORCES IN THE COMMONWEALTH, 1914 TO 1918.

State.	Area of State in Sq. Miles.	1914.	1915.	1916.	1917.	1918.
New South Wales	310,372	2,627	2,613	2,587	2,557	2,481
Victoria ..	87,884	1,739	1,737	1,638	1,650	1,558
Queensland ..	670,500	1,112	1,194	1,176	1,152	1,141
South Australia..	380,070	556	541	567	540	521
Western Australia	975,920	482	495	473	472	465
Tasmania ..	26,215	231	233	232	235	235
Northern Territory	523,620	25	26	27	27	28
Commonwealth	2,974,581	6,772	6,839	6,700	6,633	6,429

The figures for New South Wales for 1918 are exclusive of 40 "black trackers," i.e., natives employed in detection of offenders chiefly in outlying districts. In Queensland there were 90 native trackers. The South Australian returns for 1918 are exclusive of 10 "black trackers" and one female searcher. The Northern Territory had 24 "black trackers" in 1918. There are also 44 "black trackers" in Western Australia not included in the table.

Average Number of Inhabitants to each Police Officer. 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.

INHABITANTS TO EACH POLICE OFFICER, 1914 TO 1918.

(COMMONWEALTH.)

State.	Number of Persons per Sq. Mile, 1911 Census.	Inhabitants to each Police Officer.				
		1914.	1915.	1916.	1917.	1918.
New South Wales	5.31	709	716	719	732	771
Victoria ..	14.97	823	816	855	855	910
Queensland ..	0.90	608	570	569	598	603
South Australia..	0.46	794	810	762	800	845
Western Australia	0.29	670	642	653	656	669
Tasmania ..	7.29	872	863	862	868	867
Northern Territory	..	159	175	179	184	178
Commonwealth	1.50	730	721	728	739	775

The figures in the preceding tables shew a great disparity in the relative numbers of the population protected by each police officer in the various States, and also in the relative area of territory to each officer. Western Australia and South Australia exhibit the largest figures in the latter respect, this, of course, being due to the fact that extensive areas in each State are as yet unpeopled by white settlers.

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 Queensland, according to the Commissioner's report for 1919, no less than sixty-four subsidiary offices are held by the police. As far as the statistician is concerned, it is found that the expert local knowledge possessed by the police renders their services in the collection of such returns as those relating to the agricultural, pastoral, and manufacturing industries, private schools, etc., more than ordinarily valuable. Then, again, the fact that their services are enlisted by such widely different departments as those dealing with mines, stock, agriculture, elections, registrations of births, deaths, and marriages, forestry, fisheries, explosives, old-age pensions, lunacy, public works, labour, etc., greatly enhances their general alertness by widening the range of their experience. Occasionally the objection is heard in some quarters that these special tasks involve some degree of sacrifice of ordinary routine duties, but that the general intelligence of the Australian police is adequate to the obligation to perform these tasks, besides being most creditable, results in a great saving of the public money.

4. Cost of Police Forces.—The expenditure from Consolidated Revenue on the police forces in each State during the five years 1914 to 1918 is shewn in the following table. Cost of buildings has been excluded from the return :—

COST OF POLICE FORCES IN THE COMMONWEALTH, 1914 TO 1918.

State.	1914.	1915.	1916.	1917.	1918.
	£	£	£	£	£
New South Wales ..	592,694	603,347	649,093	709,649	722,754
Victoria	380,724	365,821	356,885	371,413	397,025
Queensland	302,633	302,209	322,422	337,259	363,362
South Australia ..	132,445	131,580	127,632	136,158	151,090
Western Australia ..	133,452	131,806	125,446	136,752	136,295
Tasmania	45,972	45,952	47,320	49,448	54,960
Northern Territory ..	10,307	10,216	10,260	10,210	10,200
Commonwealth ..	1,598,227	1,590,931	1,639,058	1,750,889	1,835,686

The total for New South Wales includes £72,000 payment to Police Superannuation Fund. Similar payments in Victoria and Queensland amount to £30,000 and £37,000 respectively, while smaller sums are included in the returns for other States. The cost per head of the population in each State for the period 1914 to 1918 was as follows:—

COST OF POLICE PER INHABITANT, 1914 TO 1918.

(COMMONWEALTH.)

State.	1914.	1915.	1916.	1917.	1918.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
New South Wales	6 4	6 6	7 0	7 6	7 6
Victoria	5 4	5 2	5 1	5 3	5 6
Queensland	9 0	8 11	9 8	9 10	10 6
South Australia	6 0	6 0	5 11	6 3	6 9
Western Australia	8 3	8 3	8 1	8 10	8 8
Tasmania	4 7	4 7	4 9	4 10	5 3
Northern Territory	52 0	44 9	43 0	41 2	42 8
Commonwealth	6 6	6 6	6 9	7 2	7 4

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 shew a very high average. The duties of the police, moreover, chiefly pertain to matters connected with the control of aborigines.

Expenditure in connection with police patrol in Papua during 1918-19 amounted to about £13,200.

§ 2. Lower (Magistrates') Courts.

1. **Introductory.**—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. In any consideration of criminal returns, due weight should also be given to the prevalence of undetected crime, but information on this point can only be obtained 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 (see page 25).

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 authorised 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 1914 to 1918 :—

PERSONS CHARGED BEFORE MAGISTRATES IN THE COMMONWEALTH,
1914 TO 1918.

State.	1914.	1915.	1916.	1917.	1918.
New South Wales	94,766	86,576	82,036	71,666	76,851
Victoria	57,977	63,140	59,315	52,175	58,965
Queensland	29,635	30,047	25,206	24,243	25,006
South Australia	10,693	9,587	8,322	8,627	9,161
Western Australia	17,879	14,864	15,454	11,885	11,599
Tasmania	6,481	6,306	5,259	5,278	6,583
Northern Territory	203	287	313	239	301
Commonwealth	217,634	210,807	195,905	174,113	188,466

As the table shews, there was a large decrease in 1917 in charges in New South Wales, Victoria, Queensland, and Western Australia, small increases being recorded in South Australia and Tasmania.

Investigation of the returns shews, moreover, 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. For example, the increase in the Victorian figures for 1915 was due to the inclusion in the summons returns of over 10,000 cases in

connexion with the Commonwealth Electoral Act. 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. (See also § 2, 1, *ante*.)

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 1914 to 1918 is, therefore, given hereunder. A separate line is added shewing the committals to higher courts.

CONVICTIONS AND COMMITTALS AT MAGISTRATES' COURTS, 1914 TO 1918.

(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales ..	Convictions	81,217	73,248	68,615	59,999	63,792
	Committals	1,648	1,570	1,656	1,383	1,308
Victoria ..	Convictions	41,033	44,947	40,246	38,757	44,900
	Committals	571	634	552	495	406
Queensland ..	Convictions	27,244	27,625	23,161	21,985	22,818
	Committals	458	411	304	312	207
South Australia ..	Convictions	9,280	8,222	7,145	7,417	7,898
	Committals	135	105	71	82	79
Western Australia ..	Convictions	15,849	13,308	13,595	10,535	10,162
	Committals	147	*116	141	126	96
Tasmania ..	Convictions	5,852	5,492	4,614	4,722	5,854
	Committals	67	35	42	40	37
Northern Territory	Convictions	187	271	288	230	255
	Committals	2	1	3	3	6
Commonwealth	Convictions	180,662	173,113	157,664	143,645	155,679
	Committals	3,028	2,872	2,769	2,441	2,139

* Exclusive of four extradited.

4. **Convictions for Serious Crime.**—While the figures given in the preceding table refer to the entire body of convictions, the fact must not be lost sight of 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 shewing 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:—

CONVICTIONS FOR SERIOUS CRIME AT MAGISTRATES' COURTS, 1914 TO 1918.

(COMMONWEALTH.)

State.	1914.	1915.	1916.	1917.	1918.
New South Wales ..	6,100	5,217	6,271	5,499	6,355
Victoria ..	2,705	2,994	2,736	2,830	3,162
Queensland ..	1,497	1,639	1,487	1,403	1,427
South Australia ..	665	607	522	490	534
Western Australia ..	1,237	1,005	1,014	845	884
Tasmania ..	611	558	441	390	479
Northern Territory ..	28	18	37	50	18
Commonwealth ..	12,843	12,038	12,508	11,507	12,859

Compared with the population the above figures give the following results per 10,000 inhabitants :—

CONVICTIONS FOR SERIOUS CRIME PER 10,000 INHABITANTS, 1914 TO 1918.
(COMMONWEALTH.)

State.	1914.	1915.	1916.	1917.	1918.
New South Wales ..	32.9	27.9	33.5	29.4	31.2
Victoria ..	19.0	21.0	19.4	20.0	22.3
Queensland ..	22.2	23.9	21.9	20.6	20.7
South Australia ..	15.1	13.8	12.1	11.3	12.2
Western Australia ..	38.2	31.2	32.2	27.4	28.4
Tasmania ..	30.8	28.0	22.3	19.6	23.5
Northern Territory ..	74.6	40.9	76.3	100.8	36.0
Commonwealth ..	26.1	24.3	25.5	23.5	25.8

5. **Decrease in Crime.**—The figures quoted in the preceding table shew that during the last five years the rate of serious crime has decreased considerably, while if the comparison be carried back to 1881 the position is seen to be still 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, 1914, and 1918. Only the more serious offences, particularised in the preceding sub-section, have been taken into consideration.

RATE OF CONVICTIONS FOR SERIOUS CRIME IN THE COMMONWEALTH, 1881 TO 1918.

Year.						Convictions per 10,000 Persons.
1881 .. .. .	..	..	..	..	..	69.3
1891 .. .. .	..	..	..	..	..	44.8
1901 .. .. .	..	..	..	..	..	29.1
1914 .. .. .	..	..	..	..	..	26.1
1918 .. .. .	..	..	..	..	..	25.8

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 the year.

6. **Causes of Decrease in Crime.**—The statistics given shew that there has been a considerable decrease in crime throughout Australia. 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 section. Here it will be sufficient to remark that under the old regime, 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 organisations, 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.

As will be seen from the following table the restrictions on the consumption of intoxicants during the course of the war has been responsible for a great falling off in convictions for drunkenness.

7. **Drunkenness.**—The number of cases of drunkenness and the convictions recorded in connexion therewith during the period 1914 to 1918 will be found in the following table :—

CASES AND CONVICTIONS.—DRUNKENNESS, 1914 TO 1918.

(COMMONWEALTH.)

State.	1914.		1915.		1916.		1917.		1918.	
	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.
New South Wales	33,393	33,208	26,010	25,863	23,192	23,017	21,063	20,902	20,651	20,511
Victoria	14,437	7,425	13,453	7,086	11,316	6,049	7,575	4,101	5,987	3,049
Queensland	16,510	16,443	16,260	16,196	13,374	13,059	13,562	13,065	12,302	11,518
South Australia	5,282	5,243	4,060	4,027	3,451	3,433	3,097	3,072	3,308	3,298
Western Australia	6,791	6,766	5,675	5,645	5,045	5,009	4,623	4,598	4,058	4,020
Tasmania	685	661	628	612	488	480	415	407	433	426
Northern Territory	64	64	158	158	208	202	210	207	81	81
Commonwealth	77,162	69,810	66,244	59,587	57,074	51,249	50,545	46,352	46,820	42,903

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.

The convictions for drunkenness per 10,000 of the population during each of the years from 1914 to 1918 are given hereunder :—

CONVICTIONS FOR DRUNKENNESS PER 10,000 INHABITANTS, 1914 TO 1918.

(COMMONWEALTH.)

State.	1914.	1915.	1916.	1917.	1918.
New South Wales	179.3	138.2	123.1	111.3	107.2
Victoria	52.2	49.7	42.9	29.2	21.5
Queensland	243.6	235.7	192.7	192.0	167.3
South Australia	119.1	91.5	79.3	71.1	74.9
Western Australia	209.2	175.1	159.2	149.0	129.2
Tasmania	33.3	30.7	24.2	20.5	20.9
Northern Territory	170.6	358.8	416.6	417.5	162.2
Commonwealth	141.9	120.4	104.4	94.6	86.1

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.

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 shews the consumption of spirits, wine, and beer per head of the population in the Commonwealth and in other countries at the latest date for which the information is available :—

CONSUMPTION OF ALCOHOLIC BEVERAGES IN VARIOUS COUNTRIES.

Country.	Consumption per Head of Population.			Country.	Consumption per Head of Population.		
	Spirits.	Wine.	Beer.		Spirits.	Wine.	Beer.
	Imp. Galls.	Imp. Galls.	Imp. Galls.		Imp. Galls.	Imp. Galls.	Imp. Galls.
United Kingdom (1907-11) ..	0.76	0.27	26.94	Canada (1916-17)	0.70	0.06	4.19
Commonwealth (1918-19) ..	0.39	0.50	12.50	German Empire (1912) ..	0.64	0.68	23.32
New Zealand (1918) ..	0.49	0.11	9.21	France (1917) ..	0.41	26.84	4.48
				United States (1918) ..	1.12	0.28	14.59

8. Treatment of Drunkenness as Crime.—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, doubtless tends to swell the ranks of criminals, and certainly tends to lower his self-respect. 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.”

9. Remedial Treatment of Inebriates.—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 and 1913; 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. In Victoria an institute purporting to be wholly remedial was founded in 1907. It may be mentioned that there are private retreats in various places in the Commonwealth, but these are not officially subsidised or inspected.

10. Treatment of Habitual Offenders.—In New South Wales the Habitual Criminal 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 1918 there were 30 persons in prison under this Act. Since the passing of the Act 74 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, 1919, 384 prisoners had been released on probation or parole. Of this number, 166 were classed as habitual criminals, of whom 44 satisfactorily completed probation and were not again convicted, 65 were convicted and returned to prison, 53 were still on probation or on parole, and 4 died while on probation. Since the passing of the Act 557 persons have been dealt with under its provisions. The provisions of the Habitual Criminals Amendment Act of 1907 were put into force in South Australia in 1909, and 22 criminals had been declared to be habitual offenders up to the end of 1918. Of these, 15 had been released after serving the indeterminate portion of their sentence, 5 were serving the definite portion, and 2 the indefinite 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 1918 no prisoners had been brought under its provisions. 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 states, 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. During the period in which the Habitual Criminals and Offenders Act of 1907 has been in force in Tasmania, 86 men and 2 women have been released under its provisions, and the results, according to the Sheriff, have been satisfactory, only two prisoners having been reconvicted and sentenced to further imprisonment.

11. Treatment of 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 recognisances 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.

12. 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.

13. Committals to Superior Courts.—In a previous 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 1914 to 1918, with the proportion of such committals per 10,000 of the population. The rates are shown on a separate line.

COMMITTALS TO SUPERIOR COURTS, 1914 TO 1918.
(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales	{No.	1,699	1,633	1,707	1,383	1,308
	{Rate	9.2	8.7	9.1	7.4	6.8
Victoria	{No.	571	634	552	495	406
	{Rate	4.0	4.4	3.9	3.5	2.9
Queensland	{No.	458	411	304	312	207
	{Rate	6.8	6.0	4.5	4.6	3.0
South Australia	{No.	135	105	71	82	79
	{Rate	3.1	2.4	1.6	1.9	1.8
Western Australia	{No.	147	116*	141	126	96
	{Rate	4.5	3.6	4.1	3.6	3.1
Tasmania	{No.	67	35	42	40	37
	{Rate	3.4	1.8	2.1	2.0	1.8
Northern Territory	{No.	2	1	3	3	6
	{Rate	5.3	2.3	6.2	6.1	12.0
Commonwealth	{No.	3,079	2,935	2,820	2,441	2,139
	{Rate	6.3	5.9	5.7	5.0	4.3

* Exclusive of four extradited.

The above figures shew that the rate of committals for serious crime has decreased by 33 per cent. during the last five years, but if the comparison be carried farther 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 shew the rate of committals per 10,000 persons in Australia at various periods since 1861 :—

RATE OF COMMITTALS IN AUSTRALIA, 1861 TO 1918.

Year	1861.	1871.	1881.	1891.	1901.	1918.
Committals per 10,000 inhabitants	22	14	12	11	8	4

The decline in proportion to population since 1861 has therefore been about 82 per cent.

§ 3. Superior Courts.

1. **Convictions at Superior Courts.**—The total number of convictions at superior courts, together with the rate per 10,000 of the population, is shewn below for each of the years 1914 to 1918 :—

CONVICTIONS AT SUPERIOR COURTS, 1914 TO 1918.
(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales	{No.	810	843	815	661	622
	{Rate	4.4	4.5	4.4	3.5	3.2
Victoria	{No.	372	431	366	303	248
	{Rate	2.6	3.0	2.6	2.2	1.7
Queensland	{No.	382	351	266	226	193
	{Rate	5.7	5.1	3.9	3.3	2.8
South Australia	{No.	93	74	52	59	46
	{Rate	2.1	1.7	1.2	1.4	1.0
Western Australia	{No.	84	66	91	55	55
	{Rate	2.6	2.0	2.9	1.8	1.8
Tasmania	{No.	41	19	30	28	18
	{Rate	2.1	1.0	1.5	1.4	0.9
Northern Territory	{No.	1	1	1	1	..
	{Rate	2.7	2.3	2.1	2.0	..
Commonwealth	{No.	1,783	1,785	1,621	1,333	1,182
	{Rate	3.6	3.6	3.5	2.7	2.4

The rate in 1901 was 4.6 per 10,000, and the decrease to the end of 1918 was, therefore, about 47 per cent.

In considering the above figures allowance must be made for the various factors enumerated in a preceding paragraph. Tasmania, it will be noted, shews the smallest proportion of serious crime, while the figures available shew that the island State is relatively the smallest consumer of alcoholic beverages. That a definite causal relation exists between the figures shewn by the respective tables is not, however, obvious.

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 1914 to 1918. Owing to lack of uniformity in the presentation of the returns for the several States the information is confined to the chief offences against the person only. In the case of Victoria the information is incomplete regarding the convictions on summons committals. The figures quoted refer to convictions in the Commonwealth during the period dealt with.

CONVICTIONS FOR SERIOUS CRIME, SUPERIOR COURTS, 1914 TO 1918.
(COMMONWEALTH.)

Offences.	1914.	1915.	1916.	1917.	1918.
Murder, and attempts at	42	25	22	20	16
Manslaughter	15	15	13	9	6
Rape, and attempts at	67	90	77	75	14
Other offences against the person	300	226	209	259	226
Total	424	356	321	363	262

While the individual totals shew considerable fluctuations, the returns generally manifest considerable improvement. The general total of convictions for all offences against the person shews a decline since 1901 of nearly 40 per cent., and since 1914 of about 38 per cent.

3. **Capital Punishment.**—The table below gives the number of executions in each State during the period 1914 to 1918 :—

EXECUTIONS, 1914 TO 1918.
(COMMONWEALTH.)

State.	1914.	1915.	1916.	1917.	1918.
New South Wales .. .. .	..	..	2	2	..
Victoria .. .. .	..	..	2	..	2
Queensland .. .. .	..	..	..	..	..
South Australia .. .. .	..	..	..	..	..
Western Australia	1	1	..	..	..
Tasmania	1	..	..	..	..
Commonwealth	2	1	4	2	2

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.

During the period 1861 to 1880 the annual average number of executions in the Commonwealth 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 two.

§ 4. Prisons.

1. Prison Accommodation and Prisoners in Gaol.—The table below shews the number of prisons in each State and the accommodation therein at the end of 1918 :—

PRISONS AND PRISON ACCOMMODATION, 1918.

(COMMONWEALTH.)

State.	Number of Prisons.	Accommodation in—		Prisoners at End of Year.
		Separate Cells.	Wards.	
New South Wales	26	2,284	..	959
Victoria	15	1,507	674	588
Queensland	12	586	380	268
South Australia	13	760	463	233
Western Australia	24	644	829	185
Tasmania	2	100	..	55
Northern Territory	3	3	62	7
Commonwealth	95	5,884	2,408	2,295

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

The number of prisoners in gaol at the 31st December in each of the years 1914 to 1918, 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, shewing the proportion per 10,000 of the population.

PRISONERS IN GAOL, 1914 TO 1918.

(COMMONWEALTH.)

State.	1914.	1915.	1916.	1917.	1918.
New South Wales .. { Number..	1,643	1,582	1,451	1,292	959
.. { Proportion	8.9	8.5	7.8	6.9	5.0
Victoria { Number..	840	825	773	689	588
.. { Proportion	5.9	5.8	5.5	4.9	4.1
Queensland { Number..	454	397	319	260	268
.. { Proportion	6.7	5.8	4.7	3.9	3.9
South Australia .. { Number..	341	282	237	268	233
.. { Proportion	7.7	6.4	5.5	6.2	5.3
Western Australia .. { Number..	277	238	207	195	185
.. { Proportion	8.6	7.5	6.6	6.3	5.9
Tasmania { Number..	70	55	49	46	55
.. { Proportion	3.5	2.8	2.5	2.3	2.7
Northern Territory .. { Number..	8	12	14	12	7
.. { Proportion	21.3	26.3	28.9	24.2	14.0
Commonwealth .. { Number..	3,633	3,391	3,050	2,762	2,295
.. { Proportion	7.4	6.8	6.2	5.6	4.6

From the preceding table it will be seen that the proportion to population of prisoners in gaol has fallen by 40 per cent. during the last five years, but, if the comparison be carried farther back, the position is seen to be more favourable, the prisoners in gaol in the Commonwealth numbering as much as 16 per 10,000 of the population in 1891.

2. Improvement of Penological Methods.—During recent years Australia, in common with most other civilised countries, has introduced considerable modifications and improvements in methods of prison management. Under the old régime 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 re-organisation 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 for prisoners, and no capable able-bodied man is engaged in labour that demeans him, but on the other hand is encouraged to take pride and pleasure in good work. The Parramatta gaol, which dates from 1842, was closed on the 15th September, 1918, and to provide for the prisoners transferred therefrom the gaol at Young was proclaimed as a place of detention for the treatment of habitual criminals in the indeterminate stage. Short sentence prisoners were sent to Tamworth gaol, and longer sentence men were accommodated in Bathurst and Maitland gaols and the State penitentiary at Long Bay. At Long Bay there is a well-designed reformatory institution for females, providing for effective classification, and a penitentiary used as a distributing centre and a place of detention for short-term prisoners from the metropolis. Goulburn gaol is used for first offenders. The first-class minor gaols at Albury, Armidale, Broken Hill, Grafton, and Maitland are convenient centres for the reception of country prisoners, and also for the treatment of special cases. There are also several second-class minor gaols and police gaols where short-sentenced prisoners from the surrounding districts are dealt with. In New South Wales the system of carrying on afforestation by prison labour, somewhat after the manner of that in vogue for several years in New Zealand, has been introduced, and in 1911 a site near Tuncurry, on the Manning River, was selected for the purpose of initiating the scheme. Pine trees of various kinds have been planted, the seedlings set out in 1918 numbering over 363,000, while the total planted to the end of 1918 reached over 1,000,000. So far the scheme appears to be a great success, the prisoners being healthy, cheerful, well-behaved, and industrious. Each prisoner has his own comfortable hut, where he takes his meals and sleeps, and may, if he so desires, write his letters. There are no armed or night guards at the camp. During the year 1914 a property of 107 acres was purchased, near the Emu Plains railway station, for the purpose of establishing a prison farm, and this was opened in April, 1915, with ten prisoners. This institution was disestablished in 1916, when it was taken over by the Department of Agriculture, and beyond selecting the prisoners for work on the farm, the Prisons Department had no further responsibility. The farm was again transferred to the control of the Prisons Department in November, 1917. Accommodation is provided for 42 prisoners, each of whom occupies a roomy, comfortable hut. The inmates consist principally of first offenders under the age of 25 years, and they receive a practical training in general farm work. The daily average in 1918 was 36. That there is some connexion between mental and physical health and crime is proved by the condition in which many persons are received into gaol. In a large number of instances prisoners are found to be suffering from contagious diseases. Under the Prisoners Detention Act, and its amendment of 1918, such persons may be kept in gaol until cured. A further reform, introduced in 1915, was the provision of the Shaftesbury Inebriate Institution for the treatment of non-criminal inebriates. In 1916 accommodation was provided for voluntary paying guests who wish to undergo treatment.

Special attention is drawn by the Comptroller-General to the valuable work performed by the Prisoners' Aid Association in helping prisoners during the period of detention and after discharge.

In 1902 the system of finger-print identification of criminals was introduced, and by the year 1903 bureaux had been established in the various States for the exchange of records. Very successful results have attended the introduction of the system.

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 a 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 at the end of 1918 there were 28 inmates. Since the establishment of the Camp 2,170,000 trees have been planted by the prisoners for the Forests Department, the area being 1,689 acres. It is stated that the experiment has resulted in improvement, both in demeanour and physique of prisoners, and it is hoped that in many cases it will be conducive to a return to honest citizenship. A prison farm has also been established about three miles from the prison at Castlemaine, and the inmates are taken to and fro daily. The average number in confinement during 1918 was 30. It is proposed to provide accommodation later on 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. During the year seventy cases under the Venereal Diseases Act were received at the metropolitan prisons. Curative treatment is given during the period of incarceration and if necessary, is continued afterwards outside the prison at places gazetted by the Health Department.

Queensland prisons have been considerably modernised during the last few years. The prison for females at Brisbane has been built on the radiating plan, and embodies the latest ideas in penological methods. Classification of prisoners has been fully carried out in the male and female divisions of Brisbane prison, at Rockhampton prison, and at the Stewart's Creek penal establishment. It is proposed to erect a new prison establishment at St. Helena, embodying the most modern features in design. Amongst recent reforms are the reduction of the period of separate treatment undergone by prisoners sentenced to hard labour or penal servitude, a remodelling of the remission clauses, and allowance of more liberal privileges in the way of correspondence and visits from friends. Electric light has been installed in the Brisbane prison, and prisoners are allowed to read up to 8 o'clock each evening.

Unusual circumstances have combined to keep crime at a low point in South Australia. In the first place there was never any transportation of criminals to the State, while in the earlier years of its history South Australian law breakers were transported elsewhere. The discovery of gold in the neighbouring colonies was also responsible for the drawing away of turbulent spirits who might later on have caused trouble. 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 Labor Prison the number in confinement on the 31st December, 1918, was 100. The prisoners are graded in three classes—first offenders, second offenders, and old offenders, the various classes being kept apart. The officer in charge of Adelaide Gaol, which had 81 prisoners in confinement at the end of 1918 points to the necessity for better lighting arrangements and an improved library. It is proposed to establish an afforestation camp prison at the Bangham Forest Reserve on similar lines to that at Tuncurry in New South Wales. Excellent work for the benefit and assistance of discharged prisoners is performed by the Prisoners' Aid Association.

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 improvements in regard to hours of labour, leave of absence, etc., for the staff. The separate system has, however, been abolished. Amongst other improvements recently 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 re-modelling of the "mark" system. The military method of control at Rottnest Island, coupled with considerable privileges to well-conducted prisoners, has proved very successful.

The daily average number of prisoners in confinement in Tasmanian gaols during the year 1918 was about 45. These were confined in the penal establishments at Hobart and Launceston. There were no prisoners in the country gaols.

§ 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, 1914 TO 1918.

(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales	Cases No.	37,472	39,828	35,724	31,172	32,135
	Amount £	107,810	110,229	101,530	88,576	94,026
Victoria	Cases No.	41,497	41,055	38,573	32,187	31,870
	Amount £	207,863	188,542	170,086	143,469	149,755
Queensland	Cases No.	16,015	15,729	14,094	11,867	10,957
	Amount £	66,226	68,337	64,502	51,302	53,710
South Australia	Cases No.	21,681	17,765	16,505	14,579	13,619
	Amount £	74,627	80,918	50,515	42,774	52,847
Western Australia	Cases No.	16,974	17,259	15,776	13,798	11,387
	Amount £	66,864	61,169	51,050	44,937	40,243
Tasmania	Cases No.	5,813	6,081	4,879	4,611	4,489
	Amount £	81,610	67,152	30,739	29,080	28,769
Commonwealth	Cases No.	139,452	137,717	125,551	108,214	104,457
	Amount £	605,000	576,347	468,422	400,138	419,350

The figures just given represent the returns from Petty Sessions Courts in New South Wales and Victoria, the Petty Debts cases in Queensland, the Local Courts of South Australia and Western Australia, and the Court 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 1914 to 1918.

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. Statistically the chief importance of the table consists in the fact that it shows a decline in litigiousness in Australia.

SUPERIOR COURTS.—CIVIL CASES, 1914 TO 1918.

(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales ..	{ Causes No.	864	845	902	862	846
	{ Amount £	*328,429	*293,697	*290,642	*274,646	*259,902
Victoria ..	{ Causes No.	710	713	536	573	583
	{ Amount £	91,903	93,695	104,965	88,177	108,919
Queensland ..	{ Causes No.	129	129	124	126	184
	{ Amount £	19,156	22,165	20,335	27,169	19,994
South Australia ..	{ Causes No.	27	21	14	13	18
	{ Amount £	17,358	2,882	2,482	..	4,518
Western Australia ..	{ Causes No.	578	367	348	108	141
	{ Amount £	37,610	37,581	36,042	14,639	30,100
Tasmania ..	{ Causes No.	385	282	308	326	329
	{ Amount £	28,159	17,112	17,539	20,481	17,453
Commonwealth	{ Causes No.	2,693	2,357	2,232	2,008	2,101
	{ Amount £	522,615	467,132	472,005	425,112	440,886

* 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 1914 to 1918 is shewn below. The figures which have been amended since the previous issue refer in the case of divorces to decrees made absolute in each year.

DIVORCES AND JUDICIAL SEPARATIONS, 1914 TO 1918.

(COMMONWEALTH.)

State.	1914.		1915.		1916.		1917.		1918.	
	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.
New South Wales ..	300	6	362	6	359	12	383	13	380	11
Victoria ..	242	1	218	1	208	1	202	..	233	3
Queensland ..	32	1	28	..	22	..	18	3	24	2
South Australia ..	20	..	12	..	15	..	20	1	17	..
Western Australia ..	46	1	42	2	36	..	51	..	63	..
Tasmania ..	7	..	7	..	2	..	7	..	4	..
Northern Territory ..	1	..	1	..	..	..	..	..	..	..
Commonwealth ..	648	9	670	9	640	13	679	17	721	16

The average annual number of divorces and judicial separations in the Commonwealth at decennial periods from 1871 to 1910 and for the eight years 1911-18 is as follows:—

DIVORCES AND JUDICIAL SEPARATIONS, 1871 TO 1918.

	1871-1880.	1881-90.	1891-1900.	1901-10.	1911-18.
Commonwealth ..	29	70	358	401	660

The bulk of the divorces and judicial separations refer, as the table shews, to New South Wales and Victoria, the Acts of 1899 and 1889 in the respective States making 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, is shewn below for each State for the period 1914 to 1918 :—

PROBATES AND LETTERS OF ADMINISTRATION, 1914 TO 1918.

(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales	{ Number	4,438	5,088	5,336	6,498	6,877
	{ Value £	9,997,615	10,813,889	11,687,910	11,923,328	11,827,552
Victoria	{ Number	4,451	4,449	5,448	5,835	6,935
	{ Value £	8,481,720	8,759,728	8,917,481	9,486,584	11,009,294
Queensland	{ Number	765	896	987	841	959
	{ Value £	2,331,224	2,720,896	3,041,514	2,706,692	2,335,848
South Australia	{ Number	1,418	1,515	1,661	1,946	2,321
	{ Value £	3,050,075	2,894,517	2,031,206	3,188,871	4,760,203
Western Australia	{ Number	577	682	957	1,176	1,574
	{ Value £	1,009,677	936,107	1,699,297	1,119,024	1,193,841
Tasmania	{ Number	386	418	423	513	435
	{ Value £	727,126	793,106	871,950	844,276	928,317
Commonwealth	{ Number	12,035	13,048	14,792	16,809	19,101
	{ Value £	25,597,437	26,918,243	28,249,358	29,358,775	32,055,055

As may naturally be expected, the figures in the above table, giving the value of property left each year, shew considerable variations.

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

For several reasons comparisons drawn from the figures in the following table 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 method 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 the private arrangements in Victoria and South Australia, and the liquidations and compositions in Queensland and Tasmania.

BANKRUPTCIES, 1914 TO 1918.

(COMMONWEALTH.)

State.		1914.	1915.	1916.	1917.	1918.
New South Wales	{ Number ..	405	405	360	301	264
	{ Liabilities £	323,111	423,700	383,448	227,663	221,928
	{ Assets £	141,068	160,748	303,893	208,093	115,776
Victoria	{ Number ..	450	436	337	222	243
	{ Liabilities £	272,582	414,439	213,959	152,358	131,247
	{ Assets £	171,295	273,805	127,730	94,390	77,089
Queensland	{ Number ..	210	238	181	137	181
	{ Liabilities £	53,947	65,716	42,272	81,148	49,743
	{ Assets £	36,293	35,533	30,785	29,084	21,236
South Australia	{ Number ..	187	135	139	103	91
	{ Liabilities £	184,220	204,089	160,601	122,036	137,469
	{ Assets £	115,621	136,420	151,332	79,510	109,641
Western Australia	{ Number ..	77	53	34	56	23
	{ Liabilities £	46,234	38,008	52,345	46,588	9,559
	{ Assets £	23,456	34,576	52,024	44,829	4,010
Tasmania	{ Number ..	30	40	16	21	10
	{ Liabilities £	13,476	15,548	13,530	27,487	5,925
	{ Assets £	4,251	9,461	7,585	20,438	3,448
Northern Territory	{ Number ..	1	1	1	..	..
	{ Liabilities £	119	106	96	..	..
	{ Assets £	..	39	306	..	..
Commonwealth	{ Number ..	1,360	1,308	1,068	845	812
	{ Liabilities £	893,689	1,166,606	866,281	657,260	555,871
	{ Assets £	491,984	656,582	673,655	476,644	331,200

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 1903–15. At present the Court consists of a Chief Justice and five other judges. Sittings of the Court are held in the capitals of the various States as occasion may require. The following statement shews the transactions of the High Court for the quinquennium 1914–18 :—

COMMONWEALTH HIGH COURT TRANSACTIONS, 1914 TO 1918.

Items.	1914.	1915.	1916.	1917.	1918.
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I. ORIGINAL JURISDICTION.

Number of writs issued	75	126	141	106	76
Number of causes entered for trial	6	12	14	18	8
Verdicts for plaintiffs	5	6	7	6	4
Verdicts for defendants	1	6	3	5	1
Otherwise disposed of	31	40	60	47	10
Amount of judgments	£5,304	£4,966	£4,479	£6,025	£3,463

II. APPELLATE JURISDICTION.

Number of appeals set down for hearing	71	85	67	72	67
Number allowed	25	23	23	31	33
Number dismissed	38	39	24	33	27
Otherwise disposed of	8	23	10	8	7

III. AMOUNT OF FEES COLLECTED.

Amount in each year	£656	£808	£756	£619	£708
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During the year 1918 the Court dealt also with other matters as follows :—

Appeals from Assessments under the Taxation Assessment Acts ..	8
Special cases stated for the opinion of the Full Court	12
Applications for Prohibition	3
Applications under the Trading with the Enemy Act	2

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 1904–15 will be found in Section XXVII.

§ 6. Cost of Administration of Justice.

The table below shews 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 prisons has been separately shewn. 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.

EXPENDITURE ON JUSTICE, 1914 TO 1918.

(STATES.)

State.		1914.	1915.	1916.	1917.	1918.
		£	£	£	£	£
New South Wales	Police	592,694	603,347	649,093	709,649	722,751
	Gaols	92,285	92,529	91,913	90,633	87,875
	Other	282,716	286,924	287,419	276,722	277,805
Victoria	Police	380,724	365,821	356,885	371,413	397,025
	Gaols	57,272	57,791	59,614	55,027	54,328
	Other	192,222	169,309	165,789	163,381	166,916
Queensland	Police	302,633	302,209	322,422	337,259	363,362
	Gaols	30,989	32,981	30,803	33,626	41,871
	Other	101,687	136,619	140,643	123,328	135,753
South Australia	Police	132,445	131,580	127,632	136,158	151,090
	Gaols	23,436	22,177	22,052	22,040	23,063
	Other	33,277	33,006	36,854	39,569	41,124
Western Australia	Police	133,452	131,806	125,446	136,752	136,295
	Gaols	22,339	23,265	22,321	22,104	23,939
	Other	79,142	86,790	79,510	75,184	71,787
Tasmania	Police	45,972	45,952	47,320	49,448	54,960
	Gaols	7,071	7,261	7,013	6,619	6,418
	Other	21,763	21,338	22,190	21,223	21,407
Northern Territory	Police	10,307	10,216	10,260	10,210	10,200
	Gaols	2,501	2,128	2,875	2,972	3,048
	Other	1,941	1,453	2,744	1,991	2,196
Commonwealth	Police	1,598,227	1,590,931	1,639,058	1,750,889	1,835,686
	Gaols	235,893	238,132	236,501	233,021	240,542
	Other	712,748	735,439	735,149	708,398	717,018

With the exception of that of the Northern Territory, the expenditure shewn in the foregoing table is that incurred by the State Governments only, and does not include expenditure in connection with the Federal High Court, which is shewn hereunder for the period 1914-15 to 1918-19:—

EXPENDITURE ON FEDERAL HIGH COURT, 1914-15 TO 1918-19.

Year.	Amount.	Year.	Amount.
	£		£
1914-15	31,037	1917-18	31,352
1915-16	31,447	1918-19	30,337
1916-17	31,780		

Other items of federal legal expenditure also not included in the table are:—Court of Conciliation and Arbitration £7,092, Crown Solicitor £12,943, and general £19,739. Excluding Patents and Copyrights, the total expenditure by the federal law authorities for the year 1917-18 was £70,111.

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

EXPENDITURE ON JUSTICE PER INHABITANT, 1914 TO 1918.

(STATES.)

State.		1914.	1915.	1916.	1917.	1918.
		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
New South Wales	Police	6 4	6 6	7 0	7 6	7 6
	Gaols	1 0	1 0	1 0	1 0	0 11
	Other	3 0	3 2	3 1	2 11	2 11
Victoria	Police	5 4	5 2	5 1	5 3	5 7
	Gaols	0 10	0 10	0 11	0 9	0 9
	Other	2 8	2 5	2 4	2 4	2 4
Queensland	Police	9 0	8 11	9 8	9 10	10 6
	Gaols	0 11	1 0	0 11	1 0	1 3
	Other	3 0	4 0	4 2	3 9	3 11
South Australia	Police	6 0	6 0	5 11	6 3	6 10
	Gaols	1 1	1 0	1 0	1 0	1 1
	Other	1 6	1 6	1 7	1 10	1 11
Western Australia	Police	8 3	8 3	8 1	8 10	8 9
	Gaols	1 5	1 6	1 5	1 5	1 6
	Other	4 11	5 6	5 2	4 10	4 8
Tasmania	Police	4 7	4 7	4 9	4 10	5 5
	Gaols	0 8	0 9	0 8	0 8	0 8
	Other	2 2	2 1	2 3	2 1	2 1
Northern Territory	Police	52 0	44 9	43 1	41 2	40 10
	Gaols	12 7	9 4	12 1	12 0	12 2
	Other	9 9	6 4	11 6	8 0	8 10
Commonwealth	Police	6 6	6 6	6 9	7 2	7 4
	Gaols	0 11	1 0	1 0	0 11	1 0
	Other	3 0	3 0	3 0	2 11	2 11

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 the Commonwealth in connexion with the administration of justice in the various States has risen from ten shillings per inhabitant in 1901 to eleven shillings and threepence in 1918. Police expenditure has increased by about one shilling and sevenpence per head, the average for gaols is about twopence per head less, while the expenditure on courts and the remaining machinery of justice has decreased by twopence per head during the same period.