

PART II.

LAW, CRIME, ETC.

Legal System
in Victoria.

A statement, giving the basic principles and main provisions of the law of Victoria, appears in the *Year-Book* for 1928-29, page 189.

LITIGATION AND LEGAL BUSINESS.

Supreme
Court civil
business.

The Supreme Court of Victoria was established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure was entirely remoulded by *The Judicature Act 1883* (now incorporated in the *Supreme Court Act 1928*). There were in 1937, five Judges, viz., a Chief Justice and four Puisne Judges.

The following is a statement of Supreme Court business during the last five years :—

VICTORIA—SUPREME COURT CIVIL CASES, 1933 TO 1937.

Heading.	1933.	1934.	1935.	1936.	1937.
Number of Places at which Sittings were held	6	4	4	5	5
Causes Entered—					
For Assessment of Damages	3	9	3	6	4
For Trial	161	137	163	156	143
Number of Causes Tried—					
By Juries of Six	19	24	32	16	20
By a Judge	76	62	60	64	52
Verdicts returned for—					
Plaintiff	70	50	54	55	54
Defendant	25	36	38	20	19
Amount Awarded £	44,037	19,877	13,902	29,369	25,525
Writs of Summons issued	672	694	674	626	679
Other Original Proceedings	*	*	249	288	302
Appellate Proceedings (other than Criminal Appeals heard and determined)—					
By Full Court	34	45	45	30	36
By a Judge	61	69	76	62	70
Fees Collected £	3,499	3,310	3,413	3,274	3,322

* Not available.

County Court business. County Courts have a jurisdiction both in equity and common law cases, limited to £500; also in cases remitted by the Supreme Court. The cause of action must have arisen within 100 miles of the court in which proceedings are taken, which court must not be more than ten miles further away from defendant's residence than some other County Court in which the plaintiff might have sued. In 1937 there were 99 sessions, which were held in 31 places. Particulars of litigation in each of the last five years are as follows:—

VICTORIA—COUNTY COURT CASES, 1933 TO 1937.

Year.					Number of Causes Tried.	Amount Sued For.	Amount Awarded.
						£	£
1933	..	..	..	..	576	500,779	240,343
1934	..	..	..	..	859	707,881	210,977
1935	..	..	..	..	825	515,402	209,292
1936	..	..	..	..	1,350	522,100	211,643
1937	..	..	..	..	1,385	560,926	199,972

Workers' Compensation—Arbitration cases. The number of requests for arbitration under the Workers' Compensation Act during the year 1937 was 407. The aggregate amount of compensation claimed was £103,715, and the amount awarded, £85,696. These figures are not included in the above table.

Petty Sessions civil business. Courts of Petty Sessions were held at 228 places in Victoria in 1937 by stipendiary magistrates and honorary justices. Clerks of courts of ten years' standing, who have passed the prescribed examination, and barristers of five years' standing are eligible for appointment as police magistrates, but there is no legal training or knowledge of the law required as a condition precedent to the appointment of a person as an honorary justice of the peace. The jurisdiction in civil cases is limited to what may be called ordinary debts, damages for assault, and restitution of goods, where the amount in dispute does not exceed £50. Particulars of civil cases, &c., heard during the last five years are given hereunder:—

VICTORIA—COURTS OF PETTY SESSIONS: CIVIL CASES, ETC., 1933 TO 1937.

Heading.	1933.	1934.	1935.	1936.	1937.
Civil Cases—					
Number heard	79,424	82,783	88,828	101,024	100,818
Debts or Damages—					
Claimed	£ 780,096	726,678	765,160	877,991	835,370
Awarded	£ 582,241	525,030	560,039	610,411	607,495
Other Cases—					
Appeals against Rates	940	765	374	493	617
Children's Maintenance	12	146	17	9	36
Ejectment Cases	5,463	4,896	3,917	3,351	2,766
Examination of Lunatics	241	246	214	255	241
Fraud Summons	2,025	3,093	2,949	5,556	5,562
Garnishee Cases	2,202	2,330	2,832	3,526	3,475
Licences and Certificates	16,866	16,283	18,437	17,931	18,219
Maintenance Cases	1,649	1,660	1,590	1,553	1,802
Prohibition Cases	83	140	99	86	69
Other	5,261	4,629	6,401	7,501	9,361

Writs by the Sheriff. A statement is given below of the number of writs received by the Sheriff in the last five years:—

VICTORIA—WRITS RECEIVED BY THE SHERIFF, 1933 TO 1937.

Year.	King's Writs against Person and Property.	Subjects' Writs against—		Total.
		The Person.	Property.	
1933	7	13	190	210
1934	2	9	148	159
1935	13	17	171	201
1936	25	5	152	182
1937	24	5	120	149

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

BANKRUPTCIES.

A Bankruptcy Act passed by the Federal Parliament in October, 1924, and amended in 1927, was brought into operation on 1st August, 1928. It supersedes the Bankruptcy and Insolvency Acts of the States, with the exception of any provisions relating to matters not dealt with in the Federal Act.

The number of sequestrations, &c., in Victoria during each of the five years ended 31st July, 1938, under the *Commonwealth Bankruptcy Acts* 1924-1933, and the amount of liabilities and assets relating thereto were as follows :—

VICTORIA—BANKRUPTCIES, 1933-34 to 1937-38.

Year ended 31st July—	Sequestration Orders and Orders for Administration of Deceased Debtors' Estates.	Compositions, Assignments, &c., under Part XI. of the Act.	Deeds of Arrangement under Part XII. of the Act.	Total.
NUMBER.				
1934 ..	218	11	212	441
1935 ..	201	10	181	392
1936 ..	195	5	143	343
1937 ..	227	12	103	342
1938 ..	255	9	121	385
LIABILITIES.				
	£	£	£	£
1934 ..	509,745	37,996	402,150	949,891
1935 ..	307,790	89,467	294,697	691,954
1936 ..	139,113	5,057	238,194	432,364
1937 ..	227,043	66,050	146,899	439,992
1938 ..	250,282	11,217	199,581	461,080
ASSETS.				
	£	£	£	£
1934 ..	116,156	39,414	322,803	478,373
1935 ..	59,391	58,100	209,945	327,436
1936 ..	31,206	5,329	201,299	237,834
1937 ..	29,924	13,601	91,465	134,990
1938 ..	74,138	5,553	114,401	194,092

The yearly average number of sequestrations, &c., and the average declared liabilities and assets are shown in the subjoined table for each of the quinquennial periods ended in 1933 and 1938 :—

Period.	Yearly Average Number.	Average declared Liabilities.	Average declared Assets.
1928-29 to 1932-33 ..	690	£ 1,419,060	£ 1,009,294
1933-34 to 1937-38 ..	381	£ 595,056	£ 274,545

DIVORCE.

The present law in regard to divorce is contained in the *Marriage Act 1928*, as amended by the *Marriage (Divorce) Act 1933*.

The following table gives the number of petitions filed by husband and wife respectively, and the number of decrees granted for divorce, judicial separation, and nullity of marriage during the year 1937 :—

VICTORIA—DIVORCES, 1937.

	Petitions filed by—			Decrees granted to—		
	Husband.	Wife.	Total.	Husband.	Wife.	Total.
Dissolution of Marriage ..	366	526	892	317	479	796
Judicial Separation ..	..	5	5	..	1	1
Nullity of Marriage ..	2	1	3	2	1	3
Total ..	368	532	900	319	481	800

The grounds upon which divorces were granted during the year 1937 were as follows :—

VICTORIA—DIVORCES, GROUNDS OF, 1937.

Grounds on which Granted.	Dissolution of Marriage.		Judicial Separation.		Nullity of Marriage.	
	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.
Adultery ..	82	103	..	1	..	..
Cruelty, repeated acts of ..	..	1	..	..	..	..
Desertion ..	221	348	..	..	..	..
Desertion and adultery ..	4	3	..	..	..	..
Drunkenness (habitual) ..	2	5	..	..	..	..
Drunkenness and cruelty ..	..	11	..	..	..	..
Impotence ..	..	..	..	..	2	1
Insanity ..	8	2	..	..	..	..
Sentences for crime ..	..	6	..	..	..	..
Total ..	317	479	..	1	2	1

Divorces, 1861 to 1937. In 1861 jurisdiction was conferred on the Supreme Court of Victoria in matrimonial matters. The Divorce Act of 1889, which received the Royal Assent on 13th May, 1890, considerably extended the grounds upon which divorce might be granted.

The following is a statement of the number of decrees granted in Victoria for dissolution of marriage and for judicial separation during the period 1861 to 1890, for the decennial periods 1891-1900 to 1921-30, and for each of the years 1931 to 1937 :—

VICTORIA—DIVORCES AND JUDICIAL SEPARATIONS,
1861 TO 1937.

Period.	Decrees Granted for—	
	Dissolution of Marriage.	Judicial Separation.
1861-1890	348	71
1891-1900	949	14
1901-1910	1,255	6
1911-1920	2,499	14
1921-1930	4,403	16
1931	417	2
1932	454	..
1933	495	..
1934	618	..
1935	599	3
1936	685	1
1937	796	1
Total—1891 to 1937	13,170	57
Total—1861 to 1937	13,518	128

RACECOURSE LICENCES.

Racecourse licences and percentage fees. The *Police Offences Act* 1928 provides that no race-meeting shall be held except on a racecourse which is licensed under such Act for horse races or for pony races or for trotting races. Any licence shall, unless cancelled, be in force for twelve months from the date of its issue. For each such licence there shall be paid into the Consolidated Revenue a fee of £1, and also an annual sum equal to 3 per cent. of the gross revenue from all sources received from such racecourse by the owner or

trustees of the racecourse during the year immediately preceding the year for which the licence is required. It is provided, however, that where the gross revenue is less than £1,500 but more than £600 the annual sum payable shall be 2 per cent. of the gross revenue; and where the gross revenue is £600 or less no amount shall be payable. The amounts paid into the Consolidated Revenue in licence fees and percentages on gross revenue during each of the last ten years were as follows:—

VICTORIA—REVENUE FROM RACECOURSE LICENCES AND PERCENTAGE FEES, 1928-29 TO 1937-38.

Year ended 30th June.	Amount.	Year ended 30th June.	Amount.
	£		£
1929	24,952	1934	15,050
1930	27,789	1935	14,885
1931	23,246	1936	15,554
1932	16,457	1937	15,718
1933	15,575	1938	16,627

CRIME.

Information relating to the administration of the criminal law in Victoria appears in the *Year-Book* for 1928-29, page 196.

Administration of the criminal law.

CRIME AND DRUNKENNESS.

The statistics of crime and drunkenness for the years subsequent to 1932 have been compiled on a basis which differs from that for the years 1893 to 1932. The particulars for the years 1933 to 1937 represent, in respect of multiple charges, the total number of all offences with which arrested persons were charged whereas, for the period 1893 to 1932, only the most serious offence in each case was tabulated. Summons cases in 1933 to 1937 relate, as in previous years, to all offences with which a person was charged. The statistics for the last four years are comparable, therefore, with those for the years prior to 1893 appearing in earlier issues of the *Year-Book*.

Alteration in method of tabulation.

**Offences and
drunkenness.**

The subjoined table shows, for a series of years, the numbers of arrest and summons cases, and also the numbers per 1,000 of the population, tabulated according to the only classes of offences for which complete comparisons can be made.

VICTORIA—OFFENCES AND DRUNKENNESS, 1890 TO 1937.

Year.	Number of Arrest and Summons Cases—				
	Offences Against the Person.	Offences Against Property.	Drunkenness.	Other Offences.	Total.
1890	4,091	5,036	18,501	36,456	64,084
1895*	2,344	3,336	11,143	20,843	37,666
1900*	2,103	3,106	15,878	28,003	49,090
1910*	1,663	3,052	12,719	34,626	52,060
1920*	1,909	4,877	7,154	42,758	56,698
1930*	1,680	5,078	8,132	41,859	56,749
1933	1,617	6,400	9,240	41,149	58,406
1934	1,500	6,258	8,666	40,646	57,070
1935	1,500	6,716	10,221	47,536	65,973
1936	1,503	6,865	10,390	63,360	82,118
1937	1,351	7,244	10,433	55,194	74,222
Number of Arrest and Summons Cases per 1,000 of Population.					
1890	3·66	4·50	16·54	32·59	57·29
1895*	1·98	2·82	9·41	17·60	31·81
1900*	1·76	2·60	13·31	23·47	41·14
1910*	1·30	2·38	9·92	27·00	40·60
1920*	1·26	3·23	4·73	28·27	37·49
1930*	·94	2·84	4·55	23·44	31·77
1933	·89	3·52	5·07	22·60	32·08
1934	·82	3·42	4·73	22·20	31·17
1935	·82	3·65	5·56	25·84	35·87
1936	·81	3·72	5·62	34·29	44·44
1937	·73	3·90	5·62	29·74	39·99

* See paragraph "Alteration in method of tabulation" on page 45.

The non-enforcement during the infantile paralysis epidemic of the provisions of the Education Act in respect of non-attendance at school was mainly responsible for the decrease in 1937 as compared with 1936 in the number of "Other Offences." Decreases were also recorded in the number of breaches of the Licensing Act and the Motor Car Act.

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

Other Offences. The only serious crimes included under "Other Offences" are forgery, counterfeiting, conspiracy, and perjury. These were very few in number, there having been in Victoria in 1937 only 81 of such charges out of a total of 55,194 in the category to which they belong. A large proportion of the cases under the heading "Other Offences" were merely breaches of various Acts of Parliament, by-laws, &c., which indicate no degree of criminal instinct or intent on the part of the person charged. There were also among them a large number of offences against good order, including insulting behaviour, vagrancy, &c.

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

Arrests and
summonses
for various
offences.

The following are particulars of the different classes of offences dealt with by magistrates in 1937.

VICTORIA—ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1937.

Nature of Offence.	Total.	Summarily Disposed of—				Committed for Trial.	
		Convicted.		Dismissed, Withdrawn, Struck Out.		M.	F.
		M.	F.	M.	F.		
Against the Person—							
Murder and attempts at	33	..	..	17	1	13	2
Manslaughter ..	4	..	..	2	1	1	..
Shooting at, wounding, &c.	49	4	..	12	..	33	..
Assaults	1,051	525	39	414	42	30	1
Others	214	35	5	38	5	126	5
Total	1,351	564	44	483	49	203	8
Against Property—							
Robbery, burglary, &c.	807	150	7	50	1	593	6
Larceny and similar offences	5,035	3,281	328	821	78	520	37
Wilful damage ..	415	285	9	107	10	3	1
Others	957	582	37	259	17	51	11
Total	7,244	4,298	381	1,237	106	1,167	55
Forgery and Offences against the Currency ..	64	2	..	2	..	57	3
Against Good Order—							
Drunkenness* ..	10,433	9,132	1,164	124	13	..	..
Others	7,806	5,972	390	1,263	162	19	..
Total	18,239	15,104	1,554	1,387	175	19	..
Other Offences—							
Breaches of—							
Education Act ..	4,572	3,433	708	318	83	..	..
Licensing Act ..	5,498	3,935	517	830	216	..	..
Motor Car Act ..	13,440	12,474	225	722	19	..	..
Traffic Regulations ..	10,111	9,512	269	314	16	..	..
Vermin and Noxious Weeds Act ..	324	197	46	65	16	..	..
Miscellaneous ..	13,379	10,555	924	1,702	165	32	1
Total	47,324	40,136	2,689	3,951	515	32	1
Grand Total	74,222	60,104	4,668	7,060	845	1,478	67

* See footnote on page 49.

Of the 74,222 cases dealt with, 64,772 were summarily convicted, 7,905 were dismissed, withdrawn, &c., and 1,545 committed for trial. These particulars include the cases disposed of in Children's Courts, which are detailed in a subsequent table, other than arrests of neglected children.

Arrest and summons cases.

Particulars of the arrest and summons cases for the last five years are given in the subjoined table.

VICTORIA—ARREST AND SUMMONS CASES, 1933 TO 1937.

Year.	Arrest Cases.		Summons Cases.		Total.
	Males.	Females.	Males.	Females.	
1933	17,815	2,059	34,638	3,894	58,406
1934	16,280	2,009	35,161	3,620	57,070
1935	17,833	2,111	42,197	3,832	65,973
1936	18,798	2,218	56,471	4,631	82,118
1937	18,534	2,070	50,108	3,510	74,222

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

VICTORIA—DISPOSAL OF ARREST AND SUMMONS CASES, 1933 TO 1937.

Year.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.
1933	58,406	47,079	9,923	1,404
1934	57,070	45,748	9,791	1,531
1935	65,973	54,666	9,720	1,587
1936	82,118	70,752*	9,884	1,482
1937	74,222	64,772*	7,905	1,545
Number per 10,000 of Population.				
1933	320·8	258·6	54·5	7·7
1934	311·7	249·8	53·5	8·4
1935	358·7	297·2	52·9	8·6
1936	444·4	382·9*	53·5	8·0
1937	399·9	349·0*	42·6	8·3

* The convictions in 1936 and 1937 in respect of drunkenness include those cases in which offenders were discharged by magistrates on a first appearance. In previous years such cases were not treated as convictions.

The table which follows shows the number of cases which were disposed of in Children's Courts during the year 1937. The jurisdiction of this Court is limited to children under the age of seventeen years.

VICTORIA—CHILDREN'S COURTS: CASES DISPOSED OF, 1937.

Nature of Offence.	Total.	Summarily Disposed of—				Committed for Trial.	
		Convicted.		Dismissed, Withdrawn, Struck Out.			
		M.	F.	M.	F.	M.	F.
Against the Person—							
Assaults	86	66	..	19	..	1	..
Others	9	8	..	1	..	..	..
Total	95	74	..	20	..	1	..
Against Property—							
Larceny, &c.	2,475	1,983	83	400	8	1	..
Wilful Damage	199	151	1	46	1	..	..
Others	30	12	2	16	..	..	..
Total	2,704	2,146	86	462	9	1	..
Against Good Order—							
Drunkenness	13	12	..	1	..	..	..
Others	294	233	5	52	4	..	..
Total	307	245	5	53	4	..	..
Other Offences, &c.—							
Traffic Offences	954	878	12	62	2	..	..
Other Offences	638	407	23	103	5	..	..
Neglected Children	582	172	164	130	116	..	..
Total	2,074	1,457	199	295	123	..	..
Grand Total	5,180	3,922	290	830	136	2	..

The number of cases which were disposed of in Children's Courts in each of the last five years was :—2,993 in 1933, 3,322 in 1934, 4,260 in 1935, 4,959 in 1936, and 5,180 in 1937.

The following statement gives particulars of the manner in which the cases in the Children's Courts were disposed of by magistrates in 1937.

VICTORIA—CHILDREN'S COURTS : CASES, HOW DEALT WITH, 1937.

How dealt with.	Males.	Females.	Total.
Adjudged for period without probation	752	37	789
Released on probation	1,059	54	1,113
Committed to care of Children's Welfare Department	275	125	400
Committed to reformatory	120	2	122
Committed to care of a private person or institution	14	28	42
Fined	1,174	29	1,203
Released under Section 356 of <i>Crimes Act</i> 1928 ..	9	..	9
Dismissed on payment of costs or damages or both ..	75	7	82
Discharged upon surety	15	..	15
Sentenced to imprisonment, the execution of which has been suspended	18	..	18
Convicted and discharged	134	1	135
Discharged with a caution	251	7	258
Otherwise dealt with	26	..	26
Summarily Convicted	3,922	290	4,212
Summarily Dismissed	830	136	966
Committed for Trial	2	..	2
Grand Total	4,754	426	5,180

In the following table particulars are given of the cases in which children were released on probation by magistrates in Children's Courts during the last five years.

VICTORIA—CHILDREN'S COURTS : PROBATION CASES, 1933 TO 1937.

Year.	Cases Released on Probation.	Results of Probation.		
		Satisfactory.	Fair.	Unsatisfactory.
1933	664	% 85	% 8	% 7
1934	779	86	7	7
1935	1,004	82	8	10
1936	924	82	8	10
1937	1,113	84	7	9

Children's Courts—Probation Cases.

Arrest cases
summarily
disposed of by
magistrates.

The following is a statement of the arrest cases summarily disposed of by magistrates during 1937:—

VICTORIA—ARREST CASES SUMMARILY DISPOSED OF
BY MAGISTRATES, 1937.

Sentence.	Males.	Females.	Total.
Fines paid	5,099	402	5,501
Imprisonment for—			
Under 1 month	3,445	603	4,048
1 month and under 6 months ..	1,269	124	1,393
6 months and under 12 months ..	218	21	239
1 year and under 2 years ..	32	2	34
2 years	1	..	1
Admonished	4,281	517	4,798
Ordered to find bail or sentence suspended on entering surety ..	462	83	545
Sent to Reformatory Schools, &c. ..	169	5	174
Otherwise dealt with	335	36	371
Total Convicted	15,311	1,793	17,104
Dismissed, Withdrawn, Struck Out	1,849	221	2,070
Total summarily disposed of ..	17,160	2,014	19,174

Particulars of the distinct persons tried before superior courts in 1937 are shown below in respect of arrest cases only. Where a person was charged with more than one offence, the principal offence only has been taken into account.

VICTORIA—COMMITTALS FOR TRIAL OF DISTINCT PERSONS, 1937.

(Arrest cases only.)

Offences	Distinct Persons Charged.	Result of Trial—	
		Withdrawn, Discharged.	Convicted.
Against the Person—			
Murder	5	1	4*
Attempted Murder	7	3	4†
Manslaughter	1	1	..
Wounding or inflicting grievous bodily harm, &c.	37	27	10
Rape and other offences against females	66	20	46
Unnatural offences	19	8	11
Bigamy	13	1	12
Other	2	1	1
Against Property—			
Robbery and Stealing from the Person ..	34	12	22
Burglary, Housebreaking, &c. ..	272	41	231
Stealing Horses, Cattle, and Sheep ..	19	6	13
Other Larceny	206	80	126
Fraud and False Pretences	36	5	31
Arson and attempts at	3	3	..
Other	23	10	13
Forgery and offences against the Currency	22	..	22
Other offences—			
Perjury and Subornation	10	5	5
Effect a Public Mischief	7	..	7
Conspiracy	6	5	1
Other	7	1	6
Total	795	230	565

* Including one convicted of "Manslaughter."
 † Including two convicted of "Inflicting grievous bodily harm" and one convicted of "Unlawfully and maliciously wounding."

Offence and age of distinct persons arrested who were convicted after commitment for trial. The following table contains for the year 1937 a classification according to offence and age of distinct persons arrested who were convicted after commitment for trial.

Offences.	Ages (Years).								Total.
	Under 16.	16 to 17.	18 to 19.	20 to 24.	25 to 29.	30 to 39.	40 to 59.	60 and Over.	
MALES.									
Against the Person ..	1	6	9	18	20	13	14	4	85
Against Property	38	81	122	65	75	41	1	423
Forgery and Offences against the Currency	2	1	6	8	3	..	20
Other Offences	2	7	1	5	3	..	18
Total ..	1	44	94	148	92	101	61	5	546
FEMALES.									
Against the Person	2	..	1	..	..	3
Against Property	2	2	5	1	1	2	..	13
Forgery and Offences against the Currency	2	..	..	..	2
Other Offences	1	..	1
Total	2	2	7	3	2	3	..	19

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

VICTORIA—PERSONS ARRESTED OR SUMMONED FOR DRUNKENNESS 1933 TO 1937.

Year.	Number of Persons—			Number per 1,000 of Population.
	Arrested.	Summoned.	Total.	
1933	9,159	81	9,240	5·08
1934	8,593	73	8,666	4·73
1935	10,200	21	10,221	5·56
1936	10,339	51	10,390	5·62
1937	10,409	24	10,433	5·62

The continuity of the above statistics has not been materially affected by the alteration in the method of tabulation referred to on page 45.

Drunkenness—Comparison with previous years. If the amount of drunkenness in proportion to population, as measured by the number of arrests therefor, be represented as 100 for the period 1874-78, the corresponding numbers for subsequent periods will show the comparative increase or decrease. These numbers are given in the following table:—

Period.	Index Number.	Period.	Index Number
1874-78	100	1918-22	32
1879-85	88	1923-27	41
1886-92	106	1928-32	30
1893-97	65	1933	35
1898-1902	84	1934	32
1903-07	77	1935	38
1908-12	68	1936	38
1913-17	59	1937	38

A considerable decrease in drunkenness is shown for the five years 1893-97, which was a period of general depression. In the five years following an increase occurred, but since that time the arrests for this offence have declined. In the middle of the year 1915 an Act was passed reducing the number of hours during which alcoholic liquors could be sold in hotels, and a further reduction was made in the following year. This possibly accounts for the marked decrease in the number of arrests for drunkenness in the period immediately following. It is noticeable that a further fall was recorded during the depression period subsequent to 1929.

The accompanying table shows for the last five years the number of persons under 20 years of age arrested for drunkenness, and also the number arrested per 100,000 of the population under that age.

VICTORIA—ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED WITH DRUNKENNESS, 1933 TO 1937.

Year.	Number.	Number per 100,000 of the Population under 20 years of age.
1933	120	18·94
1934	88	13·81
1935	94	14·68
1936	96	14·93
1937	108	16·72

REGULATION OF LIQUOR TRADE.

Information relating to the nature of the duties of, and the powers vested in the Licences Reduction Board is given in the *Year-Book* for 1915-16, page 476, and in that for 1928-29, page 213.

To 31st December, 1937, 1,813 hotels have been closed by the Board or had surrendered their licences. Of these hotels 526 were located in metropolitan districts and the compensation paid amounted to £577,502, or an average of £1,098 each. There were 1,287 hotels closed in country districts and compensation amounting to £649,044 was paid, or an average of £504 each. The total sum paid in compensation in all districts of the State was £1,226,546, or an average of £677 for each hotel.

In addition to the above closings, the following have been deprived of their licences as a result of the local option poll held on 21st October, 1920:—5 spirit merchants, 4 grocers, 1 club, and 4 Australian wine licensees. The amount of compensation awarded was £550. Since 1922, 28 spirit merchants', 5 grocers', and 85 Australian wine licences have been taken away, for which compensation to the amount of £17,201 has been awarded.

Improvement and Extension of Licensed accommodation. A section of the Board's work which has grown rapidly in extent and importance since 1922 is the consideration given to enforcing improvement in the type of structure and in the class of accommodation of licensed houses.

Since 1922 plans have been passed by the Board for new and improved licensed premises, the estimated cost being £4,573,093, exclusive of the cost of sewerage and new equipment.

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

VICTORIA—NUMBER OF HOTELS, 1885 TO 31ST DECEMBER, 1937.

Year.	Estimated Population.	Number of Hotels.*	Average Number of Persons to each Hotel.
1885	969,200	4,339	223
1906	1,219,832	3,520	347
1930	1,792,605	1,803	994
1931	1,803,570	1,781	1,013
1932	1,813,387	1,770	1,025
1933	1,824,479	1,759	1,037
1934	1,837,490	1,749	1,051
1935	1,843,023	1,744	1,057
1936	1,851,593	1,725	1,073
1937	1,859,487	1,711	1,087
Increase, 1885 to 31st December, 1937	890,287	..	864
Decrease, 1885 to 31st December, 1937	..	2,628	..

* Including Roadside Licences.

While the population has increased by 92 per cent. since 1885, the number of hotels has decreased by 60 per cent. The average number of persons to an hotel is now 387 per cent. more than it was in that year. During the period 1885 to 31st December, 1937, 227 hotels were closed as the result of local option polls, 1,813 were deprived of their licences by the Licences Reduction Board, or surrendered their licences thereto, and 664 were closed voluntarily. During the period 1907 to 31st December, 1937, 76 new licences were granted.

Licensing Fund. The revenue for the year ended 30th June, 1938, amounted to £255,823. The amounts received from the various sources were :—Licences, certificates, &c., £233,490 ; interest on investments, £10,982 ; fees and fines, £10,982 ; and miscellaneous, £369. The expenditure which totalled £255,823 consisted of the following items :—Annual payments to municipalities, £59,660 ; compensation, £19,195 ; transferred to Police Superannuation Fund under section 311 of Act No. 3717, £23,000 ; transferred to revenue under section 312 of Act No. 3717, as amended by Act No. 4496, £133,764 ; and salaries, expenses, &c., £20,204. The amount at credit of the fund at 30th June, 1938, was £437,376, of which £341,000 was invested.

Hours for sale of intoxicants. The trading hours of hotels in Victoria are from 9 a.m. to 6 p.m., but trading is not permitted on Sundays, Anzac Day (25th April), and Good Friday. The various legislative enactments, which from time to time have curtailed such trading hours, are given in the *Year-Book* for 1935-36, page 110.

Local Option Acts of 1920 and 1922. A statement, giving particulars of the provisions of the Local Option Acts of 1920 and 1922, appears in the *Year-Book* for 1928-29, pages 211 and 212.

Local Option Poll held 21st October, 1920. Particulars relating to the Local Option Poll held on 21st October, 1920, are given in the *Year-Book* for 1928-29, page 211.

Hotels Closed by Local Option. During the period 1885 to 1937, 227 hotels were closed as the result of local option polls. The amount of compensation awarded was £224,870, or an average of £990 for each hotel. This sum was provided partly out of the Licensing Fund, and, when this was insufficient for the purpose, out of Consolidated Revenue.

Licensing Polls 1930 and 1938. On the 29th March, 1930, a Referendum, called a Licensing Poll, was conducted under Part XIV. of the *Licensing Act 1928* (as amended) to determine whether or not licences should be abolished throughout Victoria. The Act provides that the resolution shall be carried if three-fifths at least in number of the votes given is in favour of the resolution. The poll was State-wide, and was the first of the octennial polls provided for by the *Licensing Act of 1922* (now incorporated in the *Licensing Act 1928*). A similar poll was held on the 8th October, 1938. The number of votes recorded at each of these polls for and against the abolition of licences was as follows :—

	1930.		1938.
For abolition of licences ..	418,902 (42·86%)	..	368,676 (33·57%)
Against abolition of licences ..	552,339 (56·50%)	..	721,704 (65·73%)
Informal	6,271 (0·64%)	..	7,648 (0·70%)
Total Electors who voted ..	977,512	..	1,098,028
Total Electors on rolls ..	1,029,420	..	1,151,263
Proportion of Electors who voted	94·96%		95·38%

Consumption
of beer.

The estimated quantity of beer consumed in Victoria in each of the last five years was as follows:—

CONSUMPTION OF BEER IN VICTORIA, 1933-34 TO 1937-38.

Year.	Quantity of Beer Consumed.		Per head of Population.	
	gallons.		gallons.	
1933-34 ..	15,969,300	8.75		
1934-35 ..	16,958,500	9.23		
1935-36 ..	19,538,800	10.60		
1936-37 ..	20,750,800	11.20		
1937-38 ..	23,700,300	12.73		

GAOLS AND PRISONERS.

Gaols and
prisoners.

There are five gaols in Victoria, including the Pentridge Penal Establishment, and five reformatory prisons, also two police gaols which are used as receiving stations. The following statement contains information for the year 1937 in regard to the accommodation for prisoners, the daily average number in confinement, the number received during the year, and the number in confinement at the end of the year.

VICTORIA—GAOL ACCOMMODATION AND PRISONERS, 1937.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received (including transfers).		In Confinement, at end of year.*	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ..	895	83	644	40	4,551	726	590	35
Pentridge Reformatory Prison	68	3	67	1	172	1	64	1
Ballarat Gaol ..	66	18	33	..	293	8	29	..
Beechworth Reformatory Prison	78	..	61	..	31	..	56	..
Bendigo Gaol ..	116	28	13	..	152	11	14	..
Castlemaine Reformatory Prison	91	..	79	..	111	..	86	..
Geelong Gaol ..	179	..	97	..	314	..	82	..
Geelong Reformatory Prison ..	21	..	17	..	12	..	14	..
McLeod Settlement Reformatory Prison ..	52	..	51	..	29	..	46	..
Sale Gaol ..	26	9	5	..	78	1	12	1
Police Gaols ..	25	4	5	..	164	1	..	..
Total ..	1,617	145	1,072	41	5,907	748	993	37

* Including 38 males and 3 females awaiting trial.

The number of prisoners received at and discharged from the gaols and reformatory prisons (excluding police gaols) in Victoria is given in the following table for the year 1937 :—

VICTORIA—PRISONERS RECEIVED AT AND DISCHARGED FROM GAOLS AND REFORMATORY PRISONS, 1937.

(Exclusive of Police Gaols.)

Heading.	Males.	Females.	Total.
Number in Confinement at 31st December, 1936—			
Convicted	1,055	37	1,092
Awaiting trial	35	5	40
Total	1,090	42	1,132
Received during 1937—			
Convicted of—			
Felony	1,305	45	1,350
Misdemeanour	1,571	232	1,803
Other offences	1,110	334	1,444
Transfers from—			
Other Gaols and Reformatory Prisons ..	465	7	472
Hospitals, Asylums, Reformatory Schools, &c.	23	1	24
For Trial, not subsequently convicted ..	1,269	128	1,397
Total	5,743	747	6,490
Discharged during 1937—			
By remission of sentence	453	36	489
On expiration of sentence and payment of fines	3,296	555	3,851
Bailed to appeal	89	13	102
On bond from Court, Judge's Order, Attorney-General's Order, &c.	29	5	34
By special authority	19	2	21
On parole	169	..	169
Died	2	..	2
Executed .. .. .	..	..	..
Deported	1	..	1
Absconded	7	..	7
Transfers to—			
Other Gaols and Reformatory Prisons ..	484	10	494
Hospitals, Asylums, Reformatory Schools, &c.	25	1	26
Unconvicted	1,266	130	1,396
Total	5,840	752	6,592
Number in Confinement at 31st December, 1937—			
Convicted	955	34	989
Awaiting trial	38	3	41
Total	993	37	1,030

Prisoners under Sentence.

The following table shows the number of prisoners under sentence at the end of each of the last ten years.

VICTORIA—PRISONERS UNDER SENTENCE, 1928 TO 1937.

At 31st December.	Males.	Females.	Total.	Total number per 10,000 of Population.	At 31st December.	Males.	Females.	Total.	Total number per 10,000 of Population.
1928	896	38	934	5·30	1933	1,297	50	1,347	7·38
1929	1,099	46	1,145	6·44	1934	1,191	34	1,225	6·67
1930	1,259	40	1,299	7·25	1935	1,118	41	1,159	6·29
1931	1,364	43	1,407	7·80	1936	1,057	37	1,094	5·91
1932	1,275	64	1,339	7·38	1937	993	37	1,030	5·54

Daily average number of Prisoners in confinement

A statement is given below of the daily average number of prisoners in detention in the gaols of the State in the last year of each of the decennial periods 1871 to 1931 inclusive, and in each of the last five years. The rate per 10,000 of the population, aged fifteen years and over, was, in 1937, 44 per cent. less than in 1901, and 3 per cent. more than in the quinquennial period 1924-28.

VICTORIA—DAILY AVERAGE NUMBER OF PRISONERS IN CONFINEMENT, 1871 TO 1937.

Year.	Daily Average Number of Prisoners in Confinement.			Number per 10,000 of Population, aged 15 years and over.		
	Males.	Females.	Total.	Males.	Females.	Total.
1871 ..	1,345	274	1,619	54·77	15·46	38·30
1881 ..	1,294	304	1,598	45·25	12·35	30·03
1891 ..	1,550	350	1,900	38·78	10·07	25·43
1901 ..	951	200	1,151	23·92	5·06	14·53
1911 ..	713	100	813	15·73	2·16	8·87
1921 ..	741	54	795	14·56	·98	7·40
1931 ..	1,391	50	1,441	22·59	·78	11·43
1933 ..	1,393	65	1,458	22·23	1·00	11·41
1934 ..	1,320	55	1,375	19·83	·80	10·14
1935 ..	1,220	44	1,264	18·27	·63	9·28
1936 ..	1,179	43	1,222	17·56	·61	8·91
1937 ..	1,072	41	1,113	15·94	·58	8·10

Indeterminate sentences. The Indeterminate Sentences Act came into force on 1st July, 1908. It is now incorporated in the *Crimes Act* 1928.

The principal provisions are—

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

The Board was appointed on 18th August, 1908. A statement of its chief functions appears in the *Year-Book* for 1929-30, pages 106 to 108.

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

VICTORIA—PRISONERS UNDER INDETERMINATE DETENTION, 1933-34 TO 1937-38.

Name of Reformatory Prison.	Year Ended 30th June.				
	1934.	1935.	1936.	1937.	1938.
Pentridge Reformatory Prison	82	69	59	64	53
Beechworth Reformatory Prison	64	62	70	65	59
Castlemaine Reformatory Prison	95	77	89	77	100
Geelong Reformatory Prison	9	9	14	18	16
McLeod Settlement, French Island	50	53	53	55	48
Total	300	270	285	279	279

Probation officers to supervise first offenders released by the courts on recognizance under the provisions of the *Crimes Act* 1928 are appointed by the Governor in Council on the recommendation of the Board. A number of persons connected with religious and philanthropic organizations have been appointed to the office, which is honorary.

From 1st July, 1908, to 30th June, 1937, admissions to the several reformatories totalled 3,724 (3,678 males and 46 females). Particulars of those released on parole or probation (inclusive of cases released more than once) and of those otherwise disposed of during the same period are given hereunder :—

Heading.	Number.	Per Cent.
Reconvicted or returned to prison	1,397*	37·5
Probation satisfactorily completed	1,383	37·1
Still on parole or probation	389†	10·5
Deaths—		
In institutions	14	0·4
On parole or probation	22	0·6
Escapes	120	3·2
Released by Special Authority, &c.	120	3·2
In institutions at 30th June, 1937	279	7·5
Total admissions to 30th June, 1937	3,724	100·0

* Including 8 transferred to serve additional sentences.

† Including ‡ temporarily paroled.

POLICE PROTECTION.

The following table shows the numbers in the various grades of the police force in Victoria on the 31st December, 1937.

POLICE IN VICTORIA, 31ST DECEMBER, 1937.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Foot.</i>			
Chief Commissioner	1	..	1
Superintendents	3	6	9
Inspectors	10	3	13
Sub-Inspectors	19	9	28
Sergeants, First class	34	13	47
" Second class	36	16	52
Senior Constables	166	80	246
Senior Constables (brevet rank)	1	..	1
First Constables	556	318	874
Constables	678	104	782
Total	1,504	549	2,053
<i>Detectives.</i>			
Superintendents	1	..	1
Inspectors	2	..	2
Sub-Inspectors	3	..	3
Sergeants, First class	4	..	4
" Second class	4	..	4
Senior Detectives	19	..	19
First Detectives	28	..	28
Detectives	10	..	10
Total	71	..	71
<i>Mounted.</i>			
First Constables	7	76	83
Constables	22	44	66
Total	29	120	149
Grand Total	1,604	669	2,273

In addition to the above there were 7 police-women, 3 matrons, and 2 black trackers employed by the Police Department on the 31st December, 1937.

The following statement gives the numerical strength of the police force in Victoria and the number of inhabitants to each police officer at the end of each of the last ten years.

STRENGTH OF POLICE FORCE IN VICTORIA, 1928 TO 1937

Year.	Total Strength including Police-women.	Number of Inhabitants to each Police-officer.	Year.	Total Strength including Police-women.	Number of Inhabitants to each Police-officer.
1928	2,112	834	1933	2,148	849
1929	2,148	828	1934	2,170	847
1930	2,115	848	1935	2,247	820
1931	2,107	856	1936	2,289	809
1932	2,121	855	1937	2,280	815

Strength of police force in Australian States.

The appended table shows for each Australian State the strength of the police force at the end of 1937.

STRENGTH OF POLICE FORCE IN AUSTRALIAN STATES, 1937.

State.	Total Strength including Police-women.	Number of Inhabitants to each Police Officer.
Victoria	2,280	815
New South Wales	3,816	710
Queensland	1,345	739
South Australia*	691	852
Western Australia	592	772
Tasmania*	282	824

* At 30th June, 1937.

Expenditure on police, gaols, &c.

The next table shows the total amount and the amount per head of population expended from Consolidated Revenue in connexion with the police, and with the penal establishments and gaols of Victoria, in each of the five years ended 30th June, 1938.

VICTORIA—EXPENDITURE ON POLICE AND GAOLS, 1933-34 TO 1937-38.

Year ended 30th June.	Amount Expended (exclusive of Pensions) on—					Amount per Head of Population.
	Maintenance, &c.		Buildings		Total.	
	Police.	Gaols and Penal Establishments.	Police.	Gaols and Penal Establishments.		
£	£	£	£	£	s. d.	
1934 ..	616,153	105,125	4,417	1,207	726,902	8 0
1935 ..	654,846	106,385	10,904	2,450	774,585	8 5
1936 ..	693,892	110,189	20,205	3,926	828,212	9 0
1937 ..	755,505	116,904	38,328	3,992	914,729	9 11
1938 ..	777,953	117,850	39,011	4,490	939,304	10 1

Executions.

During the thirty-two years ended with 1937 there were only eleven executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, two in 1918, one in 1922, one in 1924, one in 1932, and two in 1936. Since the first settlement of Port Phillip in 1835, 179 criminals (175 males and 4 females) have been executed within the State on account of the following offences:—Murder, 139; attempted murder, 17; robbery with violence, 9; burglary and wounding, 1; sexual offences, 12; and arson, 1.

Inquests.

The number of inquest cases in Victoria during each of the last five years is given in the following table:—

VICTORIA—INQUESTS, 1933 TO 1937.

Year.	Inquests into the Deaths of—			Total Persons per 10,000 Deaths.
	Males.	Females.	Total Persons.	
1933	1,125	456	1,581	90·6
1934	1,132	532	1,664	89·2
1935	1,230	468	1,698	92·0
1936	1,239	511	1,750	93·2
1937	1,255	483	1,738	93·4