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CHAPTER X.

PUBLIC JUSTICE.

§ 1. Police.

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

2. **Strength of Police Force.**—(i) *General.* The strength of the police force in each State during the five years ended 1922 is given in the table hereunder. It may be mentioned that the police forces are entirely under State control, but, by arrangement, the Commonwealth Government utilizes their services in various directions, such as the collection of particulars for Commonwealth electoral rolls, etc.

POLICE FORCES.—STRENGTH, 1918 TO 1922.

State.	Area of State in Sq. Miles.	1918.	1919.	1920.	1921.	1922.
New South Wales ..	310,372	2,481	2,569	2,630	2,738	2,799
Victoria	87,884	1,558	1,719	1,733	1,736	1,741
Queensland	670,500	1,141	1,119	1,126	1,105	1,113
South Australia ..	380,070	521	541	566	593	576
Western Australia ..	975,920	465	466	473	493	489
Tasmania	26,215	235	243	240	240	240
Northern Territory	523,620	28	32	32	30	32
Total	2,974,581	6,429	6,689	6,800	6,935	6,990

The figures for New South Wales for 1922 are exclusive of 34 "black trackers," i.e., natives employed in detection of offenders chiefly in outlying districts, and four female searchers. For Queensland the figures exclude 59 native trackers and 1 female searcher; for South Australia 11 "black trackers" and 1 female searcher, and for the Northern Territory 28 "black trackers." There are also 44 "black trackers" and 5 female searchers in Western Australia, not included in the table. According to the returns, women police are employed in all the States except Queensland, the respective numbers being—New South Wales 4, Victoria 4, South Australia 10, Western Australia 6, and Tasmania 2. Their work is mainly preventive, and the importance and usefulness of their duties have been referred to in very high terms, especially by the Commissioners of Police in South Australia and Western Australia.

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

POLICE FORCES.—COMPARISON WITH POPULATION, 1918 TO 1922.

State.	Number of Persons per Sq. Mile, 1921 Census.	Inhabitants to each Police Officer.				
		1918.	1919.	1920.	1921.	1922.
New South Wales	6.80	784	779	787	770	769
Victoria	17.42	914	857	873	885	902
Queensland	1.13	612	646	662	690	702
South Australia	1.30	866	866	860	839	879
Western Australia	0.34	663	687	698	677	695
Tasmania	8.15	843	843	876	889	895
Northern Territory .. ..	..	174	145	131	130	114
Total	1.83	782	777	788	787	797

3. Duties of the Police.—In addition to the ordinary employment attaching to their office, the police are called upon to perform many duties which in other countries are carried out by various functionaries. Thus, in New South Wales, according to the Report of the Inspector-General, the time of one-fifth of the force was taken up during 1921 in extraneous duties unconnected with the protection of life and property, while the cash value of the services rendered to other Government departments was stated as over £200,000 per annum. The Queensland Commissioner refers to the circumstance that in 1922 no less than 68 subsidiary offices were held by the police. In South Australia, the Commissioner alludes to the large number of subsidiary duties performed by police officers, and mentions that in 1922 over 80,000 inquiries were made on behalf of other departments.

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

4. Cost of Police Forces.—The expenditure from Consolidated Revenue on the police forces, and the cost per head of population in each State during the five years 1918 to 1922 are given in the following table:—

POLICE FORCES.—COST, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
TOTAL.					
	£	£	£	£	£
New South Wales ..	722,754	977,506	1,101,767	1,150,323	1,205,557
Victoria ..	397,025	490,016	577,407	579,351	600,856
Queensland ..	346,802	407,480	476,153	458,955	455,519
South Australia ..	151,090	159,258	197,157	211,428	216,109
Western Australia ..	136,295	171,832	186,717	184,245	181,893
Tasmania ..	54,960	66,940	79,372	79,105	77,096
Northern Territory ..	10,200	11,435	12,970	15,520	16,011
Total ..	1,819,126	2,284,467	2,631,543	2,678,927	2,753,041

PER HEAD OF POPULATION.

	s. d.	s. d.	s. d.	s. d.	s. d.
New South Wales ..	7 4	9 7	10 6	10 10	11 1
Victoria ..	5 6	6 6	7 7	7 6	7 7
Queensland ..	9 10	11 1	12 8	11 11	11 7
South Australia ..	6 7	6 10	8 0	8 5	8 5
Western Australia ..	8 9	10 6	11 3	11 0	10 7
Tasmania ..	5 5	6 5	7 6	7 3	7 0
Northern Territory ..	44 0	50 4	65 0	81 6	90 2
Total ..	7 2	8 7	9 9	9 9	9 9

The total for New South Wales in 1922 includes £110,000 payment to the Police Superannuation Fund. Similar payments in Victoria and Queensland amount to £58,000 and £41,700 respectively, while smaller sums are included in the returns for other States.

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

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

5. **Interstate Police Conferences.**—In February, 1921, a Conference of the chief officers of the police forces of the various States was held in Melbourne. In addition to the discussion of matters of common interest, arrangements were made for the interchange of detectives. The results were so satisfactory that it was decided to hold similar Conferences annually, and the second Conference was held in Sydney in February, 1922.

§ 2. Lower (Magistrates') Courts.

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

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

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

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

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

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

3. **Persons Charged at Magistrates' Courts.**—The total number of persons who were charged before magistrates in each State is given below for the five years 1918 to 1922 :—

MAGISTRATES' COURTS.—PERSONS CHARGED, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
New South Wales ..	76,870	78,103	89,572	94,685	96,989
Victoria	58,965	58,470	56,698	62,402	63,713
Queensland	25,006	21,926	24,180	24,479	25,185
South Australia ..	9,161	8,804	10,143	10,622	11,821
Western Australia ..	11,599	9,769	10,430	10,775	10,844
Tasmania	6,583	6,362	6,629	7,185	7,106
Northern Territory ..	301	221	221 ^a	115	186
Total	188,485	183,655	197,873	210,263	215,844

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

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

4. **Convictions and Committals.**—The figures given in the tabulation above include, of course, a number of people who were wrongly charged, and statistically are not of general importance. The actual number of convictions in connexion with the persons who appeared before the lower courts in each year of the period 1918 to 1922 is, therefore, given hereunder. A separate line is added showing the committals to higher courts.

MAGISTRATES' COURTS.—CONVICTIONS AND COMMITTALS, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
New South Wales .. { Convictions	63,811	64,518	74,667	80,214	82,263
.. { Committals	1,308	1,680	2,239	2,594	2,495
Victoria { Convictions	44,900	44,623	43,088	46,924	49,464
.. { Committals	406	575	795	776	733
Queensland { Convictions	22,818	19,773	21,922	22,479	22,982
.. { Committals	207	255	309	328	331
South Australia .. { Convictions	7,898	7,527	8,628	8,968	10,048
.. { Committals	79	74	123	121	146
Western Australia .. { Convictions	10,162	8,702	9,198	9,605	9,748
.. { Committals	96	127	112	120	68
Tasmania { Convictions	5,854	5,807	6,034	6,474	6,385
.. { Committals	37	55	71	88	79
Northern Territory { Convictions	255	187	187 ^a	100	171
.. { Committals	6	3	3 ^a	8	4
Total { Convictions	155,698	151,137	163,724	174,764	181,061
.. { Committals	2,139	2,769	3,652	4,035	3,856

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

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

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

MAGISTRATES' COURTS.—CONVICTIONS FOR SERIOUS CRIME, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
TOTAL.					
New South Wales ..	6,355	7,232	7,704	8,057	7,744
Victoria	3,162	2,976	4,294	3,719	2,909
Queensland	1,427	1,526	1,357	1,747	1,835
South Australia ..	534	629	772	855	653
Western Australia ..	884	995	993	976	977
Tasmania	479	594	548	550	577
Northern Territory ..	18	11	11a	42	60
Total	12,859	13,963	15,679	15,946	14,755

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

PER 10,000 OF THE POPULATION.

New South Wales ..	32.7	36.1	37.2	38.2	36.0
Victoria	22.2	20.2	28.4	24.2	18.5
Queensland	20.5	21.1	18.2	22.9	23.5
South Australia ..	11.8	13.4	15.9	17.2	12.9
Western Australia ..	28.7	31.1	30.1	29.2	28.8
Tasmania	24.2	29.0	26.0	25.8	26.9
Northern Territory ..	37.0	23.6	26.1	107.5	164.2
Total	25.6	26.9	29.3	29.2	26.5

6. Decrease in Serious Crime, 1881 to 1922.—(i) *Rate of Convictions.* The figures quoted in the preceding table show that while during the last five years the rate of serious crime has increased somewhat, if the comparison be carried back to 1881 the position is seen to be more satisfactory. The rate of convictions at magistrates' courts per 10,000 of the population is given below for each of the years 1881, 1891, 1901, 1921, and 1922. Only the more serious offences particularized in the preceding sub-section have been taken into consideration.

MAGISTRATES' COURTS.—SERIOUS CRIME.—RATE OF CONVICTIONS, 1881 TO 1922.

Year.	Convictions per 10,000 Persons.					
1881	69.3
1891	44.8
1901	29.1
1921	29.2
1922	26.5

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.

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

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

7. *Drunkenness.*—(i) *Cases and Convictions.* The number of cases of drunkenness and the convictions recorded in connexion therewith during the period 1918 to 1922 will be found in the following table:—

DRUNKENNESS.—CASES AND CONVICTIONS, 1918 TO 1922.

State.	1918.		1919.		1920.		1921.		1922.	
	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.
New South Wales ..	20,651	20,511	19,834	19,546	26,080	25,843	29,047	28,702	30,918	30,723
Victoria ..	5,987	3,049	6,237	3,000	7,154	3,834	7,621	4,334	8,773	5,201
Queensland ..	12,302	11,518	12,178	11,403	12,017	11,712	12,166	11,744	13,014	12,632
South Australia ..	3,308	3,298	3,197	3,171	3,463	3,448	3,465	3,443	3,775	3,764
Western Australia ..	4,058	4,020	3,612	3,595	4,222	4,185	4,135	4,103	3,740	3,715
Tasmania ..	433	426	485	474	536	530	539	531	539	535
Northern Territory	81	81	109	109	(a)109	(a)109	51	51	112	104
Total ..	46,820	42,903	45,652	41,298	53,581	49,661	57,024	52,908	60,871	56,677

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

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

(ii) *Convictions per 10,000 of Population.* The convictions for drunkenness per 10,000 of the population during each of the years from 1918 to 1922 are given hereunder :—

DRUNKENNESS.—CONVICTIONS PER 10,000 INHABITANTS, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
New South Wales	105.5	97.6	124.9	136.0	142.7
Victoria	21.4	20.4	25.4	28.2	33.1
Queensland	165.1	157.6	157.0	153.9	161.7
South Australia	73.1	67.7	70.9	69.2	74.4
Western Australia	130.4	112.4	126.8	122.9	109.4
Tasmania	21.5	23.1	25.2	24.9	24.9
Northern Territory	166.3	234.2	258.8	130.6	284.7
Total	85.3	79.5	92.7	96.9	101.8

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

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

The following table shows the consumption of spirits, wine, and beer per head of the population in Australia during each year of the quinquennium 1919-23 :—

INTOXICANTS, CONSUMPTION.—AUSTRALIA, 1919 to 1923.

Year.	Consumption per Head of Population.		
	Spirits.	Wine.	Beer.
	Imp. Galls.	Imp. Galls.	Imp. Galls.
1918-19	0.39	0.50	12.50
1919-20	0.45	0.50	13.39
1920-21	0.36	0.50	12.20
1921-22	0.36	0.50	11.49
1922-23	0.39	0.50	11.30

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

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

(b) *Remedial.* Legislation has been passed in each State, providing for the commitment of inebriates to special Government institutions. The laws in the various States are as follows:—New South Wales, Inebriates Act 1912; Victoria, Inebriates Act 1915 and 1923; Queensland, Inebriate Institutions Act 1896; South Australia, Inebriates Acts 1908, 1913, and 1920; Western Australia, Inebriates Acts 1912 and 1919; Tasmania, Inebriates Act 1885, Inebriate Hospitals Act 1892. Curative work was first undertaken by the Government of New South Wales in 1907. In most cases the institutes are connected with the gaols, and, naturally, custodial measures are still a strong feature in their management; nevertheless, the results of remedial measures have been encouraging.

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

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

10. *Committals to Superior Courts.*—(i) *General.* In a previous sub-section it has been pointed out that comparisons of criminality based on a consideration of the total returns from magistrates' courts are somewhat inadequate, seeing that the figures include numbers of cases which are merely technical breaches of laws having in some instances a purely local significance. The committals to higher courts give a better basis of comparison, although even in this connexion allowance must be made for the want of uniformity in jurisdiction. The table below gives the number of committals in each year from 1918 to 1922, with the rate of such committals per 10,000 of the population.

COMMITTALS TO SUPERIOR COURTS, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
New South Wales	{ No.	1,308	1,680	2,239	2,594	2,495
	{ Rate	6.7	8.4	10.8	12.3	11.6
Victoria..	{ No.	406	575	795	776	733
	{ Rate	2.9	3.9	5.3	5.0	4.7
Queensland	{ No.	207	255	309	328	331
	{ Rate	3.0	3.5	4.1	4.3	4.2
South Australia	{ No.	79	74	123	121	146
	{ Rate	1.8	1.6	2.5	2.4	2.9
Western Australia	{ No.	96	127	112	120	68
	{ Rate	3.1	4.0	3.4	3.6	2.0
Tasmania	{ No.	37	55	72	88	79
	{ Rate	1.9	2.7	3.4	4.1	3.7
Northern Territory	{ No.	6	3	3	8	4
	{ Rate	12.3	6.4	7.1	20.5	10.9
Total	{ No.	2,139	2,769	3,653	4,035	3,856
	{ Rate	4.3	5.3	6.8	7.4	6.9

(ii) *Decrease in Rate since 1861.* The above figures show that the rate of committals for serious crime has increased by 60 per cent. during the last five years, but if the comparison be carried further back, it will be found that, as compared with the earlier years, there has been a considerable improvement. This will be evident from an examination of the following figures, which show the rate of committals per 10,000 persons in Australia at various periods since 1861 :—

RATE OF COMMITTALS, AUSTRALIA, 1861 TO 1922.

Year	1861.	1871.	1881.	1891.	1901.	1911.	1921.	1922.
Committals per 10,000 inhabitants	22	14	12	11	8	6	7	7

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

§ 3. Superior Courts.

1. *Convictions at Superior Courts.*—The number of convictions at superior courts, with the rate per 10,000 of the population are given below for each of the years 1918 to 1922 :—

SUPERIOR COURTS.—CONVICTIONS, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
New South Wales	{ No.	622	762	1,027	1,111	1,040
	{ Rate	3.2	3.8	5.0	5.3	4.8
Victoria..	{ No.	245	347	461	520	463
	{ Rate	1.7	2.4	3.0	3.4	2.9
Queensland	{ No.	193	254	302	338	378
	{ Rate	2.8	3.5	4.0	4.4	4.8
South Australia	{ No.	46	47	83	97	113
	{ Rate	1.0	1.0	1.7	2.0	2.2
Western Australia	{ No.	55	63	69	70	40
	{ Rate	1.8	2.0	2.1	2.1	1.2
Tasmania	{ No.	18	39	51	57	55
	{ Rate	0.9	1.9	2.4	2.7	2.6
Northern Territory	{ No.	..	..	..	3	3
	{ Rate	..	..	..	7.7	8.2
Total	{ No.	1,179	1,512	1,993	2,196	2,092
	{ Rate	2.3	2.9	3.7	4.0	3.8

The rate in 1901 was 4.6 per 10,000, and the decrease to the end of 1922 was, therefore, about 17 per cent.

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

2. *Offences for which Convictions were Recorded at Superior Courts.*—In the following table will be found a classification of the principal offences for which persons were convicted at the higher courts during each year of the period 1918 to 1922. Owing to lack of uniformity in the presentation of the returns the information is confined to the chief offences against the person only.

SUPERIOR COURTS.—CONVICTIONS, SERIOUS CRIME, AUSTRALIA, 1918 TO 1922.

Offences.	1918.	1919.	1920.	1921.	1922.
Murder, and attempts at	14	34	20	29	36
Manslaughter	7	14	18	17	10
Rape, and attempts at	11	3	7	8	5
Other offences against females ..	75	66	69	87	95
" " " the person ..	155	220	223	235	240
Total	262	337	337	376	386

The total convictions for similar offences in 1901 amounted to 432, the decline during the period 1901 to 1922 amounting therefore to about 11 per cent.

3. **Habitual Offenders.**—In New South Wales the Habitual Criminals Act of 1905 gives judges the power of declaring a prisoner, after a certain number of sentences, to be an habitual criminal, and as such to be detained until, in the opinion of the authorities, he is fit to be at large. At the end of 1922 there were 31 persons in prison under this Act. Since the passing of the Act, 90 offenders, including 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, 1923, 798 prisoners had been released on probation or parole. Of this number, 248 were re-convicted or returned for not observing the conditions of release, and 550 have not returned to prison. Of the latter, 268 are still on probation or parole, and 273 have completed their probation and are out of the Board's control. At the 30th June, 1923, the number under indeterminate detention was 105. 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, and the first cases in connexion therewith were dealt with in 1922, when 2 prisoners were declared to be habitual criminals. The provisions of the Habitual Criminals Amendment Act of 1907 were put into force in South Australia in 1909, and 23 criminals had been declared to be habitual offenders up to the end of 1922. Of these, 20 had been released after serving the indeterminate portion, and 3 were serving the definite portion of their sentence. In Western Australia, under the Criminal Code Amendment Act of 1918, power is given to declare a prisoner after a certain number of convictions to be an habitual criminal. The number under preventive detention on the 30th June 1922, was 15, and the total number dealt with since the passing of the Act was 53. During the period in which the Habitual Criminals and Offenders Act of 1907 (now Indeterminate Sentences Act 1921) has been in force in Tasmania, 141 prisoners have been released under its provisions, and the results, according to the Sheriff, have been satisfactory, only four prisoners having defaulted. The Comptroller-General of Prisons in New South Wales points out that the system has exercised a wholesome deterrent effect on the criminal who is not a prisoner, while the Indeterminate Sentence Board in Victoria states that it has become impressed with the advantages which this form of sentence offers, both from a reformatory and deterrent standpoint, over the ordinary sentence.

4. **Capital Punishment.**—The table below gives the number of executions in each State during the period 1918 to 1922:—

EXECUTIONS, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
New South Wales .. ..	..	..	..	..	..
Victoria	2	..	..	..	1
Queensland .. ..	..	..	..	..	..
South Australia .. ..	..	1	1	..	..
Western Australia .. ..	..	..	..	..	1
Tasmania .. ..	..	..	..	..	1
Total	2	1	1	..	3

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

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

During the period 1861 to 1880 the annual average number of executions in Australia was 9, from 1881 to 1900 the average was 6, for the period 1901 to 1910 the figure was 4, from 1911 to 1920 it was 2, while the average for the last two years was 1.

§ 4. Prisons.

1. Prison Accommodation and Prisoners, 1922.—The table below shows the number of prisons in each State, the accommodation therein, and the number of prisoners in confinement at the end of 1922 :—

PRISON ACCOMMODATION AND PRISONERS, 1922.

State.	Number of Prisons.	Accommodation in—		Prisoners at End of Year.
		Separate Cells.	Wards.	
New South Wales	25	2,616(a)	..	1,373
Victoria	15	1,491	565	719
Queensland	11	601	380	331
South Australia	13	759	467	265
Western Australia	23	676	847	196
Tasmania	2	146	5	62
Northern Territory	3	..	67	4
Total	92	6,289	2,331	2,950

(a) Total accommodation.

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

2. Prisoners in Gaol, 1918 to 1922.—The number of prisoners in gaol at the 31st December in each of the years 1918 to 1922 is given below. As stated above, the figures refer to prisoners under sentence, and are exclusive of aborigines. A separate line is added in each instance showing the proportion per 10,000 of the population.

PRISONERS IN GAOL, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
New South Wales	Number ..	959	895	1,128	1,273	1,373
	Proportion	4.9	4.5	5.4	6.0	6.4
Victoria	Number ..	588	665	700	733	719
	Proportion	4.1	4.5	4.6	4.8	4.6
Queensland	Number ..	255	279	275	309	331
	Proportion	3.7	3.9	3.7	4.1	4.2
South Australia	Number ..	233	222	229	252	265
	Proportion	5.2	4.7	4.7	5.1	5.2
Western Australia	Number ..	185	158	167	211	196
	Proportion	6.0	4.9	5.1	6.3	5.8
Tasmania	Number ..	55	72	63	95	62
	Proportion	2.8	3.5	3.0	4.5	2.9
Northern Territory	Number ..	7	3	3	4	4
	Proportion	14.4	6.4	7.1	10.2	10.9
Commonwealth	Number ..	2,282	2,294	2,565	2,877	2,950
	Proportion	4.5	4.4	4.8	5.3	5.3

The proportion to population of prisoners in gaol under sentence has risen by about 15 per cent. for Australia during the last five years, but, if the comparison be carried farther back, the position is seen to be more favourable, the proportion in 1891 being as high as 16 per 10,000.

3. *Improvement of Penological Methods.*—(i) *New South Wales.* During recent years Australia, in common with most other civilized countries, has introduced considerable modifications and improvements in methods of prison management. Under the old system, punishment partook more or less of the character of reprisal for wrongdoing, and the idea of constituting the prison as a reformatory agency was in the background. But in recent years there has been an earnest attempt at effecting a moral reformation in the unfortunates who lapse into crime. This aspect of prison management has been specially prominent in New South Wales. A short account of the reorganization of the prison system in this State appears in preceding Year Books (see No. V., p. 922), but considerations of space preclude its repetition here. At the present time it is found that good results have followed the principles of scientific classification and restricted association of prisoners, together with the provision of separate institutions for the treatment of inebriates. Special efforts are put forward to provide reproductive work of a regular and intelligent nature. At the chief penitentiaries for males and females in the metropolis, a careful classification of prisoners is carried out, and provision is made for the treatment of special cases at some of the larger country gaols. Young first offenders are employed at the Emu Plains Prison Farm, and first offenders over the age of 25 years are drafted to the Prisoners' Afforestation Camp at Tuncurry, on the Manning River. This institution, which was opened in 1911, has given very satisfactory results. About 180,000 seedlings were planted in 1922, and many thousands of trees, some up to 40 feet in height, are flourishing. The Shaftesbury Inebriate Institution was established in 1915 for the treatment of non-criminal inebriates, and in the following year provision was made for the accommodation and treatment of voluntary paying guests. In many instances prisoners received into the gaols are found to be suffering from contagious diseases, and, under the Prisoners Detention Act such persons may be detained until cured.

Amongst other improvements introduced during the last three years were the relieving of the monotony of non-working hours at week-ends by the provision of concerts and lectures at the principal gaols, by more open-air exercise on Saturday afternoons and Sundays, and by the supply of a greater variety of interesting books and magazines to the prison libraries. Prisoners are encouraged to take up courses of study likely to be of service to them on their discharge, and, within reason, the text-books required are purchased for their use. As the Comptroller-General points out, these changes have been brought about, not from sympathy with the criminal, but as ordinary necessities to the wholesome functioning of the mind.

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

Allusion may be made here to the excellent work performed by the Prisoners' Aid Association, which has branches in the country towns where there are prisons. Members of the organization meet prisoners on their discharge, help in restoring hopeful cases to reputable relatives and friends, assist in obtaining situations, and generally maintain a friendly supervision over those in need of assistance.

(ii) *Victoria.* Space will not permit of more than a passing reference to the improvements brought about in prison management in the other States. In Victoria there is an excellent system of classification and allocation of prisoners in various grades to different gaols, while at the important penal establishment at Pentridge careful segregation into several classes is carried out. First offenders are placed in the "special" division, and it is stated that out of 869 prisoners in this class discharged from Pentridge during the decade ending in 1921 only 87 are known to have been reconvicted. 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 31st December, 1922, there were 36 inmates. In addition to the work of afforestation, portion of the land has been laid down in crops, and some attention given to poultry and pig-keeping. It is stated that the experiment has resulted in improvement, both in demeanour and physique of prisoners, and in many

cases has led to a return to honest citizenship. A farm has also been established about 3 miles from the prison at Castlemaine, and the inmates are taken to and fro daily. The number in confinement at the end of December, 1922, was 49. Accommodation has been provided for housing a certain number of prisoners on the farm site. The orchard planted in connexion with the farm contains about 1,000 fruit trees. Provision has been made for practical instruction in carpentering and other work which will help in securing employment for prisoners on release.

Amongst improvements foreshadowed in the near future are more frequent inspection of prisons, better training of staff, more extended classification of prisoners, and open air employment of first offenders in farming and forestry.

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

Aid is given to discharged prisoners by the Salvation Army and by various church organizations and welfare committees.

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

Excellent work in aid of discharged prisoners is carried on by the Salvation Army, while the "William Powell Home," through its secretary, renders valuable service.

(iv) *South Australia.* The present system of gaol administration was drafted mainly on English and European lines by the late W. R. Boothby, C.M.G., and has since been as far as possible adapted to modern penological procedure. At the Yatala Labour Prison, which is the largest in the State, the number in confinement on the 31st December, 1922, was 137. The prisoners are graded into three classes—first offenders, second offenders, and old offenders, the various classes being kept apart. The Adelaide gaol, which had 73 prisoners in confinement at the end of 1922, is the next in point of importance. Provision is made for the special treatment of inebriates at the Adelaide and Gladstone gaols.

Various religious organizations devote attention to the periodical visiting of prisoners in the gaols, while fine work is done by the Prisoners' Aid Association in helping released prisoners to obtain employment, or return to their homes in other States.

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

(vi) *Tasmania*. The number of convicted prisoners in confinement in Tasmanian gaols on the 30th June, 1923, was 69, of whom 67 were confined in the penal establishment at Hobart and 2 at the Launceston gaol. There were no prisoners in the country gaols. The completion of alterations to the Hobart gaol has facilitated the classification of offenders, and afforded greater opportunities for teaching trades. Youthful offenders are kept apart from ordinary prisoners.

§ 5. Civil Courts.

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

LOWER COURTS.—CIVIL CASES, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
New South Wales ..	{ Cases No.	32,135	31,847	34,475	37,557	38,828
	{ Amount £	94,026	92,853	111,531	145,176	163,803
Victoria ..	{ Cases No.	31,870	34,841	38,300	45,319	47,140
	{ Amount £	149,755	155,009	158,198	202,606	295,697
Queensland ..	{ Cases No.	10,957	9,289	10,428	14,339	16,023
	{ Amount £	53,710	56,555	58,476	84,277	122,684
South Australia ..	{ Cases No.	13,619	14,600	18,030	20,334	23,030
	{ Amount £	52,847	58,647	73,505	103,715	123,569
Western Australia ..	{ Cases No.	11,387	11,990	12,306	15,240	15,991
	{ Amount £	40,243	43,601	46,765	63,162	71,457
Tasmania ..	{ Cases No.	4,489	4,325	4,954	1,442	7,246
	{ Amount £	28,769	30,537	34,329	36,571	59,137
Total ..	{ Cases No.	104,457	106,892	118,493	134,231	148,258
	{ Amount £	419,350	437,202	482,804	635,507	836,347

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

2. *Superior Courts*.—In the next table will be found the transactions on the civil side in the Superior Courts during each of the years 1918 to 1922.

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

SUPERIOR COURTS.—CIVIL CASES, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
New South Wales ..	{ Causes No.	846	933	1,148	1,344	1,386
	{ Amount £	a259,902	a333,539	a377,419	a475,816	a500,862
Victoria ..	{ Causes No.	583	661	760	906	863
	{ Amount £	108,919	100,200	122,840	226,736	213,597
Queensland ..	{ Causes No.	184	172	225	231	187
	{ Amount £	19,994	44,567	19,707	32,513	21,914
South Australia ..	{ Causes No.	18	20	39	52	55
	{ Amount £	4,518	3,491	16,938	5,673	10,300
Western Australia ..	{ Causes No.	141	138	174	288	195
	{ Amount £	30,100	26,757	28,890	54,339	40,119
Tasmania ..	{ Causes No.	329	237	145	246	474
	{ Amount £	17,453	29,808	14,507	13,651	28,952
Total ..	{ Causes No.	2,101	2,161	2,491	3,067	3,160
	{ Amount £	440,886	538,362	580,301	808,728	815,744

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

3. **Divorces and Judicial Separations.**—The number of divorces and judicial separations in each State during the period 1918 to 1922 is shown below. The figures refer in the case of divorces to decrees made absolute in each year and include decrees for nullity of marriage.

DIVORCES AND JUDICIAL SEPARATIONS, 1918 TO 1922.

State.	1918.		1919.		1920.		1921.		1922.	
	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.	Divorces.	Judicial Separations.
New South Wales ..	380	11	427	7	556	11	789	18	683	8
Victoria ..	233	3	346	2	373	2	388	1	376	2
Queensland ..	24	2	25	1	45	1	56	2	47	..
South Australia ..	17	..	30	..	32	2	88	1	76	..
Western Australia ..	23	..	45	..	22	..	22	..	33	..
Tasmania ..	4	..	6	2	18	..	40	..	33	..
Northern Territory ..	..	..	..	..	..	..	..	..	..	..
Total ..	681	16	879	12	1,046	16	1,383	22	1,248	10

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

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

	1871-1880.	1881-90.	1891-1900.	1901-10.	1911-20.
Averages ..	29	70	358	401	707

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

4. **Probates.**—The number of probates and letters of administration granted, together with the value of the estates concerned, are given below for each State for the period 1918 to 1922:—

PROBATES AND LETTERS OF ADMINISTRATION, 1918 TO 1922.

State.	1918.	1919.	1920.	1921.	1922.
New South Wales ..	{ Number 6,877 Value £ 11,827,552	{ 7,188 17,131,131	{ 5,737 12,265,044	{ 5,461 13,895,765	{ 5,681 15,441,378
Victoria ..	{ Number 6,935 Value £ 11,009,294	{ 7,404 13,844,186	{ 5,837 14,672,239	{ 5,769 12,554,865	{ 5,445 12,641,263
Queensland ..	{ Number 959 Value £ 2,335,848	{ 1,122 3,733,964	{ 1,027 3,594,844	{ 1,130 4,039,379	{ 1,002 3,591,531
South Australia ..	{ Number 2,321 Value £ 4,760,203	{ 2,319 3,470,000	{ 1,844 3,831,914	{ 1,784 3,115,106	{ 1,736 3,683,202
Western Australia ..	{ Number 1,574 Value £ 1,193,841	{ 1,353 2,451,828	{ 948 1,438,192	{ 1,059 1,854,099	{ 942 979,214
Tasmania ..	{ Number 435 Value £ 928,317	{ 564 1,300,836	{ 517 1,095,536	{ 518 1,207,252	{ 545 1,211,764
Northern Territory ..	{ Number (a) Value £ ..	{ 19 23,800	{ (a) ..	{ 10 3,864	{ 27 5,411
Total ..	{ Number 19,101 Value £ 32,055,055	{ 19,969 42,015,835	{ 15,910 36,897,769	{ 15,731 36,670,330	{ 15,428 37,553,763

(a) Not available.

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

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

BANKRUPTCIES, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
New South Wales	Number ..	264	316	344	394	481
	Liabilities £	221,928	323,222	204,594	311,900	440,856
	Assets £	115,776	189,920	139,550	166,457	251,185
Victoria	Number ..	243	207	186	300	322
	Liabilities £	131,247	184,041	154,658	180,014	349,118
	Assets £	77,089	130,328	53,229	92,018	189,016
Queensland	Number ..	170	144	118	150	148
	Liabilities £	35,837	68,291	73,853	65,603	90,790
	Assets £	11,694	26,863	57,904	18,760	42,012
South Australia	Number ..	91	59	60	67	110
	Liabilities £	137,469	78,888	81,610	121,987	158,987
	Assets £	109,641	63,724	54,502	96,658	102,738
Western Australia	Number ..	23	31	25	30	36
	Liabilities £	9,559	23,958	46,381	43,044	36,510
	Assets £	4,010	21,190	41,875	35,899	16,961
Tasmania	Number ..	1	..	..	6	1
	Liabilities £	912	..	..	1,829	1,170
	Assets £	118	..	..	1,599	..
Northern Territory	Number ..	..	1	..	..	2
	Liabilities £	..	115	..	..	175
	Assets £	..	7	..	..	..
Total ..	Number ..	792	758	733	947	1,100
	Liabilities £	536,952	678,515	561,096	725,307	1,077,606
	Assets £	318,328	432,032	347,060	411,421	601,912

(ii) *Deeds of Arrangement, etc.* The figures given above are, as explained, exclusive of private arrangements. In Victoria during 1922 the deeds of arrangement numbered 99, the declared liabilities and assets being £178,986 and £127,657 respectively. Liquidations under the Insolvency Act in Queensland numbered 13, the total liabilities and assets amounting to £13,704 and £11,982 respectively. In South Australia 107 compositions were arranged during the year. Under the Bankruptcy Amendment Act of 1898, 5 compositions, 6 schemes of arrangement, and 39 deeds of assignment were made in Western Australia. In Tasmania, 24 liquidations involving liabilities £14,437 and assets £5,194, and 11 compositions with liabilities £2,157 and assets £644, were arranged during 1922.

6. *High Court of Australia.*—Under the provisions of section 71 of the Commonwealth Constitution Act, the judicial power of the Commonwealth is vested in a Federal Supreme Court, called the High Court of Australia, and in such other courts as the Parliament creates or invests with federal jurisdiction. The Federal High Court possesses both original and appellate jurisdiction. The powers of the Court are defined in Chapter III. of the Constitution Act and in the Judiciary Acts of 1903–20. At present the Court consists of a Chief Justice and six other judges. Sittings of the Court are held in the capitals of the various States as occasion may require. The following statement shows the transactions of the High Court for the quinquennium 1918–22 :—

COMMONWEALTH HIGH COURT.—TRANSACTIONS, 1918 TO 1922.

Items.	1918.	1919.	1920.	1921.	1922.
I. ORIGINAL JURISDICTION.					
Number of writs issued	76	93	123	155	183
Number of causes entered for trial	8	8	20	24	30
Verdicts for plaintiffs	4	3	6	13	6
Verdicts for defendants	1	..	5	4	9
Otherwise disposed of	10	5	31	22	61
Amount of judgments	£3,463	£1,730	£6,907	£15,403	£18,579
II. APPELLATE JURISDICTION.					
Number of appeals set down for hearing ..	67	54	65	68	96
Number allowed	33	20	20	31	39
Number dismissed	27	25	31	24	48
Otherwise disposed of	7	9	14	13	9
III. AMOUNT OF FEES COLLECTED.					
Amount in each year	£708	£502	£675	£742	£802

During the year 1922 the Court dealt also with other matters as follows :—

Appeals from Assessments under the Taxation Assessment Acts ..	17
Special cases stated for the opinion of the Full Court	14
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 1904–20, will be found in Chapter XIII.

§ 6. Cost of Administration of Justice.

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

STATE EXPENDITURE ON JUSTICE, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
		£	£	£	£	£
New South Wales ..	Police	722,754	977,506	1,101,767	1,150,323	1,205,557
	Gaols	87,875	92,781	113,882	120,136	145,887
	Other	277,805	309,632	370,061	400,943	395,691
Victoria ..	Police	397,025	490,016	577,407	579,351	600,856
	Gaols	54,328	61,937	75,986	74,161	80,363
	Other	166,946	193,481	227,190	224,670	233,452
Queensland ..	Police	346,802	407,480	476,153	458,955	455,519
	Gaols	35,346	36,802	40,190	36,236	34,068
	Other	124,763	140,374	149,068	143,592	144,341
South Australia ..	Police	151,090	159,258	197,157	211,428	216,109
	Gaols	23,063	27,381	31,940	33,359	34,520
	Other	41,124	60,784	52,500	54,129	50,459
Western Australia ..	Police	136,295	171,832	186,717	184,245	181,893
	Gaols	23,939	28,669	30,417	28,715	27,440
	Other	71,787	83,546	97,779	89,987	91,605
Tasmania ..	Police	54,960	66,940	79,372	79,105	77,096
	Gaols	6,418	8,274	9,774	10,097	9,643
	Other	21,407	29,289	33,322	34,114	32,921
Northern Territory a	Police	10,200	11,435	12,970	15,520	16,011
	Gaols	3,048	2,663	3,857	4,171	4,403
	Other	2,196	1,925	3,396	3,289	2,664
Total ..	Police	1,819,126	2,284,467	2,631,543	2,678,927	2,753,041
	Gaols	234,017	258,507	306,046	306,875	336,324
	Other	706,028	819,031	933,316	950,724	951,133

(a) See 2, Federal Expenditure, next page.

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

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

STATE EXPENDITURE ON JUSTICE PER HEAD, 1918 TO 1922.

State.		1918.	1919.	1920.	1921.	1922.
		s. d.	s. d.	s. d.	s. d.	s. d.
New South Wales	Police	7 4	9 7	10 6	10 10	11 1
	Gaols	0 11	0 11	1 1	1 2	1 4
	Other	2 10	3 0	3 6	3 9	3 8
Victoria	Police	5 6	6 6	7 7	7 6	7 7
	Gaols	0 9	0 10	1 0	0 11	1 0
	Other	2 4	2 7	3 0	2 11	2 11
Queensland	Police	9 10	11 1	12 8	11 11	11 7
	Gaols	1 0	1 0	1 1	0 11	0 10
	Other	3 6	3 10	4 0	3 9	3 8
South Australia	Police	6 7	6 10	8 0	8 5	8 5
	Gaols	1 0	1 2	1 4	1 4	1 4
	Other	1 10	2 6	2 2	2 2	2 0
Western Australia	Police	8 9	10 6	11 3	11 0	10 7
	Gaols	1 7	1 9	1 10	1 9	1 7
	Other	4 7	5 1	5 11	5 4	5 4
Tasmania	Police	5 5	6 5	7 6	7 3	7 0
	Gaols	0 8	0 10	0 11	0 11	0 11
	Other	2 1	2 10	3 2	3 1	3 0
Northern Territory	Police	44 0	50 4	65 0	81 6	90 2
	Gaols	13 2	11 9	19 4	22 4	24 10
	Other	9 10	8 6	17 0	17 7	15 0
Total	Police	7 2	8 7	9 9	9 9	9 9
	Gaols	0 11	1 0	1 2	1 1	1 2
	Other	2 9	3 1	3 5	3 6	3 5

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

The total expenditure in connexion with the administration of justice in the various States has risen from 10s. per inhabitant in 1901 to 14s. 4d. in 1922. Police expenditure increased by 4s. per head, the average for gaols was identical in both years, while the expenditure on courts and the remaining machinery of justice increased by 4d. per head during the period. Increased salaries and allowances, and the heavier cost of materials and equipment, were largely responsible for the rise in the rate per head during the last few years.

2. *Federal Expenditure.*—(i) *High Court.* With the exception of that for the Northern Territory, the expenditure shown in the foregoing tables is that incurred by the State Governments only, and does not include expenditure in connexion with the Federal High Court, which is given hereunder for the period 1917–18 to 1922–23.

EXPENDITURE ON FEDERAL HIGH COURT, 1917–18 TO 1922–23.

Year.	Amount.	Year.	Amount.
	£		£
1917–18	31,352	1920–21	34,669
1918–19	30,337	1921–22	33,776
1919–20	34,370	1922–23	35,458

(ii) *Other Expenditure.* Other items of expenditure during 1922–23 by the Commonwealth Attorney-General's Department include—Secretary's office, £20,009; Crown Solicitor, £18,829; Court of Conciliation and Arbitration, £11,182; Public Service Arbitrator, £3,604. Including the High Court expenditure, but excluding that in connexion with Patents and Copyright, the total expenditure by the federal law authorities in 1922–23 amounted to £117,944.