

**LAW, CRIME, ETC.****THE LEGAL SYSTEM IN VICTORIA.**

The law of Victoria, in its basic principles and main provisions, is founded on the law of England. All laws in force in England in 1828 were, so far as they should be held to apply to the circumstances of Australia, by Imperial Statute made law in New South Wales (which then included Victoria); and, in case of any doubt as to their applicability, the Colonial Legislature was empowered to declare whether or not they did apply, or to establish any modification or limitation of them within the colony. The same Statute established a Legislature within New South Wales with power to make laws for that colony; and Supreme and other courts were constituted. On the separation of Port Phillip from New South Wales in 1851 the new colony of Victoria was invested with similar powers, which were widened on the establishment of responsible government in 1855. In order, therefore, to ascertain the law of Victoria as to any particular matter or point, considerable research is often involved. The first step is a search of the Victorian Statutes. If the matter is fully dealt with there, the labour is concluded; but, if it has never been dealt with by any Victorian Act, recourse must be had to the Statutes of New South Wales and the Imperial Statutes specially applicable to New South Wales passed between 1828 and 1851. If no law on the point is obtainable from these sources, the law of England in 1828 must be ascertained, which in most cases is found in the English text-books. Having found the apparent law from one of these sources, it is still necessary to search through series of law reports for decisions which may either modify or interpret the same.

**LITIGATION AND LEGAL BUSINESS.**

The Supreme Court of Victoria was first established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure was entirely remoulded by the "Judicature Act of 1883." There were in 1922 six Judges, viz., a Chief Justice and five Puisne Judges.

Supreme  
Court civil  
business.

The following is a statement of Supreme Court business during the last year of each of the five decennial periods ended 1910, and the last five years :—

SUPREME COURT CIVIL CASES, 1870 TO 1921.

Year	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for—		Amount Awarded.
	Number Issued.	Amount Claimed.			Plaintiff.	Defendant.	
1870 ..	5,583	£ 154,296	237	165	133	29	£ 29,298
1880 ..	5,065	185,131	221	161	133	28	47,401
1890 ..	6,619	687,503	535	297	229	65	68,592
1900 ..	825	137,083	161	106	62	31	101,896
1910 ..	743	69,182	129	85	37	16	7,984
1917 ..	563	58,142	102	50	27	6	7,756
1918 ..	543	291,640	101	56	35	17	15,621
1919 ..	629	90,818	116	61	24	14	6,151
1920 ..	632	74,288	132	80	39	17	9,036
1921 ..	822	164,898	198	82	46	17	13,623

**Decline in Litigation.** There has been a considerable decline in litigation in the Supreme Court since 1890. In 1921 the writs issued were one-eighth; the amount sued for was about one-fourth; and the causes which actually came to trial were about one-fourth of the corresponding numbers in 1890. The figures show that a very small proportion of writs result in actual trials, whilst a large number of trials are either abandoned before a verdict is given, postponed to the following year, or settled.

**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 1921 there were 101 sessions lasting 496 days and held in 38 places. Particulars of litigation in the last

year of each of the five decennial periods ended 1910 and in each of the last five years are as follows :—

COUNTY COURT CASES, 1870 TO 1921.

Year.	Number of Cases Tried.	Amount Sued For.	Amount Awarded.	Costs Awarded to—	
				Plaintiff.	Defendant.
1870 ..	11,866	£ 277,236	£ 102,822	£ 13,815	£ 4,268
1880 ..	9,498	215,929	99,338	13,765	3,956
1890 ..	12,635	340,028	127,433	15,363	6,072
1900 ..	789	160,676	49,595	5,188	2,782
1910 ..	626	144,550	45,196	5,199	1,992
1917 ..	523	168,875	80,421	*	*
1918 ..	527	195,693	93,298	*	*
1919 ..	600	206,164	94,049	*	*
1920 ..	680	283,238	113,804	*	*
1921 ..	824	399,801	213,113	*	*

\* No record.

The number of cases tried in 1921 was above the average of recent years, but was less than 7 per cent. of the number in 1890. The amounts sued for and awarded were, however, slightly greater than the amounts for that year. The decline in the number of cases would seem to indicate that the public is less inclined than formerly to institute legal proceedings for the settlement of disputes; and that the County Court is not resorted to for the recovery of petty and trade debts to the same extent as in former years.

The number of requests for arbitration under the **Workers' Compensation—Arbitration cases.** Workers' Compensation Act during the year 1921 was 184. The aggregate amount of compensation claimed was £36,387, and the amount awarded £31,424. These figures are not included in the above table.

**Petty Sessions civil business.** Courts of Petty Sessions were held at 225 places in Victoria in 1921 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 such cases heard during a series of years are given hereunder :—

COURTS OF PETTY SESSIONS: CIVIL CASES, 1870 TO 1921.

Year.	Cases Heard.	Amount Claimed.	Amount Awarded.
		£	£
1870 .. ..	27,722	190,242	105,086
1880 .. ..	19,983	75,684	50,764
1890 .. ..	30,466	196,917	132,663
1900 .. ..	17,577	95,890	80,960
1910 .. ..	29,902	186,538	146,284
1917 .. ..	32,187	222,825	143,469
1918 .. ..	31,870	192,281	149,755
1919 .. ..	34,841	213,418	155,009
1920 .. ..	38,300	218,408	158,198
1921 .. ..	45,319	271,634	202,606

In addition to the ordinary cases above mentioned, and to the criminal jurisdiction hereafter mentioned, Courts of Petty Sessions deal with other business of a civil and quasi-criminal nature. During the year 1921, 709 appeals against municipal ratings, 1,604 maintenance cases, 711 fraud summonses against debtors, 61,261 electoral revision cases, 8,359 cases relating to licences and certificates, 744 garnishee cases, 1,099 ejectment cases, 219 prohibition cases, and 321 miscellaneous cases were heard, and 263 persons alleged to be lunatics were examined.

A statement is given below of the number of writs received by the Sheriff in the last year of each of the five decennial periods ended 1910 and the last five years, from which it will be seen that the decrease since 1890 is very considerable :—

Writs by  
the Sheriff.

WRITS RECEIVED BY THE SHERIFF, 1870 TO 1921.

Year.	King's Writs against Person and Property.	Subjects' Writs against—		Total.
		The Person.	Property.	
1870 ... ..	35	75	2,146	2,256
1880 .. ..	35	58	1,944	2,037
1890 ... ..	13	21	2,282	2,316
1900 .. ..	4	3	199	206
1910 ... ..	...	4	166	170
1917 ... ..	1	1	171	173
1918 ... ..	3	3	116	122
1919 ... ..	3	6	109	118
1920 ... ..	...	3	124	127
1921 ... ..	...	9	186	195

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.

Intestate  
Estates.

The rules by which the property and effects, both real and personal, of persons dying intestate are by law distributed are given in the *Year-Book* for 1916-17, page 437.

### INSOLVENCIES.

Insolvencies,  
&c.

The number of failures and the declared assets and liabilities during the last year of each of the five decennial periods ended 1910 and in each of the last five years were as follows :—

### INSOLVENCIES AND DEEDS OF ARRANGEMENT, 1870 TO 1921.

Year.	Insolvencies.			Deeds of Arrangement.		
	Number.	Declared Liabilities.	Declared Assets.	Number.	Declared Liabilities.	Declared Assets.
		£	£		£	£
1870 ..	996	479,491	150,170	*	*	*
1880 ..	768	526,130	298,384	*	*	*
1890 ..	795	2,301,271	2,041,200	*	*	*
1900 ..	344	183,531	88,760	149	168,700	159,771
1910 ..	359	132,841	54,381	131	113,597	91,271
1917 ..	222	152,338	94,390	125	120,452	77,813
1918 ..	243	131,247	77,089	91	200,448	118,864
1919 ..	207	184,041	130,328	68	108,181	91,689
1920 ..	186	154,658	53,229	69	82,692	73,591
1921 ..	300	180,044	92,048	100	186,305	140,430

\* Information not available.

The number of insolvencies in 1921 was higher than in each of the preceding four years, but lower than in any other year subsequent to 1857. The average number during the ten years 1909 to 1918 was 358, and the average declared liabilities, £226,517. During the ten years 1899 to 1908 the average yearly number was 445, with declared liabilities of £244,538, whereas, during the ten years 1889 to 1898, when the failures resulting from the financial crisis of that period swelled the returns, the yearly average number was 833, with declared liabilities of £2,213,592. During the ten years 1879 to 1888 the average yearly number was 612, with declared liabilities of £661,720.

Insolvencies are of two kinds, voluntary and compulsory. The following table shows the number of petitions of each kind in the last five years :—

Year.	Voluntary.	Compulsory.	Total.
1917 ... ..	... 200	22	222
1918 ... ..	... 218	25	243
1919 ... ..	... 185	22	207
1920 ... ..	... 165	21	186
1921 ... ..	... 270	30	300

**Occupations of Insolvents.** In the next return will be found the occupations, in six classes, of those who became insolvent or compromised with their creditors during the last five years, also the number of breadwinners in each class at the census of 1921, and the proportion of the former to the latter. The total number of insolvents does not include 41 whose occupations were not stated :—

#### OCCUPATION OF INSOLVENTS, 1917 TO 1921.

Occupation Groups.	Number of Breadwinners, Census, 1921.	Average Number of Insolvents, 1917 to 1921.	Insolvents to every 10,000 Breadwinners.
Professional .. ..	60,585	12	1·98
Domestic .. ..	58,225	10	1·72
Commercial .. ..	108,011	89	8·24
Transport and Communication	53,332	16	3·00
Industrial .. ..	234,245	141	6·02
Primary Producers .. ..	147,438	46	3·12
Total .. ..	661,836*	314	4·74

\* Exclusive of 7,617 persons of independent means.

Fewer breadwinners of the domestic and professional classes became insolvent than those of other classes, in proportion to their numbers in the community, whilst a greater proportion of the commercial than of any other class found it necessary to file their schedules or compound with their creditors.

A table showing the occupations of insolvents in detail for the years 1912 to 1916 appears in the *Year-Book* for 1916-17, page 444.

#### DIVORCE.

The present law in regard to divorce is contained in the *Marriage Act* 1915, and a summary thereof is given in the *Year-Book* for 1916-17, page 445. The Act of 1915 was amended by Acts passed in 1919 and 1922, but the amendments relate to minor matters and do not affect the main features of the principal Act. The grounds upon which divorce might be granted were considerably extended by an Act passed in 1889.

**Number of Divorces.**

Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 5,420 decrees for dissolution of marriage and 107 decrees for judicial separation have been granted. Of these, 5,072 and 36 respectively have been issued since 1890; so that, during the 30 years ended 1890, only 348 decrees for dissolution of marriage were issued, and 71 for judicial separation, or an average per annum of about twelve of the former and two of the latter; whereas, since the Divorce Act of 1889 received the Royal Assent in 1890, no fewer than 164 decrees per annum for dissolution of marriage have been granted, while the decrees for judicial separation have decreased to about one per annum.

**Divorces, Sex.**

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 1921 :—

**DIVORCES, 1921.**

	Petitions filed by—			Decrees granted to—		
	Husband.	Wife.	Total.	Husband.	Wife.	Total.
Dissolution of Marriage	194	252	446	170	210	380
Judicial Separation ...	...	4	4	...	1	1
Nullity of Marriage ...	5	8	13	2	6	8
Total ...	199	264	463	172	217	389

**Grounds of divorce.**

The grounds upon which divorces were granted during the year 1921 were as follows :—

Grounds on which Granted.	Divorce.		Judicial Separation.		Nullity of Marriage.	
	Husband.	Wife.	Husband.	Wife.	Husband.	Wife.
Adultery ...	89	76	...	1	...	...
Assaults (violent) ...	...	1	...	...	...	...
Bigamy ...	...	...	...	...	2	4
Consanguinity ...	...	...	...	...	...	1
Desertion ...	64	119	...	...	...	...
Desertion and adultery ...	5	3	...	...	...	...
Drunkenness (habitual) and cruelty ...	1	8	...	...	...	...
Impotence ...	...	...	...	...	...	1
Insanity ...	11	3	...	...	...	...
Total ...	170	210	...	1	2	6

**Divorces, 1881 to 1921.**

The following is a statement of the number of petitions and decrees for dissolution of marriage and judicial separation in the State of Victoria during the last year of the four decennial periods ended 1911 and each of the last five years, also of the proportion of decrees per 100,000 married couples living :—

**DIVORCES AND JUDICIAL SEPARATIONS IN VICTORIA,  
1881 TO 1921.**

Year.	Petitions for—		Decrees for—		Divorces and Separations per 100,000 Married Couples Living.
	Dissolution of Marriage	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.	
1881	18	10	9	..	7
1891	153	1	99	..	57
1901	148	2	83	..	46
1911	262	2	211	..	99
1917	263	2	201	..	78
1918	304	9	230	3	88
1919	481	9	345	2	129
1920	510	8	370	2	134
1921	446	4	380	1	136

The extension of the grounds upon which divorce might be obtained had the effect of greatly increasing the number of petitions and decrees.

In New South Wales, where the law in regard to divorce does not differ much from that in Victoria, there were, in 1921, 794 decrees for dissolution of marriage and judicial separation. The number of divorces and separations in that year per 100,000 married couples living was 203. The average annual number for the five-year period 1917-21, in proportion to a like number of married couples, was 154, as compared with an average of 113 for the same period in Victoria.

## CRIME.

### ADMINISTRATION OF THE CRIMINAL LAW.

In nearly all cases where the criminal law has been broken the alleged offender is brought at the very first opportunity before a Court of Petty Sessions, before two honorary justices or a police magistrate, or both, or in some cases a single magistrate, and the court, if the matter is one which comes within its summary jurisdiction, disposes of the case summarily. If the offence is an indictable one, the magistrates hold a preliminary investigation, and, if they are satisfied that

a *prima facie* case has been made out by the prosecution, the accused is committed for trial to a superior court. There are two superior courts with criminal jurisdiction, viz., the Supreme Court, and a Court of General Sessions, which are held at various places throughout the State. The latter court may deal with all cases of an indictable nature except such as are expressly excluded from its jurisdiction, viz., ten of the most serious crimes. A person may be brought before magistrates by three modes of procedure, viz., by an arrest by a police officer on warrant issued on a sworn information; or in a limited number of cases without warrant if the offence has been witnessed by the arresting constable; or by a summons. If at a coroner's inquest a verdict is returned of murder or manslaughter, the accused person is sent for trial to the Supreme Court without any investigation before magistrates. The Attorney-General or Solicitor-General also has the power of presenting any person for trial before a superior court without the necessity of a preliminary magisterial hearing; and upon the application of any person, properly supported by affidavit, a grand jury may be summoned, on the order of the Full Court, if the affidavit discloses that an indictable offence has been committed by a corporate body; or that such an offence has been committed by any person, and that some justice has refused to commit such person for trial; or in the case of a committal that no presentment has been made at the court at which the trial would in due course have taken place. The grand jury, which consists of 23 men, investigates the charge, and, if it is of opinion that a *prima facie* ground of action has been made out, the case is sent for trial. The cases which are presented under these latter forms of procedure are, however, very rare.

**Indeterminate sentences.** The Indeterminate Sentences Act came into force on 1st July, 1908. Its 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.

A Board was appointed on 18th August, 1908. Its present members are:—The Hon. S. Mauger (chairman), Mr. C. A. Topp, M.A., LL.B., and Mr. W. R. Anderson, I.S.O., P.M., formerly Secretary to the Crown Law Department.

The chief functions of the Board are to make visits of inspection monthly to each reformatory prison, to examine the conduct reports of the inmates and accounts of their earnings, to authorize promotion in grade, to approve of indulgences, and to make careful inquiries

as to whether any persons detained in a reformatory prison are sufficiently reformed to be released on probation, and submit recommendations accordingly to the Chief Secretary; also generally to report on the working of the Indeterminate Sentences Act and the regulations. Other important powers were vested in the Board under the provisions of the Amending Indeterminate Sentences Act of 1915, chief among which are:—

- (a) To parole a prisoner temporarily for the purpose of testing his reform;
- (b) To impose conditions of release;
- (c) To transfer prisoners from one reformatory prison to another;
- (d) To hear charges of misconduct and impose punishment at a reformatory prison for the detention of persons not habitual criminals, the power formerly conferred on visiting justices in this regard being cancelled;
- (e) To control the disbursement of a prisoner's earnings upon release; and
- (f) To recommend to the Minister that he make an order permitting a prisoner detained in a reformatory prison to leave such prison temporarily—
  - (1) for the purpose of being treated in a hospital; or
  - (2) to visit a relative believed to be dying; or
  - (3) for any other reason which appears to the Board to be sufficient.

An important alteration under the Amending Act is the substitution of "Minister" for "Governor in Council" as the authority by whose direction a prisoner may be released on probation on the Board's recommendation. Regulations governing the treatment of declared habitual criminals, and of offenders not habituals, who are detained under indeterminate sentence in a reformatory prison, are now in operation.

In the early part of the financial year 1916-17 the Board was enabled to bring into operation two valuable aids to the reformation of the inmates of the reformatory prisons, by the Government sanctioning the purchase of a farm in connexion with the Castlemaine Reformatory, and the establishment of a forestry settlement at French Island. The equipment of the Castlemaine Reformatory was further improved in 1917 by the addition of the necessary plant and tools for imparting technical instruction to the inmates, this being given by an expert of the local technical school. The lads are now receiving practical training in the use of tools, framing, jointing, &c., and they have turned out much useful work. This instruction, coupled with the experience they are gaining in farming operations, promises to be of value to them

in gaining suitable employment in the country on release. The improvements carried out on the farm have added considerably to the value of the property, and include the clearing, fencing, ploughing, trenching and planting of a 10-acre block for an orchard, the enlargement of dams for water supply, and the erection of poultry pens, and of a building containing a dining room and five sleeping rooms for inmates who are allowed to sleep at the farm.

The Afforestation camp at French Island has yielded good results, and the industry of the prisoners has received the commendation of the officers of the Forests Department. In addition to the work of afforestation, considerable improvements have been effected about the camp and additional buildings erected. The tree-planting season usually extends from May to September in each year, and in the course of the season upwards of 200,000 trees, *pinis insignis*, may be planted by the prisoners. During other months the men are occupied in cutting fire breaks, clearing, and preparing for the next planting season. The experiment is of value, as it provides strenuous work for the men, who are drawn from those under indeterminate detention at Pentridge, and enables the "Honor" system to be carried out. At no time are the men under lock and key, and they are given a considerable amount of freedom, yet with few exceptions they have responded loyally to the trust placed in them. Any who fail to rise to the standard required of them are immediately returned to Pentridge. Some years ago, a few men, before their perfidy could be discovered, managed to reach the mainland by appropriating a boat belonging to the Forests Department, but with two exceptions they were recaptured. Both here and at Castlemaine the open air life and work have had a beneficial effect upon the health of the prisoners, and the privileges and freedom they enjoy have not made them less amenable to discipline.

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

Name of Reformatory Prison.	Year ended 30th June.				
	1918.	1919.	1920.	1921.	1922.
Pentridge Reformatory Prison ..	52	66	55	54	39
Castlemaine Reformatory Prison ..	28	32	51	47	42
Reformatory for Females, Coburg ..	3	5	1	2	2
McLeod Settlement, French Island ..	30	27	28	30	31
Total .. ..	113	130	135	133	114

Probation officers to supervise first offenders released by the courts on recognizance under the provisions of the *Crimes Act* 1915 are appointed by the Governor in Council on the recommendation of the Board. The number of such officers who have been appointed to date is 241.

## OFFENCES HEARD BY MAGISTRATES.

Arrests and  
summonses  
for various  
offences.

The following are particulars of the different classes  
of offences dealt with by magistrates in 1921 :—

## ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1921.

Nature of Offence.	Total.	Summarily Convicted, &c.		Discharged by Magistrates.		Committed for Trial.	
		M.	F.	M.	F.	M.	F.
<b>Against the Person—</b>							
Murder and attempts at	29	...	...	4	2	22	1
Manslaughter ...	6	...	...	1	...	4	1
Shooting at, wounding, &c. ...	54	...	...	18	...	33	3
Assaults ...	1,517	761	66	585	104	1	...
Others ...	234	34	5	57	22	104	12
<b>Total</b> ...	<b>1,840</b>	<b>795</b>	<b>71</b>	<b>665</b>	<b>128</b>	<b>164</b>	<b>17</b>
<b>Against Property—</b>							
Robbery, burglary, &c.	486	79	..	99	8	291	9
Larceny and similar offences ...	2,761	1,891	155	448	56	198	13
Wilful damage ...	407	257	19	108	22	1	...
Others ...	667	432	20	164	27	22	2
<b>Total</b> ...	<b>4,321</b>	<b>2,659</b>	<b>194</b>	<b>819</b>	<b>113</b>	<b>512</b>	<b>24</b>
<b>Forgery and Offences against the Currency</b>	<b>22</b>	...	...	1	...	21	...
<b>Against Good Order—</b>							
Drunkenness ...	7,621	3,815	519	2,863	424	...	...
Others ...	7,739	5,407	639	1,429	261	3	...
<b>Total</b> ...	<b>15,360</b>	<b>9,222</b>	<b>1,158</b>	<b>4,292</b>	<b>685</b>	<b>3</b>	...
<b>Other Offences—</b>							
Perjury ...	8	...	...	1	...	6	1
<b>Breaches of—</b>							
Defence Act ...	626	467	17	142	...	...	...
Education Act ...	9,586	7,376	1,065	988	157	...	...
Electoral Act ...	146	95	25	22	4	...	...
Licensing Act ...	3,769	2,441	402	724	202	...	...
Pure Food Act ...	605	497	32	71	5	...	...
Miscellaneous ...	26,119	19,073	1,335	5,390	293	28	...
<b>Total</b> ...	<b>40,859</b>	<b>29,949</b>	<b>2,876</b>	<b>7,338</b>	<b>661</b>	<b>34</b>	<b>1</b>
<b>Grand Total</b> ...	<b>62,402</b>	<b>42,625</b>	<b>4,299</b>	<b>13,115</b>	<b>1,587</b>	<b>734</b>	<b>42</b>

These particulars include the arrests and summonses disposed of in Children's Courts, which are detailed in the next table, other than arrests of neglected children.

Of the persons dealt with in the 47,153 summons cases, 37,293 were summarily convicted, 9,799 were discharged, and 61 were com-

mitted for trial. Of the total persons dealt with (62,402) 46,924 were summarily convicted, 14,702 were discharged, and 776 were committed for trial.

The table hereunder shows the number of arrests and summonses for various offences which were disposed of in Children's Courts during the year 1921 :—

**CHILDREN'S COURTS: ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1921.**

Nature of Offence.	Number of Offences for which—				Others (Application to board out, &c.).		Total Offences.	
	Arrests were made.		Summonses were issued.		M.	F.	M.	F.
	M.	F.	M.	F.				
<b>Against the Person—</b>								
Assaults .. .. .	17	..	28	4	..	..	45	4
Others .. .. .	3	..	14	..	..	..	17	..
<b>Total .. .. .</b>	<b>20</b>	<b>..</b>	<b>42</b>	<b>4</b>	<b>..</b>	<b>..</b>	<b>62</b>	<b>4</b>
<b>Against Property—</b>								
Larceny, &c. .. ..	344	9	984	31	..	..	1,328	40
Wilful Damage .. ..	19	..	157	1	..	..	176	1
Others .. .. .	2	..	31	..	..	..	33	..
<b>Total .. .. .</b>	<b>365</b>	<b>9</b>	<b>1,172</b>	<b>32</b>	<b>..</b>	<b>..</b>	<b>1,537</b>	<b>41</b>
<b>Against Good Order—</b>								
Drunkness .. .. .	5	3	5	..	..	..	10	3
Others .. .. .	47	10	660	4	..	..	707	14
<b>Total .. .. .</b>	<b>52</b>	<b>13</b>	<b>665</b>	<b>4</b>	<b>..</b>	<b>..</b>	<b>717</b>	<b>17</b>
<b>Other Offences—</b>								
Breaches of Defence Act .. ..	..	..	61	..	..	..	61	..
„ Licensing Act .. ..	..	..	..	..	..	..	..	..
Miscellaneous .. .. .	171	56	1,119	48	91	44	1,381	148
<b>Total .. .. .</b>	<b>171</b>	<b>56</b>	<b>1,180</b>	<b>48</b>	<b>91</b>	<b>44</b>	<b>1,442</b>	<b>148</b>
<b>Grand Total .. ..</b>	<b>608</b>	<b>78</b>	<b>3,059</b>	<b>88</b>	<b>91</b>	<b>44</b>	<b>3,758</b>	<b>210</b>

The arrests of neglected children, which in 1921 numbered 112, viz., 65 males and 47 females, have been included in this table to indicate the business done by Children's Courts, but they are eliminated from all other criminal tabulations.

Of the persons who were brought before magistrates during the past five years, 24 per cent. were arrested, and 76 per cent. summoned. The great increase in summons cases since 1906 is due principally to the number of prosecutions under the Licensing, Pure Foods, Commonwealth Electoral, and Defence

**Arrests and  
summons  
cases.**

Acts, and is also partially accounted for by more parents having been summoned for neglecting to send their children to school than in previous years—the compulsory clauses of the Amending Education Act requiring children to attend a greater number of times than formerly. Particulars for the last year of each of the four decennial periods ended with 1911, and for each of the last five years, are given in the subjoined table :—

## ARRESTS AND SUMMONSES, 1881 TO 1921.

Year.	Arrested by the Police.	Brought before Magistrates on Summons.	Total.
1881 ... ..	22,640	19,384	42,024
1891 ... ..	31,971	24,525	56,496
1901 ... ..	27,855	21,130	48,985
1911 ... ..	19,398	25,128	44,526
1917 ... ..	12,689	39,406	52,175
1918 ... ..	10,346	48,619	58,965
1919 ... ..	11,993	46,477	58,470
1920 ... ..	14,582	42,116	56,698
1921 ... ..	15,249	47,153	62,402

The arrests of neglected children, which are excluded from the above table and the tables which follow, numbered 1,338 in 1917, 1,327 in 1918, 1,190 in 1919, 193 in 1920, and 112 in 1921.

The principal reason for the great falling off in 1920 and 1921 is the fact that children boarded out with their own mothers by the Neglected Children's Department are not now arrested by the police.

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, committed for trial, and convicted after commitment, also the number per 10,000 of the population :—

## NUMBER OF ARRESTS AND SUMMONS CASES, 1917 TO 1921.

Year.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.	Convicted after Commitment.
1917 ... ..	52,175	38,757	12,923	495	303
1918 ... ..	58,965	44,900	13,659	406	245
1919 ... ..	58,470	44,623	13,272	575	347
1920 ... ..	56,698	43,088	12,815	795	461
1921 ... ..	62,402	46,924	14,702	776	520
Number per 10,000 of Population.					
1917 ... ..	369.6	274.6	91.5	3.5	2.1
1918 ... ..	414.0	315.3	95.8	2.9	1.7
1919 ... ..	396.9	302.9	90.1	3.9	2.4
1920 ... ..	374.9	284.9	84.7	5.3	3.0
1921 ... ..	405.9	305.2	95.6	5.1	3.4

In regard to persons arrested, minor charges are excluded, and only that charge which throughout the hearing of the case was most prominent is taken account of; but, in summons cases, the unit is each separate charge or case.

**CRIME AND DRUNKENNESS.**

The subjoined table shows, for a series of years, the number of persons arrested or summoned, also the number per 1,000 of the population, for the only classes of offence for which complete comparisons can be made :—

**CRIME IN THE STATE OF VICTORIA, 1890 TO 1921.**

Year.				Number of Persons Arrested or Summoned for—				
				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
1917	...	...	...	1,359	3,196	7,575	40,045	52,175
1918	...	...	...	1,426	3,484	5,987	48,068	58,965
1919	...	...	...	1,542	4,034	6,237	46,657	58,470
1920	...	...	...	1,909	4,877	7,154	42,758	56,698
1921	...	...	...	1,840	4,321	7,621	48,620	62,402
				Number per 1,000 of the 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
1917	...	...	...	·96	2·26	5·37	28·37	36·96
1918	...	...	...	1·00	2·45	4·20	33·75	41·40
1919	...	...	...	1·05	2·74	4·23	31·67	39·69
1920	...	...	...	1·26	3·23	4·73	28·27	37·49
1921	...	...	...	1·20	2·81	4·96	31·62	40·59

The most noticeable feature of the above table is the large decrease in the arrests for drunkenness in the last five years as compared with earlier years.

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.

The only serious crimes included under "Other Offences" are forgery, counterfeiting, conspiracy, and perjury, and these are very few in number, there having been in Victoria in 1921 only 43 of such crimes out of a total of 48,620 in the category to which they belong. A large proportion of the cases under the heading "Other Offences" are 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 is 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 several considerations must be taken into account. The first point necessary 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. The last consideration is one that must also be taken into account in comparing crime in recent years with that in previous periods when the population was very differently constituted in regard to sex and age.

#### SENTENCES PASSED.

The results of summary disposal of cases by magistrates during 1921 were as follows:—

#### SUMMARY DISPOSAL BY MAGISTRATES OF PERSONS ARRESTED, 1921.

Sentence.	Males.	Females.	Total.
Fines paid ... ..	4,422	520	4,942
Imprisonment for—			
Under 1 month ... ..	2,067	398	2,465
1 and under 6 months ... ..	910	108	1,018
6 and under 12 months ... ..	194	37	231
1 to 2 years ... ..	7	...	7
2 years ... ..	3	...	3
Ordered to find bail or sentence suspended on entering surety ... ..	476	55	531
Admonished ... ..	253	19	272
Sent to Industrial or Reformatory Schools	81	...	81
Otherwise dealt with ... ..	63	18	81
<b>Total sentenced ... ..</b>	<b>8,476</b>	<b>1,155</b>	<b>9,631</b>
<b>Discharged ... ..</b>	<b>4,251</b>	<b>652</b>	<b>4,903</b>
<b>Total summarily disposed of ...</b>	<b>12,727</b>	<b>1,807</b>	<b>14,534</b>
<b>Sentenced per 10,000 of population ...</b>	<b>111·9</b>	<b>14·8</b>	<b>62·7</b>

Sentences in superior courts.

The following were the sentences of the arrested persons tried and convicted in superior courts during 1921 :—

SENTENCES OF ARRESTED PERSONS TRIED AND CONVICTED, 1921.

Sentence.	Males.	Females.	Total.
Fines paid	...	1	1
Imprisonment for—			
Under 1 month	1	...	1
1 and under 6 months	72	3	75
6       "    12       "	178	7	185
1       "    4 years	78	...	78
4       "    7       "	8	...	8
7 years	1	...	1
12       "	1	...	1
15       "	2	...	2
Death recorded	1	...	1
Ordered to find bail or sentence suspended on entering surety	86	11	97
Sent to Reformatory Prison	29	...	29
"    Lunatic Asylum	3	1	4
Total convicted	460	23	483
Acquitted	189	18	207
Not prosecuted	26	2	28
Convictions per 10,000 of population...	6.07	30	3.14

Prisoners remaining for trial from the previous year and sentenced in the year mentioned are included in the above statement, but those awaiting trial at the end of the year are excluded.

In compiling the criminal statistics of the State each year a person arrested more than once is counted as a separate individual in respect of each arrest. It is possible to ascertain approximately the number of distinct persons passing through the hands of the police by making a close comparison

Arrest of distinct individuals.



**Individuals arrested more than once.** Of the total number of arrests, 15,249, only 12,041, or 79 per cent., were of distinct individuals. Of these, 10,187, or 85 per cent., were arrested only once; 1,223, or 10 per cent., twice; 352, or 3 per cent., three times; 133, or 1 per cent., four times; and 146, or 1 per cent., five times and over—one of these persons having been arrested nineteen times. The table which follows gives a comparison of 1921 with 1907—a year in which an important Act relating to the obtaining and holding of licences came into force. From this it will be seen that there was a large decrease in the later year in the number of distinct persons arrested:—

**DISTINCT PERSONS ARRESTED, 1907 AND 1921.**

Year.	Distinct Persons Arrested.						Percentage Arrested.				
	Number.			Per 100,000 of the Population.			Once.	Twice.	Thrice.	Four Times.	More than Four Times.
	Males.	Females.	Total.	Males.	Females.	Total.					
1907 ...	14,519	2,297	16,816	2,410	369	1,372	83	10	3	2	2
1921 ...	10,819	1,222	12,041	1,428	157	783	85	10	3	1	1

**Sexes of those arrested more than once.** The tendency of females to be arrested over and over again is much greater than that of males, for, while only 15 per cent. of the males who fell into the hands of the police were arrested more than once in 1921, as many as 23 per cent. of the females were so arrested.

**Distinct persons arrested more than once for drunkenness.** The distinct persons arrested for drunkenness during 1921 numbered 5,828, and, of these, 938, or 16 per cent., were arrested more than once, viz., 590 twice; 193 thrice; 71 four times; 28 five times; and 56 more than five times, of whom 1 was arrested eighteen times.

**Drunkenness, 1907 and 1921.** The number of distinct persons arrested for drunkenness was 10,944 in the year 1907, and 5,828 in 1921. The proportions per 1,000 of the population were 8·93 and 3·79 respectively in the years mentioned, the decrease in the later year being equivalent to a reduction of 58 per cent.

Whilst the number of distinct persons arrested for drunkenness in 1921 was 5,828, the charges of drunkenness brought against them numbered 7,542; these persons were also charged with 1,261 other offences, so that the total number of charges of all kinds against drunkards was 8,803. Forty-nine per cent. of the arrests during 1921 consisted of persons who were charged with 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 :—

PERSONS ARRESTED OR SUMMONED FOR DRUNKENNESS,  
1917 TO 1921.

Year.	Number of Persons —			Number per 1,000 of Population.
	Arrested.	Summoned.	Total.	
1917 ...	7,502	73	7,575	5·37
1918 ...	5,924	63	5,987	4·20
1919 ...	6,161	76	6,237	4·23
1920 ...	7,090	64	7,154	4·73
1921 ...	7,542	79	7,621	4·96

The amount of drunkenness in proportion to population, as evidenced by arrests, being taken as 100 in 1874-8, the corresponding numbers for subsequent periods will show the increase or decrease by comparison. These numbers are given in the following statement :—

Period.	Index Number.	Period.	Index Number.
1874-78 .. ..	100	1914 .. ..	69
1879-85 .. ..	88	1915 .. ..	64
1886-92 .. ..	106	1916 .. ..	55
1893-97 .. ..	65	1917 .. ..	37
1898-1902 .. ..	84	1918 .. ..	29
1903-07 .. ..	77	1919 .. ..	29
1908-12 .. ..	68	1920 .. ..	32
1913 .. ..	72	1921 .. ..	34

A very 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 limiting the number of hours during which alcoholic liquors could be sold in hotels, and a further limitation was made in the following year. This probably accounts for the marked decrease in drunkenness in the last six years. It will be noticed that the index numbers for the last five years are the lowest on record.

The accompanying table shows the number of persons under 20 years of age arrested for drunkenness, also the number per 100,000 of the population under that age, from which it will be seen that very few young persons are arrested for this offence :—

ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED WITH DRUNKENNESS, 1895 TO 1921.

Year.	Number.	Number per 100,000 of the Population under 20 years of age.
1895 ... ..	185	35·60
1900 ... ..	222	42·38
1910 ... ..	128	24·19
1917 ... ..	106	19·61
1918 ... ..	80	14·67
1919 ... ..	138	24·45
1920 ... ..	140	24·15
1921 ... ..	110	18·72

The crimes for which juvenile offenders were arrested in 1921, and their ages are given in the subjoined statement:—

OFFENCES CHARGED AGAINST JUVENILES ARRESTED  
DURING 1921.

Nature of Offence.	Ages.										Total.
	7	8	9	10	11	12	13	14	15	16	
1. <i>Against the Person</i> —											
Assaults .. .. .	..	..	..	..	..	..	..	..	1	..	
Others .. .. .	..	..	1	1	..	..	3	1	2	5	
2. <i>Against Property with Violence</i> —											
Housebreaking .. .. .	..	1	2	4	6	10	5	6	17	17	
Malicious injury .. .. .	..	..	..	..	..	..	..	..	..	..	
Others .. .. .	..	..	..	..	..	..	1	1	..	2	
3. <i>Against Property without Violence</i> —											
Larceny, &c. .. .. .	..	1	2	5	8	7	5	13	20	21	
Others .. .. .	..	..	..	2	..	5	2	2	2	5	
4. <i>Against Good Order</i> —											
Drunk and disorderly .. .. .	..	..	..	..	..	..	..	..	..	3	
Offensive behaviour, &c. .. .. .	..	..	..	..	..	..	..	1	3	14	
Vagrancy .. .. .	..	..	..	..	..	..	..	1	1	4	
Others .. .. .	..	..	..	..	..	..	..	2	3	6	
5. <i>Miscellaneous</i> —											
Defence Act .. .. .	..	..	..	..	..	..	..	..	..	1	
Breaches of By-laws, &c. .. .. .	..	..	..	1	..	1	..	..	1	7	
Others .. .. .	..	..	..	..	..	2	1	1	..	3	
Total .. .. .	..	2	4	12	16	22	15	26	46	51	
										99	
										293	

Education of persons arrested. Two per cent. of the distinct individuals arrested in 1921 were entirely illiterate, over 97 per cent. could read only, or read and write, and under 1 per cent. were possessed of superior or good education.

CONSUMPTION OF INTOXICATING LIQUOR.

Consumption of intoxicating liquor. The next table shows for a period of years the average yearly consumption of intoxicating liquors in Australia and New Zealand. It is not possible to give the Victorian consumption for a later year than 1909, as the Commonwealth Government discontinued keeping records of Inter-State trade in the following year.

**AVERAGE CONSUMPTION OF SPIRITS, BEER, AND WINE  
IN AUSTRALIA AND NEW ZEALAND.**

	Yearly Average Quantity Consumed, 1st July, 1916, to 30th June, 1921.			Consumption per Head.		
	Spirits.	Beer.	Wine.	Spirits.	Beer.	Wine
	gallons.	gallons.	gallons.	gallons.	gallons.	gallons.
Commonwealth of Australia ..	2,339,500	63,232,700	1,448,500	·46	12·29	·28
*Dominion of New Zealand ..	794,900	13,074,700	181,800	·69	11·35	·15

\* Average for five years ended 31st December, 1921.

The quantities consumed per head in Australia during the quinquennium 1909-13 were : spirits, ·82, beer, 12·40, and wine, ·42 gallons ; and for New Zealand : spirits, ·79, beer, 9·69, and wine, ·14 gallons.

With the assistance of the figures in the preceding table, it is possible to estimate for Australia, with some degree of accuracy, the approximate expenditure of the people on intoxicating liquors in a year. The following table shows the average yearly consumption over a period of years :—

**Expenditure  
by the people  
on intoxicating  
liquor.**

**AUSTRALIAN DRINK BILL.—YEARLY AVERAGE.**

	Expenditure by the People on—					
	Spirits.	Beer.	Wine.	Total.		
				Amount.	Per Head.	Per Adult Individual.
	£	£	£	£	£ s. d.	£ s. d.
*Commonwealth of Australia ..	7,007,300	11,830,500	972,500	19,810,300	3 16 7	7 6 9
†Dominion of New Zealand ..	2,522,400	2,495,200	128,900	5,146,500	4 9 8	7 16 11

\* Average for five years ended 30th June, 1921.

† Average for five years ended 31st December, 1921.

These figures show that the average yearly expenditure on drink in Australia during the five years ended 30th June, 1921, was £19,810,300, and that in New Zealand during the quinquennium 1917 to 1921 it was £5,146,500. The expenditure per head for the Commonwealth was £3 16s. 7d., and for New Zealand £4 9s. 8d. The corresponding expenditures for the quinquennium 1909-13 were £3 10s. 2d., and £2 18s. 2d. per head.

## LOCAL OPTION.

**Local Option.** At the general elections for the State Legislative Assembly, held on 21st October, 1920, the provision in the *Licensing Act 1903* (incorporated in the Act of 1915), which required a poll of the electors to be taken on the question of the number (if any) of liquor licences to be held in the various licensing districts of the State, was submitted to the electors. The resolutions were:—

- A. That the number of licences existing in this district continue.
- B. That the number of licences existing in this district be reduced.
- C. That no licences be granted in this district.

If resolution C had been previously carried and was in force in the district, the following was to be submitted instead of the resolutions mentioned above:—

- D. That licences be restored in this district.

Resolution A or B was carried if a majority of the votes given was in favour of such resolution. Resolution C was carried if three-fifths at least in number of the votes given was in favour of that resolution, it being provided that, where less than such number was given, the votes recorded in favour of resolution C should be added to the votes given for resolution B. Resolution D was carried if three-fifths at least in number of the votes given was in favour of that resolution. Resolutions C and D could not be carried unless 30 per cent. or more of the number of electors on the electoral rolls for the district voted for the resolution.

In two licensing districts in the State, viz., Boroondara and Nunawading, resolution C was carried. Seven hotels in the former district and three in the latter had therefore to be closed. The amount of compensation awarded by the Licences Reduction Board was £12,100, or an average of £1,210 for each hotel.

During the period 1885 to 1905, 217 hotels were closed as the result of local option polls. The amount of compensation awarded was £212,771, or an average of £980 for each hotel. This sum was provided partly out of the Licensing Fund, and, when this was insufficient for the purpose, out of the general revenue.

**Restricting the hours for the sale of intoxicants.** In the year 1915 an Act was passed (No. 2584) which fixed the hours during which alcoholic liquors might be sold in hotels during the period of the war at from 9 o'clock in the morning until half-past 9 at night. By an Act passed in 1916 (No. 2827) the closing hour was fixed at 6 o'clock instead of 9.30. The latter provision was made permanent by Act No. 3028, passed on 19th December, 1919.

## LICENCES REDUCTION BOARD.

Licences  
Reduction  
Board.

The Licences Reduction Board, provided for by the *Licensing Act* 1906, was appointed on 21st May, 1907. At the same time a Compensation Fund was instituted which was raised by means of a percentage fee of £3 for every £100 of purchases of liquor, the owner of the premises being chargeable with two-thirds and the tenant with one-third of the fee. The duties of the Board are referred to in the *Year-Book* for 1915-16, page 476. Just before the close of the year 1916 an amending *Licensing Act* (No. 2855) was passed, by which the members of the Licences Reduction Board were constituted a Licensing Court for the whole State. The taking of a local option poll was postponed to the second general election after January, 1917, and the court was authorized in the meantime to close hotels to the extent of the Compensation Fund available, as if reduction had been carried in every Licensing District. No alteration was made in the provisions abolishing the statutory number of hotels for a district, so that the number existing on 1st January, 1917, is now the maximum number, a similar provision applying to spirit merchants' licences, grocers' licences, Australian wine licences, and club licences. The Mallee area was made the subject of special legislation, under which it is possible after a petition and a poll to obtain victuallers' licences in proclaimed areas containing at least 500 electors. These hotels are to be 12 miles apart, except at Mildura, where there can be three hotels. The whole system of licence-fees was re-cast, fixed fees in the retail liquor trade being abolished and percentage fees substituted. In the wholesale section there are now percentage fees for the sales to private customers, and fixed fees in respect of the balance of the trade. The percentage fee in the case of hotels has been fixed at 6 per cent. of the annual liquor purchases, the owner paying three-eighths, and the licensee five-eighths. This combines and takes the place of the old fixed fees, the 3 per cent. compensation fee, and the assessments for lost licence fees arising out of the closing of hotels. Spirit merchants and holders of grocers' licences and Australian wine licences pay 4 per cent. of the cost of liquors sold to non-licensed purchasers.

Provision was also made for the adjustment of rents owing to the reduction in the hours for selling liquor. This work was intrusted to the Board under the "9.30 Closing Act," and was subsequently extended to include alterations due to the "6 o'clock Closing Act." Under the provisions of these Acts over 700 applications were received from licensees for adjustment of rent and licence-fee rebates.

Up to 30th June, 1922, 1,475 hotels had been closed by the Board or had surrendered their licences. Compensation has so far been awarded in 1,451 cases, and the total sum paid has been £321,231, or an average of £566 each. Four hundred and fourteen of these hotels were located in the Greater Melbourne district; the compensation paid in connexion with them totalled £380,782, making an average of

£920 each. There were 1,037 hotels closed in country districts, whose owners and licensees received £440,449, or an average of £425 for each hotel.

Particulars of the hotels closed and compensation awarded in metropolitan and country districts in each year since the constitution of the Board are set forth in the following table:—

**NUMBER OF HOTELS CLOSED AND COMPENSATION  
AWARDED, 1907 TO 1922.**

Year Ended—	Number of Hotels Closed.			Amounts Awarded Owners and Licensees.		
	Greater Melbourne.	Country.	Total.	Greater Melbourne.	Country.	Total.
31st December—				£	£	£
1907 ..	26	37	63	26,471	6,125	32,596
1908 ..	43	90	133	33,764	32,817	66,581
1909 ..	30	78	108	20,021	21,648	41,669
1910 ..	28	78	106	27,636	26,507	54,143
1911 ..	17	85	102	15,501	32,953	48,454
1912 ..	24	72	96	20,511	30,877	51,388
1913 ..	26	76	102	24,775	25,346	50,121
1914 ..	19	70	89	20,040	30,033	50,073
1915 ..	30	82	112	25,800	35,883	61,683
1916 ..	40	103	143	35,485	48,658	84,143
1917 ..	23	60	83	19,193	30,415	49,608
30th June—						
1918 ..	10	34	44	7,475	15,802	23,277
(six months)						
30th June—						
1919 ..	22	57	79	19,825	29,635	49,460
1920 ..	39	36	75	39,080	21,595	60,675
1921 ..	35	57	92	43,355	34,230	77,585
1922 ..	7	41	48	1,850*	17,925†	19,775
Total ..	419	1,056	1,475	380,782	440,449	821,231

\* Compensation for two hotels.

† Compensation for twenty-two hotels.

A table showing the number of hotels closed in each licensing district to 30th June, 1921, appears in the *Year-Book* 1920-21, pages 296 to 299.

The return given hereunder shows the number of hotels, including roadside licences, in Victoria in 1885, 1906 and 1922, and the number of persons to each hotel in those years.

**Hotels, 1885,  
1906 and 1922.**

The years 1885 and 1906 have been selected because in those years important alterations were made in the liquor licensing laws :—

NUMBER OF HOTELS, 1885, 1906 AND 1922.

Year.	Estimated Population.	Number of Hotels.*	Persons to each Hotel.
1885 ... ..	969,200	4,339	223
1906 ... ..	1,244,474	3,520	354
1922 (30th June) ... ..	1,570,640	2,016	779
Increase, 1885 to 1922 ... ..	601,440	...	556
Decrease, ,, ,, ... ..	...	2,323	...

\* Including Roadside Licences.

While the population has increased by 62 per cent. since 1885, the number of hotels has decreased by 54 per cent., and the number of persons to an hotel is now 249 per cent. more than it was in that year. During the period 1885-1922, 227 hotels were closed as the result of local option polls, 1,465 were deprived of their licences by the Licences Reduction Board, or surrendered their licences to the Board, and 631 were closed voluntarily.

The *Lotteries Gaming and Betting Act* 1906 (now Section 152 of the *Police Offences Act* 1915) provides that all race-courses shall be licensed, for which a fee of £1 per annum is charged. It is stipulated that, in addition to this fee, there shall be paid annually a sum equal to 3 per cent. of the gross revenue derived from all sources. Where the gross revenue is less than £1,500, but more than £600, the annual sum payable is 2 per cent. of the revenue, and where the gross revenue is £600 or less no percentage is charged. The amounts paid into the Consolidated Revenue in licence fees and percentages on receipts during the past ten years were as follows :—

REVENUE FROM RACE-COURSE LICENCES AND PERCENTAGE FEES, 1913 TO 1922.

Year ended 30th June.	Amount.	Year ended 30th June.	Amount.
	£		£
1913 .. ..	10,019	1918 .. ..	11,346
1914 .. ..	12,034	1919 .. ..	11,557
1915 .. ..	13,611	1920 .. ..	13,416
1916 .. ..	11,758	1921 .. ..	17,731
1917 .. ..	13,380	1922 .. ..	17,578

GAOLS AND PRISONERS.

There are seven gaols in Victoria, including the Pentridge Penal Establishment, and four reformatory prisons, also four police gaols which are used as receiving stations,

Gaols and prisoners.

and the figures below show that there is accommodation in the gaols for about three times the average number of prisoners in confinement. The following statement gives for the year 1921 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 :—

## GAOL ACCOMMODATION AND PRISONERS, 1921.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received.		In Confinement. 31.12.21.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ..	669	..	432	..	912	..	409	..
Pentridge Reformatory Prison ..	68	..	50	..	68	..	46	..
Ballarat ..	62	18	13	..	197	9	14	..
Bendigo ..	116	28	12	..	156	6	23	2
Castlemaine Reformatory Prison	84	..	54	..	80	..	47	..
Coburg Female Prison ..	..	324	..	40	..	156	..	34
Coburg Reformatory Female Prison ..	..	15	..	2	..	2	..	3
Geelong ..	187	29	54	..	305	4	63	..
McLeod Settlement Reformatory Prison ..	40	..	26	..	31	..	22	..
Melbourne ..	222	70	90	12	2,985	530	90	9
Sale ..	30	5	6	..	93	2	3	..
Police Gaols ..	91	21	4	..	146	..	6	..
Total ..	1,569	510	741	54	4,973	709	723	48

**Prisoners in confinement, 1871 to 1921—decrease.**

A statement is given below of the average number of prisoners in detention in the gaols of the State in the last years of the decennial periods 1871 to 1911 inclusive, and in each of the last five years. From this it will be seen that there has been a considerable decrease in late years as compared with earlier periods. The rate per 10,000 of population, aged fifteen years and over, was, in 1921, 17 per cent. less than in 1911, 49 per cent.

less than in 1901, 71 per cent. less than in 1891, 75 per cent. less than in 1881, and 81 per cent. less than in 1871.

PRISONERS IN CONFINEMENT, 1871 TO 1921.

Year.	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
1917 ...	669	85	754	14·43	1·61	7·61
1918 ...	566	86	652	12·10	1·62	6·52
1919 ...	576	59	635	11·63	1·10	6·14
1920 ...	706	50	756	13·68	·92	7·12
1921 ...	741	54	795	14·56	·98	7·40

Birthplaces, religions, and ages of prisoners.

The birthplaces, religions, and ages of prisoners constantly detained, as deduced from the numbers passing through the gaols, are shown below for the six decennial periods ended with 1921 :—

BIRTHPLACES, RELIGIONS, AND AGES OF PRISONERS CONSTANTLY DETAINED, 1871 TO 1921.

	1871.	1881.	1891.	1901.	1911.	1921.
Total .. .. .	1,619	1,598	1,900	1,151	813	795
Birthplace—						
Australia and New Zealand	259	584	845	689	595	660
England and Wales .. .. .	628	401	420	149	87	64
Scotland .. .. .	129	105	129	56	26	18
Ireland .. .. .	430	378	336	160	62	23
China .. .. .	75	27	14	18	4	1
Others .. .. .	98	103	156	79	39	29
Religion—						
Protestants .. .. .	977	888	1,098	651	476	479
Roman Catholics .. .. .	556	671	729	465	317	293
Jews .. .. .	7	7	14	8	4	4
Buddhists, Confucians, &c. . .	74	27	14	12	1	..
Others .. .. .	5	5	45	15	15	19
Age—						
Under 20 years .. .. .		229	129	75	54	85
20 to 30 years .. .. .		473	669	316	205	287
30 to 40 years .. .. .		312	457	337	211	190
40 to 50 years .. .. .		294	279	234	193	126
50 to 60 years .. .. .		166	193	102	96	68
60 years and over .. .. .		124	173	87	54	39
		Information not available.				

BIRTHPLACES, RELIGIONS, AND AGES OF PRISONERS  
CONSTANTLY DETAINED, PER 10,000 OF POPULATION,  
1871 TO 1921.\*

—	1871.	1881.	1891.	1901.	1911.	1921.
<b>Birthplace—</b>						
Australia and New Zealand	7·23	10·84	10·65	7·25	5·32	4·92
England and Wales .. ..	36·75	27·20	25·78	12·72	9·73	} 6·53
Scotland .. .. .	22·95	21·81	25·46	15·66	9·78	
Ireland .. .. .	42·80	43·58	39·39	26·01	14·95	} 3·54
China .. .. .	42·00	22·88	16·53	28·89	7·14	
Others .. .. .	35·22	35·34	39·24	25·80	11·64	13·05
<b>Religion—</b>						
Protestants .. ..	18·88	14·36	13·12	7·19	4·90	4·12
Roman Catholics .. ..	32·59	32·98	29·33	17·63	11·07	9·08
Jews .. .. .	19·60	16·17	21·68	13·54	6·38	5·21
Buddhists, Confucians, &c.	41·63	24·20	20·75	21·95	3·89	..
Others .. .. .	2·27	2·00	10·78	7·03	3·11	4·97
<b>Age—</b>						
Under 20 years .. ..	Information not available.	35·30	2·53	1·42	1·01	1·45
20 to 30 years .. ..		34·18	27·36	15·30	8·67	10·93
30 to 40 years .. ..		34·82	31·30	18·23	11·66	8·35
40 to 50 years .. ..		20·95	32·00	20·07	11·64	7·20
50 to 60 years .. ..		34·84	23·95	15·35	9·60	4·50
60 years and over .. ..		30·88	23·90	8·73	5·58	3·07

\* The ratios refer to 10,000 persons in the community whose birthplaces, religions, or ages were as stated above.

### POLICE PROTECTION.

The following table shows the numbers in the various grades of the police force in Victoria on the 31st December, 1921 :—

#### POLICE IN VICTORIA, 31st DECEMBER, 1921.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Foot.</i>			
Chief Commissioner .. ..	1	..	1
Superintendents .. .. .	4	8	12
Inspectors .. .. .	9	..	9
Sub-Inspectors .. .. .	9	7	16
Sergeants, First class .. ..	41	9	50
"    Second class .. .. .	31	19	50
Senior Constables .. .. .	116	77	193
Constables .. .. .	856	286	1,122
Detectives .. .. .	26	5	31
Others .. .. .	..	..	..
Total .. .. .	1,073	411	1,484

POLICE IN VICTORIA, 31ST DECEMBER, 1921—continued.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Mounted.</i>			
Sergeants, Second class ... ..	...	...	...
Senior Constables ... ..	2	...	2
Constables ... ..	35	215	250
Total ... ..	37	215	252
Grand Total ... ..	1,110	626	1,736

**Strength of police force in proportion to population.** The number of police in Victoria per 100,000 of the population and the corresponding proportions for other States at the end of 1921 were as follows:—Victoria, 111·9; New South Wales, 128·7; Queensland, 143·6; South Australia, 113·79; Western Australia, 147·7; Tasmania, 109·4; and Northern Territory, 722·5.

**Expenditure on police, gaols, &c.** The next table contains a statement of the amount and the amount per head of population expended in connexion with the police, and the penal establishments and gaols of Victoria, in the year 1871-2 and every tenth year thereafter until 1911-12 inclusive, also in each of the five years ended with 1920-21:—

EXPENDITURE ON POLICE AND GAOLS, 1871-2 TO 1920-21.

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.
1872 ..	190,711	57,855	5,722	2,133	256,421	6 10
1882 ..	201,063	53,032	14,996	3,328	272,419	6 2
1892 ..	283,409	65,679	19,113	23,319	391,520	6 9
1902 ..	271,561	51,948	7,064	3,613	334,186	5 6
1912 ..	316,456	48,514	12,856	2,300	380,126	5 8
1917 ..	332,322	56,459	1,688	3,155	393,624	5 7
1918 ..	339,292	53,151	2,072	1,876	396,391	5 7
1919 ..	363,189	51,543	2,890	2,725	420,347	5 10
1920 ..	459,425	60,561	2,878	1,386	524,250	7 0
1921 ..	528,168	73,902	5,752	2,079	609,901	8 0

The police perform a number of duties in addition to those connected with the maintenance of law and order. The actual cost to the community of the police protection afforded is, therefore, less than the expenditure shown in the above table for maintenance of the police force.

**Executions.** During the seventeen years ended with 1921 there were only six executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, and two in 1918. Since the first settlement of Port Phillip in 1835, 174 criminals have been executed within the State, of whom only four were females.

The *Year-Book* for 1916-17 contains on page 490 a table showing the offences for which criminals were executed, also their birthplaces and religions, for the years 1842 to 1916.

**Inquests.** The number of inquiries into the causes of deaths of individuals during each of the last five years is given below:—

#### INQUESTS, 1917 TO 1921.

Cause of Death found to be due to—	1917.	1918.	1919.	1920.	1921.
<b>External Causes—</b>					
Accident .. .. .	387	370	385	466	509
Homicide .. .. .	12	13	12	12	8
Suicide .. .. .	111	93	129	143	165
Execution .. .. .	..	2	..	..	..
Doubtful .. .. .	35	30	28	24	20
Disease or Natural Causes .. .. .	616	583	720	697	645
Intemperance .. .. .	1	6	1	1	1
Unspecified or Doubtful Causes .. .. .	..	5	10	7	7
Being "Still Born" .. .. .	1	2	..	..	2
<b>Total .. .. .</b>	<b>1,163</b>	<b>1,104</b>	<b>1,285</b>	<b>1,350</b>	<b>1,357</b>
<b>Number per 10,000 of Population .. .. .</b>	<b>8·24</b>	<b>7·75</b>	<b>8·72</b>	<b>8·93</b>	<b>8·83</b>

Of the deaths from external causes during the last five years, 71 per cent. were due to accidental causes, 2 per cent. to homicide, and 22 per cent. to suicide, while in 5 per cent. of the cases the nature or motive of the violence which caused death was doubtful.