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SECTION XXIII.

PUBLIC JUSTICE.

§ 1. Police.

1. **Introductory.**—It was originally intended to give some account in this chapter of the origin and development of the police forces of Australia, and most of the officers administering the police departments in the various States very kindly supplied the necessary materials. Limitations of space, however, preclude the possibility of publishing “*in extenso*” the valuable store of information thus acquired, but it is hoped to be able to embody it in a later Year Book, or in a still more comprehensive publication.

The following brief notes refer to the evolution of the force in Australia up to the passing of the Police Act of 1862 (25 Vic. No. 16) in New South Wales :—

The first Act of Parliament specially mentioning the establishment of a police force in Australia was passed in 1833 (4 Wm. IV. No. 7), the settlement from 1788 to that year having been under military rule. The Act provided for the appointment of two or more magistrates for the town and port of Sydney, empowered to select a certain number of suitable men for a police force. This force was at first restricted to the capital and its environs, but in 1838 a further Act was passed (2 Vic. No. 2) providing for the establishment and control of police in the chief country districts. About nine years later the prevalence of cases of horse and cattle stealing led to the formation of mounted patrols along the Great Western, Southern, and Northern roads, a central detachment being located in Sydney. The mounted police consisted principally of old soldiers. With the discovery of the goldfields in the early fifties, another branch of the force known as “gold police,” also chiefly old soldiers, was established, and the various divisions were commanded by military officers styled “gold commissioners.” While a large number of the members of the early force were actuated with the desire to carry out their duties honestly and efficiently, there were others who were totally unfitted for the service, and the general lack of cohesion and co-operation was reflected in the high criminal returns. A complete reorganisation was, however, effected by the Police Act of 1862 (25 Vic. No. 16), which placed the entire control in the hands of an inspector-general, who, through the Chief Secretary, was made responsible to Parliament for the general efficiency of the system.

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

2. **Strength of Police Force.**—The strength of the police force in each State during the seven years ended 1907 was as follows :—

POLICE FORCES, 1901 to 1907.

State.	Area of State in Sq. Miles.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	310,372	2,172	2,222	2,270	2,310	2,342	2,342	2,381
Victoria	87,884	1,466	1,515	1,495	1,495	1,495	1,518	1,546
Q'land ...	670,500	1,010	962	949	888	911	952	998
S.A. ...	903,690	406	412	411	414	420	422	444
W.A. ...	975,920	519	512	500	491	492	507	488
Tas. ...	26,215	255	245	235	234	234	229	226
C'wealth	2,974,581	5,828	5,868	5,860	5,832	5,894	5,970	6,083

The figures for New South Wales are exclusive of sixty-four "black trackers," *i.e.*, natives employed in detection of offenders in outlying districts, and five female searchers. There are also sixty-five "black trackers" in Western Australia and three female searchers not included in the table.

(i.) *Average Number of Inhabitants to each Police Officer.* The average number of inhabitants to each officer in each State during the same period is shewn below. In considering these figures allowance must, of course, be made for the unequal area and unequal distribution of the population of the various States:—

INHABITANTS TO EACH POLICE OFFICER, 1901 to 1907.

State.	No. of Persons per Sq. Mile, 1901 Census.	Inhabitants to each Police Officer.						
		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	4.37	633	632	629	631	637	633	659
Victoria	13.67	826	800	809	810	815	812	807
Q'land ...	0.74	501	531	543	587	580	562	543
S.A. ...	0.40	901	890	897	900	900	910	884
W.A. ...	0.19	374	417	454	493	518	516	536
Tas. ...	6.58	694	724	764	770	774	787	814
C'wealth	1.27	657	662	671	683	688	682	690

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

3. *Duties of the Police.*—In addition to the ordinary employment attaching to their office, the police are called upon to perform many duties which in other countries are carried out by other functionaries. As far as the Statistician is concerned, it is found that the expert local knowledge possessed by the police renders their services in the collection of such returns as those relating to the agricultural, pastoral, and manufacturing industries, private schools, etc., more than ordinarily valuable. Then, again,

the fact that their services are enlisted by such widely different departments as those dealing with mines, stock, agriculture, elections, registrations of births, deaths, and marriages, forestry, fisheries, explosives, old-age pensions, lunacy, public works, labour, etc., greatly enhances their general alertness by widening the range of their experience. Occasionally the objection is heard in some quarters that these special tasks involve some degree of sacrifice of ordinary routine duties, but that the general intelligence of the Australian police is adequate to the obligation to perform these tasks, besides being most creditable, results in a great saving of the public money.

4. **Cost of Police Forces.**—The expenditure from Consolidated Revenue on the police forces in each State during the seven years 1901 to 1907 is shewn in the following table. Cost of buildings has been excluded from the return:—

COST OF POLICE FORCES, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
	£	£	£	£	£	£	£
N.S.W.	383,332	401,269	416,542	428,374	435,577	434,934	442,804
Vic. ...	287,630	293,998	311,693	311,927	313,649	312,941	306,130
Q'land	183,143	184,873	172,913	161,510	159,464	176,086	202,184
S.A. ...	83,697	84,874	84,109	85,090	82,419	85,016	87,374
W.A. ...	119,310	123,924	130,312	128,628	126,661	126,276	125,440
Tas. ...	38,412	39,222	37,833	36,720	36,537	35,086	37,152
Cwlth.	1,095,524	1,128,160	1,153,402	1,152,249	1,154,307	1,170,339	1,201,084

The figures for Victoria include the sums paid each year to make up the deficiency in the Police Superannuation Fund. Queensland returns for 1907 include a grant of £20,000 in aid of this fund. The cost per head of the population in each State for the period 1901 to 1907 was as follows:—

COST OF POLICE PER INHABITANT, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
New South Wales ...	5 7	5 9	5 11	5 11	5 11	5 9	5 9
Victoria ...	4 9	4 10	5 2	5 2	5 2	5 1	4 11
Queensland ...	7 4	7 3	6 9	6 3	6 1	6 7	7 5
South Australia ...	4 7	4 8	4 7	4 7	4 5	4 6	4 6
Western Australia ...	12 8	12 0	11 9	10 11	10 1	9 9	9 7
Tasmania ...	4 6	4 6	4 3	4 1	4 1	3 11	4 2
Commonwealth ...	5 9	5 10	5 11	5 10	5 9	5 9	5 9

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.

§ 2. Lower (Magistrates') Courts.

1. **Introductory.** - In considering the criminal returns of the various States due allowance must be made on account of several factors, such as the relative powers of the courts, both lower and higher, etc. In the case of lower courts, the actual number of laws in each State, the breach of which renders a person liable to fine or imprisonment, must be taken into account. Again, the attitude of the magistracy and police towards certain classes of offences is a factor, for in the case of liquor laws, or laws connected with vagrancy or gaming, the views of magistrates, and instructions issued to the police, may be responsible for considerable variations in the returns. The strength and distribution of the police forces and the age constitution and distribution of the State's population also influence the results. In any consideration of criminal returns, due weight should also be given to the prevalence of undetected crime, but information on this point can only be obtained for the State of Victoria.

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

In Victoria the civil jurisdiction of magistrates is restricted to what may be designated ordinary debts, damages for assault, restitution of goods, etc., where the amount in dispute does not exceed £50. No definite limit is fixed to the powers of the magistrates on the criminal side, and for some offences sentences up to two years may be imposed. The proportion of long sentences is, however, comparatively small, the total punishments of one year and upwards in 1906 comprising only eighty-six out of 16,463 sentenced.

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 1869 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 Sessions 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 seven years 1901 to 1907:—

PERSONS CHARGED BEFORE MAGISTRATES, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	58,681	60,373	61,394	59,851	61,127	65,197	67,183
Vic. ...	50,169	45,198	46,125	47,210	45,484	48,244	60,687
Q'land	23,920	21,115	19,012	18,132	17,943	18,849	18,621
S.A. ...	6,134	6,488	6,430	6,015	5,974	6,324	6,347
W.A. ...	14,812	15,929	16,362	14,940	14,646	14,478	13,968
Tas. ...	5,499	6,171	5,975	5,579	7,090	6,391	*
Cwltth.	159,215	155,274	155,298	151,727	152,264	159,483	...

* Not available.

In explanation of the large increase shewn by Victoria for the year 1907 it is stated that the returns of summons were inflated by prosecutions under the new Licensing and Pure Food Acts and the Amending Education Act.

The figures given in the tabulation above include, of course, a number of people who were wrongly charged, and statistically are not of great importance. The actual number of convictions in connection with the persons who appeared before the lower courts in each year of the period 1901 to 1907 is, therefore, also given. A separate line is added shewing the committals to higher courts.

CONVICTIONS AND COMMITTALS AT MAGISTRATES' COURTS, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	{ Convictions	48,962	50,776	51,379	50,102	51,638	54,809	58,103
	{ Committals	1,262	1,271	1,419	1,551	1,454	1,286	1,130
Victoria	{ Convictions	36,905	33,461	36,031	35,854	34,134	37,740	46,731
	{ Committals	700	641	631	564	652	584	561
Q'land	{ Convictions	19,844	17,625	15,795	15,345	14,730	15,987	16,056
	{ Committals	503	489	508	460	495	440	464
Sth. Aus.	{ Convictions	4,915	5,448	5,126	4,897	4,936	5,249	5,352
	{ Committals	212	209	193	127	152	168	105
W. Aus.	{ Convictions	10,829	11,536	13,601	12,376	12,246	12,181	11,801
	{ Committals	241	335	316	266	253	182	193
Tas. ...	{ Convictions	4,469	4,949	4,877	4,515	5,932	5,449	*
	{ Committals	76	65	79	51	59	55	*
Cwltth....	{ Convictions	125,924	123,795	126,809	123,089	123,616	131,415	...
	{ Committals	2,994	3,010	3,146	3,019	3,065	2,715	...

* Not available, 19/3/09.

4. **Convictions for Serious Crime.**—While the figures given in the preceding table refer to the entire body of convictions, the fact must not be lost sight of that they include a large proportion of offences of a technical nature, many of them unwittingly committed, against various Acts of Parliaments. Cases of drunkenness and minor breaches of good order which, if they can be said to come within the category of crime at all, at least do so in a very different sense to some other offences, also help to swell the list. The following table has, therefore, been prepared for the purpose of shewing the convictions at magistrates' courts for what may be regarded as the more serious offences,

i.e., against the person and property, either separately or conjointly, and forgery and offences against the currency:—

CONVICTIONS FOR SERIOUS CRIME AT MAGISTRATES' COURTS, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	4,649	5,187	5,277	4,744	4,640	4,971	4,799
Vic. ...	*2,066	3,105	3,052	2,551	2,944	2,879	2,672
Q'land.	2,314	2,446	2,045	2,065	2,175	2,035	1,334
S.A. ...	576	611	623	470	441	437	499
W.A.	818	964	958	1,075	1,256	1,215	1,301
Tas. ...	604	536	508	563	660	522	†
Cwth.	11,027	12,849	12,463	11,468	12,116	12,059	...

* Arrests only. Summons cases not available. † Not available, 19/3/09.

Owing to a reclassification adopted by Queensland in 1907, a large number of offences have been transferred from the class "Offences against the Person" to "Offences against Good Order," hence the falling-off shewn by the table.

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

CONVICTIONS PER 10,000 INHABITANTS, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	34.1	37.3	37.3	32.9	31.5	32.9	31.0
Vic. ...	17.2	25.7	25.3	21.1	24.3	23.5	21.6
Q'land.	46.2	48.0	39.9	39.8	41.4	38.2	24.8
S. Aust.	15.9	16.8	17.0	12.7	11.8	11.5	12.9
W. Aust.	43.4	46.8	43.3	45.4	50.2	46.7	49.6
Tas. ...	35.0	30.8	26.6	31.5	36.5	29.2	*
Cwth.	29.1	33.3	31.9	29.0	30.1	29.5	...

* Not available, 19/3/09.

5. **Decrease in Crime.**—The figures quoted in the preceding table show that there has been a considerable decrease in crime during the last six years, while if the comparison be carried back to 1881 the position is seen to be still more satisfactory. The rate of convictions at magistrates' courts per 10,000 of the population is given below for each of the years 1881, 1891, 1901, and 1906. Only the more serious offences, particularised in the preceding paragraph, have been taken into consideration:—

RATE OF CONVICTIONS FOR SERIOUS CRIME IN THE COMMONWEALTH.

Year.	Convictions per 10,000 Persons.	
1881	...	69.3
1891	...	44.8
1901	...	29.1
1906 (Complete 1907 figures not available, 19/3/09)	...	29.5

6. **Need of Statistic of Distinct Persons.**—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 drunkenness, petty larcenies, etc., in which

the same offender appears before the court many times in the course of the year. In a few of the States it is possible to obtain the number of distinct persons arrested, but there are no means of arriving at the total distinct persons convicted before the magistrates in any State. The forms submitted to and adopted by the Conference of Statisticians in 1906 provide for information as to separate persons convicted, irrespective of whether they were arrested or summoned, and thus the statistical tabulations will, it is hoped, possess in future greater comparative value.

7. Causes of Decrease in Crime.—The statistics given show that there has been a considerable decrease in crime throughout Australia. The results so far quoted are restricted entirely to the lower or magistrates' courts. There has also been a gratifying decrease in regard to offences tried at the higher courts, as will be seen later.

Attempts have been made to account for this decline: e.g., advance in education, enlightened penological methods, etc. Much depends upon what is meant by education. Many classed in census statistics as "educated" can barely read and write. In this connection, moreover, it ought not to be forgotten that collaterally with the introduction of ordinary intellectual education certain people have departed from their pristine virtues.

The deterrent effect of punishment, in respect of many offences, notably drunkenness, vagrancy, petty larcenies, etc., appears to be almost negligible. In general, punishment has declined in brutality and severity, and has improved in respect of being based to a greater extent upon a scientific penological system, though in this latter respect there is yet much to be desired. Recent advances in penological methods will be referred to in a subsequent section. Here it will be sufficient to remark that under the old 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 organisations, such as the Salvation Army Prison Gate Brigade, but in some of the States, and notably in New South Wales, the authorities themselves look after the welfare of discharged prisoners in the way of finding work, providing tools, etc.

Improvements in the means of communication and identification have been responsible for some of the falling-off noticeable in the criminal returns, the introduction of the Bertillon system having contributed to certainty of identification. Part of the improvement may no doubt be referred also to the general amelioration in social condition that has taken place during the last fifty years.

8. Drunkenness.—The number of cases of drunkenness and the convictions recorded in connection therewith during the period 1901 to 1907 will be found in the following table:—

CASES AND CONVICTIONS—DRUNKENNESS.

State.	1901.		1902.		1903.		1904.		1905.		1906.		1907.	
	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases.	Convictions.	Cases	Convictions
N.S.W.	23,921	23,803	24,437	24,332	24,703	24,598	23,060	22,943	24,185	24,003	25,390	25,253	28,255	28,109
Vic.	*17,360	10,846	14,540	9,394	12,630	8,494	13,831	9,231	14,458	9,360	14,020	9,529	14,763	9,151
Q'land	9,791	9,773	8,123	8,102	7,190	7,131	6,854	6,827	6,633	6,592	7,493	7,473	9,066	9,002
S.A.	2,049	2,011	2,431	2,394	2,340	2,296	2,387	2,352	2,362	2,332	2,463	2,440	2,833	2,735
W.A.	3,848	3,237	3,347	3,283	3,572	3,513	3,597	3,531	3,509	3,425	3,588	3,505	3,591	3,535
Tas.	743	705	636	514	526	511	530	556	539	523	459	454	†	†
Cwth.	57,212	50,375	53,514	48,019	50,961	46,543	50,363	45,490	51,641	46,240	53,451	48,674	...	...

* Arrests only. Summons cases not available.

† Not available, 19/3/09.

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

The convictions for drunkenness per 10,000 of the population during each of the years from 1901 to 1907 are given hereunder :—

CONVICTIONS FOR DRUNKENNESS PER 10,000 INHABITANTS.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	174.6	174.9	173.8	159.1	162.8	167.3	181.3
Vic.	90.1	77.6	70.3	76.9	77.2	77.9	73.9
Q'land	195.0	159.0	139.1	131.5	125.4	140.3	167.0
S. Aust.	55.4	65.7	62.8	63.6	62.2	64.7	70.9
W. Aust.	171.8	159.5	158.7	149.3	136.8	134.8	134.8
Tas.	41.0	29.6	28.8	31.1	29.5	25.4	*
C'wealth	133.4	124.5	119.3	115.1	115.1	119.1	...

* Not available, 19/3/09.

The convictions for drunkenness taken by themselves are not an altogether satisfactory-test of the relative sobriety of the inhabitants of each State, forasmuch as several important factors must be taken into consideration. The age constitution, for example, of the people is by no means identical in each State, Western Australia having by far the largest proportion of adult males. 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 police and public generally in regard to the offence.

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 habit 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 shewing the consumption of spirits, wine, and beer per head of the population has, with the exception of the figures relating to spirits and beer for the States of the Commonwealth, been compiled from returns prepared by the British Board of Trade for the period 1902-6. The figures quoted for the Commonwealth States in respect of spirits and beer refer to the year 1907. It is believed that the returns hitherto given by the Board of Trade regarding the consumption of wine in Australia do not in all cases furnish satisfactory results, and the subject is at present being investigated in this Bureau. Figures based on a combination of returns of production and net export cannot be regarded as giving a true statement of the case in regard to wine, as the production in any year does not necessarily enter into consumption in the same year, while allowance must also be made for the conversion of portion of it into brandy or vinegar.

CONSUMPTION OF ALCOHOLIC BEVERAGES IN VARIOUS COUNTRIES, 1902 to 1906.

Country.	Consumption per Head of Population.			Country.	Consumption per Head of Population.		
	Spirits.	Wine.	Beer.		Spirits.	Wine.	Beer.
United Kingdom...	1.00	0.32	29.50	Cape of Good Hope	0.69	2.30	1.50
New South Wales	0.93	0.61	9.83	Canada	0.86	0.09	5.00
Victoria	0.76	0.80	12.33	Russia...	0.95	...	0.97
Queensland	1.06	0.26	10.31	Norway	0.60	...	3.46
South Australia	0.72	2.93	8.46	Sweden	1.46	...	12.50
Western Australia	1.21	1.04	19.35	Denmark	2.54	...	20.60
Tasmania	0.56	0.16	9.05	German Empire	1.55	1.45	26.10
Commonwealth	0.88	0.84	11.07	Holland	1.50	0.37	...
New Zealand	0.76	0.14	9.39	Belgium	1.35	1.02	48.00
				France	1.36	30.70	7.90
				Switzerland	0.99	15.10	14.10
				Italy	0.26	25.10	0.18

9. **Treatment of Drunkenness as Crime.**—Though the problem of the correct method of dealing with dipsomania is by no means an easy one, it seems fairly clear that the present plan of bringing offenders before magistrates, and subjecting them to the penalty of imprisonment or fine, has little deterrent effect, as the same offenders are constantly reappearing before the courts. Further, the casting of an inebriate into prison, and placing him in his weakened mental state in the company of professional malefactors, doubtless tends to swell the ranks of criminals and certainly tends to lower his self-respect, while 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 evil-disposed. With regard to drunkards, however, Captain Neitenstein, the Comptroller of Prisons in New South Wales, advocates the entire abandonment of the system of repeated fine or imprisonment in favour of a course of hospital treatment. The Comptroller-General of Prisons in Queensland states 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."

10. **Treatment of 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. Similar enactments were passed in Victoria and New Zealand during the last two years. Naturally it will be some time before the effect of the measures on the prevalence of crime can be estimated.

11. **Treatment of First Offenders.**—In all the States and 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; Queensland and South Australia, 1887; Western Australia, 1892; Tasmania and New Zealand, 1886. The method of procedure is practically the same in all cases, *i.e.*, with regard to most first offenders the magistrate or judge is empowered to allow the offender to go free on recognisances being entered into for his good behaviour for a certain period. In practice this humane law has been found to work excellently, very few of those to whom its provisions have been extended having been found to relapse into crime.

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

13. **Committals to Superior Courts.**—In a previous section it has been pointed out that comparisons of criminality based on a consideration of the total returns from magistrates' courts are somewhat inadequate, seeing that the figures include numbers of cases which are merely technical breaches of laws having in some instances a purely local significance. The committals to higher courts give a better basis of comparison, although even in this connection allowance must be made for the want of uniformity in jurisdiction. The table below gives the number of committals in each year from 1901 to 1907, with the proportion of such committals per 10,000 of the population. The rates are shewn on a separate line:—

COMMITTALS TO SUPERIOR COURTS, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	{ No.	1,287	1,296	1,437	1,587	1,486	1,334	1,172
	{ Rate	9.4	9.3	10.2	11.0	10.1	8.8	7.2
Victoria	{ No.	700	641	631	564	652	584	561
	{ Rate	5.8	5.3	5.2	4.7	5.4	4.8	4.5
Queensland	{ No.	503	489	508	460	495	440	464
	{ Rate	10.0	9.6	9.9	8.9	9.4	8.3	8.6
South Australia	{ No.	212	209	198	127	152	168	105
	{ Rate	5.8	5.7	5.3	3.4	4.1	4.4	2.1
West. Australia	{ No.	241	335	317	266	235	182	193
	{ Rate	12.8	16.3	14.3	11.2	9.4	7.0	7.4
Tasmania	{ No.	76	65	79	51	59	55	*
	{ Rate	4.4	3.7	4.5	2.9	3.3	3.1	*
Commonwealth	{ No.	3,019	3,035	3,165	3,055	3,079	2,763	...
	{ Rate	8.0	7.9	8.1	7.7	7.7	6.8	...

* Not available, 19/3/09.

The above figures shew that there has been a decrease in serious crime, and, if the comparison be carried farther back, it will be found that the improvement has been considerable. This will be evident from an examination of the following figures, which shew the rate of committals per 10,000 persons in Australia at various periods since 1861:—

RATE OF COMMITTALS IN AUSTRALIA, 1861 to 1907.

Year ...	...	...	...	...	1861.	1871.	1881.	1891.	1901.	1907.
Committals per 10,000 inhabitants	...	...	...	...	22	14	12	11	8	6

In calculating the rate for 1907 it has been assumed that there has not been any change in the Tasmanian proportion since the year 1906.

The decline in proportion to population since 1861 has therefore been about 73 per cent.

§ 3. Superior Courts.

1. **Convictions at Superior Courts.**—The total number of convictions at superior courts, together with the rate per 10,000 of the population, is shown below for each of the years 1901 to 1907 :—

CONVICTIONS AT SUPERIOR COURTS, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W. ...	{ No.	730	775	896	890	819	707	629
	{ Rate	5.4	5.6	6.3	6.2	5.6	4.7	4.0
Victoria ...	{ No.	393	381	371	338	382	339	368
	{ Rate	3.3	3.1	3.1	2.8	3.2	2.8	3.0
Queensland	{ No.	281	249	269	242	288	249	248
	{ Rate	5.6	4.9	5.2	4.7	5.5	4.7	4.6
S. Australia ...	{ No.	98	80	100	109	85	92	74
	{ Rate	2.7	2.2	2.7	2.9	2.3	2.4	1.9
W. Australia	{ No.	151	132	191	182	161	150	176
	{ Rate	8.0	6.4	8.6	7.7	6.4	5.8	6.7
Tasmania ...	{ No.	39	28	51	26	24	32	*
	{ Rate	2.3	1.6	2.9	1.5	1.3	1.8	*
C'wealth ...	{ No.	1,692	1,645	1,878	1,787	1,759	1,569	...
	{ Rate	4.5	4.3	4.8	4.5	4.4	3.8	...

* Not available, 19/3/09.

In considering the above figures allowance must be made for the various factors enumerated in a preceding paragraph. Only when this is done will the comparatively unenviable pre-eminence of Western Australia in regard to serious crime be explained. Tasmania, it will be noted, shews by far the smallest proportion of serious crime, while a reference to a preceding table discloses the fact that the island State is relatively the smallest consumer of alcoholic beverages. That a definite causal relation exists between the figures shewn by the respective tables is not, however, obvious.

2. **Offences for which Convictions were Recorded at Superior Courts.**—In the following table will be found a classification of the principal offences for which persons were convicted at the higher courts during each year of the period 1901 to 1906. Owing to lack of uniformity in the presentation of the returns for the several States the information is confined to the chief offences against the person only. The figures quoted refer to convictions in the Commonwealth during the period dealt with :—

CONVICTIONS FOR SERIOUS CRIME, SUPERIOR COURTS, 1901 to 1906.

Offences.	1901.	1902.	1903.	1904.	1905.	1906.
Murder and attempts at ...	24	31	32	34	32	35
Manslaughter ...	21	16	19	24	14	21
Rape and crimes of lust ...	113	92	90	97	96	70
Other offences against the person ...	274	243	244	225	256	239

The comparison necessarily closes with the year 1906, owing to non-receipt of returns from Tasmania for 1907.

While there has been no diminution in the convictions for murder and manslaughter there has been a considerable falling-off in the case of crimes of lust. The general total of convictions for all offences against the person shews a decline since 1901 of about 16 per cent.

3. **Capital Punishment.**—The table below gives the number of executions in each State during the period 1901 to 1907:—

EXECUTIONS, 1901 to 1907.

State.	1901.	1902.	1903	1904.	1905.	1906	1907.
New South Wales ...	3	...	3	1	...	1	3
Victoria ...	...	2	...	1	...	...	...
Queensland...	5	...	2	...	2	3	1
South Australia ...	...	...	...	1	1	1	...
Western Australia ...	...	...	...	...	3	1	1
Tasmania ...	...	...	...	...	...	...	...
Commonwealth ...	8	2	5	3	6	6	5

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 the Australian States, the penalty has been but sparingly inflicted during the last few years. Juries are reputed to be loth to convict on this charge, owing to the uncertainty whether sentence of death will be pronounced.

During the period 1861 to 1880 the average number of executions in the Commonwealth was nine, from 1881 to 1900 the average was six, while for the period 1901 to 1907 the figure stood at five.

§ 4. Prisons.

1. **Prison Accommodation and Prisoners in Gaol.**—The table below shews the number of prisons in each State and the accommodation therein at the end of 1907:—

PRISONS AND PRISON ACCOMMODATION, 1907.

State.	Number of Prisons.	Accommodation in—		Greatest No. in Confinement during Year.	Prisoners at End of Year.
		Separate Cells.	Wards.		
New South Wales ...	52	2,334	126	2,135	1,437
Victoria ...	16	1,515	984	1,170	916
Queensland ...	13	559	416	*	501
South Australia ...	11	810	271	314	255
Western Australia ...	28	647	195	*	502
Tasmania ...	2	261	25	...	89
Commonwealth ...	122	6,126	2,017	...	3,700

* Information not available.

The number of prisoners in gaol, exclusive of debtors, at the 31st December in each of the years 1901 to 1907, is given below. A separate line is added in each instance shewing the proportion per 10,000 of the population:—

PRISONERS IN GAOLS, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	{ Number	1,812	1,835	1,816	1,877	1,678	1,519	1,437
	{ Proportion	13.3	13.2	12.8	13.0	11.4	10.1	9.3
Victoria	{ Number	1,150	1,071	978	1,062	990	927	916
	{ Proportion	9.6	8.8	8.1	8.8	8.2	7.6	7.4
Q'land	{ Number	574	547	508	561	535	507	501
	{ Proportion	11.5	10.7	9.9	10.8	10.2	9.5	9.3
S. Aust.	{ Number	238	274	261	267	259	237	255
	{ Proportion	6.6	7.5	7.1	7.2	6.9	6.2	6.6
W. Aust.	{ Number	360	397	512	475	465	402	502
	{ Proportion	19.1	19.3	23.1	20.1	18.6	15.5	19.1
Tas. ... 30th June	{ Number	117	80	110	103	92	89	89
	{ Proportion	6.8	4.6	6.2	5.8	5.1	5.0	5.0
C'wealth.	{ Number	4,251	4,204	4,185	4,345	4,019	3,681	3,700
	{ Proportion	11.2	10.9	10.7	11.0	10.0	9.0	8.9

From the preceding table it will be seen that the proportion to population of prisoners in gaol has fallen considerably during the last seven years, while, if the comparison be carried further back, the position is seen to be still more favourable, the prisoners in gaol in the Commonwealth numbering as much as sixteen per 10,000 of the population in 1891.

2. Improvement in Pænological Methods.—During recent years Australia, in common with most other civilised countries, has introduced considerable modifications and improvements in methods of prison management. Under the old régime punishment partook more or less of the character of reprisal for wrongdoing, and the idea of constituting the prison as a reformatory agency was in the background. But of 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. As pointed out by the Comptroller-General of Prisons of that State, there are, however, certain directions in which improvements can be made. The danger and absurdity of sending drunkards to gaol has already been alluded to in a previous section, while present methods of dealing with vagrancy, and particularly with prostitution, have proved quite inadequate.

The general reorganisation of the New South Wales prison system may be said to date from the year 1896. Briefly stated, the chief reforms which have been introduced are as follows:—(a) Prevention of contamination consequent on evil association by the adoption of the "restricted association" scheme, under which prisoners are allowed to have as little intercourse with each other as possible, each prisoner having a separate cell, and mingling with other prisoners only at exercise or at work, and then under close supervision. (b) Careful classification of prisoners to avoid contact of minor or first offenders with the more hardened. (c) Better prison fare. (d) Abolition of solitary confinement in dark cells. (e) Lighting cells up to a reasonable hour at night and allowing well-conducted prisoners the privilege of reading interesting books. (f) Abolition of the practice of sending young children to gaol. (g) Attempt at scientific treatment of the habitual offender. (h) Provision for helping prisoners on leaving gaol to find work through the agency of the Discharged Prisoners' Aid Society.

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

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 to different gaols, while at the important penal establishment at Pentridge a careful segregation into no less than five distinct classes is carried out. In common with the other States the latest humane methods of accommodation and prison treatment have for some time been employed.

Queensland prisons have been considerably modernised during the last few years. The prison for females at Brisbane has been built on the radiating plan, and embodies the latest ideas in penological methods. Classification of prisoners has been fully carried out in the male and female divisions of Brisbane prison, and at the Stewart's Creek penal establishment. The construction of the buildings does not however permit of the plan being adopted in its entirety in all Queensland prisons.

Unusual circumstances have combined to keep crime at a low point in South Australia. In the first place there was never any transportation of criminals to the State, while in the earlier years of its history South Australian lawbreakers were transported elsewhere. The present system was drafted mainly on English and European lines by the late W. R. Boothby, C.M.G., and under his directions and that of his successor has been found to work admirably.

There is no special information available with regard to the prison systems of Western Australia and Tasmania.

§ 5. Civil Courts.

1. **Lower Courts.**—The transactions of the lower courts on the civil side during each of the last seven 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. The figures, however, possess a certain value as indicating that resort to litigation is on the decline in Australasia:—

LOWER COURTS.—CIVIL CASES, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	Cases No.	19,989	24,629	25,592	23,102	22,497	20,573	26,548
	Amt. judg. £		*	*				63,350
Victoria	Cases No.	17,646	20,421	22,012	22,046	26,393	25,320	26,255
	Amount £	86,199	96,166	107,502	116,757	121,525	123,625	123,732
Q'land...	Cases No.	10,682	10,593	11,058	10,831	10,061	10,311	10,304
	Amount £	44,004	41,522	43,242	39,022	36,553	36,408	35,576
S. Aust.	Cases No.	11,582	12,397	12,190	12,282	11,518	11,844	11,737
	Amount £	36,640	37,345	30,173	36,857	30,335	29,123	31,804
W. Aust.	Cases No.	7,026	7,021	7,198	8,009	8,224	10,109	9,930
	Amount £	61,977	47,432	50,112	50,264	53,681	62,556	57,000
Tas. ...	Cases No.	4,023	3,395	2,841	3,535	452	422	†
	Amount £	21,990	19,087	17,230	19,247	25,106	18,202	†
C'wealth	Cases No.	70,948	78,456	80,891	79,855	79,145	78,579	...
	Amount† £	250,810	241,552	248,259	262,147	267,200	269,914	...

* Not available. † Exclusive of New South Wales. ‡ Not available, 19/3/09.

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

2. **Superior Courts.**—In the next table will be found the transactions on the civil side in the Superior Courts during each of the years 1901 to 1907.

The New South Wales returns are to some extent defective, as the figures quoted for amount of judgments include in the case of the Common Law jurisdiction of the Supreme Court the total judgment signed, while in the case of the other States the figures refer to sums actually adjudged after trial. For New South Wales, also, the transactions of district courts refer to the total amounts sued for, and not the sums actually awarded after trial. Statistically the chief importance of the table consists in the fact that it shews a marked decline in litigiousness in Australia:—

SUPERIOR COURTS—CIVIL CASES, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W.	{ Causes No.	1,956	1,603	1,471	1,203	1,118	915	718
	{ Amt. judg. £	422,738	601,949	407,790	323,312	277,292	266,896	267,830
Victoria	{ Causes No.	669	723	706	651	678	620	694
	{ Amount £	47,862	58,919	53,139	57,572	51,467	50,194	46,070
Q'land	{ Causes No.	145	129	136	129	101	118	129
	{ Amount £	14,904	20,025	17,329	17,168	15,245	11,551	8,845
Sth. Aus.	{ Causes No.	17	20	19	26	22	32	29
	{ Amount £	3,515	39,998	12,784	9,561	1,229	2,207	8,986
W. Aus.	{ Causes No.	501	509	516	621	621	595	9,930
	{ Amount £	77,174	75,376	77,982	92,378	74,431	62,770	57,000
Tas.	{ Causes No.	154	321	159	296	249	136	*
	{ Amount £	4,931	9,065	7,082	11,201	9,283	4,083	*
Cwth....	{ Causes No.	3,442	3,305	3,007	2,926	2,789	2,416	...
	{ Amount £	571,124	805,332	576,106	511,192	423,947	397,701	...

* Not available, 19/3/09.

3. **Divorces and Judicial Separations.**—The number of divorces and judicial separations in each State during the period 1901 to 1907 is shewn below:—

DIVORCES AND JUDICIAL SEPARATIONS, 1901 to 1907.

State.	1901.		1902.		1903.		1904.		1905.		1906.		1907.	
	Divorces.	Judicial Separat'ns.												
N.S. Wales ...	252	20	245	21	206	14	216	8	176	15	175	10	223	14
Victoria ...	83	...	109	...	101	...	140	1	136	1	123	2	134	...
Queensland ...	14	...	8	...	1	13	1	5	1	14	3	12	1	...
Sth. Aust. ...	6	10	...	4	...	6	...	3	1	11	...
West. Aust. ...	12	1	10	1	16	...	11	1	18	...	16	...
Tasmania ...	11	...	3	...	3	...	2	...	2	...	5	...	*	*
C'wealth ...	378	21	373	21	338	16	391	10	336	18	338	16

* Not available, 19/3/09.

The average annual number of divorces and judicial separations in the Commonwealth at decennial periods from 1871 to 1900 and for the six years 1901 to 1906 is given hereunder:—

DIVORCES AND JUDICIAL SEPARATIONS, 1871 to 1906.

	1871-1880.	1881-90.	1891-1900.	1901-6.
Commonwealth	29	70	358	376

The bulk of the divorces and judicial separations refer, as the table shews, to New South Wales and Victoria, the Acts of 1892 and 1889 in the respective States making the separation of the marriage tie comparatively easy. In some statistical works it is customary to compare the divorces in any year with the marriages in the same year. The comparison is, however, quite valueless, as there is no necessary connection between the figures. Some value would attach to a comparison of the number of divorces with the number of married people living, but the latter information cannot be obtained with accuracy except at Census periods.

4. **Probates.**—The number of probates and letters of administration granted, together with the value of the estates concerned, is shewn below for each State for the period 1901 to 1907:—

PROBATES AND LETTERS OF ADMINISTRATION, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
N.S.W. ...	Number	2,657	2,782	2,767	2,850	2,804	2,852
	Value £	7,033,459	5,807,620	7,179,832	6,155,963	7,714,416	7,529,437
Victoria	Number	3,846	3,976	3,884	3,827	3,853	3,982
	Value £	6,527,235	7,571,482	6,074,077	5,762,084	6,003,478	6,424,738
Q'land	Number	594	627	710	588	584	602
	Value £	1,594,425	1,078,931	2,617,348	1,513,237	1,016,495	1,794,742
S. Aust.	Number	927	913	919	964	902	1,020
	Value £	1,457,376	1,790,102	2,464,011	2,056,612	1,294,963	2,041,280
W. Aust.	Number	313	347	399	367	406	476
	Value £	615,729	458,037	703,071	422,515	676,920	544,245
Tasmania	Number	229	280	256	295	270	343
	Value £	402,157	299,408	253,107	905,204	504,196	862,222
C'wealth	Number	8,566	8,875	8,935	8,891	8,819	9,275
	Value £	17,630,381	17,035,500	19,291,556	16,815,615	17,210,473	19,196,664

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

5. **Bankruptcies.**—The returns in bankruptcy during each of the last seven years are given hereunder.

For several reasons comparisons drawn from the figures in the following table are of little value. In the first place, the statements of assets and liabilities are notably unsatisfactory, particularly in regard to the former. Then, again, there is wide dissimilarity in regard to the laws in force in the various States and the method of procedure thereunder in connection with bankruptcy. Further, there are no means of knowing how many persons in each State who were in a bankrupt condition made private arrangements with their creditors either personally or by intervention of a solicitor. The figures quoted in the table exclude the private arrangements in Victoria and South Australia, and the liquidations in Queensland and Tasmania. The Tasmanian statements for the years 1901 and 1903 are defective, inasmuch as they do not include the whole of the assets and liabilities.

BANKRUPTCIES, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	
N.S.W.	Number	43 ^a	45 ^a	463	461	421	408	333
	Liabilities £	207,092	281,204	230,429	440,063	289,220	179,740	219,669
	Assets £	103,478	124,427	123,037	252,293	160,123	93,201	152,454
Vic.	Number	327	406	505	462	570	517	448
	Liabilities £	216,108	364,630	210,056	387,882	235,773	231,823	196,879
	Assets £	86,391	270,061	84,611	133,301	74,673	81,144	53,849
Q'land	Number	362	434	374	323	259	307	236
	Liabilities £	99,207	88,311	70,916	93,235	61,827	45,583	42,343
	Assets £	24,264	30,321	14,817	19,385	14,634	7,045	8,475
S.Aust.	Number	26	35	24	47	39	93	99
	Liabilities £	36,000	40,798	15,221	34,370	11,630	59,412	59,631
	Assets £	20,824	25,138	14,633	12,509	6,102	44,781	33,029
W.A.	Number	65	76	79	101	107	126	113
	Liabilities £	34,532	51,543	34,952	62,487	51,418	59,364	48,927
	Assets £	21,845	17,297	10,631	13,852	23,408	22,012	29,174
Tas.	Number	7	5	5	11	4	5	*
	Liabilities £	2,439	6,018	1,242	6,792	1,019	2,340	
	Assets £	508	3,792	33	3,486	187	1,440	
Cwth.	Number	1,225	1,414	1,450	1,405	1,400	1,454	
	Liabilities £	596,368	825,509	562,846	1,024,829	850,937	573,267	...
	Assets £	257,310	471,036	247,762	440,356	279,127	249,623	

* Not available, 19/3/09.

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, but so far its activities have been confined principally to the latter form. The powers of the court are defined in Chapter III. of the Constitution Act and in the Judiciary Act of 1903. At present the court consists of a Chief Justice and four other judges. Sittings of the court are held in the capitals of the various States as occasion may require. The following statement shews the transactions of the High Court from October, 1903, to 31st December, 1908:—

HIGH COURT.—TRANSACTIONS, 1903 to 1908.

Items.	1903.	1904.	1905.	1906.	1907.	1908.
I. ORIGINAL JURISDICTION.						
Number of writs issued ...	3	35	16	23	38	30
Number of causes entered for trial ...	1	13	12	5	11	8
Verdicts for plaintiffs ...	1	8	11	5	7	4
Verdicts for defendants ...	1	5	1	1	4	5
Otherwise disposed of ...	1	7	3	6	17	11
Amount of judgments...	£45	£560	£1,330	£2,395	£1,092	£1,058
II. APPELLATE JURISDICTION.						
Number of appeals set down for hearing...	1	47	89	93	72	87
Number allowed ...	...	31	41	42	34	31
Number dismissed ...	...	9	31	34	30	36
Otherwise disposed of ...	...	7	17	17	8	20
III. AMOUNT OF FEES COLLECTED.						
Amount in each year ...	£58	£450	£523	£566	£523	£558

§ 6. Cost of Administration of Justice.

The table below shews the expenditure from Consolidated Revenue during each of the last seven years in connection with the administration of justice in each of the States. Expenditure on police and prisons has been separately shewn. With regard to the figures quoted for "other" expenditure, a slight allowance has to be made for the fact that some extraneous expenditure has been included which it was found impossible to disentangle from the total, but the amount is in no instance large. Cost of buildings has been excluded from the return:—

EXPENDITURE ON JUSTICE, 1901 to 1907.

State.		1901.	1902.	1903.	1904.	1905.	1906.	1907.
		£	£	£	£	£	£	£
N.S. Wales	Police	383,332	401,269	416,542	428,374	435,577	434,934	442,804
	Gaols	97,655	101,369	101,968	103,736	93,443	85,835	83,962
	Other	258,072	235,112	240,397	243,992	227,069	216,141	244,092
Victoria ...	Police	287,630	293,998	311,693	311,927	313,649	312,941	306,129
	Gaols	52,812	52,429	52,736	49,574	48,841	49,408	49,866
	Other	139,585	139,289	130,039	126,561	126,200	124,689	122,251
Q'land ...	Police	183,143	184,873	172,913	161,510	159,464	176,086	*202,184
	Gaols	27,694	26,474	26,389	23,305	22,573	22,724	23,558
	Other	85,704	78,379	73,285	70,319	67,621	69,108	85,234
S. Aust. ...	Police	83,697	84,874	84,109	85,090	82,419	85,016	87,374
	Gaols	15,873	15,806	16,094	16,501	16,599	17,232	15,535
	Other	31,537	31,995	29,889	29,342	29,905	30,423	29,169
W. Aust. ...	Police	119,310	123,024	130,312	128,628	126,661	126,276	125,440
	Gaols	25,625	22,727	25,792	29,248	31,610	32,719	32,206
	Other	69,901	64,503	70,932	63,889	64,746	64,607	61,533
Tasmania	Police	38,412	39,222	37,833	36,720	36,537	35,086	37,152
	Gaols	6,035	5,828	5,765	5,596	5,893	5,731	5,465
	Other	18,592	20,342	18,684	18,911	17,267	20,911	18,610
C'wealth	Police	1,095,524	1,128,160	1,153,402	1,152,249	1,154,307	1,170,339	1,201,083
	Gaols	225,694	221,431	228,744	227,960	218,959	213,649	210,592
	Other	593,391	569,620	563,226	553,014	532,908	525,879	560,889

* Includes grant of £20,000 in aid of Superannuation Fund.

The expenditure shewn in the foregoing table is that expended by the State Governments only, and does not include expenditure in connection with the Federal High Court, which is shewn below for the period 1903-4 to 1907-8.

EXPENDITURE ON FEDERAL HIGH COURT

Year.	Amount.	Year.	Amount.
	£		£
1903-4	7,814	1906-7	20,383
1904-5	13,601	1907-8	23,230
1905-6	15,272		

For the purposes of comparison the figures in the table on page 932 have been reduced to a population basis, and the results are given in the table hereunder:—

EXPENDITURE ON JUSTICE PER INHABITANT, 1901 to 1907.

State.	1901.	1902.	1903.	1904.	1905.	1906.	1907.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
N.S. Wales ...	{ Police	5 7	5 9	5 11	5 11	5 11	5 9
	{ Gaols	1 5	1 6	1 5	1 5	1 3	1 2
	{ Other	3 9	3 5	3 5	3 5	3 1	2 10
Victoria ...	{ Police	4 9	4 10	5 2	5 2	5 2	5 1
	{ Gaols	0 11	0 10	0 11	0 10	0 10	0 10
	{ Other	2 4	2 4	2 2	2 1	2 1	2 0
Queensland ...	{ Police	7 4	7 3	6 9	6 3	6 1	6 7
	{ Gaols	1 1	1 0	1 0	0 11	0 10	0 10
	{ Other	3 5	3 1	2 10	2 8	2 7	2 7
S. Australia ...	{ Police	4 7	4 8	4 7	4 7	4 5	4 6
	{ Gaols	0 11	0 10	0 11	0 11	0 11	0 11
	{ Other	1 9	1 9	1 8	1 7	1 7	1 7
W. Australia...	{ Police	12 8	12 0	11 9	10 11	10 1	9 9
	{ Gaols	2 9	2 2	2 4	2 6	2 6	2 6
	{ Other	6 4	6 3	6 5	5 5	5 2	5 0
Tasmania ...	{ Police	4 6	4 6	4 3	4 1	4 1	3 11
	{ Gaols	0 8	0 8	0 8	0 7	0 8	0 8
	{ Other	2 2	2 4	2 1	2 1	1 11	2 4
C'wealth ...	{ Police	5 9	5 10	5 11	5 10	5 9	5 9
	{ Gaols	1 2	1 2	1 2	1 2	1 1	1 0
	{ Other	3 1	3 0	2 11	2 10	2 8	2 7

The total expenditure in the Commonwealth in connection with the administration of justice has, therefore, fallen from ten shillings per inhabitant in 1901 to nine shillings and fivepence in 1907. Police expenditure works out to exactly the same average for the two years in question, the average for gaols is about twopence per head less, while the expenditure on courts and the remaining machinery of justice has fallen by fivepence per head.