

LAW, CRIME, ETC.

**Legal System
in Victoria.**

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

LITIGATION AND LEGAL BUSINESS.

**Supreme
Court civil
business.**

The Supreme Court of Victoria was established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure was entirely remoulded by *The Judicature Act 1883* (now incorporated in the *Supreme Court Act 1928*). There were in 1935, five Judges, viz., a Chief Justice and four Puisne Judges.

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

SUPREME COURT CIVIL CASES, 1931 TO 1935.

Year.	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for—		Amount Awarded.
	Number Issued	Amount Claimed.			Plaintiff.	Defendant.	
		£					£
1931 ..	1,118	456,943	198	73	52	21	81,714
1932 ..	877	253,139	179	97	69	28	39,172
1933 ..	672	192,422	161	95	70	25	44,037
1934 ..	694	192,825	137	86	50	36	19,877
1935 ..	674	184,839	163	92	54	38	13,902

**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 1935 there were 88 sessions, which were held in 25 places. Particulars of litigation in each of the last five years are as follows :—

COUNTY COURT CASES, 1931 TO 1935.

Year.				Number of Causes Tried.	Amount Sued For.	Amount Awarded.
					£	£
1931	..	..	..	556	710,307	430,140
1932	..	..	..	508	638,323	302,726
1933	..	..	..	576	500,779	240,343
1934	..	..	..	859	707,881	210,977
1935	..	..	..	825	515,402	209,292

Workers' Compensation—Arbitration cases.

The number of requests for arbitration under the Workers' Compensation Act during the year 1935 was 378. The aggregate amount of compensation claimed was £79,986, and the amount awarded, £71,863. 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 1935 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 the last five years are given hereunder :—

COURTS OF PETTY SESSIONS: CIVIL CASES, 1931 TO 1935.

Year.				Cases Heard.	Amount Claimed.	Amount Awarded.
					£	£
1931	..	..	..	109,919	1,098,237	841,044
1932	..	..	..	98,200	945,077	696,285
1933	..	..	..	79,424	780,096	582,241
1934	..	..	..	82,783	726,678	525,030
1935	..	..	..	88,828	765,160	560,039

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 1935, 374 appeals against municipal ratings, 17 Children's Maintenance Act cases, 3,917 ejectment cases, 2,949 fraud summons cases against debtors, 2,832 garnishee cases, 18,437 cases relating to licences and certificates, 1,590 maintenance cases, 99 prohibition cases, and 6,401 miscellaneous cases were heard, and 214 persons alleged to be lunatics were examined.

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

WRITS RECEIVED BY THE SHERIFF, 1931 TO 1935.

Year.	King's Writs against Person and Property.	Subjects' Writs against—		Total.
		The Person.	Property.	
1931	9	8	247	264
1932	20	3	256	279
1933	7	13	190	210
1934	2	9	148	159
1935	13	17	171	201

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

BANKRUPTCIES.

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

The number of sequestrations, &c., in Victoria during **Bankruptcies.** each of the five years ended 31st July, 1936, under the *Commonwealth Bankruptcy Acts* 1924-1933, and the amount of liabilities and assets relating thereto, were as follows :—

Year ended 31st July—	Sequestration Orders and Orders for Administration of Deceased Debtors' Estates.	Compositions, Assignments, &c., under Part XI. of the Act.	Deeds of Arrangement under Part XII. of the Act.	Total.
NUMBER.				
1932 ..	319	19	351	689
1933 ..	251	16	259	526
1934 ..	218	11	212	441
1935 ..	201	10	181	392
1936 ..	195	5	143	343
LIABILITIES.				
	£	£	£	£
1932 ..	459,899	154,904	665,598	1,280,401
1933 ..	586,022	79,067	581,361	1,246,450
1934 ..	509,745	37,996	402,150	949,891
1935 ..	307,790	89,467	294,697	691,954
1936 ..	139,113	5,057	288,194	432,364
ASSETS.				
	£	£	£	£
1932 ..	184,550	1,929	586,499	772,978
1933 ..	163,856	68,759	514,681	747,296
1934 ..	116,156	39,414	322,803	478,373
1935 ..	59,391	58,100	209,945	327,436
1936 ..	31,206	5,329	201,299	237,834

The average yearly number of sequestrations and the average declared liabilities are shown in the subjoined table for the five decennial periods ended with 1928 :—

Period.	Average Yearly Number.	Average declared liabilities.
		£
1879 to 1888 ..	612	661,720
1889 to 1898* ..	833	2,213,592
1899 to 1908 ..	445	244,538
1909 to 1918 ..	358	226,517
1919 to 1928 ..	438	396,845

* The failures resulting from the financial crisis of that period accounted for the increase in those years.

DIVORCE.

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

Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 12,026 decrees for dissolution of marriage and 127 decrees for judicial

separation have been granted. Of these, 11,678 and 56 respectively have been issued since 1890; so that, during the 30 years ended 1890, only 348 decrees for dissolution of marriage and 71 for judicial separation were issued, or an average per annum of about twelve of the former and two of the latter; whereas since 1890, the year in which the Divorce Act of 1889 received the Royal Assent, no fewer than 260 decrees per annum for dissolution of marriage have been granted, while the decrees for judicial separation have decreased to about one per annum.

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 1935:—

DIVORCES, 1935.

	Petitions filed by—			Decrees granted to—		
	Husband.	Wife.	Total.	Husband.	Wife.	Total.
Dissolution of Marriage ..	334	398	732	254	345	599
Judicial Separation ..	..	9	9	..	3	3
Nullity of Marriage ..	5	4	9	2	4	6
Total ..	339	411	750	256	352	608

Grounds of divorce.

The grounds upon which divorces were granted during the year 1935 were as follows:—

Grounds on which Granted.	Dissolution of Marriage.		Judicial Separation.		Nullity of Marriage.	
	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.	Husbands' Petitions.	Wives' Petitions.
Adultery ..	85	92	..	3	..	..
Bigamy ..	..	1	..	..	1	2
Cruelty, repeated acts of ..	..	1	..	..	..	..
Desertion ..	161	231	..	..	..	..
Desertion and adultery	3	4	..	..	..	..
Drunkenness (habitual)	1	6	..	..	..	..
Drunkenness and cruelty ..	..	1	..	..	..	..
Impotence ..	..	..	..	..	1	2
Insanity ..	4	3	..	..	..	..
Sentences for crime ..	..	6	..	..	..	..
Total ..	254	345	..	3	2	4

Divorces. 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 five years, also of the proportion of decrees per 100,000 married couples living:—

DIVORCES AND JUDICIAL SEPARATIONS IN VICTORIA 1931 TO 1935.

Year.	Petitions for—		Decrees for—		Divorces and Separations per 100,000 Married Couples Living.
	Dissolution of Marriage.	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.	
1931	478	6	417	2	127
1932	539	2	454	..	137
1933	594	3	495	..	149
1934	666	..	618	..	171
1935	732	9	599	3	166

RACECOURSE LICENCES.

The *Police Offences Act* 1928 provides that no race-meeting shall be held except on a race-course which is licensed under this Act for horse races or for pony races or for trotting races. Any licence shall, unless cancelled, be in force for twelve months from the date of its issue. For each such licence there shall be paid into the Consolidated Revenue a fee of £1, and also an annual sum equal to 3 per cent. of the gross revenue from all sources received from such race-course by the owner or trustees of the race-course during the year immediately preceding the year for which the licence is required. Provided, however, that where the gross revenue is less than £1,500, but more than £600, the annual sum payable shall be 2 per cent. of the gross revenue, and, where the gross revenue is £600 or less, no such annual sum shall be charged. The amounts paid into the Consolidated Revenue in licence fees and percentages on gross revenue during each of the last ten years were as follows:—

REVENUE FROM RACECOURSE LICENCES AND PERCENTAGE FEES, 1926-27 TO 1935-36.

Year ended 30th June.		Amount.	Year ended 30th June.		Amount.
		£			£
1927	.. ..	24,148	1932	.. ..	16,457
1928	.. ..	25,036	1933	.. ..	15,575
1929	.. ..	24,952	1934	.. ..	15,050
1930	.. ..	27,789	1935	.. ..	14,885
1931	.. ..	23,246	1936	.. ..	15,554

CRIME.

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

Administration of the criminal law.

CRIME AND DRUNKENNESS.

Alteration in method of tabulation.

The statistics of crime and drunkenness for the years subsequent to 1932 have been compiled on a basis which differs from that adopted for the years 1893 to 1932. The particulars for the years 1933 to 1935 represent, in respect of multiple charges, the number of offences with which arrested persons were charged, whereas for the period 1893 to 1932 only the most serious offence in such cases had been tabulated. Summons cases in 1933, 1934, and 1935 relate, as in previous years, to all offences with which a person was charged. The statistics for the last three years are comparable with those for the years prior to 1893 appearing in earlier issues of the *Year-Book*.

Offences and drunkenness.

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

CRIME IN THE STATE OF VICTORIA, 1890 TO 1935.

Year.	Number of Arrest and Summons Cases—				
	Offences Against the Person.	Offences Against Property.	Drunkenness.	Other Offences.	Total.
1890*	4,091	5,036	18,501	36,456	64,084
1895	2,344	3,336	11,143	20,843	37,666
1900	2,103	3,106	15,878	28,003	49,090
1910	1,663	3,052	12,719	34,626	52,060
1920	1,909	4,877	7,154	42,758	56,698
1930	1,680	5,078	8,132	41,859	56,749
1931	1,452	5,560	7,018	40,745	54,775
1932	1,553	5,318	8,255	41,671	56,797
1933*	1,617	6,400	9,240	41,149	58,406
1934*	1,500	6,258	8,666	40,646	57,070
1935*	1,500	6,716	10,221	47,536	65,973

* See paragraph "Alteration in method of tabulation" above.

CRIME IN THE STATE OF VICTORIA, 1890 TO 1935—*continued.*

Year.	Number of Arrest and Summons Cases per 1,000 of Population.				
	Offences Against the Person.	Offences Against Property.	Drunkenness.	Other Offences.	Total.
1890*	3·66	4·50	16·54	32·59	57·29
1895	1·98	2·82	9·41	17·60	31·81
1900	1·76	2·60	13·31	23·47	41·14
1910	1·30	2·38	9·92	27·00	40·60
1920	1·26	3·23	4·73	28·27	37·49
1930	·94	2·84	4·55	23·44	31·77
1931	·81	3·09	3·90	22·64	30·44
1932	·86	2·94	4·56	23·04	31·40
1933*	·89	3·52	5·07	22·60	32·08
1934*	·82	3·42	4·73	22·20	31·17
1935*	·82	3·65	5·56	25·84	35·87

* See paragraph "Alteration in method of tabulation" on page 101.

Offences against the person and property.

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

Other Offences.

The only serious crimes included under "Other Offences" are forgery, counterfeiting, conspiracy, and perjury, and these are very few in number, there having been in Victoria in 1935 only 94 of such charges out of a total of 47,536 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. These considerations must also be taken into account in comparing crime in recent years with that in previous periods when there may have been differences in the law and when the population was very differently constituted in regard to sex and age.

Arrests and
summonses
for various
offences.

The following are particulars of the different classes of offences dealt with by magistrates in 1935 :—

ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1935.

Nature of Offence.	Total.	Summarily Convicted, &c.		Discharged by Magistrates.		Committed for Trial.	
		M.	F.	M.	F.	M.	F.
Against the Person—							
Murder and attempts at	17	..	..	6	2	8	1
Manslaughter	6	..	..	1	..	5	..
Shooting at, wounding, &c.	51	5	..	13	2	31	..
Assaults	1,223	661	49	449	51	13	..
Others	203	35	5	45	10	102	6
Total	1,500	701	54	514	65	159	7
Against Property—							
Robbery, burglary, &c.	826	152	3	53	3	608	7
Larceny and similar offences	4,407	2,716	353	637	83	562	56
Wilful damage	407	284	33	82	6	2	..
Others	1,076	633	25	333	20	58	7
Total	6,716	3,785	414	1,105	112	1,230	70
Forgery and Offences against the Currency ..	57	1	..	3	1	39	13
Against Good Order—							
Drunkenness	10,221	8,250	967	918	86	..	..
Others	7,390	5,425	463	1,272	222	8	..
Total	17,611	13,675	1,430	2,190	308	8	..
Other Offences—							
Breaches of—							
Education Act	6,417	4,813	932	545	127	..	..
Electoral Act	310	148	36	82	44	..	..
Licensing Act	6,182	4,151	586	1,151	294	..	..
Motor Car Act	9,361	8,528	164	626	43	..	..
Pure Food Act	448	338	24	79	7	..	..
Miscellaneous	17,371	13,941	945	2,173	251	45	16
Total	40,089	31,919	2,687	4,656	766	45	16
Grand Total	65,973	50,081	4,585	8,468	1,252	1,481	106

Of the 65,973 cases dealt with, 54,666 were summarily convicted, 9,720 were discharged, and 1,587 committed for trial. These particulars include the cases disposed of in Children's Courts, which are detailed in a subsequent table, other than arrests of neglected children.

Arrest and
summons
cases.

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

ARREST AND SUMMONS CASES, 1931 TO 1935.

Year.	Arrest Cases.		Summons Cases.		Total.
	Males.	Females.	Males.	Females.	
1931	14,214	1,977	35,037	3,547	54,775
1932	14,487	1,977	36,803	3,530	56,797
1933*	17,815	2,059	34,638	3,894	58,406
1934*	16,280	2,009	35,161	3,620	57,070
1935*	17,833	2,111	42,197	3,832	65,973

* See paragraph "Alteration in method of tabulation" on page 101.

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, also the number per 10,000 of the population :—

DISPOSAL OF ARREST AND SUMMONS CASES, 1931 TO 1935.

Year.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.
1931	54,775	42,977	10,703	1,095
1932	56,797	45,664	10,109	1,024
1933*	58,406	47,079	9,923	1,404
1934*	57,070	45,748	9,791	1,531
1935*	65,973	54,666	9,720	1,587
Number per 10,000 of Population.				
1931	304·4	238·8	59·5	6·1
1932	314·0	252·4	55·9	5·7
1933*	320·8	258·6	54·5	7·7
1934*	311·7	249·8	53·5	8·4
1935*	358·7	297·2	52·9	8·6

* See paragraph "Alteration in method of tabulation" on page 101.

The table which follows shows the number of cases which were disposed of in Children's Courts during the year 1935. The jurisdiction of this Court is limited to children under the age of seventeen years:—

CHILDREN'S COURTS: CASES DISPOSED OF, 1935.

Nature of Offence.	Number of Offences for which—				Others (Application to board out, &c.).		Total Cases Disposed of.	
	Arrests were made.		Summonses were issued.		M.	F.	M.	F.
	M.	F.	M.	F.				
Against the Person—								
Assaults	23	..	50	..	..	..	73	..
Others	2	..	7	..	..	..	9	..
Total	25	..	57	..	..	..	82	..
Against Property—								
Larceny, &c.	456	11	1,476	45	..	..	1,932	56
Wilful Damage	4	..	159	1	..	..	163	1
Others	7	1	18	..	..	..	25	1
Total	467	12	1,653	46	..	..	2,120	58
Against Good Order—								
Drunkenness	6	1	..	..	..	..	6	1
Others	25	12	212	3	..	..	237	15
Total	31	13	212	3	..	..	243	16
Other Offences	189	118	1,230	34	92	78	1,511	230
Grand Total	712	143	3,152	83	92	78	3,956	304

The number of arrests and summons cases which was disposed of in Children's Courts in each of the last five years, was:—3,656 in 1930, 3,303 in 1931, 3,105 in 1932, 2,993 in 1933, 3,063 in 1934, and 4,090 in 1935.

The arrests of neglected children, which in 1935 numbered 59 (35 males and 24 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.

Arrest cases
summarily
disposed of by
magistrates.

The following is a statement of the arrest cases
summarily disposed of by magistrates during 1935:—

ARREST CASES SUMMARILY DISPOSED OF BY
MAGISTRATES, 1935.

Sentence.	Males.	Females.	Total.
Fines paid	4,556	443	4,999
Imprisonment for—			
Under 1 month	3,338	583	3,921
1 month and under 6 months ..	1,243	118	1,361
6 " " 12 " ..	195	26	221
1 year and under 2 years ..	58	3	61
Admonished	3,514	384	3,898
Ordered to find bail or sentence sus- pended on entering surety ..	436	87	523
Sent to Reformatory Schools, &c. ..	174	8	182
Otherwise dealt with	249	37	286
Total convicted	13,763	1,689	15,452
Discharged	2,679	347	3,026
Total summarily disposed of ..	16,442	2,036	18,478
Convictions per 10,000 of population	151·19	18·18	84·01

Particulars of the distinct persons tried before superior courts in 1935 are shown below in respect of arrest cases only. Where an individual was charged with more than one offence, the principal offence only has been taken into account.

COMMITTALS FOR TRIAL OF DISTINCT PERSONS, 1935.

(Arrest cases only.)

Offences.	Distinct Persons Charged.	Result of Trial—	
		Withdrawn, Discharged.	Convicted.
Against the Person—			
Murder	4	2	2*
Attempted Murder	3	2	1†
Manslaughter	4	4	..
Wounding or inflicting grievous bodily harm, &c.	25	13	12
Rape and other offences against females	64	16	48
Unnatural offences	11	4	7
Other	12	2	10
Against Property—			
Robbery and Stealing from the Person	35	20	15
Burglary, Housebreaking, etc. ..	305	40	265
Stealing Horses, Cattle, and Sheep ..	20	7	13
Other Larceny	191	68	123
Fraud and False Pretences	77	18	59
Arson and attempts at	8	6	2
Other	25	18	7
Forgery and offences against the Currency	16	2	14
Other offences—			
Perjury and Subornation	7	3	4
Conspiracy	19	10	9
Other	7	2	5
Total	833	237	596

* Convicted of "Manslaughter."

† Convicted of "Shooting with intent to do bodily harm."

Offence and age of distinct persons arrested who were convicted after commitment for trial. The following table contains for the year 1935 a classification according to offence and age of distinct persons arrested who were convicted after commitment for trial:—

Offences.	Ages (Years).								Total.
	Under 16.	16 to 17.	18 to 19.	20 to 24.	25 to 29.	30 to 39.	40 to 59.	60 and Over.	
MALES.									
Against the Person ..	2	4	5	22	9	21	9	3	75
Against Property	38	66	124	87	82	66	4	467
Forgery and Offences against the Currency	5	1	3	2	..	11
Other Offences	2	1	4	6	..	13
Total ..	2	42	71	153	98	110	83	7	566
FEMALES.									
Against the Person	1	2	2	..	..	5
Against Property	1	6	5	1	4	..	17
Forgery and Offences against the Currency	2	1	..	3
Other Offences	3	2	..	..	..	5
Total	1	10	9	5	5	..	30

Drunkennes. The number of persons and the number per 1,000 of the population arrested or summoned for drunkennes during the last five years are given hereunder:—

PERSONS ARRESTED OR SUMMONED FOR DRUNKENNESS 1931 TO 1935.

Year.	Number of Persons—			Number per 1,000 of Population.	Number of Convictions.
	Arrested.	Summoned.	Total.		
1931	6,970	48	7,018	3·90	5,602
1932	8,164	91	8,255	4·56	7,028
1933	9,159	81	9,240	5·08	7,975
1934	8,593	73	8,666	4·73	7,244
1935	10,200	21	10,221	5·56	9,217

The continuity of the above statistics has not been materially affected by the alteration in the method of tabulation referred to on page 101.

Drunkennes —Comparison with previous years. The amount of drunkennes in proportion to population, as evidenced by arrests, being taken as 100 in 1874-78, 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	1923-27	41
1879-85	88	1928	37
1886-92	106	1929	36
1893-97	65	1930	31
1898-1902	84	1931	27
1903-07	77	1932	31
1908-12	68	1933	35
1913-17	59	1934	32
1918-22	32	1935	38

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 reducing the number of hours during which alcoholic liquors could be sold in hotels, and a further reduction was made in the following year. This probably accounts for the marked decrease in the number of arrests for drunkenness since those years.

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

ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED WITH DRUNKENNESS, 1931 TO 1935.

Year.	Number.	Number per 100,000 of the Population under 20 years of age.
1931	100	15·97
1932	100	15·89
1933	120	18·94
1934	88	13·81
1935	94	14·68

CONSUMPTION OF BEER.

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

CONSUMPTION OF BEER IN VICTORIA 1931-32 TO 1935-36.

Year.	Quantity of Beer Consumed.	Per head of Population.
	gallons.	gallons.
1931-32	14,184,200	7·86
1932-33	14,063,700	7·75
1933-34	15,969,300	8·75
1934-35	16,958,500	9·23
1935-36	19,538,800	10·60

LOCAL OPTION.**Local Option Acts of 1920 and 1922.**

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

Local Option Poll held 21st October, 1920.

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

Licensing Poll, 1930.

On the 29th March, 1930, a Referendum, called a Licensing Poll, was conducted under Part XIV. of the *Licensing Act* 1928 (as amended) to determine whether or not licences should be abolished throughout Victoria. The poll was State-wide, and was the first of the octennial polls provided for by the *Licensing Act* of 1922 (now incorporated in the *Licensing Act* 1928). The number of votes recorded for the abolition of licences was 418,902, whilst 552,339 votes were recorded against the resolution.

Hotels Closed, 1885-1905.

During the period 1885 to 1905, 217 hotels were closed as the result of local option polls. The amount of compensation awarded was £212,270, 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 Consolidated Revenue.

Restricting the hours for the sale of intoxicants.

Prior to 1915, the trading hours of hotels were from 6 a.m. to 11.30 p.m. On 6th July, 1915, the trading hours were reduced to 9 a.m. to 9.30 p.m. by Act No. 2584. Fifteen months later a further reduction was made which provided that from 8th October, 1916, the closing hour of hotels was to be 6 p.m. instead of 9.30 p.m. during the period of the war. This provision was made permanent by Act No. 3028 passed on 19th December, 1916. The trading hours in force at the present time are therefore 9 a.m. to 6 p.m. Apart from Sundays, trading is permitted on every day of the year except Anzac Day (25th April of each year) and Good Friday. The *Anzac Day Act* 1925 (now incorporated in the *Licensing Act* 1928) and the *Licensing (Good Friday) Act* 1934 (assented to on the 9th October, 1934) provided for non-trading on those days.

LICENCES REDUCTION BOARD.**Licences Reduction Board.**

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

Up to 30th September, 1936, 1,778 hotels had been closed by the Board or had surrendered their licences. The total sum paid in compensation was £1,171,261, or an average of £659 each. Five hundred and twenty of these hotels were located in the Greater Melbourne district; the compensation paid in connexion with these

totalled £562,542, making an average of £1,082 each. There were 1,258 hotels closed in country districts, whose owners and licensees received £608,719, or an average of £484 for each hotel.

In addition to the above closings, the following have been deprived of their licences as a result of the local option poll held on 21st October, 1920:—5 spirit merchants, 4 grocers, 1 club, and 4 Australian wine licensees. The amount of compensation awarded was £550. Since 1922, 24 spirit merchants', 3 grocers', and 76 Australian wine licences have been taken away, for which compensation to the amount of £13,645 has been awarded.

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

Since 1922 plans have been passed by the Board for new and improved licensed premises, the estimated cost being £4,000,000.

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

NUMBER OF HOTELS, 1885 TO 30TH SEPTEMBER, 1936.

Year.	Estimated Population.	Number of Hotels.*	Persons to each Hotel.
1885	969,200	4,339	223
1906	1,219,832	3,520	347
1930	1,792,605	1,803	994
1931	1,803,570	1,781	1,013
1932	1,813,387	1,770	1,025
1933	1,824,479	1,759	1,037
1934	1,837,490	1,749	1,051
1935	1,843,099	1,744	1,057
1936 (30th September)	1,849,396	1,738	1,064
Increase, 1885 to 30th September, 1936	880,196	..	841
Decrease, 1885 to 30th September, 1936	..	2,601	..

* Including Roadside Licences.

While the population has increased by 91 per cent. since 1885, the number of hotels has decreased by 60 per cent., and the number of persons to an hotel is now 377 per cent. more than it was in that year. During the period 1885 to 30th September, 1936, 227 hotels were closed as the result of local option polls, 1,778 were deprived of their licences by the Licences Reduction Board, or surrendered their licences to the Board, and 663 were closed voluntarily. During the period 1907 to 30th September, 1936, 74 new licences were granted.

The revenue for the year ended 30th June, 1936, amounted to £227,937. The amounts received from the various sources were:—Licences, certificates, &c., £203,602; interest on investments, £10,982; fees and fines, £13,164; and miscellaneous, £189. The expenditure totalled £227,937, and consisted of the following items:—Annual payments to municipalities, £60,252; compensation, £6,750; transferred to Police Superannuation Fund under section 311 of Act No. 3717, £23,000; transferred to revenue under section 312 of Act No. 3717, as amended by Act No. 4304, £120,454; and salaries, expenses, &c., £17,481. The amount at credit of the fund at 30th June, 1936, was £437,376, of which £341,000 was invested.

GAOLS AND PRISONERS.

There are five gaols in Victoria, including the Pentridge Penal Establishment, and five reformatory prisons, also two police gaols which are used as receiving stations. The following statement contains information for the year 1935 in regard to the accommodation for prisoners, the daily average number in confinement, the number received during the year, and the number in confinement at the end of the year:—

GAOL ACCOMMODATION AND PRISONERS, 1935.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received (including transfers).		In Confinement, at end of year.*	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ..	895	83	747	44	4,502	673	712	44
Pentridge Reformatory Prison	68	3	79	..	205	..	79†	..
Ballarat Gaol ..	66	18	38	..	358	2	35	..
Beechworth Reformatory Prison	78	..	58	..	40	..	60	..
Bendigo Gaol ..	116	28	18	..	198	7	8	..
Castlemaine Reformatory Prison	91	..	80	..	114	..	90	..
Geelong Gaol ..	179	..	131	..	376	1	121	..
Geelong Reformatory Prison ..	21	..	9	..	13	..	13	..
McLeod Settlement Reformatory Prison ..	52	..	52	..	41	..	50	..
Sale Gaol ..	26	9	4	..	51	1	8	..
Police Gaols ..	25	4	4	..	162	1	3	..
Total ..	1,617	145	1,220	44	6,060	685	1,179	44

* Including 61 males and 3 females awaiting trial.
 † Extra accommodation is provided in Pentridge.

The number of prisoners received at and discharged from the gaols and reformatory prisons (excluding police gaols) in Victoria is given in the following table for the year 1935 :—

PRISONERS RECEIVED AT AND DISCHARGED FROM
GAOLS AND REFORMATORY PRISONS, 1935.
(Exclusive of Police Gaols.)

Heading.	Males.	Females.	Total.
Number in Confinement at 31st December, 1934—			
Convicted	1,190	34	1,224
Unconvicted	65	5	70
Total	1,255	39	1,294
Received during 1935—			
Convicted of—			
Felony	1,171	47	1,218
Misdemeanour	1,591	250	1,841
Other offences	1,143	256	1,399
Transfers from—			
Other Gaols and Reformatory Prisons ..	569	1	570
Asylums, Reformatory Schools, &c. ..	44	..	44
For Trial, not subsequently convicted ..	1,380	130	1,510
Total	5,898	684	6,582
Discharged during 1935—			
By remission of sentence	527	30	557
On expiration of sentence and payment of fines	3,064	489	3,553
Bailed to appeal	63	17	80
On bond from Court	6	..	6
By special authority	133	5	138
On parole	150	..	150
Died	6	..	6
Deported	6	..	6
Absconded	9	..	9
Transfers to—			
Other Gaols and Reformatory Prisons ..	569	1	570
Asylums, Reformatory Schools, &c. ..	63	6	69
Unconvicted	1,381	131	1,512
Total	5,977	679	6,656
Number in Confinement at 31st December, 1935—			
Convicted	1,115	41	1,156
Unconvicted	61	3	64
Total	1,176	44	1,220

The following table shows the number of prisoners under sentence in the gaols of Victoria at the end of each of the last ten years. The figures disclose a considerable increase in the years subsequent to 1928.

PRISONERS UNDER SENTENCE, 1926 TO 1935.

At 31st December.	Males.	Females.	Total.	Total number per 10,000 of Population.	At 31st December.	Males.	Females.	Total.	Total number per 10,000 of Population.
1926	875	40	915	5·34	1931	1,364	43	1,407	7·80
1927	856	27	883	5·07	1932	1,275	64	1,339	7·38
1928	896	38	934	5·30	1933	1,297	50	1,347	7·38
1929	1,099	46	1,145	6·44	1934	1,191	34	1,225	6·67
1930	1,259	40	1,299	7·25	1935	1,118	41	1,159	6·29

A statement is given below of the daily average number of prisoners in detention in the gaols of the State in the last year of each of the decennial periods 1871 to 1921 inclusive, and in each of the last five years. The rate per 10,000 of the population, aged fifteen years and over, was, in 1935, 36 per cent. less than in 1901, 5 per cent. more than in 1911, 25 per cent. more than in 1921, and 9 per cent. more than in 1928.

DAILY AVERAGE NUMBER OF PRISONERS IN CONFINEMENT, 1871 TO 1935.

Year.	Daily Average Number of Prisoners in Confinement.			Number per 10,000 of Population, aged 15 years and over.		
	Males.	Females.	Total.	Males.	Females.	Total.
1871 ..	1,345	274	1,619	54·77	15·46	38·30
1881 ..	1,294	304	1,598	45·25	12·35	30·03
1891 ..	1,550	350	1,900	38·78	10·07	25·43
1901 ..	951	200	1,151	23·92	5·06	14·53
1911 ..	713	100	813	15·73	2·16	8·87
1921 ..	741	54	795	14·56	·98	7·40
1931 ..	1,391	50	1,441	22·59	·78	11·43
1932 ..	1,436	62	1,498	23·26	·95	11·82
1933 ..	1,393	65	1,458	22·23	1·00	11·41
1934 ..	1,320	55	1,375	19·83	·80	10·14
1935 ..	1,220	44	1,264	18·27	·63	9·28

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

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

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

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

Name of Reformatory Prison.	Year ended 30th June.				
	1932.	1933.	1934.	1935.	1936.
Pentridge Reformatory Prison ..	63	} 75	82	69	59
Metropolitan Gaol Reformatory Prison	1				
Reformatory for Females, Coburg ..	1	} 66	64	62	70
Beechworth Reformatory Prison ..	67				
Castlemaine Reformatory Prison ..	93	73	95	77	89
Geelong Reformatory Prison ..	17	14	9	9	14
McLeod Settlement, French Island	53	54	50	53	53
Total	295	282	300	270	285

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

From 1st July, 1908, to 30th June, 1935, admissions to the several reformatories totalled 3,329 (3,284 males and 45 females). Particulars of those released on parole or probation (inclusive of cases released more than once) during the same period are given hereunder:—

Heading.	Number.	Per Cent.
Reconvicted or returned to prison	1,197	42.25
Probation satisfactorily completed	1,196	42.22
Still on parole or probation	419	14.79
Deaths on parole or probation	21	0.74
Total released on parole or probation ..	2,833	100.00

POLICE PROTECTION.

The following table shows the numbers in the various grades of the police force in Victoria on the 31st December, 1935 :—

POLICE IN VICTORIA, 31ST DECEMBER, 1935.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Foot.</i>			
Chief Commissioner	1	..	1
Superintendents	2	9	11
Inspectors	10	5	15
Sub-Inspectors	16	7	23
Sergeants, First class	38	10	48
„ Second class	33	15	48
Senior Constables	152	76	228
Senior Constables (brevet rank)	2	..	2
First Constables	500	254	754
Constables	759	92	851
Total	1,513	468	1,981
<i>Detectives.</i>			
Superintendents	1	..	1
Sub-inspectors	1	..	1
Sergeants, First class	3	..	3
„ Second class	2	..	2
Senior Detectives	23	..	23
First Detectives	38	..	38
Detectives	15	..	15
Total	83	..	83
<i>Mounted.</i>			
First Constables	7	91	98
Constables	24	54	78
Total	31	145	176
Grand Total	1,627	613	2,240

In addition to the above there were 7 police-women, 3 matrons, and 2 black trackers employed by the Police Department on the 31st December, 1935.

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

STRENGTH OF POLICE FORCE IN VICTORIA, 1926 TO 1935.

Year.	Total Strength including Police-women.	Number of Inhabitants to each Police-officer.	Year.	Total Strength including Police-women.	Number of Inhabitants to each Police-officer.
1926	1,963	873	1931	2,107	856
1927	1,977	881	1932	2,121	855
1928	2,112	834	1933	2,148	849
1929	2,148	828	1934	2,170	847
1930	2,115	848	1935	2,247	820

Strength of police force in Australian States.

The appended table shows for each Australian State the strength of the police force at the end of 1935:—

STRENGTH OF POLICE FORCE IN AUSTRALIAN STATES, 1935.

State.	Total Strength including Police-women.	Number of Inhabitants to each Police Officer.
Victoria	2,247	820
New South Wales	3,593	740
Queensland	1,310	741
South Australia*	766	763
Western Australia	566	791
Tasmania*	281	815

* At 30th June, 1935.

Expenditure
on police,
gaols, &c.

The next table contains a statement of the amount and the amount per head of population expended from Consolidated Revenue in connexion with the police, and the penal establishments and gaols of Victoria, in each of the five years ended 30th June, 1936 :—

EXPENDITURE ON POLICE AND GAOLS, 1931-32 TO 1935-36.

Year ended 30th June.	Amount Expended (exclusive of Pensions) on—					Amount per Head of Population.
	Maintenance, &c.		Buildings.		Total.	
	Police.	Gaols and Penal Es- tablishments.	Police.	Gaols and Penal Es- tablishments.		
	£	£	£	£	£	s. d.
1932 ..	586,560	96,167	1,929	1,392	686,048	7 7
1933 ..	601,919	94,784	2,424	1,172	700,299	7 9
1934 ..	616,153	105,125	4,417	1,207	726,902	8 0
1935 ..	654,846	106,385	10,904	2,450	774,585	8 5
1936 ..	693,892	110,189	20,205	3,926	828,212	9 0

Executions.

During the thirty-one years ended with 1935 there were only nine executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, two in 1918, one in 1922, one in 1924, and one in 1932. Since the first settlement of Port Phillip in 1835, 177 criminals have been executed within the State, of whom only four were females.

Inquests.

During 1935 there were 1,641 inquests or magisterial inquiries held in Victoria into the causes of deaths of 1,698 persons (1,230 males and 468 females), or 9.2 per 10,000 of the population. In 613 cases death was found to be due to disease or natural causes, in 824 cases to accident, in 41 to homicide, in 174 to suicide, in 35 to illegally induced abortion, in 3 to external causes which could not be ascertained, in 4 to intemperance, and in 4 to unspecified or doubtful causes.