

## 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 first established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure was entirely remoulded by *The Judicature Act* 1883 (now incorporated in the *Supreme Court Act* 1928). There were in 1932 seven Judges, viz., a Chief Justice and six Puisne Judges.

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

### SUPREME COURT CIVIL CASES, 1927 TO 1931.

Year.	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for—		Amount Awarded.
	Number Issued.	Amount Claimed.			Plaintiff.	Defendant.	
		£					£
1927 ..	1,288	244,320	250	112	48	14	34,560
1928 ..	1,087	264,332	253	124	53	33	16,432
1929 ..	1,204	219,588	231	88	66	22	65,709
1930 ..	1,222	311,523	230	119	77	42	28,209
1931 ..	1,118	456,943	198	74	52	21	81,714

**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 1931 there were 90 sessions, lasting 444 days and held in 33 places. Particulars of litigation in each of the last five years are as follows :—

#### COUNTY COURT CASES, 1927 TO 1931.

Year.					Number of Cases Tried.	Amount Sued For.	Amount Awarded.
						£	£
1927	..	..	..	..	937	761,250	354,292
1928	..	..	..	..	1,019	735,872	355,687
1929	..	..	..	..	934	777,536	402,131
1930	..	..	..	..	936	833,441	387,092
1931	..	..	..	..	556	710,307	430,140

**Workers' Compensation—Arbitration cases.** The number of requests for arbitration under the Workers' Compensation Act during the year 1931 was 309. The aggregate amount of compensation claimed was £47,888, and the amount awarded, £46,527. These figures are not included in the above table.

**Petty Sessions civil business.** Courts of Petty Sessions were held at 229 places in Victoria in 1931 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, 1927 TO 1931.

Year.					Cases Heard.	Amount Claimed.	Amount Awarded.
						£	£
1927	..	..	..	..	97,993	851,029	653,548
1928	..	..	..	..	103,906	873,199	680,151
1929	..	..	..	..	111,832	982,945	776,238
1930	..	..	..	..	120,063	1,141,614	882,594
1931	..	..	..	..	109,919	1,098,237	841,044

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 1931, 2,067 appeals against municipal ratings, 38 Children's Maintenance Act cases, 2,800 ejectment cases, 2,460 fraud summons cases against debtors, 2,753 garnishee cases, 20,058 cases relating to licences and certificates, 1,782 maintenance cases, 117 prohibition cases, and 3,964 miscellaneous cases were heard, and 247 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, 1927 TO 1931.

Year.			King's Writs against Person and Property.	Subjects' Writs against—		Total.
				The Person.	Property.	
1927	..	..	4	12	397	413
1928	..	..	3	12	315	330
1929	..	..	15	9	413	437
1930	..	..	9	17	346	372
1931	..	..	9	8	247	264

**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 four years ended 31st July, 1932, under the *Commonwealth Bankruptcy Act* 1924-28, 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.				
1929 ..	304	15	159	478
1930 ..	418	11	276	705
1931 ..	473	26	553	1,052
1932 ..	319	19	351	689
LIABILITIES.				
	£	£	£	£
1929 ..	419,005	2,502	1,175,992	1,597,499
1930 ..	410,870	6,500*	827,073	1,244,443
1931 ..	564,565	53,448*	1,108,495	1,726,508
1932 ..	459,899	154,904*	665,598	1,280,401
ASSETS.				
	£	£	£	£
1929 ..	123,472	3,061	1,102,766	1,229,299
1930 ..	219,555	4,619*	751,861	976,035
1931 ..	290,457	21,301*	1,009,103	1,320,861
1932 ..	184,550	1,929*	586,499	772,978

\* Complete figures are not available.

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 swelled these returns.

## DIVORCE.

The present law in regard to divorce is contained in the *Marriage Act* 1915, and a summary thereof is given in the *Year-Book* for 1916-17, page 445. The Act of 1915 was amended by Acts passed in 1919, 1921, and 1923, but the amendments relate to minor matters and do not affect the main features of the principal Act. The provisions of these Acts are now embodied in the Consolidated Act of 1928. The grounds upon which divorce might be granted were considerably extended by an Act passed in 1889.

**Number of Divorces.**

Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 9,860 decrees for dissolution of marriage and 124 decrees for judicial separation have been granted. Of these, 9,512 and 53 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 the Divorce Act of 1889 received the Royal Assent in 1890, no fewer than 232 decrees per annum for dissolution of marriage have been granted, while the decrees for judicial separation have decreased to about one per annum.

**Divorces, Sex.**

The following table gives the number of petitions filed by husband and wife respectively, and the number of decrees granted for divorce, judicial separation, and nullity of marriage during the year 1931 :—

**DIVORCES, 1931.**

	Petitions filed by—			Decrees granted to—		
	Husband.	Wife.	Total.	Husband.	Wife.	Total.
Dissolution of Marriage	221	257	478	188	229	417
Judicial Separation ...	...	6	6	...	2	2
Nullity of Marriage ...	3	3	6	1	5	6
Total ...	224	266	490	189	236	425

**Grounds of divorce.**

The grounds upon which divorces were granted during the year 1931 were as follows :—

Grounds on which Granted.	Dissolution of Marriage.		Judicial Separation.		Nullity of Marriage.	
	Husband.	Wife.	Husband.	Wife.	Husband.	Wife.
Adultery ...	59	56	...	1	...	...
Bigamy ...	...	1	...	...	...	4
Cruelty, repeated acts of ...	...	1	...	1	...	...
Desertion ...	121	155	...	...	...	...
Desertion and adultery ...	3	6	...	...	...	...
Drunkenness (habitual) ...	...	6	...	...	...	...
Drunkenness and cruelty ...	...	1	...	...	...	...
Impotence ...	...	...	...	...	1	1
Insanity ...	5	2	...	...	...	...
Sentences for crime ...	...	1	...	...	...	...
Total ...	188	229	...	2	...	5

**Divorces, 1927 to 1931.** 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 1927 TO 1931.

Year.	Petitions for—		Decrees for—		Divorces and Separations per 100,000 Married Couples Living.
	Dissolution of Marriage	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.	
1927	590	4	513	2	163
1928	604	9	481	..	150
1929	528	3	542	2	168
1930	489	2	381	1	117
1931	478	6	417	2	127

In New South Wales, where the law in regard to divorce does not differ much from that in Victoria, there were, in 1930, 1,148 decrees for dissolution of marriage and judicial separation. The number of divorces and separations in that year per 100,000 married couples living was 247. The average annual number for the five-year period 1927-31, in proportion to a like number of married couples, was 244, as compared with an average of 150 for the same period in Victoria.

### CRIME.

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

**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.

In the early part of the financial year 1916-17 the Board brought into operation two valuable aids to the reformation of the inmates of the reformatory prisons, by the Government sanctioning the purchase of a farm in connexion with the Castlemaine Reformatory, and by the establishment of a forestry settlement at French Island.

The gaol at Beechworth, after undergoing some remodelling, was opened as a reformatory prison in 1926.

In 1929 upwards of 190 acres of land were acquired for penal purposes within three miles of the reformatory. The area has since been added to, making in all 253 acres. Useful work is found on this land for a number of the inmates of the reformatory in clearing the timber, planting pines, and eradicating the St. John's wort pest.

Prisoners for this reformatory are chosen in the same way as for French Island, viz., from those under indeterminate detention at Pentridge.

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.				
	1928.	1929.	1930.	1931.	1932.
Pentridge Reformatory Prison ..	76	97	93	79	63
Castlemaine Reformatory Prison ..	86	105	97	110	93
Reformatory for Females, Coburg ..	3	1	2	2	1
McLeod Settlement, French Island ..	42	42	40	51	53
Geelong Reformatory Prison ..	10	13	16	16	17
Beechworth Reformatory Prison ..	29	29	53	71	67
Metropolitan Gaol Reformatory Prison ..	..	1	2	2	1
Total .. ..	246	288	303	331	295

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.

**OFFENCES HEARD BY MAGISTRATES.**

Arrests and  
summonses  
for various  
offences.

The following are particulars of the different classes of offences dealt with by magistrates in 1931 :—

**ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1931.**

Nature of Offence.	Total.	Summarily Convicted, &c.		Discharged by Magistrates.		Committed for Trial.	
		M.	F.	M.	F.	M.	F.
<b>Against the Person—</b>							
Murder and attempts at	8	...	...	4	...	3	1
Manslaughter ...	7	...	...	2	...	5	...
Shooting at, wounding, &c. ...	30	...	...	6	1	23	...
Assaults ...	1,142	599	31	449	59	4	...
Others ...	265	78	6	61	9	106	5
<b>Total</b> ...	<b>1,452</b>	<b>677</b>	<b>37</b>	<b>522</b>	<b>69</b>	<b>141</b>	<b>6</b>
<b>Against Property—</b>							
Robbery, burglary, &c.	676	115	1	50	4	493	13
Larceny and similar offences ...	3,606	2,153	280	786	83	294	10
Wilful damage ...	315	195	13	97	10	...	...
Others ...	963	619	33	228	18	60	5
<b>Total</b> ...	<b>5,560</b>	<b>3,082</b>	<b>327</b>	<b>1,161</b>	<b>115</b>	<b>847</b>	<b>28</b>
<b>Forgery and Offences against the Currency</b>	<b>17</b>	...	...	<b>1</b>	<b>2</b>	<b>11</b>	<b>3</b>
<b>Against Good Order—</b>							
Drunkenness ...	7,018	4,944	658	1,282	134	...	...
Others ...	7,064	4,535	621	1,557	351	...	...
<b>Total</b> ...	<b>14,082</b>	<b>9,479</b>	<b>1,279</b>	<b>2,839</b>	<b>485</b>	...	...
<b>Other Offences—</b>							
Perjury ...	17	...	...	1	..	13	3
Breaches of—							
Education Act ...	5,084	3,709	680	589	106	...	...
Electoral Act ...	181	124	16	27	14	...	...
Licensing Act ...	4,441	3,078	447	714	202	...	...
Motor Act ...	2,663	2,289	47	315	12	...	...
Pure Food Act ...	625	430	51	123	21	...	...
Miscellaneous ...	20,653	16,621	1,204	3,015	370	43	...
<b>Total</b> ...	<b>33,664</b>	<b>25,651</b>	<b>2,445</b>	<b>4,784</b>	<b>725</b>	<b>56</b>	<b>3</b>
<b>Grand Total</b> ...	<b>54,775</b>	<b>38,889</b>	<b>4,088</b>	<b>9,307</b>	<b>1,396</b>	<b>1,055</b>	<b>40</b>

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



Of the persons dealt with in the 38,584 summons cases, 31,206 were summarily convicted, 7,298 were discharged, and 80 were committed for trial. Of the total persons dealt with (54,775), 42,977 were summarily convicted, 10,703 were discharged, and 1,095 were committed for trial.

The table which follows shows the number of arrests and summonses for various offences which were disposed of in Children's Courts during the year 1931 :—

### CHILDREN'S COURTS: ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1931.

Nature of Offence.	Number of Offences for which—				Others (Application to board out, &c.).		Total Offences.	
	Arrests were made.		Summonses were issued.					
	M	F.	M.	F.	M.	F.	M.	F.
<b>Against the Person—</b>								
Assaults .. .. .	24	1	32	5	..	..	56	6
Others .. .. .	10	..	5	..	..	..	15	..
<b>Total .. .. .</b>	<b>34</b>	<b>1</b>	<b>37</b>	<b>5</b>	<b>..</b>	<b>..</b>	<b>71</b>	<b>6</b>
<b>Against Property—</b>								
Larceny, &c. .. ..	525	7	1,193	60	..	..	1,718	67
Wilful Damage .. ..	15	..	142	..	..	..	157	..
Others .. .. .	25	..	58	3	..	..	83	3
<b>Total .. .. .</b>	<b>565</b>	<b>7</b>	<b>1,393</b>	<b>63</b>	<b>..</b>	<b>..</b>	<b>1,958</b>	<b>70</b>
<b>Against Good Order—</b>								
Drunkenness .. ..	1	1	..	..	..	..	1	1
Others .. .. .	27	14	146	10	..	..	173	24
<b>Total .. .. .</b>	<b>28</b>	<b>15</b>	<b>146</b>	<b>10</b>	<b>..</b>	<b>..</b>	<b>174</b>	<b>25</b>
<b>Other Offences—</b>								
Breach of Licensing Act ..	..	..	1	..	..	..	1	..
Miscellaneous .. ..	155	86	695	15	25	22	875	123
<b>Total .. .. .</b>	<b>155</b>	<b>86</b>	<b>696</b>	<b>15</b>	<b>25</b>	<b>22</b>	<b>876</b>	<b>123</b>
<b>Grand Total .. ..</b>	<b>782</b>	<b>109</b>	<b>2,272</b>	<b>93</b>	<b>25</b>	<b>22</b>	<b>3,079</b>	<b>224</b>

The number of arrests and summons cases which were disposed of in Children's Courts in the previous five years were :—4,031 in 1926, 4,248 in 1927, 3,760 in 1928, 3,980 in 1929, and 3,656 in 1930.

The arrests of neglected children, which in 1931 numbered 70, viz., 46 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.

Arrests and  
summons  
cases.

Of the persons who were brought before magistrates during the last five years, 30 per cent. were arrested, and 70 per cent. summoned. Particulars for the last five years are given in the subjoined table :—

### ARRESTS AND SUMMONSES, 1927 TO 1931.

Year.	Arrested by the Police.	Brought before Magistrates on Summons.	Total.
1927 ... ..	19,507	47,769	67,276
1928 ... ..	18,559	42,003	60,562
1929 ... ..	18,637	39,460	58,097
1930 ... ..	17,295	39,454	56,749
1931 ... ..	16,191	38,584	54,775

Neglected  
children  
arrested.

The arrests of neglected children, which are excluded from the above table and the tables which follow, numbered 132 in 1927, 109 in 1928, 82 in 1929, 133 in 1930, and 70 in 1931.

Arrests and  
summons  
cases.

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

### NUMBER OF ARRESTS AND SUMMONS CASES, 1927 TO 1931.

Year.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.	Convicted after Commitment.
1927 ... ..	67,276	53,612	12,890	774	474
1928 ... ..	60,562	47,865	11,966	731	521
1929 ... ..	58,097	45,318	11,829	950	630
1930 ... ..	56,749	45,537	10,264	948	720
1931 ... ..	54,775	42,977	10,703	1,095	723
Number per 10,000 of Population.					
1927 ... ..	389·5	310·4	74·6	4·5	2·7
1928 ... ..	345·8	273·3	68·3	4·2	3·0
1929 ... ..	328·4	256·2	66·8	5·4	3·6
1930 ... ..	318·0	255·2	57·5	5·3	4·0
1931 ... ..	304·8	239·2	59·5	6·1	4·0

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

## CRIME AND DRUNKENNESS.

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

## CRIME IN THE STATE OF VICTORIA, 1890 TO 1931.

Year.				Number of Persons Arrested or Summoned for—				
				Offences against the Person.	Offences against Property.	Drunkenness.	Other Offences.	Total.
1890	...	...	...	4,091	5,036	18,501	36,456	64,084
1895	...	...	...	2,344	3,336	11,143	20,843	37,666
1900	...	...	...	2,103	3,106	15,878	28,003	49,090
1910	...	...	...	1,663	3,052	12,719	34,626	52,060
1920	...	...	...	1,909	4,877	7,154	42,758	56,698
1927	...	...	...	1,632	4,372	10,793	50,479	67,276
1928	...	...	...	1,615	4,198	9,635	45,114	60,562
1929	...	...	...	1,640	4,752	9,385	42,320	58,097
1930	...	...	...	1,680	5,078	8,132	41,859	56,749
1931	...	...	...	1,452	5,560	7,018	40,745	54,775
				Number per 1,000 of the Population.				
1890	...	...	...	3·66	4·50	16·54	32·59	57·29
1895	...	...	...	1·98	2·82	9·41	17·60	31·81
1900	...	...	...	1·76	2·60	13·31	23·47	41·14
1910	...	...	...	1·30	2·38	9·92	27·00	40·60
1920	...	...	...	1·26	3·23	4·73	28·27	37·49
1927	...	...	...	·95	2·53	6·25	29·22	38·95
1928	...	...	...	·92	2·40	5·50	25·76	34·58
1929	...	...	...	·93	2·69	5·30	23·92	32·84
1930	...	...	...	·94	2·85	4·56	23·45	31·80
1931	...	...	...	·81	3·09	3·91	22·67	30·43

**Drunkenness.** The most noticeable feature of the above table is the large decrease in the arrests for drunkenness in the last five years as compared with the years prior to 1920.

**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 1931 only 40 of such crimes out of a total of 40,745 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.

The following table contains a classification of distinct persons arrested who were convicted after commitment for trial according to offence and age during the year 1931 :—

Offences.	Ages (Years).								
	Under 16.	16 to 18.	18 to 20.	20 to 25.	25 to 30.	30 to 40.	40 to 60.	60 and Over.	Total.
MALES.									
Against the Person .. ..	..	5	9	14	9	16	17	3	73
Against Property .. ..	..	29	83	169	88	118	58	2	547
Forgery and Offences against the Currency .. ..	..	..	..	3	3	3	..	..	9
Other Offences .. ..	..	1	1	5	2	3	3	..	15
Total .. ..	..	35	93	191	102	140	78	5	644
FEMALES.									
Against the Person .. ..	..	..	..	..	2	..	..	..	2
Against Property .. ..	..	..	1	4	1	3	5	..	14
Forgery and Offences against the Currency .. ..	..	..	..	..	1	..	2	..	3
Other Offences .. ..	..	..	..	..	..	1	..	..	1
Total .. ..	..	..	1	4	4	4	7	..	20

Cases  
summarily  
disposed of by  
magistrates.

During the year 1931, 15,176 persons were summarily dealt with by magistrates, viz., 13,239 males and 1,937 females. Of the number sentenced, 10,334 were males and 1,437 females, and of those discharged 2,905 were males and 500 females.

Sentences in  
superior  
courts.

The following were the sentences of the arrested persons tried and convicted in superior courts during 1931 :—

### SENTENCES OF ARRESTED PERSONS TRIED AND CONVICTED, 1931.

Sentence.	Males.	Females.	Total.
Fines paid ... ..	...	...	...
Imprisonment for—			
Under 1 month ... ..	2	1	3
1 and under 6 months ... ..	64	2	66
6 " 12 " ... ..	242	6	248
1 year and under 4 years ... ..	121	...	123
4 years " 7 " ... ..	9	...	9
7 " " " ... ..	2	...	2
8 " " " ... ..	2	...	2
Ordered to find bail or sentence suspended on entering surety ... ..	136	10	146
Sent to Reformatory prison ... ..	79	...	79
Total convicted ... ..	657	21	678
Acquitted ... ..	254	17	271
Not prosecuted ... ..	36	3	39
Convictions per 10,000 of population...	7·39	·23	3·77

In addition to being sent to gaol, five prisoners were ordered one whipping each, with a birch or cat-of-nine-tails.

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

Arrests of  
distinct  
individuals.

A statement, showing the number of distinct individuals arrested in 1928, is shown in the *Year-Book* for 1928–29, pages 205 to 208.

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

PERSONS ARRESTED OR SUMMONED FOR DRUNKENNESS,  
1927 TO 1931.

Year.	Number of Persons —			Number per 1,000 of Population.	Number of Convictions.
	Arrested.	Summoned.	Total.		
1927 ...	10,655	138	10,793	6·25	7,050
1928 ...	9,562	73	9,635	5·50	6,241
1929 ...	9,294	91	9,385	5·30	5,866
1930 ...	8,054	78	8,132	4·56	6,243
1931 ...	6,970	48	7,018	3·91	5,602

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

Period.	Index Number.	Period.	Index Number.
1874-78 .. ..	100	1913-17 .. ..	59
1879-85 .. ..	88	1918-22 .. ..	32
1886-92 .. ..	106	1923-27 .. ..	41
1893-97 .. ..	65	1928 .. ..	37
1898-1902 .. ..	84	1929 .. ..	36
1903-07 .. ..	77	1930 .. ..	31
1908-12 .. ..	68	1931 .. ..	27

A very considerable decrease in drunkenness is shown for the five years 1893-97, which was a period of general depression. In the five years following an increase occurred, but since that time the arrests for this offence have declined. In the middle of the year 1915 an Act was passed limiting the number of hours during which alcoholic liquors could be sold in hotels, and a further limitation was

made in the following year. This probably accounts for the marked decrease in drunkenness in the last sixteen years. The index numbers for that period are the lowest on record.

The accompanying table shows 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, from which it will be seen that very few young persons are arrested for this offence :—

**ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED WITH DRUNKENNESS, 1927 TO 1931.**

Year.					Number.	Number per 100,000 of the Population under 20 years of age.
1927	...	...	...	...	162	24·44
1928	...	...	...	...	137	20·39
1929	...	...	...	...	143	21·06
1930	...	...	...	...	136	19·86
1931	...	...	...	...	100	14·50

**CONSUMPTION OF INTOXICATING LIQUOR.**

The next table shows for a period of years the average yearly consumption of intoxicating liquors in Australia and New Zealand.

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

	Yearly Average Quantity Consumed. 1st July, 1926, to 30th June, 1931.			Consumption per Head.		
	Spirits.	Beer.	Wine.	Spirits.	Beer.	Wine.
	gallons.	gallons.	gallons.	gallons	gallons.	gallons.
Commonwealth of Australia ..	2,184,800	66,358,000	3,359,000	·25	10·53	·53
*Dominion of New Zealand ..	559,600	12,213,500	195,700	·40	8·69	·14

\* Average for five years ended 31st December, 1931.

The quantities consumed per head in Australia and New Zealand during three quinquennial periods in the years 1917 to 1931, were as follows:—

		Australia.			New Zealand.		
		Average Consumption per Head for Five Years ended—					
		30th June—			31st December—		
		1921.	1926.	1931.	1921.	1926.	1931.
		gallons.	gallons.	gallons.	gallons.	gallons.	gallons.
Spirits	..	·46	·41	·35	·69	·46	·40
Beer	..	12·29	11·27	10·53	11·31	10·03	8·69
Wine	..	·30	·45	·53	·15	·14	·14

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

#### AUSTRALIAN AND NEW ZEALAND DRINK BILL.— YEARLY AVERAGE.

	Expenditure by the People on—					
	Spirits.	Beer.	Wine.	Total.		
				Amount.	Per Head.	Per Adult Individual.
	£	£	£	£	£ s. d.	£ s. d.
*Commonwealth of Australia ..	9,461,500	19,887,400	3,359,000	32,707,900	5 3 10	8 18 7
†Dominion of New Zealand ..	2,397,500	3,664,000	195,700	6,257,200	4 9 1	7 10 5

\* Average for five years ended 30th June, 1931.

† Average for five years ended 31st December, 1931.

These figures show that the average yearly expenditure on drink in Australia during the five years ended 30th June, 1931, was £32,707,900, and that in New Zealand during the quinquennium 1927 to 1931 it was £6,257,200. The expenditure per head for the Commonwealth was £5 3s. 10d., and for New Zealand, £4 9s. 1d. The corresponding expenditures for the quinquennium 1917-21 were £3 17s. 1d. and £4 8s. 6d. per head, and for a similar period in the years 1921 to 1926, £5 8s. 2d. and £4 19s. 2d. per head.



# 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.

In accordance with the *Licensing Act* 1915 certain resolutions were submitted to the electors throughout the State for approval on 21st October, 1920. One of these (Resolution C) "That no licence be granted" was carried in two licensing districts in the State, viz., Boroondara and Nunawading. Seven hotels in the former district and three in the latter had, therefore, to be closed. The amount of compensation awarded by the Licences Reduction Board was £12,100, or an average of £1,210 for each hotel.

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 shall be abolished. 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 resolution submitted to electors was "Abolition—That licences shall be abolished (Resolution 1)." The number of votes recorded for the resolution was 418,902, whilst 552,339 votes were recorded against it.

The number of electors on the roll and the number who recorded their votes at the Licensing Poll held on the 29th March, 1930, was as follows :—

	Number.
Electors on the electoral roll ..	1,029,420
Electors who voted—	
Male .. ..	474,232
Female .. ..	503,280
Total .. ..	977,512
Informal votes .. ..	6,271

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 £212,771, or an average of £980 for each hotel. This sum was provided partly out of the Licensing Fund, and, when this was insufficient for the purpose, out of the general revenue.

Restricting the  
hours for the  
sale of  
intoxicants.

In the year 1915 an Act was passed (No. 2584) which fixed the hours during which alcoholic liquors might be sold in hotels during the period of the war at from 9 o'clock in the morning until half-past 9 at night. By an Act passed

in 1916 (No. 2827) the closing hour was fixed at 6 o'clock instead of 9.30. The latter provision was made permanent by Act No. 3028, passed on 19th December, 1919.

### LICENCES REDUCTION BOARD.

Licences  
Reduction  
Board.

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, 1932, 1,743 hotels had been closed by the Board or had surrendered their licences. The total sum paid in compensation was £1,138,706, or an average of £653 each. Five hundred and fourteen of these hotels were located in the Greater Melbourne district; the compensation paid in connexion with these totalled £553,792, making an average of £1,077 each. There were 1,229 hotels closed in country districts, whose owners and licensees received £584,914, or an average of £476 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, 6 spirit merchants', 2 grocers', and 61 Australian wine licences have been taken away, for which compensation to the amount of £11,720 has been awarded.

A section of the Board's work which has grown rapidly in extent and importance is 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 £3,478,000.

The return given hereunder shows the number of hotels, including roadside licences, in Victoria in 1885, 1906 and 1932, 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, 1906 AND 1932.

Year.	Estimated Population.	Number of Hotels.*	Persons to each Hotel.
1885 ... ..	969,200	4,339	223
1906 ... ..	1,244,470	3,520	354
1932 (30th September) ...	1,806,300	1,775	1,018
Increase, 1885 to 1932 ...	837,100	...	795
Decrease, ,, ,, ...	...	2,564	...

\* Including Roadside Licences.

While the population has increased by 86 per cent. since 1885, the number of hotels has decreased by 59 per cent., and the number of persons to an hotel is now 357 per cent. more than it was in that year. During the period 1885-1932, 227 hotels were closed as the result of local option polls, 1,743 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 of twenty-six years, 1907 to 1932, 69 new licences were granted.

**Licensing Fund.** The amount at credit of this fund at 30th June, 1932, was £96,376 3s. 6d. (after deduction of investments in stock amounting to £341,000). The receipts for the year were £292,561 0s. 9d. and the expenditure was £292,561 0s. 9d. The expenditure included the following items:—Annual payment to municipalities, £60,868; compensation, £15,360; expenses of licensing poll, £4 5s. 8d.; transferred to Police Superannuation Fund under section 311 of Act No. 3717, £23,000; transferred to revenue under section 312 of Act No. 3717, £178,196 0s. 9d.; and salaries, expenses, etc., £15,132 14s. 4d.

**Racecourse licences and percentage fees.** The *Lotteries Gaming and Betting Act 1906* (now Section 152 of the *Police Offences Act 1928*) provides that all racecourses shall be licensed, for which a fee of £1 per annum is charged. It is stipulated that, in addition to this fee, there shall be paid annually a sum equal to 3 per cent. of the gross revenue derived from all sources. Where the gross revenue is less than £1,500, but more than £600, the annual sum payable is 2 per cent. of the revenue, and, where the gross revenue is £600 or less, no percentage is charged. The amounts paid into the Consolidated Revenue in licence fees and percentages on receipts during the last ten years were as follows:—

# REVENUE FROM RACECOURSE LICENCES AND PERCENTAGE FEES, 1923 TO 1932.

Year ended 30th June.			Amount.	Year ended 30th June.			Amount.
			£				£
1923	..	..	20,124	1928	..	..	25,036
1924	..	..	20,516	1929	..	..	24,952
1925	..	..	21,714	1930	..	..	27,789
1926	..	..	23,270	1931	..	..	23,246
1927	..	..	24,148	1932	..	..	16,457

## GAOLS AND PRISONERS.

Gaols and  
prisoners.

There are six gaols in Victoria, including the Pentridge Penal Establishment, and six reformatory prisons, also three police gaols which are used as receiving stations. The following statement contains information for the year 1931 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, 1931.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received.		In Confinement, 31.12.31.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ..	698	..	618	..	1,302	..	678	..
Pentridge Reformatory Prison..	68	..	74	..	162	..	65	..
Ballarat Gaol ..	62	18	55	..	461	1	66	..
Beechworth Reformatory Prison	78	..	66	..	51	..	64	..
Bendigo Gaol ..	116	28	21	..	270	10	22	..
Castlemaine Reformatory Prison	97	..	105	..	160	..	96	..
Geelong Gaol ..	160	19	153	..	487	2	151	..
Geelong Reformatory Prison ..	24	..	17	..	23	..	20	..
McLeod Settlement Reformatory Prison ..	52	..	51	..	39	..	52	..
Metropolitan Gaol	208	59	208	49	5,106	571	194	45
Metropolitan Reformatory Prison, Coburg	6	9	4	1	72	1	2	..
Sale Gaol ..	30	5	12	..	153	3	15	..
Police Gaols ..	41	5	7	..	281	..	7	..
Total ..	1,640	143	1,391	50	8,567	588	1,432	45

Prisoners in  
confinement,  
1871 to 1931  
—decrease.

A statement is given below of the 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. From this it will be seen that there has been a considerable decrease in late years as compared with earlier periods. The rate per 10,000 of population, aged fifteen years and over, was, in 1931, 21 per cent. less than in 1901, 55 per cent.

less than in 1891, 62 per cent. less than in 1881, and 70 per cent. less than in 1871.

### PRISONERS IN CONFINEMENT, 1871 TO 1931.

Year.	Average Number of Prisoners in Confinement.			Number per 10,000 of Population, aged 15 years and over.		
	Males.	Females.	Total.	Males.	Females.	Total.
1871 ...	1,345	274	1,619	54·77	15·46	38·30
1881 ...	1,294	304	1,598	45·25	12·35	30·03
1891 ...	1,550	350	1,900	38·78	10·07	25·43
1901 ...	951	200	1,151	23·92	5·06	14·53
1911 ...	713	100	813	15·73	2·16	8·87
1921 ...	741	54	795	14·56	·98	7·40
1927 ...	949	50	999	15·92	·81	8·24
1928 ...	1,008	36	1,044	16·70	·59	8·49
1929 ...	1,128	57	1,185	18·54	·90	9·55
1930 ...	1,245	56	1,301	20·32	·88	10·39
1931 ...	1,391	50	1,441	22·59	·78	11·43

Birthplaces  
and ages of  
prisoners.

The birthplaces and ages of prisoners constantly detained as deduced from the numbers passing through the gaols, also the number per 10,000 of population, are shown below for the years 1911, 1921, and 1931 :—

### BIRTHPLACES AND AGES OF PRISONERS CONSTANTLY DETAINED 1911 TO 1931.

	Number Constantly Detained.			Number per 10,000 of Population.*		
	1911.	1921.	1931.	1911.	1921.	1931.
Birthplace—						
Australia and New Zealand	595	660	1,198	5·32	4·92	7·61
England and Wales ..	87	64	99	9·73	6·53	10·75
Scotland .. ..	26	18	60	9·78		
Ireland .. ..	62	23	44	14·95		
China .. ..	4	1	1	7·14	3·54	3·09
Others .. ..	39	29	39	11·64	11·13	12·77
Age—						
Under 20 years ..	54	85	208	1·01	1·45	3·02
20 to 30 years ..	205	287	453	8·67	10·93	14·70
30 to 40 years ..	211	190	364	11·66	8·35	13·63
40 to 50 years ..	193	126	251	11·64	7·20	12·22
50 to 60 years ..	96	68	117	9·60	4·50	6·58
60 years and over	54	39	48	5·58	3·07	3·22

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

## POLICE PROTECTION.

The following table shows the numbers in the various grades of the police force in Victoria on the 31st December, 1931 :—

## POLICE IN VICTORIA, 31ST DECEMBER, 1931.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Foot.</i>			
Chief Commissioner ... ..	1	...	1
Superintendents ... ..	3	9	12
Inspectors ... ..	8	6	14
Sub-Inspectors ... ..	15	5	20
Sergeants, First class ... ..	36	9	45
"    Second class ... ..	34	14	48
Senior Constables ... ..	133	102	235
First Constables ... ..	146	109	255
Constables ... ..	998	228	1,226
Total ... ..	1,374	482	1,856
<i>Detectives.</i>			
Sergeants, First Class ... ..	2	...	2
"    Second Class ... ..	1	...	1
Senior Detectives ... ..	15	...	15
First Detectives ... ..	21	...	21
Detectives ... ..	31	...	31
Total ... ..	70	...	70
<i>Mounted.</i>			
Senior Constables ... ..	...	...	...
First Constables ... ..	6	55	61
Constables ... ..	19	93	112
Total ... ..	25	148	173
Grand Total ... ..	1,469	630	2,099

In addition to the above there were 8 police-women, 3 matrons, and 2 black trackers employed by the Police Department on the 31st December, 1931.

Strength of  
police force in  
proportion to  
population.

The number of police in Victoria per 100,000 of the population and the corresponding proportions for other States, at the end of 1931, were as follows:—Victoria, 116·5; New South Wales, 144·8; Queensland, 127·8; South Australia, 126·8; Western Australia, 135·9; Tasmania, 110·1; and Northern Territory, 897·3.

Expenditure  
on police,  
gaols, &c.

The next table contains a statement of the amount and the amount per head of population expended in connexion with the police, and the penal establishments and gaols of Victoria, in the year 1913-14 and in each of the five years ended with 1931-32 :—

## EXPENDITURE ON POLICE AND GAOLS, 1913-14 TO 1931-32.

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.
1914	..	343,518	54,083	20,174	2,472	420,247	5 11
1928	..	681,814	106,978	39,292	4,523	832,607	9 7
1929	..	718,007	109,062	23,223	4,190	854,482	9 8
1930	..	727,600	119,488	21,594	2,646	871,328	9 10
1931	..	672,430	111,231	3,194	1,220	788,075	8 10
1932	..	586,560	96,167	1,929	1,392	686,048	7 7

Executions.

During the twenty-seven years ended with 1931 there were only eight executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, two in 1918, one in 1922, and one in 1924. Since the first settlement of Port Phillip in 1835, 176 criminals have been executed within the State, of whom only four were females.

The number of inquiries into the causes of deaths of individuals during the year 1931 was 1,478, or 8.22 per 10,000 of the population. In 594 cases death was found to be due to disease or natural causes, in 1 case due to intemperance, in 630 cases to accident, in 14 to homicide, in 195 to suicide, in 20 to illegally induced abortion, in 11 to external causes which could not be ascertained, and in 13 to unspecified or doubtful causes

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