

LAW, CRIME, &c.

The legal
system.

The law of Victoria, in its basic principles and main provisions, is founded on the law of England. All laws in force in England in 1829 were, so far as they should be held to apply to the circumstances of Australia, by Imperial Statute made law in New South Wales (which then included Victoria); and in case of any doubt as to the applicability, the Colonial Legislature was empowered to declare whether or not they do apply, or to establish any modification or limitation of them within the colony. The same Statute established a legislature within New South Wales with power to make laws for that colony; and Supreme and other courts were established. On the separation of Port Phillip from New South Wales in 1850, the new colony of Victoria was invested with similar powers, which were widened on the establishment of responsible government in 1855. In order, therefore, to ascertain the law of Victoria as to any particular matter or point, considerable research is often involved. The first step is a search of the Victorian Statutes; and if the matter is fully dealt with there, the labour is concluded; but, if it has never been dealt with by any Victorian Act, it is then necessary to search the Statutes of New South Wales passed between 1829 and 1850; and, if not there, the Imperial Statutes specially applicable to New South Wales passed from 1829 to 1850 must also be examined. If no law on the point is obtainable from these sources, the law of England in 1829 must be ascertained, which in most cases is found in the English text-books; but may, in some cases, entail considerable research amongst law reports.

Supreme
Court civil
business.

The Supreme Court was first established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure has been entirely remoulded by the "Judicature Act of 1883." There were in 1902 six judges, viz., a Chief Justice and five Puisne Judges, one of whom has, however, since retired, and whose place has

not been filled. The following is a statement of Supreme Court business during the years 1891, 1895, and 1899 to 1902:—

Year.	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for		Amount Awarded.
	Number Issued.	Amount Claimed.			Plaintiff.	Defendant.	
		£					£
1891 ...	5,744	304,377	479	247	119	64	57,713
1895 ...	2,115	140,292	254	187	101	33	41,487
1899 ...	937	90,957	180	122	68	29	15,203
1900 ...	825	137,083	161	106	62	31	101,896
1901 ...	823	69,788	156	97	38	20	4,640
1902 ...	844	109,012	191	101	52	16	6,717

A glance at these figures reveals an extraordinary decline in litigation in the Supreme Court since 1891. In 1902 the writs issued were only one-seventh; the amount sued for was little more than one-third; and the causes which actually came to trial were only two-fifths of the number in 1891. Notwithstanding this great decrease in litigation, the census of 1901 showed the number of barristers and solicitors as 820, an increase of 90 over the number as shown at the previous census of 1891. The figures show that a very small proportion of writs result in actual trials whilst a large number of trials are either abandoned before a verdict is given, adjourned to another sitting; or compromised.

Decline in litigation.

County Courts have a jurisdiction both in equity and common law cases, limited to £500; and to try 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 10 miles further away from defendant's residence than some other County Court in which the plaintiff might have sued. In 1902 there were 119 sessions lasting 389 days held in 47 places. Particulars of litigation in 1891, 1895, and the last four years are as follow:—

County Courts business.

Year.	Number of Cases Tried.	Amount Sued For.	Amount Awarded.	Costs Awarded to—	
				Plaintiff.	Defendant.
		£	£	£	£
1891 ...	9,947	293,073	115,199	14,006	7,263
1895 ...	1,361	219,285	73,091	7,256	5,514
1899 ...	874	124,466	62,708	5,577	2,868
1900 ...	789	160,676	49,595	5,188	2,782
1901 ...	572	137,227	43,222	5,012	4,143
1902 ...	622	169,968	52,202	5,662	2,331

The falling off in the number of causes tried is enormous, the number in 1902 being only one-sixteenth of that in 1891; but the amount sued for and awarded, and costs awarded, have not fallen off to anything like the same extent. This would seem to indicate that litigants are much more cautious in instituting proceedings than formerly; and that the County Court is not resorted to for the recovery of petty and trade debts to the same extent as in former years.

Petty Sessions civil business.

Courts of Petty Sessions were held at 239 places in Victoria in 1902 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 is limited to what may be called ordinary debts, damages for assault, or restitution of goods, where the amount in dispute does not exceed £50. Particulars of the debt cases heard during a series of years are as follow:—

Year.	Cases heard.	Amount claimed.	Amount awarded.
		£	£
1891	33,030	210,255	144,158
1895	30,609	168,143	138,722
1899	20,196	118,321	87,907
1900	17,577	95,890	80,960
1901	17,646	104,884	86,199
1902	20,421	116,936	96,166

In addition to the ordinary civil cases above mentioned, and the criminal jurisdiction mentioned on page 106 post, Courts of Petty Sessions deal with other business of a civil and a quasi-criminal nature. During the year 1902, 406 appeals against municipal ratings, 871 maintenance cases, 443 fraud summonses against debtors, 16,324 electoral revision cases, and 1,791 miscellaneous cases were heard, and 531 lunatics were examined.

Probates and letters of administration.

A considerable increase has occurred in the number of probates and letters of administration issued, and the value

of property bequeathed thereunder since 1898. Thus in 1902, as compared with that year, the number increased by 11 per cent., and the value of property by 21 per cent. The following information is furnished for the last five years:—

Year.	Probates.		Letters of Administration.		Both.	
	Number.	Property Sworn Under.	Number.	Property Sworn Under.	Number.	Property Sworn Under.
		£		£		£
1898	2,290	5,453,593	1,300	815,752	3,590	6,269,345
1899	2,355	4,727,698	1,286	1,192,406	3,641	5,920,104
1900	2,534	5,835,594	1,427	1,082,939	3,961	6,918,533
1901	2,509	5,596,261	1,337	930,974	3,846	6,527,235
1902	2,590	6,483,077	1,386	1,088,405	3,976	7,571,482

Prior to 1898, the returns of insolvencies were defective, inasmuch as private arrangements with creditors were not taken into account until that year. The number of failures and the declared assets and liabilities during the last five years were:—

Insolvencies, &c.

Year.	Insolvencies.			Private Arrangements.		
	Number.	Declared Liabilities.	Declared Assets.	Number.	Declared Liabilities.	Declared Assets.
		£	£		£	£
1898	588	504,750	253,314	153	205,531	156,913
1899	360	274,288	131,859	150	256,796	203,305
1900	346	185,198	89,462	149	168,700	159,771
1901	327	216,198	86,391	183	222,608	189,908
1902	406	364,630	270,061	206	200,128	178,337

Although the number of insolvencies and the declared liabilities were greater in 1902 than the three preceding years, they are still much below the average in normal times. Thus the average number of insolvencies during the last five years was 405, with declared liabilities £309,013, whereas during the ten years, 1879 to 1888, the average yearly number was 612, with declared liabilities £661,720. During the nine years, 1889 to 1897, when the failures resulting from the collapse of the land boom and the consequent banking crisis in 1893 swelled the returns, the yearly average number was 862, with declared liabilities £2,166,978.

The "Divorce Act 1889," which considerably extended the grounds on which divorce may be granted, is responsible for a great increase in the number since that year. The added grounds of divorce, provided by that Act, will be found on page 1008 of the previous issue of this work. The number

Divorces, &c.

of petitions and decrees for dissolution of marriage and judicial separation during the last five years were as follow:—

Year.	Petitions for—		Decrees for—	
	Dissolution of Marriage.	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.
1898	143	2	87	...
1899	160	3	105	2
1900	159	2	93	...
1901	148	2	83	...
1902	157	...	109	...

Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 1,489 decrees for dissolution of marriage and 85 decrees for judicial separation have been granted. Of these, 1,141 and 14 respectively were granted since 1890. New South Wales is the only other State which may be compared with Victoria in regard to the number of divorces, for the grounds of divorce are substantially the same in both States. The yearly average number of divorces per 100,000 married couples during the last five years was 124 in New South Wales and 57 in Victoria.

Administra-
tion of the
criminal
law.

In nearly all cases where the criminal law has been broken, the alleged offender is brought at the very first opportunity before a Court of Petty Sessions, before two honorary justices or a police magistrate, or both, who, if the matter is one which comes within their summary jurisdiction, dispose of the case summarily. If the offence is an indictable one, the magistrates hold a preliminary investigation; and, if satisfied that a "prima facie" case is made out by the prosecution, the accused is committed for trial to a superior Court. There are two superior Courts with criminal jurisdiction, viz., the Supreme Court, and a Court of General Sessions, which are held at various places throughout the State. The latter Court corresponds with the Quarter Sessions in England, and may deal with all cases of a criminal nature except such as are expressly excluded from its jurisdiction, viz., 19 of the most serious crimes. A person may be brought before magistrates by three modes of procedure, viz., by an arrest by a police officer on warrant issued on a sworn information, or without an information if the offence is witnessed by the arresting constable; by private summons; and by a police summons. If at a coroner's inquest a verdict is returned for murder or manslaughter, the accused person is sent for trial to the Supreme Court without any investigation before magistrates. The Attorney-General or Solicitor-General has also the power of presenting any person for trial before a superior Court without the necessity of any preliminary magisterial hearing; and upon

the application of any person, properly supported by affidavit, a grand jury may be summoned, on the order of the Full Court, if the affidavit discloses that an indictable offence has been committed by a corporate body; or that such an offence has been committed by any person, and that some justice has refused to commit such person for trial. The grand jury consists of twenty-three men, who investigate the charge, and if they are of opinion that a "prima facie" case has been made out, the case is sent for trial. The cases which are presented under these two latter forms of procedure, are, however, very rare.

Of the offenders who are reported as having committed offences, generally about 50 per cent. are arrested, 38 per cent. are summoned, whilst about 11 per cent. are still at large at the end of March of the year following that in which the offence was reported. The following are particulars for the last five years:—

Offences reported and undetected crimes.

Offences in respect to which persons were—	1898.	1899.	1900.	1901.	1902.
Brought before Magistrates on Summons	19,327	20,950	22,482	21,130	20,478
Apprehended by the Police	28,178	24,907	28,866	30,957	26,402
Still at large	5,899	6,032	6,449	6,472	6,153
Total	53,404	51,889	57,797	58,559	53,033

In this table each separate charge against a person is considered as a separate offence; for instance, a charge of drunk and disorderly, of resisting the police, of riotous conduct, and of tearing uniform would appear as four separate offences, although the occasion is the same. Of the offences in respect of which persons were still at large, 89 per cent. were offences against property, 4 per cent. were offences against the person, and the balance, 7 per cent., were of a miscellaneous character.

The following are particulars of cases brought before magistrates, from which it will be seen that nearly three-fourths are generally summarily convicted, one-fourth discharged, whilst an average of between 600 and 700 are sent for trial by superior courts:—

Offences dealt with by magistrates.

Number of Persons—	1898.	1899.	1900.	1901.	1902.
Arrested or Summoned	45,448	44,165	49,589	50,169	45,198
Discharged by Magistrates	11,767	11,120	11,664	12,564	11,096
Summarily Convicted or Dealt with	33,003	32,476	37,224	36,905	33,461
Committed for Trial	678	569	701	700	641

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

Males and females arrested.

The sexes of persons brought up on summons are not recorded; but about 20 per cent. of the arrests are always found to be females. The males and females arrested, and the disposal of the cases, in 1902, were as follow:—

Disposal.	Arrests.		
	Males.	Females.	Total.
Summarily Convicted	13,553	3,533	17,086
Discharged by Magistrates	5,680	1,364	7,044
Committed for Trial	549	41	590
Total	19,782	4,938	24,720

The arrests during the last five years numbered 26,121 in 1898, 23,215 in 1899, 27,107 in 1900, 29,039 in 1901, and 24,720 in 1902.

Arrests for drunkenness, 1898 to 1902.

The following are the number, and proportion per 1,000 of the population, of persons arrested for drunkenness during the last five years. Summons cases for drunkenness are not included, particulars regarding them being unavailable before 1902, when the number was 643:—

Year.	Number.	Proportion per 1,000 of Population.
1898	13,728	11·61
1899	12,998	10·96
1900	15,878	13·31
1901	17,360	14·43
1902	13,897	11·51

Drunkenness—Comparison with previous years.

The arrests for drunkenness were fewer during last year than in 1900 and 1901, about the same as in 1898, and about 900 more than in 1899. A comparison of the last five years with previous periods is given below. The amount of drunkenness, as evidenced by arrests, being taken as 100 in 1874-8, the numbers for the subsequent periods will show the increase or decrease by comparison:—

Period.	Index Number.
1874-8	100
Average 5 years ... ..	...
1879-85	88
1886-92	106
1893-97	65
1898-1902	83

A very considerable decrease in drunkenness is shown during the five years following the banking crisis, which was a period of general depression; but during the last five years the arrests for drunkenness are assuming something nearer their normal proportions.

It is difficult to make a proper comparison of crime in recent years with former periods on account of the differences in the sex and age constitution of the people at different periods. The bulk of arrests consist of males from 20 to 50 years of age. The proportion of women and children arrested is comparatively very small; so that it is natural that, at a period like the present, when the percentage of males at those ages is much less than ten years ago, the proportion of arrests per 10,000 of the population is not a true index of crime, and makes the decrease appear greater than it really is. It is therefore necessary to divide the sexes of arrested persons, and each sex into age groups, and to show the number of charges laid against males and females at various ages between 10 and 50, per 10,000 alive at each age, as shown by the census. The following are the particulars on this basis at the last four census years:—

Decrease of
crime in
Victoria.

Ages.				1871.	1881.	1891.	1901.
				Males.			
10 to 15 years	...	...	...	104	111	96	51
15 to 20 years	...	...	...	338	335	305	209
20 to 25 years	...	...	...	773	720	688	570
25 to 30 years	...	...	...	834	823	777	712
30 to 40 years	...	...	...	771	865	869	700
40 to 50 years	...	...	...	726	721	1,053	873
50 to 60 years	...	...	...	830	623	760	804
60 years and over	...	...	...	756	661	586	443
				Females.			
10 to 15 years	...	...	...	37	26	15	15
15 to 20 years	...	...	...	80	90	50	28
20 to 25 years	...	...	...	141	178	139	116
25 to 30 years	...	...	...	232	219	171	172
30 to 40 years	...	...	...	303	290	189	168
40 to 50 years	...	...	...	272	322	238	166
50 to 60 years	...	...	...	245	223	215	116
60 years and over	...	...	...	186	166	144	110

During the years 1871, 1881, and 1891 the tabulations were based on each separate charge against arrested persons, and in 1901 on each separate arrest, only the most prominent charge being counted in the latter year. The percentage by

which the total charges exceeded the arrests during 1901, has, however, been added on to the figures for each age group for the purpose of comparison. A study of the figures shows that the proportion of offences has on the whole fallen off in 1901 as compared with the three previous periods. In regard to males, there has been a falling off in 1901 as compared with the three previous periods at all ages except 50 to 60, in which group the proportion of arrests was in excess of that in 1891 and 1881. The falling off is more marked amongst the very old people (60 years and over) and the young people under 20 than at other ages. The ages at which the largest proportion of arrests was made were 40 to 50 years in 1901 and 1891, 30 to 40 years in 1881, and 25 to 30 and 50 to 60 years in 1871. In regard to females there has been a very decided falling off at all ages, the ages at which the largest proportion of arrests were made being 25 to 50 in 1901, 40 to 60 in 1891, and 30 to 50 in 1881 and 1871.

Age and
degree of
instruction

The ages of those arrested in 1902, and the degree of instruction possessed by them, are shown in the following table:—

Ages.	Superior Education.	Read and Write Well.	Read Only, or Read and Write Imperfectly.	Unable to Read.	Total
Under 10 years ...	...	...	121	581	702
10 to 15 „ ...	...	...	392	50	442
15 to 20 „ ...	...	34	1,161	42	1,237
20 to 25 „ ...	2	102	2,824	98	3,026
25 to 30 „ ...	4	134	3,123	87	3,348
30 to 40 „ ...	15	290	6,013	233	6,551
40 to 50 „ ...	20	217	4,471	222	4,930
50 to 60 „ ...	12	119	2,029	185	2,345
60 and upwards ...	3	70	1,798	268	2,139
Total ...	56	966	21,932	1,766	24,720

Education
of children
arrested.

The returns of those under 15 years of age arrested by the police consist mainly of neglected and deserted children. Of the 1,144 children under 15 arrested during 1902 not one was possessed of superior instruction nor could read and write well; and 631, or 55 per cent., were unable to read.

Arrests and
summonses
for various
offences.

Hitherto information relating to various offences has been incomplete on account of there being no returns as to summons cases other than “against the person,” “against property,” and “other offences.” As will be seen below, there is a large proportion of assaults and offences against good order initiated by summonses, and the following are particulars of the different classes of offences in 1902, distinguishing

between arrest and summons cases, multiple charges against the same individual being each counted as an offence:—

Nature of Offence.	Number of Offences for which—		Total Offences Heard.
	Arrests were made.	Summonses were issued.	
Against the Person—			
Murder and attempts, manslaughter, shooting at, &c.	102	...	102
Assaults	684	959	1,643
Others	178	198	376
Against Property—			
Robbery, burglary, &c. ...	252	...	252
Larceny and similar offences ...	2,087	475	2,562
Willful damage to property ...	233	225	458
Others	77	404	481
Against Good Order—			
Drunkenness	13,897	643	14,540
Other	7,155	6,726	13,881
Breaches of Licensing Act ...	...	611	611
Other Offences	1,737	10,237	11,974
Total	26,402	20,478	46,880

Of the 26,402 arrests, 1,682 were multiple charges, leaving the number of separate arrests 24,720, of which 17,086 were summarily convicted, 7,044 were discharged, and 590 were committed for trial. Of the 20,478 summons cases, 16,375 were summarily convicted, 4,052 were discharged, and 51 were committed for trial. Of the total persons dealt with (45,198), the number summarily convicted was 33,461, 11,096 were discharged, and 641 were committed for trial.

The following is a statement of the principal countries in which persons arrested during 1902 were born, and the proportion per 1,000 of the persons of such nationalities living in the State at the census of 1901:—

Birthplaces of persons arrested.

Birthplace.	Number.	Proportion per 1000 living.
Victoria	12,316	14.06
Other Australian States ...	1,830	28.11
New Zealand	323	35.81
England and Wales	3,666	31.30
Scotland	1,394	38.99
Ireland	3,489	56.72
China	72	11.69
Other Countries	1,630	53.11
Total	24,720	20.58

As the ages of the people were not tabulated in conjunction with their birthplaces at the census, the proportion of Victorian arrests does not afford a proper comparison with the proportions indicated for other Australian States, Great Britain, and foreign countries. The Victorian figures include a large number of children, whereas there is so small a number of children in the State born in places outside Victoria, that the arrests of persons born outside the State may be regarded almost entirely as those of adults. If the proportion of adults arrested in Victoria be taken, it would in all probability approximate to those of the other Australian States.

A scientific comparison of crime cannot be made between the States on account of the differences in the sex and age constitution of their population. If the ages and sexes of arrested persons were tabulated in each State, an accurate comparison could be made, but any comparison that is made must be restricted to offences charged against persons brought before magistrates on arrest or summons, it being assumed that the administration of the law is equally strict in all the States, and that substantially the same acts or omissions are breaches of the law in each State. The following is a statement of the number of offences for which persons were charged before magistrates during 1902 in the case of the first four, and during 1901 in the case of the last three, States:—

State or Colony.	Offences for which Persons were charged before Magistrates.	
	Number.	Per 1,000 of the Population.
Victoria	46,880	38·84
New South Wales	66,700	47·90
Queensland	21,115	41·11
South Australia	6,365	17·50
Western Australia	15,333	81·92
Tasmania	5,499	31·68
New Zealand	25,825	33·17

As in only about one in every six of these cases is the offender a female, and as the bulk of arrests are of males aged 25 to 50, it is natural that in a State like Victoria, where the proportion of those persons is less, or like Western Australia, where the proportion is much greater, than in the other States, the offences per 1,000 of the population would be correspondingly small or large as the case may be. Allowing, however, for any undue inflation of the rate in the other States due to this cause, it appears that offences against the law for which persons are charged before magistrates are much less rife in South Australia than in any other State, that Tasmania and New Zealand occupy the next best position, then

coming Queensland and Victoria, closely followed by New South Wales, with Western Australia, as to be expected, occupying the worst position in this respect, although by no means to the extent indicated by the above figures. No comparison can be made as to convictions by magistrates or by superior courts, on account of the differences in jurisdiction. For instance, in Victoria magistrates have wider powers than in New South Wales, and many cases which are summarily disposed of by magistrates in the former State must be committed to a superior court in the latter.

A large proportion of the offences dealt with by magistrates cannot be classed as crimes properly so called, but are mere breaches of Acts of Parliament and show no degree of criminality in the person charged. A still larger proportion consists of drunkenness and offences against good order, including vagrancy, larrikinism, &c. The number of serious crimes preliminarily investigated by magistrates in Victoria and New South Wales during 1902 were:—

Serious crimes in Victoria and New South Wales.

Class of Crime.	Victoria.	New South Wales.
Murder and attempts, manslaughter, shooting, wounding, &c.	90	203
Robbery, burglary, &c.	190	392
Crimes of lust	86	130
Horse, sheep, and cattle stealing	116	158
Total	482	883

The total per 10,000 of the population was 6·34 in New South Wales, and 4·00 in Victoria. Multiple charges are excluded in the above figures, each separate arrest only being counted. It is claimed on behalf of New South Wales that the comparatively large number of criminals in that State is due to the want of a proper law to prevent the influx of such persons from other places.

During 1902 there were 16,485 sentences by magistrates in exercise of their summary jurisdiction, 12,980 of which were of males and 3,505 of females. These figures do not represent the number of distinct individuals sentenced during the year, for many of them, particularly the habitual drunkard class, were brought up and sentenced several times during the year. Of every 1,000 males sentenced, 451 were fined, 397 were imprisoned for a period less than 1 month, 92 for a period between 1 and 12 months, 8 for 1 year or over, and 52 were sent to reformatory schools, ordered to find bail, or otherwise dealt with. Of every 1,000 females sentenced, 344 were fined, 422 were imprisoned under 1 month, 110 over 1 and under 12 months, 13 over 12 months, and 111 were sent to the industrial

Sentences by magistrates.

or reformatory schools. In addition to these sentences, there were 601 cases (573 males, 28 females) in which the magistrates, having found the accused persons guilty, deemed it inexpedient to inflict any punishment, and "admonished" such persons, that is, let them off with a caution. In addition to the sentence of imprisonment, 1 prisoner was ordered 1 whipping of 20 lashes, and 4 were ordered solitary confinement.

Sentences in superior courts.

During 1902, 381 persons were sentenced by superior courts, of whom 21 were females. Of the 360 males, 6 were sentenced to death, 1 to imprisonment of 15 years or over, 3 to periods between 10 and 15 years, 4 between 7 and 10 years, 9 between 4 and 7 years, 135 or 37½ per cent. between 1 and 4 years, and 170 or 47 per cent. to periods under 1 year, whilst 2 were fined, 23 were required to find bail to appear when called upon, and 7 were sent to a reformatory or lunatic asylum. Of the 21 females, 1 was sentenced to 15 years or over, 1 between 1 and 2 years, and 13 under 12 months, whilst 6 were discharged on finding bail. In addition to the terms of imprisonment, 17 persons were ordered to be kept in solitary confinement during various portions of their terms of imprisonment, and 9 were ordered to be whipped, 3 to receive 2 and 6 one whipping each.

Strength of police force in Australia and New Zealand

The following figures denote the numerical strength of the police force in Australia, the States, and New Zealand, and the proportion of same to population. The figures refer to 31st December, 1902, in the case of Victoria and New South Wales, and to the 31st December, 1901, in respect of the other States and New Zealand:—

State or Colony.	Number.			Proportion per 10,000 of Population.
	Metropolitan.	Country.	Total.	
Victoria	806	709	1,515	12.55
New South Wales	950	1,272	2,222	15.81
Queensland	225	633	858	17.03
South Australia	205	166	371	10.22
Western Australia	150	346	496	26.54
Tasmania	58	192	250	14.42
Total Australia	2,394	3,318	5,712	14.90
New Zealand	61	526	587	7.54

It will be seen that Western Australia has the greatest police protection in proportion to population, Queensland and New South Wales next, New Zealand having by far the lowest. Of course, where the population is scattered, it is natural that more police in proportion to population will be required than in a densely populated centre where the area requiring protection is comparatively small.

There are nine gaols in Victoria, including the Pentridge Penal Establishment, Ararat and Portland gaols having been closed several years ago, and Maryborough recently. The gaols at Sale and Castlemaine have been reduced to receiving stations for local committals with very short sentences. The following statement gives for the year 1902 the accommodation, daily average in confinement, number received during the year, and the number in confinement at the end of the year:—

Gaols and prisoners.

Name.	Number of Prisoners.							
	For Whom there is Accommodation.		Daily Average.		Total Received.		In Confinement, 31.12.02.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ...	800	...	483.00	...	460	...	475	...
Ballarat ...	62	18	27.34	2.05	494	57	33	2
Beechworth ...	66	15	32.80	2.27	214	14	29	...
Bendigo ...	116	28	26.38	2.53	396	64	17	5
Castlemaine ...	99	...	29.00	...	158	...	31	...
Coburg Female Prison	...	324	...	120.23	...	272	...	114
Geelong ...	177	29	111.33	3.39	336	32	102	1
Melbourne ...	485	114	217.43	44.55	4,259	1,182	198	49
Sale ...	30	5	7.49	0.04	102	3	11	1
Total ...	1,835	533	934.77	170.06	6,419	1,624	896	172

There are also six police gaols which are used as receiving stations, but the daily average number of prisoners detained therein during 1902 was only eight. The above figures show that there is accommodation in the gaols for more than twice the average number in confinement.

The following is a statement of the average number of prisoners, male and female, in detention during each of the years 1895 to 1902 in all the gaols of the State, from which it will be seen that the decrease is very considerable, the number in 1902 being 311, or 22 per cent. less than in 1895:—

Prisoners in confinement 1895 to 1902—decrease.

Year.	Average Number of Prisoners in Confinement.		
	Males.	Females.	Total.
1895 ...	1,208	216	1,424
1896 ...	1,143	194	1,347
1897 ...	1,044	182	1,226
1898 ...	1,065	223	1,288
1899 ...	1,020	215	1,235
1900 ...	981	204	1,185
1901 ...	951	200	1,151
1902 ...	943	170	1,113

Executions.

Two executions took place in 1902, 1 in 1900, 1 in 1898, 1 in 1897, 1 in 1896, 2 in 1895, and 5 in 1894. Since the first settlement of Port Phillip, 167 criminals have been executed within the State, of whom only three were females.

Coroners'
inquests.

In 1902 the number of coroners' inquests into the causes of deaths of individuals was 1,510, which was below the average number of the four preceding years. In 882 cases the death was found to be due to disease or natural causes, in 366 cases to accident, in 124 to suicide, in 112 to external causes which could not be ascertained, in 9 to homicide, in 3 to intemperance, in 2 to judicial hanging, whilst in 10 cases the cause of death was doubtful, and in 2 cases verdicts of still-born were returned. The number of inquests during the last five years was 7,969, of which 4,680 deaths were found to be due to disease or natural causes, and 3,220 to violence. Of those due to violence, 60 per cent. were due to accidental causes, nearly 17 per cent. to suicide, about 1 per cent. to homicide, whilst in 22 per cent. of the cases the cause or motive of the violence which caused death was doubtful.
