

PART X.—AMENDMENTS OF GAMING ACT, 1908

GENERAL

396. The only evidence given before us in relation to gaming (as distinct from betting), apart from that mentioned in Part IX, was that of the Commissioner of Police. But for his appearance, no question of gaming in the foregoing sense would have been raised before us. In general, therefore, the matters dealt with in this part of our report were brought before us by the Commissioner. Some, however, arose incidentally in the course of the discussions of other topics. Although on further consideration we have not found ourselves able to recommend the adoption of every suggestion made by the Commissioner of Police, we feel constrained to say that every suggestion he made had merit and was worthy of consideration, and we are much indebted to him for his assistance.

SUBMISSIONS BY THE COMMISSIONER OF POLICE

397. It is pertinent to this topic to say that, in the opinion of the Commissioner of Police, gaming-houses are as great an evil to-day as they have ever been. He thinks, however, that such large sums are not wagered as formerly. Entry and search are material needs to their suppression. Under section 3 of the Gaming Act, 1908, entry and search can only be effected pursuant to a warrant defined as "a special warrant" granted by a Justice of the Peace. The Commissioner of Police complains that before a search-warrant can be issued the applicant for the warrant has to declare that the premises are commonly reported and are believed by him to be a common gaming-house. He says that it frequently happens that police on night duty have the best of reasons for suspecting that premises are being used as gambling dens frequented by undesirables, but because an applicant, before he can get a warrant to enter and search under section 3, had to testify on oath that the premises are commonly reported to be kept or used as a common gaming-house, there is such delay and difficulty in getting a warrant that the proper administration of the law is defeated.

398. He proposes that the section be amended by excluding the words "and that such premises are commonly reported." The paramount purpose of the section is the discovery and disbandment of common gaming-houses. There seems no reason, therefore, why the amendment suggested should not be made. Indeed, there seems no reason why a