

LEX LOCI'S TRAVELS

9 MARCH 2021

An irregular one-pager from The Public Land Consultancy

Lex infers that it's implied At his local police station

Lex is at his local Police Station. No, he hasn't been arrested, although he soon might be if he persists in testing the Sergeant's understanding of the words *infer* and *imply*.

The police station occupies a parcel of Crown land. According to Lex's research it is 'permanently reserved for police purposes' by virtue of some Order in Council published in some Nineteenth Century Government Gazette.

But Lex finds nothing that permits Victoria Police to actually occupy it. For other Crown land reserves, Lex would expect to find, in addition to something defining the land status, something else appointing a Committee of Management, vesting the land in some agency, or granting a lease to some tenant.



The Police Sergeant explains. "Look here, Sir. The Government Gazette you're waving around *implies* that the land is to be managed by the Victoria Police, and we police officers *infer* that we so manage it. OK?"

Lex is a bit taken aback.

"What's more," the Sergeant continues, "if there is indeed a gap in the chain of governance it has precisely zero adverse consequences, right?"

Lex changes his tack. He notices the Town Hall across the street. It is Crown land reserved for municipal purposes, but the local council has never been appointed as the land's Committee of Management.



Yes, Council's power to manage the Town Hall is either *implied* or *inferred*, depending which side of the assumption you're standing on.

Here there may indeed be adverse consequences, because the council leases out rooms - as if it were exercising powers under the *Crown Land (Reserves) Act 1978* - powers which it can exercise only if it's a Committee of Management, which it isn't.

Lex senses an illegality. Will he draw it to the attention of the Sergeant of Police? No, perhaps not. ♦

See you there! Lex Loci

Photos: Flemington Police Station and Castlemaine Town Hall.