

## LICENCING ACT AMENDMENT BILL (SECOND READING) 5 September 1922

Edith Cowan supported most of the provisions in the Licensing Act Amendment Bill (1922) which sought to establish a Licensing Court of three magistrates (and deputies) with jurisdiction throughout the whole State from a proclaimed date. Compensation was to be paid to retailers if they lost their liquor license. In Committee Edith Cowan successfully moved an amendment (18 September) that a written report prepared by the Licensing Court be open for inspection by the applicant. She supported two amendments (on 20 September) concerning building requirements for license holders. On one occasion (27 September) Edith Cowan expressed the view that the power to grant renewals of licenses should not be in the hands of one man. Edith Cowan also had some concerns alleviated about the costs associated with paying deputy magistrates (27 September).

Edith Cowan unsuccessfully opposed an amendment to extend the time period between local option polls (3 October). She was also against an amendment (12 October) which required a 30 per cent turnout for a local option vote to be ratified. At one stage (4 October) Edith Cowan opposed special license considerations being given to bona fide travellers as this would provide a loophole for the sale of liquor. Moreover, she was also successful (4 October) when she moved an amendment to preclude 16 year old boys and girls as servants in hotels.

*Mrs COWAN:* (West Perth) [5.26]: I have listened with great interest to the previous speakers on this Bill, and in listening to them I have been extremely puzzled to know why a person who believes in local option should be so objectionable and such a wowsler. It may be right to call such people wowslers. I am rapidly coming to the conclusion that to be called a wowsler is something to be proud of. The object of all those women who take an interest in this question is to protect the young people of the

community. It is rather painful to listen to some of the talk on the subject; for instance, with regard to the tyranny that is likely to be exercised over the people who are so anxious to help us to suffer from delirium tremens, misery, poverty, lunacy, sickness, and the many other evils which come in the train of drink. There are also the sufferings which come upon the race owing to the heredity which is passed on by drink. It puzzles me that speakers on this subject should be so forgetful of these facts as to say that we should not protect our young people and the generations to come. Even if they wish to continue to drink themselves, surely it is their duty to do what the Premier proposes in this Bill - accept the idea that our boys and girls under 21 years of age shall not be supplied with drink. That is a thing for which I consider the Premier is much to be commended, and the Commission are also to be commended.

Surely any parent must realise that if it is good for publicans to prefer to employ sober people in their public houses, then it is good for us to keep our children sober, at any rate until they reach the age of 21. With regard to the extraordinary argument about a boy of 18 being sent to the war, and yet not being allowed to take a drink, I feel that one has the right answer thus: At least women did not make the law that sent boys of 18 to the front. We women had no voice in that. If we desire to protect our sons up to the age of 21 years, both from war and from drink, I think we have a right as women to say that we desire that protection for them, and to get it. While on this phase of the question, I wish to mention that I recently received a letter from the National Council of Women, representing 33 organisations which send delegates to the council. This council represents some thousands of women, and large numbers of children. The resolution reads -

That this meeting of the National Council of Women affirms the principle of local option with reference to the liquor traffic, and without compensation to the trade, as a 10 years limit was given.

I think most people are somewhat puzzled as to why it should be considered necessary to give the trade compensation, after having given it a 10 years limit in place of compensation. We must remember we have only tried the results of the existing Act for 10 months. There has been only one local option poll. We do not yet know what the results of local option will be. At least one can say that a local option poll is educative, if it is nothing else, and for that reason alone it is quite good and should be kept. Now, local option does not include compensation either for reduction or no license.

*The Minister for Mines:* Neither does the Bill.

*Mrs COWAN:* But the Bill proposes instead a licenses reduction board with compensation. The opinions I have expressed are the opinions of women who have considered the matter very carefully. I may say that the W.C.T.U. and the Women's Service Guild do not belong to the National Council of Women, so that those two prohibition organisations will have to be reckoned with outside the 33 organisations which have not voted for straight out prohibition. One sometimes wonders, after listening to some members of this House, whether prohibition perhaps is not the wisest course, especially when one realises how difficult it is to deal with people who are not even willing to try to save the young from this evil.

I only regret that in this Bill there is nothing making it compulsory to close wine shops altogether. Wine shops are far worse in their effects than are hotels. They should be prevented from doing the damage they are doing to our young people. No one can deny the serious effect they have had on our young people and many of our women. The reduction issue in this Bill is curiously put. We are to have reduction, but if there be no fund for compensation, then the reduction shall not take effect. Further than that, the reduction board is to exist for only six years. After that, I take it, if the traffic prove a satisfactory means of bringing in revenue to the Government, we shall have licenses issued in all directions. Some time ago this was found extremely unsatisfactory, and the issuing of licenses was stopped. The community has been none the worse for that. I sincerely hope the Bill will not make it possible that there shall be no reduction of licenses after six years.

*The Premier:* We shall wipe out the lot if the board remains long enough.

*Mrs COWAN:* If the community wants to wipe out the lot, why should the community be prevented? I congratulate the Premier on the “bona fide traveller” clause in the Bill. There was no necessity for the existing provision. Most certainly Sunday should be a day of rest from drink: it would be a tremendous boon to the wives and sisters of drinkers. When I hear husbands talking of their right of freedom to drink, I often wonder how they would feel if their wives were one and two bottle women per day. I will certainly support the Premier in getting any profits he can out of the trade, for the higher the price of drink, the more restricted will be its consumption. If we must have the traffic - I am not a prohibitionist, nor have I ever belonged to a temperance organisation, but would gladly help others to get away from temptation - then by all means let us do whatever we can to restrict it. The Bill contains no provision for appeal to the Supreme Court. I do not think that is wise. Certainly the experienced members of the past licensing benches would not support it. Sooner or later provision must be made for such appeals. The only appeal to the Supreme Court contemplated in the Bill is in connection with mortgages. Why should we always want to trouble about the monetary issue? Subclause 7 of Clause 78 strikes me as not being what it should be. In the past we have not delegated such powers to one man. It is to be possible for this body of three men to delegate their powers to one man. I question the wisdom of this. Certainly renewals should not be dealt with on those lines, whatever is to be said for transfers and the issue of temporary licenses. Again, we talk of not allowing boys and girls to be served with drink in hotels, but it is proposed to allow them to carry drink and supply it to others - surely a grave inconsistency! We should not allow our boys and girls to enter into such business at all.

*Mr J H Smith:* Is not a boy of 21 a man?

*Mrs COWAN:* No, certainly not; neither physiologically nor in any other way. Another point to be looked into is the methods of some of our boating clubs. I understand that the youthful members of those clubs are freely served with whatever liquor they wish, and that they go on the river with it, frequently with calamitous results. If this be the case, that point should be dealt with in the Bill. I do not know whether the Bill provides for a rebate of duty on liquor for medical purposes in hospitals and charitable institutions: certainly that point might well be taken into account. We would be the better for the abolition of all railway bars, but if the House will not agree to that, the clause governing such bars is, I think, a fair one. Most men take a most unnecessary

top up last thing at night at those bars. Many a home has been spoiled by that nightcap. I was interested in the dissertation on the billiard rooms. It is extraordinary that even in this dreadful city of Perth we have had at the Soldiers' Institute for some years a billiard room which is nearly always crowded, but where no drink is served. They do not require it. Surely if that institute can be run without drink, the serving of drink in hotel billiard rooms is also unnecessary! One of the main points to be stressed is that temptation should not be forced on children or women in any way. If one half at least of the race cannot be kept sober and women and children helped to become sober by the abolition of wine shops and the debarring of boys and girls from hotels, the outlook is pretty black and the community will not have much to thank Parliament for. We are here for the good of those who come after us, and it is our duty to do what we can for the future of the race. I do not think local option has had a fair trial in this community. I came into the House on that issue, and I intend to stand by it and endeavour to get as near to it as possible.

## LICENCING ACT AMENDMENT BILL (IN COMMITTEE)

**Legislative Assembly, 19 September 1922**  
***Hansard* p. 812.**

*Mrs COWAN:* I move an amendment -

That the following words be added :-

“The written report abovementioned shall be open to inspection by the applicant.”

I think this point has been overlooked, and that the applicant is fully entitled to see the report.

*Mr Lambert:* There ought to be a stipulation that a copy of the report shall be handed to the applicant not less than 48 hours prior to the hearing of the application.

*Mrs COWAN:* I am perfectly willing to accept the hon. Member's suggestion, and I ask leave to add to my amendment the words -

“Not less than 48 hours prior to the hearing of the application.”

Leave given: the amendment amended accordingly.

*Mr Chesson:* The suggested notice of 48 hours is too short to allow of rebutting evidence to be brought.

*Mr Corboy:* I move an amendment on the amendment -

That “48 hours” be struck out, and “three days” inserted in lieu.

*Hon. W.C. Angwin:* I do not think either 48 hours or three days would be any use, seeing that the licensing bench sit on fixed dates. The point might be dealt with in a new clause, which would provide that the clerk of courts shall furnish the applicant with a copy of the report.

*Mr Money:* In practice, 48 hours is found long enough. At one time these reports were not produced until the hearing of the application; therefore the amendment of the member for West Perth represents an improvement.

Amendment on the amendment put and negatived.

Amendment put and passed; the clause, as amended, agreed to.

### **Legislative Assembly, 20 September 1922** ***Hansard p. 839.***

*Mrs Cowan:* I hope the amendment will be carried. I regard this proposed extra door as a menace to our young people and to the women of the community. Moreover, I do not see why hotel keepers should be forced to go to the expense involved in the architectural alterations.

### **Legislative Assembly, 20 September 1922** ***Hansard p. 840.***

*Mrs Cowan:* I support the amendment. Some years ago legislation of a similar nature to this was introduced in the United States, but was found very unsatisfactory. People learned a sharp lesson as a result of dictating to the licensing bench and the publicans concerning the number of rooms to be built. These rooms had to be used, and in many parts of the cities they were not used in a satisfactory manner. We do not want this kind of thing to occur here. It should not be made mandatory for the bench to order that such and such things should be done, but the bench should be given discretionary powers in the matter.

### **Legislative Assembly, 27 September 1922** ***Hansard p. 924.***

*Mrs Cowan:* Power should not be placed in the hands of one man to grant renewals.

### **Legislative Assembly, 27 September 1922** ***Hansard, p. 926.***

*Mrs Cowan:* Are the deputies of the court to be paid?

*The Premier:* Yes, certainly.

*Mrs Cowan:* Then that is a further charge, and no provision is made for it in the Bill.

## **Legislative Assembly, 3 October 1922** ***Hansard p. 965.***

*Mrs COWAN:* I hope the amendment will not be carried and that the suggestion of the member for South Fremantle will not be accepted. We were promised a chance of increasing and decreasing hotels every three years, but now we are asked to forego that and accept the opportunity every five years, beginning in 1924. Surely the public deserve as much consideration with regard to these new conditions as do the publicans.

Why is the publican alone considered? We are asked to have three polls in 15 years instead of three in nine years and now the member for Perth (Mr Mann) asks us to defer the next poll until 1928 and then take a poll every seven years after that. This would give us three polls in 21 years.

*Mr Mann:* I have not moved that.

*Mrs COWAN:* I do not think the publicans will object to the necessary control being exercised. They know it will help to keep their places in better order. Therefore, the more often a poll is taken, the better for the community and the publicans, though the latter do not realise it. We should at least fix the poll for 1924 and every five years thereafter, though I would prefer to make it every three years. The argument of the member for South Fremantle does not appeal to me. What is the difference between taking the poll in a year of two elections and in the following year when there is no election? The cost of it and the excitement over it would be no less; candidates for Parliament would be asked their views, and there would be as much commotion as if the poll were taken in between. Last year the elections were held in March and the local option poll was taken in the following May. What difference did it make? Very little. It is very much better to have the polls as often as possible. It would be unfair to fix the next one for later than 1924.

Amendment put and a division taken with the following result -

Ayes	21
Noes	<u>13</u>
Majority for	<u>8</u>

AYES

Mr Angelo	Mr Latham
Mr Angwin	Mr Mann
Mr Chesson	Mr Marshall
Mr Clydesdale	Mr McCallum
Mr Collier	Mr Pickering

Mr Corboy	Mr Plesse
Mr Denton	Mr Simons
Mr Durack	Mr J Thomson
Mr Gibson	Mr Troy
Mr Heron	Mr Munsie
Mr Johnston	(Teller)

NOES

Mr Carter	Mr Scaddan
Mrs Cowan	Mr J M Smith
Mr Davies	Mr A Thomson
Mr George	Mr Underwood
Sir James Mitchell	Mr Walker
Mr Richardson	Mr Mullany
Mr Sampson	(Teller)

Amendment thus passed.

**Legislative Assembly, 4 October 1922**  
**Hansard p. 979.**

*Mrs Cowan:* I do not intend to support the amendment of the member for Claremont. I agree with the member of Gascoyne, who said that we should show some consideration to the hotelkeepers and their servants. We should also remember the younger people in the country and make it impossible for them to drive long distances in order to get liquor. If the amendment is carried in any form I hope it will provide that the distance to be travelled will be 20 or 25 miles. The member for Claremont has induced me more than ever to oppose the amendment by reason of his remarks in the direction of establishing prohibition so far as he himself is concerned. It would be against my conscience to support the amendment, because I felt that the bona fide traveller clause should not exist either in regard to the town or the country. We are aware that in many country districts the different committees who worked in the direction of securing votes for reduction or no license, were asked by men on outlying farms to do so, because, it was explained, it was the only way in which they and the younger people could be saved against themselves. Many are induced at the present time to leave their farms to go into the towns on Sundays for the sole purpose of getting drink, and we know how they must feel on the Monday. In the interests of those people we should do all we can to support the Premier I having this provision entirely struck out.

**Legislative Assembly, 4 October 1922**  
***Hansard p. 986-987.***

*Mrs Cowan:* I move an amendment—

That in line 3 after “years”, the following words be inserted, “whether a servant of the licensee living on the premises or not.”

In an earlier clause provision is made that no person apparently under the age of 21 years of age is to be served with liquor. It is not right to allow boys and girls of 16 years to be employed in hotels as servants and allow them to act as messengers to deliver drink to others.

**Legislative Assembly, 12 October 1922**  
***Hansard p. 2148.***

*Mrs Cowan:* I hope the amendment will not be agreed to. This Chamber struck out the 30 per cent after due consideration. The three-fifths majority afford a very fair test without this 30 per cent vote. I hope the Committee will adhere to the original arrangement.

*Mr Mann:* Without a substantial vote in favour or prohibition, the enforcement of prohibition will be impossible. Importation of liquor is not controlled by the State, but only sale and resale.

*Hon. W. C. Angwin:* Also wholesale.

*Mr Mann:* There is a train running every day from Port Augusta, and any traveller by that train can bring with him as much liquor as he chooses. If we have not a majority in favour of the proposal, it is useless.

*Mrs Cowan:* A three-fifths majority is provided for now.