
Film Censorship In Western Australia: Public, Government And Industry Responses 1898-1928

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INTRODUCTION

1. Much work has been undertaken by legal writers on the present debates surrounding censorship in Australia.^[1] Many of these writings focus their critique on the extent to which Australian censorship law attempts to regulate public morality and the problems that arise from such an approach. Other work has critiqued the issue of whether this legislative sphere is best handled at the Federal level or the State level. While this work is important in its own right, very little of this work describes the historical debates and reform initiatives from which present legislative censorship policies now find their source. This leaves an unfortunate gap in the writing on state sanctioned censorship within this country, for without an understanding of the ways in which the public and past governments have responded to calls for tighter controls on what people should view, an incomplete understanding of the source and reasons for modern day censorship campaigns emerges.
2. This paper examines the responses made by the Western Australian public, government and film industry to the question of film censorship between 1898 and 1928: it examines the similarities and differences between Western Australian responses and responses in the eastern states. It aims to rectify two major imbalances in existing work: firstly, the stress upon eastern states' responses as representative of Australia as a whole; and secondly, the failure to integrate political, social and economic influences which shaped the development of film censorship. As well it identifies transitions in public perceptions of film between 1898 and 1928.
3. While there were similarities in Western Australia and eastern states' responses to film there were also

differences, particularly in the way government and public organisations responded to the debate. In particular, the conclusion drawn in previous studies, that the public initially complained about film as medium rather than film's message is not true for Western Australia. As well, there were noticeable transitions in the way people perceived the effects of film. In the 1910s organisations did not complain about both the immorality of film content and the link between film and criminal behaviour. Rather the debate about criminal behaviour did not develop until after 1916 and this transition was a reflection of the changing content of film in this period. An examination of political, social and economic factors affecting film censorship in Western Australia indicates that an analysis of film censorship which ignores any of these factors within their historical context ignores the complex interplay which shaped Australian film censorship controls and which arguably impact upon present day censorship policies.

4. This paper is divided into five parts. Part One discusses the introduction of moving pictures into Western Australia and highlights some misconceptions which have occurred in previous studies of this early period. Parts Two and Three examine government, industrial and public responses to the question of film censorship between 1911 and 1927. Part four discusses the Minutes of Evidence from the Royal Commission and Part five provides the conclusion. Central to the paper is the changing public perceptions, between the early 1900s and 1927, of the effect of films upon the child and society.

A QUESTION OF CONTENT - FILM CENSORSHIP 1898-1911

5. Previous work on Australian film censorship has concentrated discussion on the period after the 1920s.[2] This is hardly surprising when one considers that it was only in 1917 that the first Commonwealth Act on film censorship was passed and that it was not until 1922 when this Act was revised that the censorship law became effective.[3] Also it was only after 1916 that complaints about film escalated. Before this period there were intermittent complaints but it was not until the 1920s that women's organisations and church groups actively and consistently lobbied the State and Federal governments for restrictions on film content. Thus, prior work in this area has frequently used the 1920s as a starting point because it is perceived to mark the time when film was firmly entrenched in society and when legislative regulation was implemented. For example, Ina Bertrand's[4] work concentrates on the complex network of Federal and State legislation which dominated censorship. Bertrand's work has made a substantial contribution to an understanding of how government responded to the question of film censorship. However, it did not synthesise this information with public and industrial responses to the censorship debate nor did it consider the early period of film when initial responses set the stage for subsequent calls for censorship controls. Diane Collin's doctoral thesis, *Cinema and Society in Australia: 1920-1939*[5] considers how sections of public reacted to films. Again this work focuses on the post 1920 period and fails to consider early responses to film partly, it is suggested, because film prior to the 1920s was perceived by the public to be a passing novelty and therefore not worthy of complaint.
6. Although the 1920s is the decade when the legislative framework of film censorship was set and public attitudes were most fully expressed it is nevertheless important to acknowledge the initial responses to film which were made between 1898 and 1920 because it was this period that established the basis for government, public and industrial responses in the 1920s. So far, this period has been virtually ignored in works on film censorship and this had led to some misconceptions about the reasons why film censorship was implemented and why the government, the public and the industry responded in the ways they did.
7. In 1896, three months after the first showing of film in Australia, the Perth public saw its first picture show at a vaudeville and carnival venue known as 'Ye Olde English Fayre'. [6] A review of the event stated that 'long before the curtain rose there was not a seat vacant.' [7] Later in the week another review noted:

Despite the threatening state of the weather last evening there was another large attendance at 'Ye Olde English Fayre'. The audience loudly cheered the realistic pictures produced by Edison's invention. [8]

8. The film show consisted of six short films which were designed to display the full technical capabilities of the cinematograph. Buffalo Bill was shown shooting his gun and a New York fight scene was presented. The other

films showed dancers, a contortionist and a singer!^[9] By December, the Fremantle Town Hall and Cremorne Gardens (an outdoor theatre) were also showing films. The Cremorne Gardens' show lasted half an hour and included scenes from a steeplechase and a train ride.^[10]

9. From 1898 to the early 1900s moving picture shows were directed specifically at the vaudeville market. Biograph shows were normally included at the end of a vaudeville programme after other novelty acts such as acrobatic displays and trick cyclists. At this stage vaudeville venues occasionally ran shows which consisted entirely of moving pictures but it was not until 1905 that film-only venues were established.^[11] The two main theatres, The Theatre Royal and His Majesty's, continued to provide live theatre. The Theatre Royal provided vaudeville shows with film segments while His Majesty's staged plays, opera and ballet. Despite His Majesty's emphasis on the classical theatrical forms this theatre also showed films on certain nights.^[12] Film was emerging as both elite and popular entertainment.
10. A survey of the amusements section in the West Australian for the first six months of 1909 reveals that, by this period, at least 50% of the entertainments advertised in the newspaper were films.^[13] This figure highlights two important misconceptions which have occurred in previous works on Australian film censorship. Firstly, Bertrand argues in her book, *Film Censorship in Australia* that the public and the government did not consider the censoring of film before 1916 because 'films were a mere novelty, a toy, the appeal of which was expected to pall'.^[14] Her work implies that film was a transient phenomenon before 1916 and it was this factor which limited calls for censorship. As films constituted at least half of the entertainment available in Perth and Fremantle in 1909 this argument does not adequately explain the transition for Western Australia.
11. Secondly, Collins argues that it was the medium of film rather than the message which initially caused concern.^[15] As film was already one of the dominant entertainment forms in Western Australian in 1909 and film venues had been established since 1905 one would have expected adverse comments at this stage. The factors which prompted comment in the 1920s - the darkened room and the mixing of the sexes - were all present in 1909 yet there is no record in the newspapers or the Colonial Secretary's Records of complaints about the film as medium until the 1920s. Like Bertrand's argument, Collin's work implies that in 1909 film and film venues were not sufficiently established to elicit comment from the public and government. The information available from the Western Australian source material indicates that, for W.A. at least, neither Bertrand's nor Collin's argument explains why the public's attitude to film changed from an apparent absence of concern to concern between 1909 and 1916 What other factors could have prompted this change in attitude? A comparative analysis of film and film venues in this period indicates some reasons for the change.
12. One factor that has been insufficiently examined in previous work on attitudes toward film is the changing content of film in this period. In the early 1900s films were considered by many to be educational and informative. There are a number of accounts in the newspapers which praise the introduction of film. For example, one headmistress wrote on 19 November 1900:

I was delighted with the entertainment. If so instructive to us Seniors how full of ideas it must be to the young. I think every child should see it.^[16]
13. Although it is impossible to assess film content accurately by title alone it is interesting to note that film titles from this period indicate a stress on factual rather than fictional themes. Film titles indicate that by the 1920s film content had substantially changed with a greater stress on fictional themes. A comparative analysis of films advertised in the West Australian in January 1909 and January 1920 highlights this transition. On the first of January 1909 the Queen's Hall Theatre in Fremantle advertised its holiday programme. Film titles included 'Scenes in Bulgaria', 'Lake Como', 'The Gorges of Tarn' and 'Motor Boating at Trouville'. Other titles included in the programme were 'Saved by Santa Claus', 'Detective Nick Carter' and 'Aunt Sally's Outing'.^[17]
14. Fictional films were always included in the programme but the advertisements stressed the factual shows by placing them first in the listings and, in larger advertisements, providing descriptions of these films. For example, King's Pictures advertised one of its new programmes by describing the two main films in the programme. The advertisement stated:

NIAGARA IN WINTER

Taken during the recent severe weather in America when the Falls were completely frozen over for the first time since 1861 therefore, never before kinematographed under these conditions. Weird, majestic, awe inspiring scenes of great beauty. A unique picture which should not be missed by lovers of the grand and beautiful in nature.

POMPEII: THE CITY OF THE DEAD

A series of thrilling interest showing Pompeii as it is. An impressive picture of the ruin and desolation caused by the stupendous calamity, A.D.79. [18]

Other films included 'The Oasis of Zidene' and 'Mohammedans at Home'. The 'Dramatic Sketches' were confined to a list at the end of the advertisement. [19]

15. By 1920 it was the fictional films which received the most advertising space. News Gazettes were advertised only at the bottom of the advertisement and were frequently not mentioned at all. A survey of the amusement page of the West Australian for the first week in January, February and March of 1920 reveals that only one documentary was advertised during that period. [20] In 1909 newspaper advertisements emphasised the uniqueness and the informative nature of films. By 1920 this emphasis had changed and it was the sensational nature of the storyline which was stressed in the advertisements. For example, on 1 January 1920, the Palladium Theatre in Perth advertised a new film entitled 'The Vengeance of Durand'. The description stated:

The insane jealousy of Henry Durand tortures his beautiful wife. At a costume fete she meets an old friend, Tom Franklin. Blind with jealous rage Durand falsely accuses her. In despair she kills herself. Durand uses his young daughter to wreck his vowed revenge on Franklin. She makes Franklin love her and then repudiates him on their wedding day. When he seeks death her real love for him asserts itself and she becomes his wife. [21]

Other film titles from the same day's paper included 'Cheating Herself', 'Love is love', 'Flower of the Dusk' and 'Branding Broadway'. [22]

16. Bertrand's and Collins' arguments about the influence of the film as medium and the number of films available are valid and require further consideration. However, the Western Australian material indicates that changing film content was an important factor which influenced the transition in public attitudes and needs to be considered in any analysis of film censorship.
17. Studying the advertisements from 1909 and 1920 not only indicates changes in film content but also suggests that there were changes in the way the industry advertised its films. Thus, it was not only the actual content of the films which influenced public response but also the content of film as it was presented through the medium of advertising. In 1909 film advertisements stressed the content of each programme and provided full details of each reel. Each advertisement was of a standard size and each cinema attempted to attract clientele by promoting its shows as the latest from the eastern states and overseas. There was little attempt to exaggerate the content of the films and there was a stress on the educational value of the films. In the 1920s films were marketed differently. Individual cinemas frequently took up at least half a column of the newspaper to advertise their production and the content of the film was frequently sensationalised. An example of the style of Advertising can be found in the West Australian on 5 January 1920. The Theatre Royal advertised a Canadian film called 'The Code of Yukon'. The description of the film stated that 'the primitive desires of men and women are unfolded in their true worth in surroundings of towering strength and beauty'. [23]
18. It is unlikely that film censors in the 1920s would have passed a film which contained the implied theme of sexual activities and so one is forced to conclude that the advertising exaggerated the content in order to attract an audience. These changes in advertising obviously reflect changes in the content of films during the period between 1909 and the 1920s and it is important not to detract from these changes and the way in which they affected public responses to film. However, it is necessary to recognise that the implied content of films, as they were promoted by the film exhibitors and the advertising industry, also affected public perceptions of film.

19. Comparing the advertisements published in 1909 and 1920 also highlights the changing technology of film during this period. In 1909, advertisements for film programmes listed a number of short reel films which were combined to make one programme. For example, on 1 April 1909 King's Pictures advertised the following programme:
20. The regions of perpetual ice; A trip through the London Zoo; Scenes in Northern Italy; The Love of the Fisher Girl; The Legend of Forget-Me-Not; and The Criminal Guardian; Tuck, the Amazing Detective; Weary Willie and the Lost Dog; Jacko the Artist; More Milk for the Baby; The Story of Psyche; A Test of Friendship; etc.[\[24\]](#)
21. By contrast, in 1920 feature length films were screened. On 1 January 1920, the Theatre Royal advertised one film which occupied the entire programme. Other cinemas also screened one film and added a News Gazette and a short reel film.[\[25\]](#) Cinemas would also offer double features. It seems likely that full length features prompted more criticism than the five or six minute reels which were shown in 1909. The length of the films obviously affected the type of story which could be told. The simplistic fictional narratives which were shown in 1909 gave way to more complex and longer narratives in the 1920s. However, the effect of film length should not be overestimated. Improving film technology enabled the industry to show feature length films but it was still the content of these films which caused the most comment.
22. There are two other factors which may also have influenced the changing response to films during this period: the new values held by the post-World War One Western Australian public and the changing nature of the film industry. In the United States there is a considerable amount of work available on the changing nature of society in the inter-war period and its relationship to the increased demands for film censorship. In *Film: The Democratic Art* Jowett argues that the 1920s was a period of moral revolution which caused conflict between the representatives of traditional culture and those who favoured the new order.[\[26\]](#) He suggests that the fundamental changes in society caused by the introduction of films, the car and the radio caused consternation to many who saw only the destruction of the old society and its values in the wake of their acceptance. Increasing secularisation of the community was cause for particular concern amongst followers of the churches. Jowett argues that the defenders of traditional culture were not prepared to accept these changes and the result was a 'flurry of activity' aimed at banning or censoring anything which reflected these changes.[\[27\]](#)
23. Unfortunately there is less work available in Australia on this subject. However, there are indications that the Australian population was subject to similar concerns. In *A New History of Australia*, Ian Turner argues that the most immediate impact of the war on society was the divisions it opened up: 'capital against labour and traditional modes of behaviour against the new'.[\[28\]](#) Statistics showing an increasing divorce rate during this period also reflect changes in society. The number of divorced persons nearly doubled (from 4500 to 8500) between the censuses of 1911 and 1921.[\[29\]](#)
24. The inter-war period was also a time when people were concerned about the moral and economic progress of the Australian population. Jill Matthews argues that this affected all modes of Australian thought. She argues that common to all concerns and all factions was 'a moral fervour and a belief in progress or perfectability'.[\[30\]](#) These beliefs centred upon some vision of the family which was thought to be the ultimate source of good. They encouraged mothers not only to care for their child's physical well-being but to take responsibility for its psychological well-being as well.[\[31\]](#) They also encouraged religious debate over purity and decadence, and social purity campaigns. There is little information which links these changes with the changing responses to film in Australia.
25. John Hicks, an historian in the United States has argued that it is difficult to analyse the role and influence which films had in promoting and assisting these changes but he states that 'the effect was considerable few would care to deny'.[\[32\]](#) Hicks' argument is possibly valid although difficult to substantiate. However, for an analysis of film censorship, establishing the actual effects which films had upon people's morals is not as important as establishing the perceived threats which members of the public saw in these films. For those who were concerned about moral purity, the family and Australia's national destiny the new films which discussed such subjects as marital infidelity were clearly harmful to the fabric of society. The massive increase in United States'

- films during World War One was also cause for concern because Empire supporters thought that it would destroy Australia's ties with Britain.[\[33\]](#)
26. In 1914 the United States film industry supplied about 50% of the films imported into Australia. The British industry provided 23.5% and the rest was supplied by the French, Italian and German film industries.[\[34\]](#) By 1922 the United States industry supplied 94% of films and the British industry supplied on 3.4%.[\[35\]](#) United States producers took the opportunity to establish their own agencies in Australia during the First World War and consequently distribution was increasingly dominated by the U.S.A.[\[36\]](#)
27. It is difficult to assess the extent to which the Perth public perceived films as a threat to the established social order. However, it is interesting to note that there were few complaints about film before the First World War and a number of complaints after that period. Two examples illustrate changing perceptions of the effects of films. Throughout 1908 and 1909 there were numerous articles in the West Australian about the increasing lawlessness and hooliganism which was occurring on Perth streets. In January 1909, the Women's National League held its convention and while deploring the behaviour of the younger generation did not mention film as a contributing factor.[\[37\]](#)
28. By 1920, the League had formed a subcommittee which specifically addressed the issue of film censorship. In December 1908, the Anglican Church Congress met to discuss theological and social issues. Film was not listed as a subject for discussion.[\[38\]](#) By 1920 the Church was lobbying both State and Federal governments for stricter and more effective film censorship.
29. Bertrand has explained the lack of film censorship in the first decade of the 1900s by arguing that film was still a temporary novelty. As can be seen from this analysis this does not adequately recognise the early 1900s film period nor explain the changing attitudes between 1908 and the 1920s. The Western Australian source material indicates that it is necessary to consider a number of factors which influenced responses to film in both the initial stages of film censorship in W.A. and in the 1920s. Such a comparative survey indicates that film content, the changing nature of the film industry and society need to be analysed in order to explain why the public and government were concerned about film in 1920 and not in 1909.

A QUESTION OF IMMORALITY - 1911-1917

30. From 1912, public organisations lobbied the Western Australian government for a censoring board which could control the content of films shown in the State. Although these organisations were at their most vocal after 1917 it is nevertheless important to consider their initial demands and the responses which were made by the film industry and the State government. A study of these early responses indicates the specific concerns which were voiced about film in the 1910s, when films were an established entertainment in Western Australia and Commonwealth legislation was yet to be introduced.
31. From this period, the organisations which complained about film predominantly comprised women's organisations and the clergy. Their complaints about films and their remedies were essentially the same. This is hardly surprising when one considers that the majority of the women's organisations were church-based groups, such as the Women's Christian Temperance Union and the Mothers' Unions of the various churches in Perth. Central to the complaints of these groups was the concern that films were threatening the institutions of marriage and the family by presenting immoral themes which subtly corrupted the child mind. In 1912 a woman from Leonora wrote to the Colonial Secretary's Office expressly stating this concern:

On my own experience and the testimony preferred by several trustworthy friends, I declare that the management have indeed, filled up their programme in too promiscuous a manner not to alarm a certain portion of the community Will family ties be strengthened by it? Is it a proper training for our children who will later on be husbands and wives?[\[39\]](#)

The clergy and laity from the Rural Deanery of Bunbury added their complaints one month later:

This council having noted with regret the increasing number of pictures shown at Cinematograph exhibitions which tend to demoralise the minds of the young who witness them, respectfully urge the Government to exercise a closer supervision over the character of the pictures exhibited.[40]

32. From 1912, clergy from a number of denominations combined to complain to the Premier and the Colonial Secretary. In June 1912, for example, the Ministerial Society of Northam representing Presbyterian, Wesleyan, Baptist, Salvation Army, Church of Christ and Anglican ministers sent a letter which pointed to 'the evil trend that the present trend of picture shows is having on the minds of children'.[41] As the moral guardians of the community the clergy obviously felt that they had some right to complain about the standard of films that were shown. They had the power to speak about film because they had status in the community and also the existing structure of the church affiliated societies through which they could coordinate their complaints. The Catholic Church does not seem to have been involved in any of these complaints and there is no evidence available from the Colonial Secretary's files to suggest that it complained separately. In fact, there is evidence from the Western Australian Catholic newspaper, the Record, to indicate that the Church was a supporter of films during this early period. Between 1912 and 1917 the newspaper printed a number of articles on films screening in Perth to encourage people to attend the shows. For example, one article from February 1912 drew the readers' attention to 'the highly attractive, educational and pleasing programme being screened at the Theatre Royal'.[42] However, the Record did not totally ignore the question of censorship. Occasionally it would reprint articles from United States' newspapers that discussed American responses to the problem; but, despite these articles, there was never an editorial comment on censorship and the articles were never specifically related to film censorship in Western Australia.[43]
33. This lack of concern about film censorship is surprising because the Catholic Church actively campaigned for censorship in the eastern states.[44] The reasons why the Catholic Church was not active in Western Australia are not clear and require further research.
34. By far the largest and most consistent lobbyists for greater legislative controls of film were women's organisations. These organisations were motivated to complain about film because they felt that film was impinging upon the area of life over which they had the greatest control: the home and the family. Their requests for female participation on censor boards were prompted by the belief that it was only women who fully understood children and that women's particular virtues of purity and maternal instinct were the values that were needed on such a board. It is all too easy when assessing women's responses in the censorship debate to see these women as prudish and see their actions as an attempt to perpetuate traditional views and behaviour. To analyse these organisations in this way is to take them out of context. In a society which accepted the idea of separate spheres for men and women it is hardly surprising that these organisations should attempt to influence the censorship debate by arguing from the basis that they were the moral guardians of the family and of children's welfare.[45] Using this argument they were able to move outside the home and carry their arguments to a State and national level with support from church and other organisations. Indeed, their role was so recognised by others that women's organisations coordinated many of the deputations and letters which were sent to the Colonial Secretary. Acceptance of woman's role in this debate is exemplified by one letter from the West Australian which argued that:

It is undeniable that a woman - the right woman - possesses the intuitive faculty in an eminent degree. It gives her an insight into the child mind that few men possess.[46]

Thus, it is important to remember, when assessing this material, that the arguments used by women in this debate represent an attempt to move outside the arena of the home and into national debate. Their views might seem conservative but they nevertheless represent a concerted attempt by women to obtain some say in events at a political level.

35. From 1912, women's organisations not only made specific complaints about individual films but also called for State censorship controls and the appointment of a woman to a censorship board. These groups included the National Council of Women, the Women's Liberal League, the Women's Christian Temperance Union and the Mothers' Union of the Anglican Diocese of Perth. Between January 1912 and 1925, 22 women's organisations

wrote at least once to the Colonial Secretary.[\[47\]](#)

36. The National Council of Women was particularly active in this regard, coordinating a number of meetings with other associations and then presenting reports to the Colonial Secretary which were countersigned by no fewer than 25 different organisations.[\[48\]](#) A number of these organisations were not women's groups. For example, the Salvation Army, and the Australian Freedom League coordinated their complaints about film through the Council and were represented by the Council at meetings with the Premier and the Colonial Secretary. Unlike the United States, where women's organisations were not organised into one effective lobbying group, in Western Australia the National Council of Women managed to transcend barriers.

37. On 1 August 1912, the National Council of Women sent its first recorded letter to the Colonial Secretary. It stated that:

Some of the films were decidedly immoral... These things familiarised growing children with crime and immorality, and their moral sense was deadened.[\[49\]](#)

38. In November, a deputation from the Women's Conference to the Colonial Secretary argued:

That in the opinion of the Conference a State board should be appointed to supervise picture shows [and] that educational, scenic, industrial and humorous pictures should comprise the programme at matinees.[\[50\]](#)

39. Another deputation in the same month comprising the Women's Liberal League, National Council of Women, Women's Service Guild, Children's Protection Society, Council of Churches, Women's Christian Temperance Union, YMCA and a Jewish Rabbi, suggested that 'a censor or censors should be appointed for picture shows'.[\[51\]](#) Once again there was a stress on the effects of film upon children. However, unlike previous letters, these deputations represented the first attempt by organisations to suggest some concrete changes to film programmes in Western Australia. Changing film content at matinees was considered to be one way of ensuring that children saw fewer inappropriate films. Censoring all films was another alternative.

40. The Western Australian government responded to these demands by attempting to establish the validity of the organisation's claims. The Commissioner of Police was instructed to obtain reports from police officers on the types of films that were being shown in the metropolitan and country cinemas. In March 1912 a report from the police to the Colonial Secretary stated that:

There is very little that is objectionable about any of the pictures that are being shown now and that little is purely a matter of taste.[\[52\]](#)

41. In response to this report the Acting Under Secretary suggested that film content could be censored without resorting to legislation by using an informal method of control. He argued that importing firms could submit their films for examination before screenings. The Under Secretary acknowledged that there was no power for the State government to censor but argued that 'if the importing firms are agreeable to submit them [the films] for examination then this difficulty is waived'.[\[53\]](#) Despite this suggestion the Colonial Secretary informed the Premier that he thought 'the time had arrived for the appointment of a censor'.[\[54\]](#)

42. The debate surrounding the relative merits of legislative controls as opposed to the informal measures suggested by the Acting Under Secretary indicates the particular problems the State government faced when attempting to implement censorship controls in Western Australia. Unlike New South Wales, South Australia, Victoria and Tasmania there was no existing legislation which could be used to censor films on anything other than the grounds of obscenity and, as the Under Secretary pointed out:

...It is rarely if ever that such are publicly shown. The class of picture I refer to does not I think, exercise a harmful influence on others than children.[\[55\]](#)

43. In all the other States except Queensland legislation existed which contained provisions for the government to

withhold licences from performances which were deemed to threaten 'the preservation of good manners and decorum'.^[56] Without such provisions the Western Australian government was faced with implementing new legislation. Despite the Colonial Secretary's suggestion that legislation should be implemented the State government decided to maintain the informal controls suggested by the Under Secretary. The reasons for this decision are not clear. However, it seems likely that, in 1912, passing legislation for film censorship was not a priority of the Scaddan Labor government. Already committed to an extensive development program for the railways and extensions to the secondary education system the government attempted to pass a number of legislative reforms, including modifications to the arbitration system, extensions to workers' compensation as well as the establishment of a number of state enterprises.^[57] Film censorship controls were not amongst this legislation. It would seem that the State government's lack of support for legislative controls was a reflection both of the priorities of the government itself and of the limited number of complaints that had actually been made about film up until 1913.

44. In an effort to avoid the introduction of formal State censorship controls film exhibitors willingly agreed to informal censorship controls whereby they would cut sections of films if the police or the State government requested it. This method seems to have worked well. The letters in the Colonial Secretary's Files indicate that the industry had established a working relationship with the police and government. A letter from 1913 provides one example of the way this method operated:

In accordance with your request we now beg to advise you that we have removed from the picture 'Resurrection' the three portions you asked us to excise, namely the bedroom scene, the title, 'A Life Without Hope' and the first portion of the tavern scene - in which two women quarrel, and these sections have been handed over to Inspector Drewry.^[58]

45. Between October 1913 and March 1916 there are no surviving letters on file from any organisation or individual requesting that the State government consider film censorship. From March 1916, the situation changed. World War 1 seriously cut film production in Europe with the result that the United States was able to increase dramatically its hold on the world film market. In 1915 United States' film exports were worth 36 million US dollars.^[59] The Australian film market was flooded with United States films. By April 1915, 70% of films shown in Australian cinemas were from the United State and, by December 1917, 95% of films were from the United States. In May 1916, the Council of the Mothers' Union of the Anglican Diocese of Perth representing over 600 members wrote to the Colonial Secretary to draw his attention 'to the undesirable immorally suggestive films currently being shown in Western Australia'.^[60]
46. Until this period there had been little acknowledgment by the police or members within the general community that these organisations were making legitimate complaints. Letters had been published in the West Australian which argued that there was nothing in the pictures 'to which the slightest objection could be taken by the most sensitive, either on their own account or on that of their children'.^[61] A 1912 Report to the Commissioner of Police argued that 'it is not so much the picture itself as what dirty minded people suspect or suggest in the pictures'.^[62] However, by 1916 this attitude had changed. A report to the Commissioner argued that there were no pictures shown in the State which were objectionable to the adult mind but there was concern about showing certain pictures to children. The report went on to argue:

A very considerable portion of the audience attending picture shows both at Perth, Kalgoorlie and perhaps throughout the State is composed of young boys and girls of tender age and possibly a good many of them are allowed to visit picture shows without the protection of their parents or guardians.^[63]

47. The following month an editorial in the West Australian suggested:

The average individual would say that the class of pictures shown in Perth is, on the whole, good. That is, they are not likely to subvert the morals of any ordinarily constituted person ... We enter the realm of controversy however in respect to the effect of films upon children or upon those in the period of adolescence ... The cinematograph is not an elevating influence on the tender mind.^[64]

48. In June 1916, the Police Commissioner sent a memo to the Colonial Secretary informing him that, '... legislation is necessary. A censor for the whole State should be appointed'.^[65] By the end of 1916 it was acknowledged by the police, the government and the general community that there should be some controls placed on films so that children were not exposed to inappropriate programmes. Weight was added to this argument when it was pointed out by the Public Questions Committee that action was being taken in other States to ensure a stricter censorship of films.^[66]
49. Although the State government did make attempts to find out about legislation enacted in other States there was no attempt to enact similar provisions in Western Australia. A letter was sent to the National Council of Women stating that nothing would be considered until after the Premier's Conference in the following year.^[67] The reasons for the delay were twofold. Firstly, the letter marks a change in government. On 27 July 1916, a Liberal government was elected with Frank Wilson as Premier and Hal Colebatch as the new Colonial Secretary.^[68] The Scaddan Government had always avoided implementing legislation, preferring to use the informal methods of control suggested in 1912. In 1916, the government seemed to be considering enacting legislation but the consideration of other States' legislation prolonged the delay and the Scaddan Government finally resigned from office without making a decision on the question. The Wilson Government obviously needed time to consider the evidence before enacting any legislation but this was not the only reason for the delay. Its attitude and, in particular, the attitude of their Colonial Secretary was markedly different from that of its predecessors. Rather than favouring the introduction of Western Australian legislation, Wilson's government supported the idea of a centralised Commonwealth censoring board which could censor films for all the States; hence the desire to avoid discussing State legislation controls until after the Premiers' conference.
50. As the calls for State censorship increased Western Australian exhibitors and exhibitors throughout the rest of Australia called for a uniform Commonwealth system rather than the introduction of individual State controls. On 5 January 1917, a deputation of Western Australian motion picture proprietors met with the Deputy Premier to discuss their views. The deputation asked that all films be censored by the Federal government at the port of entry in Sydney. Mr Robins from Spencer's Pictures pointed out the problems with individual State controls arguing that:
- If there were five or six separate censorships a film might be passed as satisfactory in New South Wales, but when it reached Victoria it might be prohibited with the result that, as these films were continually travelling from one State to another, great inconvenience would be caused and a lot of waste expenditure in advertising etc., in addition to disappointment to the public.^[69]
51. The response made by exhibitors at this stage raises some questions about why the Australian industry chose to support government legislation rather than alternative methods of control, such as industrial regulation which was favoured by the film industry in the United States. Central to an understanding of this decision is a knowledge of the way the Australian industry was structured.
52. In Western Australia and the eastern states the film industry comprised predominantly of exhibitors. In Western Australia there were only three firms which distributed as well as exhibited and no company that had a developed production sector, a factor which affected the industry's ability to influence the type of censorship controls that were implemented in Australia.^[70]
53. In 1916 and 1917 when the Western Australian exhibition industry began to consider the question of censorship controls, over 90% of films screened in Western Australia and Australia as a whole, were imported. This meant that their control automatically came under the jurisdiction of the Commonwealth through the Commonwealth Customs Act 1901(Cth). When centralised controls were discussed it seemed logical to extend these regulations to deal specifically with film rather than discuss alternative methods of control. If there had been a greater number of Australian produced films alternative measures would have had to have been found to censor the films which did not come under Customs control.
54. An additional factor was that constitutionally there were no provisions for free speech in Australia. In the United States the film industry was able to argue that the freedom of speech guaranteed under the constitution gave the

industry the right to censor films. The U.S. courts did not agree with this interpretation but it nevertheless affected the way the industry argued for the right to censor and also seems to have influenced both Federal and State governments to consider such self-regulation favourably. In Australia, where there was no legal provision for the industry to dispute the validity of censorship and there was a weak production industry with a low level of exports the film industry was forced to accept government controls. However, as can be seen in the Western Australian exhibitor's (Spencer Picture's) response, the industry did attempt to influence the government to favour Commonwealth over State controls.

55. During the Premiers' Conference in January 1917, the State governments responded to increased industrial and public pressure for centralised censorship controls by passing the resolution that:

The Commonwealth Government take effective action with regard to the censorship of picture films with a view to securing uniformity throughout the Commonwealth. [71]

56. In March 1917 the Commonwealth Censorship Board was established to censor all imported films and advertising posters and refuse to register a film which was:

- Blasphemous, indecent or obscene.
- Likely to be injurious to morality or encourage or incite crime.
- Likely to be offensive to an ally of Great Britain.
- Depicted any matter the exhibition of which in the opinion of the Board [was] undesirable in the public interest. [72]

These regulations were issued under the Customs Act 1901 (Cth).

57. The introduction of Commonwealth legislation marks a change in the way the Federal government viewed film censorship. Initially it was viewed as a State responsibility but increasing complaints from the industry and the public forced the Federal government to reassess its role. It is difficult to assess the extent to which the demands of women's organisations and the clergy influenced this change. Although most were not happy with the result and continued to campaign for a State censoring board, without their campaigns censorship controls may not have been introduced at all. They certainly heightened public and government awareness of the potential problems associated with film. It seems likely that they also affected the way the film industry's exhibitors and distributors responded to the question of censorship. The fear of State censorship controls encouraged the industry to actively support the idea of Federal controls, something it may not have supported so actively without such a threat. The effect on the State government is not so obvious. Neither the Scaddan nor the Wilson government were prepared to implement State legislation. Ultimately this left Western Australia in a good position to support Commonwealth censorship controls without the problems associated with overlapping State laws. The Scaddan Government's reluctance to act without establishing what the other States had done first actually helped Western Australia to avoid some of the harsher pieces of legislation that were enacted in New South Wales, Victoria, Tasmania and South Australia. However, certain Western Australian organisations were not happy with the Commonwealth controls. They argued that there were still a number of films screened which contained immoral themes. These concerns increased after 1917 with the introduction of United States gangster films and other films showing criminal acts. In order to restrict this content women's organisations, the clergy and members of the judiciary campaigned for stricter Commonwealth controls and the introduction of State controls. Although their campaigns for these controls were remarkably similar to the ones made before the introduction of Commonwealth legislation their specific complaints changed: from concern about film's immorality to its criminality.

FROM MORALITY TO CRIMINALITY - 1917-1927

58. Despite the introduction of Commonwealth controls in 1917, organisations continued to campaign for tighter censorship. The National Council of Women, for instance, called for stricter Commonwealth measures. They also called for use of State legislation to censor films that had 'slipped through' the Commonwealth controls. The effects of film upon children continued to be cited as the major cause for concern by women's organisations and

the clergy. Letters and editorial comments from 1917 argued that film was affecting the moral development of the child. In March 1918, a Kalgoorlie Miner editorial stated:

We are filled with alarm at what is fast becoming a very serious menace to their morals and well being. Without doubt the pictures which they see play no small part in the formation of their character and their outlook on life.[\[73\]](#)

59. However, by 1920 there was a shift from concern about the potential of film to affect children's morality to concentration on its specific effects upon juvenile crime rates. In Western Australia from the early 1920s, the W.A. Justice's Association and Members of the Children's Court joined with women's organisations and the clergy to call for stricter censorship of films showing crime because they argued that these films increased the juvenile crime rate.[\[74\]](#) In December 1920, the National Council of Women published a report on picture shows arguing, in part, that:

It is quite true that youths who have been caught robbing their employers have pleaded ... that they learnt to be criminals through visiting picture shows.[\[75\]](#)

60. In 1921 Elizabeth Mellows, a member of the Children's Court, argued that children were learning to steal by watching films. She cited the case of two boys who were caught stealing and when questioned, 'confessed to having seen a picture called the 'Clutching Hand' and thought they could do something similar'.[\[76\]](#) The Justice's Association supported this claim, asserting that 'a great proportion of cases brought before the Children's Court was directly traceable to certain classes of cinema pictures.[\[77\]](#) They also commented that the 'so-called society drama' presented children with a false view of the world:

Too often it is a world in which vice and crime are presented in the most alluring guise. It is a world in which indulgence in the illicit pleasures is the commonplace method of extracting the last ounce of joy from life.[\[78\]](#)

61. The Justice's Association and the National Council of Women were concerned not only about the specific criminal acts shown on films but also the way in which these acts were treated. The Justice's Association argued:

The chief danger lies not in the theme which is treated but in the method of its treatment. Dramas in which the sympathy of those who witness them is insidiously on behalf of the criminal are wholly destructive of the healthy civic tone.[\[79\]](#)

62. The Advisory Committee of the League of Nations supported this argument. Their report suggested that 'children were greatly impressed with the ease and skill of the actor performing criminal acts and he very soon became a hero in the minds of the children.'[\[80\]](#)

63. In February 1923, the Daily News suggested that it was not just film content which incited crime. The paper argued that all films encouraged criminal behaviour because 'children were led to steal for the purpose of obtaining money to view pictures'.[\[81\]](#)

64. The concern that film encouraged immorality was still evident during the 1920s but increasingly it was the idea that films incited crime which dominated the discussion about film censorship. There were a number of reasons why this change in attitude occurred. Firstly, the introduction of gangster films in 1916 and increasingly after 1920 represented a change in the content of films shown during this period. Hollywood romance films still dominated many screens but the number of crime films screened increased in the 1920s. A survey of the West Australian during the first three months of each year from 1918 to 1923 indicates that prior to 1920 there were few films screened which explicitly included a crime component. In the first week of January 1918 only four films were advertised. By 1920 almost one third of film advertisements indicated a crime component. For example, in the W.A. on 1 January 1920 The Empire advertised the film 'A Burglar for a Night' and The Majestic Theatre screened a film titled 'Cheating Herself'. The description for this film read, 'An up to date young lady planned a fake robbery which turned out to be real'.[\[82\]](#)

65. The number of these films, and their obvious popularity amongst the young, prompted organisations such as the National Council of Women to consider their effect on the child. Secondly, the concern about crime films was reinforced by the belief that there was a link between a child viewing a film and subsequent actions. In the 1910s, complaints about the immorality of films rested upon the assumption that children absorbed the values presented in films and this corrupted their outlook on the role of marriage and the family. Women's organisations tended to stress future problems which this could cause when the children became adults. In contrast, the concern in the 1920s was that children directly copied certain actions from films. Thus, the organisations emphasised the current behaviour problems which films created for the child's adult future. United States' works on film argued that the idea children copied the actions on films was a response to the development of the psychological theory of stimulus and response which argued that for every stimulus there was a corresponding direct response.^[83] There was no evidence available from the material studied for this paper to suggest that this psychological theory was present in Western Australia. However, irrespective of whether women's organisations and the courts knew of it, the evidence suggests that there was an awareness of the relationship between viewing and action.
66. Coupled with these explicit concerns about film content was a growing concern about adolescent behaviour in general. In his work, on the truant as delinquent, Cashen argues that the early decades of the twentieth century marked the development of the concept of the delinquent child.^[84] Bacchi's work supports this argument and suggests that the debate included a discussion of the effects of both hereditary and environment factors.^[85] Thus, although the concerns that were voiced about crime films were directly related to concern about the effects of film content, it seems likely that they were also part of a wider debate on the subject of juvenile delinquency.
67. During the 1920s questions were also raised about the effect of film venues on children's behaviour. This was a departure from complaints in the 1910s which had centred upon the problems associated with film content. Any early reference to the physical effects of film upon children was made in July 1921, the West Australian citing the 'over excitement, late hours and consequent ill effects on the child's education'.^[86] In 1925 A.H. Bully, a probation officer, was moved to comment:
- To the boy and girl given to deception these night entertainments give special opportunity to practise same. The smoking habit by mere boys is growing in practice to an alarming extent. The girl of the flapper type has an excellent opportunity of behaving in a manner which is not conducive to her best interests.^[87]
68. There were two additional concerns about film that were voiced by women's organisations during the 1920s. Firstly, the concern that films were anti-Empire. This belief obviously developed in response to the high level of United States' films imported into Australia and the corresponding low level of imports from Britain during and after the First World War.^[88] Collins argues that this debate was explicitly linked to discussions on the Americanisation of Australia through film. No such comments appear to have been made in Western Australia. In Sydney and Melbourne, editorial comments from the Sydney Morning Herald the Age indicate that there was a concern about the effects of United States' films on Australian society. In 1921 the Sydney Morning Herald commented that 'pictures have been a very potent factor in the injection of an inferior American ferment into our veins'.^[89] In August 1925 the Age wrote that 'American films are actively effecting a process of denationalization'.^[90]
69. Comments about American films were not confined only to editorials in newspapers. Women's organisations also complained about the 'importation of American slang and American sob stuff'.^[91] In Western Australia the complaints centred around specific films and were not tied to the Americanisation debate. In fact, there is little evidence in Western Australia to support the argument that this link was consistently made by women's organisations, the clergy, the courts or the newspapers. The reasons for this silence are not immediately obvious and a comparative analysis of various States' responses is needed to explain this variation in attitude. The difference may be that in the eastern states, where Australian producers and British film agencies operated, the industry became involved in this debate. The struggling Australian film industry and the British industry wanted quotas introduced so that their industries could compete more effectively with the United States' industry. They did not necessarily support the censorship demanded by the lobbying organisations but recognised that

supporting organisations that called for more British and Australian films and complained about American films would gain support for their quota demands. In Western Australia, where there were no agencies and very few producers, there was no industrial backing for comments about the American industry. WA Organisations continued to complain about the immorality and corruption in films while not specifically addressing the question of where the films were made. However, as 95% of films shown in Australia were imported from the United States, Western Australian organisations were implicitly attacking the United States' films but this was never made explicit as it was in the eastern states.

70. The other source of concern was the effect of film content upon class divisions within society. In New South Wales and Victoria these fears were explicitly raised, Collins providing a number of examples. The comment made by the Sydney Morning Herald being a representative example of the way censorship for adults was viewed:

The business of those who can take a broad and honest survey of the whole question is to protect the masses from the pollution which they themselves are incapable of observing or feeling.[92]

71. These fears were not overtly related to adults in Western Australia. There is evidence to suggest that Western Australian organisations were concerned about the potentially divisive effect of films, but voiced their concerns only in terms of the effect that these films had upon the child. The National Council of Women, for example, argued that certain films were tending,

... to make poorer children look slightly on their own less prosperous homes. Accentuating the bitter class consciousness already being fostered among them.[93]

72. The debates about American influence and class divisiveness indicate some differences in the way Western Australian and eastern states' organisations complained about films. Although the evidence would indicate that Western Australian organisations were implicitly concerned about these issues their complaints never explicitly discussed these problems because their arguments consistently focussed on the effect of films upon the child. In this way discussion was never opened to a public debate on some of the wider ramifications of film in the way that was achieved in the eastern states.

73. Women's organisations, the clergy and the courts in Western Australia argued that stricter Commonwealth censorship controls were required.[94] In this respect their demands did not differ from their eastern states' counterparts. However, the additional demand for State controls was argued differently. In Western Australia organisations were not able to call for greater use of State controls because there were none in place. Instead, their lobbying was a continuation of their pre-1917 demands for the introduction of State censorship controls and their complaints about the inadequacy of the Commonwealth legislation were added to the arguments that had already been put forward in favour of State legislation.

74. There were three reasons why organisations demanded the introduction of State legislation as well as stricter Commonwealth controls. One was because the Commonwealth legislation covered only imported material. This meant that Australian films were not censored and also that advertising material printed in Australia was not subject to inspection. The Citizen's Vigilance Committee was quick to point out this anomaly; for instance, writing to the Colonial Secretary in 1917:

While no exception has been taken to the film referred to, my committee are of the opinion that suggestive advertisements ... are a source of danger to the community.[95]

This concern was voiced by organisations throughout Australia.

75. Two other arguments put forward in favour of State controls in conjunction with Commonwealth controls were specific to the Western Australian organisations. They argued that a State censoring board was required because sections of films which had been cut by the Federal censor were re-edited in once they had left the eastern states.[96] No evidence was found to support this claim when both the Colonial Secretary's Department and the Police Department checked it in 1921 and primary material examined in this paper offers no support for the

accusation. The National Council of Women claimed that films were brought directly into Western Australia and did not go through the Commonwealth Censoring Board but there is also no evidence to support this assertion.^[97] In fact, the one film, 'My Friend the Devil', which was specifically cited by the organisation, had been passed by the Commonwealth Board and issued with a certificate.^[98]

76. It is difficult to decide whether these organisations were using these arguments as scare tactics to encourage the Western Australian government to take action or whether they genuinely believed that uncut and re-edited films were being shown in Perth. It seems likely that when these complaints were initially made in the late 1910s organisations did believe that there was a problem. However, it is interesting to note that these arguments were also put forward ten years later at the Royal Commission when both the Colonial Secretary and the police had established that no such films had been shown in Western Australia
77. The second argument used to promote State controls was that Western Australian children were more influenced by the immoral and criminal themes in films than their eastern states' counterparts. The Advisory Committee of the Council of the League of Nations argued:

In Western Australia where the out-door life of children is proverbial and their amusements are generally out of doors, they are the more readily impressed by the illustrations shown in the films of out-door life embracing more or less dangerous horse-riding, shooting and certain types of housebreaking and other highly sensational crime, say nothing of the highly promiscuous love-scenes often witnessed on films.^[99]

78. Western Australian film exhibitors and distributors became increasingly concerned about the demands for State controls and in July 1921 sent a letter to the Colonial Secretary outlining the reasons why State censorship posed problems for the industry. The letter is worth quoting at length because it highlights the specific concerns of Western Australian exhibitors and distributors.

... The appointment of a State Board would to a certain extent cripple the operations of local exhibitors and film exchanges and ultimately bring about increased cost to the public... The various films allotted to Perth are usually received immediately after South Australia or Victoria. They leave Adelaide by the Great Western on the Saturday or the Tuesday, arriving here on the following Tuesday or Friday... Assuming a State Board were in operation and decided to prohibit one of these pictures it would mean that the theatre to which that film was booked would have to shut up for three days. Further, until the Board made a decision, it would mean that we would not be able to advertise our pictures one day prior to actual screening. All our pictures are handled by Eastern Agents. Now if a certain company is handling say six pictures and two of them are turned down by the censors here, that Company would have no redress from the Manufacturers and the only way to even up things would be to increase the cost of film hire for Western Australia. In other words the Film Exchange handling those six films would have to spread the charge on the other four so that they would bring in the same return as if six had been passed.^[100]

79. Already disadvantaged by the distance between film stocks and their cinemas the introduction of State laws, Western Australian exhibitors argued, would create further problems. Delays in showing films and lack of advertising time were cited as two problems. However, the most important problem was the cost involved if films were banned. Paying for six films and receiving only four with no stock to make up the difference meant that exhibitors would lose money.
80. During the 1920s exhibitors attempted to allay public concerns, and thereby reduce the demands for State censorship, by meeting with members of the public in order to discuss ways of limiting the problems associated with children viewing film. This was a change from their approach in the 1910s when they had discussed informal measures with the State government but had not discussed controls with the public. The transition is an indication of the increasingly high profile of the public organisations which complained about film and the industry's perception of the strength of these organisations. Exhibitors attempted to improve their image with the public by arguing that they were citizens as well as businessmen and desired 'to conduct a clean and wholesome

entertainment which will tend to elevate and not degrade the community'.[\[101\]](#)

81. In August 1926 a conference was held in the Savoy Ballroom in Perth with film exhibitors, members of the Children's Court and the State Children's Department. This conference was called to discuss the restriction of children's matinees to Saturday afternoons instead of Friday evenings. Although the exhibitors listened to the suggestions put forward by various people they were loathe to act on any of the proposals. The Conference provides an example of the way film exhibitors attempted to improve their public image whilst avoiding making any changes that affected profits. During the conference film exhibitors argued that Friday night was the best night for children's shows because they did not have to go to school the next day and it did not interfere with Saturday sports activities. In contrast, Members of the Children's Court argued that evening shows encouraged juvenile delinquency because children were out late at night wandering the streets after the close of the shows. Although the exhibitors' arguments indicated concern for the child one exhibitor was finally forced to admit that he personally thought that the change 'would result in serious loss of business to a theatre'.[\[102\]](#) However, over the next decade, exhibitors gradually moved their children's shows to Saturdays.
82. The Federal government responded to the demands for increased censorship by amending provisions to the Customs Act. These amendments were primarily concerned with changing the ways in which the censors classified films. The initial legislation allowed for classification by synopsis only but this was gradually changed so that films had to be viewed before classification. However, these amendments could not cover films or advertising material made in Australia. In an effort to resolve this problem the Prime Minister contacted the Premier of Western Australia and asked that the State authorities prevent 'the publication of indecent and suggestive press advertisements and local posters'.[\[103\]](#)
83. It is important to understand why the Federal government had to ask the State government to control advertising and films shown within the State rather than enacting centralised controls. Under the Commonwealth Constitution each State retained full legislative powers subject to concurrent legislation in certain areas. These areas were customs and trade, naval and military forces and coinage and legal tender.[\[104\]](#) Censorship was considered to come under State powers. Thus the Commonwealth could not act as censor for the States but it could use its customs controls to censor imported films. However, the States still retained their right to censor and it was constitutionally only the States which were able to censor material made in Australia. The Western Australian government instructed the Police Department to control this material.[\[105\]](#)
84. Although the State government was prepared to support the Commonwealth legislation by using existing obscenity and criminal Acts to control the Australian material it was not prepared to implement any additional legislation to control this material nor was it prepared to introduce State censorship laws which would have been used in addition to the Commonwealth controls. In response to requests for State censorship from the Justices' Association and women's organisations the Colonial Secretary, Hal Colebatch, argued in 1921 that the government had always considered censorship a Commonwealth rather than a State matter.[\[106\]](#)
85. During the period between 1919 and 1926 there were two State government's in power in Western Australia: the National/Country Party between 1919 and 1924 and the Labor Party between 1924 and 1930. Despite the differences between these parties there was no noticeable difference in the way they treated the question of film censorship. Both supported the Federal legislation and were against the idea of implementing State censorship. In Western Australia no State action was taken by either party to give the organisations the level of censorship they demanded. Women's groups, the clergy, the courts and ultimately the newspapers had little effect upon the State government's resolve.
86. In 1923, in an effort to provide uniform legislation throughout the Commonwealth for Australian-made products the Commonwealth government asked the States to submit all local products to the Federal body for censoring. In order to achieve this, Western Australia was advised that it would need to introduce State legislation for film censorship and then appoint the Commonwealth censor to act as the State censor. Western Australia refused to introduce these controls, arguing that it was happy with the existing methods. This refusal to transfer power to the Commonwealth is not as out-of-character as it may at first seem. As Western Australia already supported Commonwealth controls and abided by the decisions of Commonwealth censors there was little point in ratifying

this decision with legislation. All other States, except Victoria, refused to appoint the Commonwealth censor as State censor. However, their reasons for refusal differed from that of Western Australia. These States preferred to keep their own censorship controls which could then be used to overturn a decision of the Commonwealth Censor.

87. The decade between 1917 and the Commonwealth Royal Commission into the Moving Picture Industry in 1927 marks a number of changes both in the concerns of public organisations toward film and also in the responses of the film industry to those concerns. Changes in organisations' attitudes were indicated by a movement away from an emphasis on the immorality of film and toward a concern about its encouragement of criminality. This not only indicated a change in the content of films during this period but also an increasing awareness of the psychological effects of films that was not only related to explicit film content but also to the physical effects of the cinema venue. The industry's response to the question of film control suggests that it was increasingly concerned by the power of these organisations. Its responses during this period indicate a desire to improve its public image in order to avoid the introduction of State controls. Although there was considerable debate by Federal and State governments in this decade their attitudes remained fundamentally unchanged. The Federal government still wanted fully centralised control and the Western Australian government remained adamantly opposed to the introduction of State censorship legislation. By 1927 the Federal government had still not achieved fully centralised controls, and public organisations and the film industry were complaining about a number of problems associated with film controls in Australia. In response to these problems the Federal Government implemented a Royal Commission into the Moving Picture Industry. This Commission and its minutes of evidence from Western Australia form the subject of the next section.

A FORUM FOR THEM ALL - THE ROYAL COMMISSION OF 1927-1928

88. The Royal Commission into the Moving Picture Industry in 1927/28 provided an opportunity for all those interested in film censorship - exhibitors, distributors, producers, women's organisations, clergy, the courts and educators - to put their views. Until 1927, each of these groups had lobbied individual State governments but their views had never been expressed simultaneously in one forum. The Royal Commission provided this opportunity.
89. This paper concentrates on the evidence which was taken in Western Australia in 1927, hearings being conducted in Perth, Kalgoorlie and Northam. Although the question of film censorship was not referred to directly in the terms of reference it subsequently became a central concern at the Commission hearings.
90. In 1926 the Federal government had appointed a select committee to investigate the moving picture industry in Australia. It consisted of three representatives from the Senate and four members from the House of Representatives and its brief was to establish what action could be taken to prevent the United States of America from monopolising the film business.^[107] After only a few weeks the committee was forced to return to parliament to request that the select committee be re-appointed as a Royal Commission. The committee argued that it was only with the powers of a Royal Commission of enquiry that it would be able to obtain answers from various members of the moving picture industry. In particular, members were anxious to obtain information about the level of income made by United States' firms, for there was some indication that these firms were over-estimating their costs and therefore avoiding tax payments.
91. The Royal Commission hearings started on 2 June 1927 and continued until 16 February 1928. One hundred and forty seven sittings took place, both in capital cities and country areas throughout Australia. Two hundred and fifty witnesses were called.^[108] The terms of reference of the Commission were wide-ranging and were designed to cover all aspects of the film industry. In particular, the Commission was appointed to consider three main issues; firstly, the distribution and exhibition combines. The Commission wished to establish the extent to which distribution and exhibition were controlled by the United States' interests. The second issue was the restrictive nature of block booking, a process which meant exhibitors were forced to purchase blocks of films, normally sight unseen. Australian producers argued that this limited their chances of getting their films screened

because exhibitors had already booked up their programmes. The need for government film taxes, tariffs and quotas to protect the Australian and British film industries from that of the United States was the third major topic of investigation.

92. In Western Australia, hearings commenced on 8 August 1927 and continued until 16 August. In all, there were eight sittings in Western Australia, six in Perth, one in Kalgoorlie and one in Northam.[\[109\]](#) Thirty witnesses were called. Eighteen witnesses gave evidence on the effects of film upon children. The remaining twelve were representatives of the moving picture industry. These latter witnesses provided information about the way their industry was organised, the effects of the United States' industry upon their businesses and their views on the introduction of tariffs and quotas to protect the Australian and British film production industries. They were also asked to comment on the censorship of films.
93. The first hearing was conducted at Kalgoorlie and the first witness called was Thomas Anthoness, Manager of Cremorne Gardens and Majestic Theatres in Kalgoorlie. The majority of the questions asked of Anthoness were directed at his views on the block and blind booking system and on the relative merits of United States, British and Australian films. However, some of Anthoness' responses provide insight into the exhibitors' attitudes toward censorship. In particular, they reveal the way in which exhibitors had adjusted programmes to limit complaints from public organisations. This had been achieved by providing children's matinees on Saturday afternoons which contained programmes that were suitable viewing for children. Anthoness stated that in his cinema the matinee comprised of a 'gazette, followed by a series of 'Know Your Own Country', a reel and a star picture'.[\[110\]](#) He argued that he selected the class of picture which he thought was most suitable for children and he doubted if the films had a detrimental effect. When asked if he was satisfied with the operation of censorship he stated that he thought 'there [had] been an improvement'.[\[111\]](#) He supported uniform legislation for film censorship. Anthoness' comments about the suitability of films for children suggests a change in the attitude of the film industry towards child viewing. In the early 1910s film exhibitors and sections of the community had argued that complaints about the adverse effect of films upon children were unfounded. Exhibitors agreed to cut out sections of films which were complained about but there was no attempt to classify pictures on the basis of adult or child entertainment. By the 1920s this had changed. Changes in the content of films from predominantly factual to fiction and the increasing complaints by community organisations prompted the industry to take some action. In an attempt to avoid more restrictive censoring procedures exhibitors classified films for the children's matinees, only showing films which they considered suitable. In this way they were seen to be responding to community concerns about film.
94. By the time of the Royal Commission exhibitors were prepared to acknowledge that there were films which were unsuitable for children and that steps should be taken to control children's viewing. The Commission suggested that children under ten years should be debarred from attending pictures and that children between ten and fourteen should be accompanied by an adult to night shows. While the majority of exhibitors did not support such stringent controls they did acknowledge that there was a need for some form of regulation. Ruby Nelson, lessee of the Lyric Pictures in Boulder, summed up the views of a number of exhibitors when she stated that 'such stringent measures would do a great deal of harm' to her business.[\[112\]](#)
95. The Royal Commission frequently asked the questions about controlling children's access to film before a question on stricter overall censorship. The exhibitors' concern over the cutting of their theatre patrons by debarring children meant that 50% of the exhibitors asked, supported the idea of stricter overall censorship in preference to stricter controls on children's viewing.[\[113\]](#) The proprietor of the New Oxford Theatre explained the reason for this preference when he stated:

On a Friday night our attendances would be about 40% children... Our theatre is a new one, in which about 12,000 [pounds] is invested. The patronage of children on a Friday night is an important factor in its success. Our audiences on Friday and Saturday nights make up for the week.[\[114\]](#)
96. At all of the eight hearings which were conducted in Western Australia exhibitors were asked to discuss their views on the introduction of an Empire quota which would force exhibitors to screen a percentage of Australian

and British-made films. Exhibitors were concerned about the quota because they felt that Australian and British films were not up to the standard of their United States counterparts. They feared that fewer people would attend the British and Australian films and this would affect their box office takings. Evidence to the Commission indicates that concern about these quotas and the introduction of taxes and tariffs were the problems which predominantly concerned the exhibitors. The question of film censorship concerned them only in terms of the effect which it had upon the numbers of children allowed to view films.

97. A more comprehensive view of film censorship was provided by the eighteen witnesses who presented information on the effects of films upon children. Of these witnesses seven represented women's organisations while the remaining eleven were members of the clergy, the Education Department, the Justice's Association and representatives from State Children's Homes. [\[115\]](#) These witnesses re-iterated the views they had expressed throughout the period between 1911 and 1927.
98. The first of these witnesses was Joseph Herbert Earles, a magistrate of the Children's Court. [\[116\]](#) His evidence highlighted the change which had occurred in the 1920s in the perception of film's effect on juvenile behaviour and, in particular, juvenile crime. In the early 1920s the Justice's Association and members of the Children's Court voiced concern about the crime content in films and its encouragement to juveniles to mimic such behaviour. By the time of the Royal Commission additional views had been grafted onto this perception. Earles' evidence reflected these changes. He began by stressing crime content:

I have seen ... home-made skeleton keys and other metal devices which ... were the work of a boy of fourteen whose parents informed me it was impossible to keep from the picture shows, from which he had gained his early lessons in the art of wrong doing. [\[117\]](#)

He then argued that there were additional problems associated with films which prompted juvenile delinquency. Earles reported that he had 'often gained the admission that the mother herself goes to the pictures twice a week, and leaves the home and family to their own devices'. [\[118\]](#)

99. Earles' comments mark a transition between a perception of film as encouraging juvenile crime by copying and one where crime was encouraged by its destruction of the stability of the family unit. Interestingly Earles' argument aligns the Justice's views more closely with the arguments of the women's organisations which argued that films threatened the stability of the family and home. However, there was a difference in these viewpoints. The women's organisations argued that young children would grow up with the wrong impressions of home and family life and this threatened the future of the next generation. The Justices argued that films were threatening the social stability of the current community by encouraging parental and, more importantly, maternal neglect of children. Their argument was an early indication that sections of the Western Australian community were considering the effect of films upon adult members of the community.
100. The commissioners also heard evidence from an optician and from Dr Roberta Jull, social reformer and the medical officer for schools. This was the first intervention by Western Australian health professionals to raise questions on control of film and, in particular, film venues. The optician's evidence provided information on the effect of films upon both adult and child vision. Dr Jull argued that ultra violet rays had a damaging effect upon the eyes and stated that 'the mirror arc projection machine projects a great amount of this ray'. [\[119\]](#) Doctor Jull suggested that all screens should be fitted with a filter which limited the effect of these rays. In fact, the Prince of Wales theatre in Perth was the first cinema in Australia to be fitted with such a screen. [\[120\]](#)
101. The medical officer's evidence both supported and extended the views of women's organisations and the Justices' Association. Concern about the effect of film venues was expressed only in the 1920s. Darkened cinemas were believed to provide the opportunity for inappropriate activities such as drinking and illicit sexual activity between young couples. The medical officer discussed these problems but also widened the debate to include the problems of children staying out late and consequently being too tired at school the next day. The officer also argued that children excluded from school because of contagious diseases were frequently allowed to attend the picture shows thereby spreading the disease. She suggested that the way to avoid some of these problems was for the law to insist that no child under the age of fourteen should be allowed into a cinema without an adult. [\[121\]](#)

When asked about the effect of films upon children's vision the officer responded, 'The older children do not appear to suffer much but if there is any flickerings on the screen the younger children are affected'.[\[122\]](#)

102. Educators also added their evidence to the information supplied by the medical officer. The head teacher at Leederville state school argued that films had caused educational as well as health problems in her students. She argued that children were being spoon-fed intellectually and that reading had become 'one of the dying arts'.[\[123\]](#)
103. Although such evidence is not directly related to the question of the censoring of films it does provide some insight into the way in which the debate surrounding the control of children's viewing changed between 1911 and 1927. Controlling children's access to certain films gradually began to incorporate a wider range of factors. By 1927 it was no longer just the content of films which justified greater controls it was also the effect of film venues and the film medium itself. Coupled with this change in attitude there was also a sense of concern that certain parents were not acting responsibly and that it was therefore necessary for the government to intervene to control children's viewing. In the medical officer's evidence, for example, there was the suggestion that parents were allowing children to attend picture shows and spread disease. The evidence provided by the magistrate indicated that mothers were ignoring their children and going to the picture shows. In evidence provided by a probation officer it was suggested that 'parents have not awakened to the importance of tightening up control over their children'.[\[124\]](#) The validity of such comments is obviously open to debate but it is interesting to note that there was a perception amongst the witnesses that society was changing and that parents could no longer be relied upon to preserve the safety and emotional well-being of their children.
104. The Western Australian minutes of evidence to the Royal Commission are striking in the absence of clerical witnesses. This trend was repeated in the other States. Of two hundred and fifty witnesses only five represented the clergy and, in Western Australia, the sole representative discussed only his experiences with film censorship while in India and did not comment at all upon the viewpoint of the church towards film censorship.[\[125\]](#)
105. This relative absence indicates the declining overt contribution of the churches to the censorship debate between the time of the introduction of film in Western Australia until 1927. However, the churches' viewpoint was more than adequately represented by a number of the women's organisations which were affiliated with them. It thus seems likely that, while the clergy reduced their own campaigns for film censorship, they supported the complaints of the women's organisations and were, along with a number of other organisations, incorporated into the campaigns of the National Council of Women.
106. Eight witnesses represented women's organisations and community groups in Western Australia: the National Council of Women which coordinated thirty five other organisations in the State, the Women's Service Guild, the Girls' Friendly Society, the Mothers' Union Council, the Mothers' Union Executive, the Federated Parents and Citizens' Association, and the Young Australia League.[\[126\]](#) The first witness called from these organisations was Mrs Edith Cowan, a representative of the National Council of Women.[\[127\]](#) Cowan set out the complaints of the Council under a number of headings. Her evidence indicates the growing sophistication of the Council's arguments and, in particular, emphasises the way in which additional material was increasingly grafted on to the initial complaints which were made about the immorality of film content in 1911. Cowan stated that film caused:

A serious injury to eyesight caused by rapid revolution of the cinema; weariness owing to late hours ...; general excitement too frequently generated of a sexual nature and dangers personally in the same direction ...; moral injury to their sense of modesty and suggestions emphasising that married life is too frequently neither as happy nor as decently conducted as it might be ... The use of firearms and other people's horses and property ... fosters a distinctly criminal type of mind ... The mistake of setting the purer types of pictures into such wealthy and luxurious surroundings, tending to make poorer children look slightly on their own ... an accentuates the bitter class consciousness already being fostered among them ... The spiritual injury is also very great, and little is done to build up this important side by pictures of the right kind.[\[128\]](#)

107. Evident here is the National Council of Women's incorporation of the arguments put forward by the Justices'

Association and health professionals into their own arguments about film censorship. Cowan suggested that the remedy for the problems associated with films was to improve the conditions of cinema venues by 'greater attention to ventilation and lighting, and a slower or steadier movement of the cinema'.^[129] She also argued that there should be only daytime sessions for children under eighteen with film content for these sessions controlled by the Education Department.

108. Additional witnesses from the Women's Service Guild, the Girls' Friendly Society and the Mothers' Union supported the attitudes of the National Council of Women. However, none of these organisations coordinated all of the complaints in the way the National Council had done. These smaller organisations were still concerned mainly with the immoral nature of certain films and, in particular, the threat to marriage and the family.
109. Cowan's evidence and that of other women's organisations marks one noticeable change in the approach of these organisations to the whole question of film censorship and control of children's viewing. Until the time of the Royal Commission there is little indication that they were prepared to acknowledge some of the benefits of film. As Bertrand argues in *Film Censorship in Australia*, although these organisations initially argued that they had a positive approach to film and were interested in promoting its educational potential, in practice they 'seemed to work for more and more restriction of the film industry'.^[130] Until the time of the Royal Commission the attitude of the organisations in Western Australia supported this generalisation. However, the evidence from the hearings indicates that this attitude was changing. Cowan comment that:

The cinema could be used ... in many interesting ways to illustrate all forms of life, increase interest in history, biography, travel ... thus helping to imbue the child with high ideas, general upliftment and also ... good manners.^[131]

110. They continued to demand State as well as Commonwealth censorship controls, however the commissioners were not prepared to support the idea of State censorship and pointed out the problems with such a system. However, they did attempt to gain information from these organisations about additional controls which could be implemented at a Commonwealth level. Frequently the witnesses argued that State censorship would still be the better option and that Western Australia required a State censors board. The president of the Women's Service Guild stated that 'as we are a long way from other States, it is essential that we should have in Western Australia, some body to whom we could appeal'.^[132] She argued that it was necessary for women to be on the board because 'women are, after all, the true custodian of the young'.^[133] All of the women's organisations that gave evidence at the hearings supported these ideas. Mrs Pratt, from the Girls' Friendly Society argued that 'what suits New South Wales might not suit Western Australia'.^[134] Despite such comments the commissioners did manage to convince the majority of these witnesses that censorship controls could be handled effectively through the one Commonwealth body.
111. The recommendations of the Royal Commission were made in 1928. The report summarised the evidence from the hearings and made a total of fifty recommendations including the registration of exhibitors and distributors, the limitation of contracts between them to twelve months and the introduction of a guaranteed rejection clause for exhibitors of five per cent of films. The Commission also suggested that awards should be provided by the government to encourage Australian production. Empire quotas were recommended, starting from five per cent in the third year. The major recommendation on film censorship was that it should be enforced at a Commonwealth level and that it was unnecessary to have additional State censors.^[135] There were twelve specific recommendations. Included were:
- That a Board of Film Censors be established, consisting of three persons, one of whom shall be a woman.
 - That the censorship board be invested with power to deal with the importation ... of all motion picture films, and also all ... advertising matter made without and within Australia.
 - That a censorship board of appeal be created, consisting of five people, one of whom shall be a woman.
 - That all picture films shall be graded by the censorship board and marked suitable for 'Universal Exhibition' when considered to be so.
 - No film other than those marked 'Suitable for Universal Exhibition' shall be shown at matinees.^[136]

112. The censorship provisions suggested in the Report were some of the few recommendations implemented. The classification of films and an Empire quota were introduced and satisfied some of the demands made by public organisations. However, the majority of new regulations were worded in such a way that there were, according to Tulloch, 'enough loopholes for the exhibitors to wriggle out of them'.^[137] He argues that this was because the Royal Commission was fundamentally concerned with representing the interests of capitalism.^[138] It heard evidence from all concerned parties but, while it was necessary to attempt to appease Australian producers and public organisations which limited recommendations such as Empire quotas, it was also necessary to ensure that the economic wealth of the exhibition industry was not damaged by any of these new controls. Hence the use of 'loopholes' within the recommendations which enabled exhibitors to avoid some of the potential problems associated with these recommendations. For example, the provision that exhibitors screened a certain number of Empire films could be avoided if exhibitors argued that the films were not up to the standard of the United States' films.
113. One major recommendation was that uniform censorship legislation should be established throughout the Commonwealth for imported and Australian films and advertising material. It suggested that an alternative method of establishing uniform legislation was to use the legislative power given to the Commonwealth over 'matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State'.^[139]
114. This concept differed from the previous suggestion put forward in 1923 because it meant that the States did not have to implement State legislation; it was necessary only for the State to pass a legislative agreement which gave power to the Commonwealth to make the legislation. Western Australia agreed to this decision but other States, notably New South Wales, were not prepared to surrender their State powers over censorship. Ultimately it was decided that each State would pass uniform legislation empowering the Commonwealth censor to act for each State. This was based upon the Victorian legislation and had the advantage of enabling the States to withdraw from the decision at any time. Western Australia supported this decision and from 1928 formally agreed to allow the Commonwealth to act for the State. Other States took longer to make the decision and it was not until 1947 that the legislation was passed which officially gave the Commonwealth the power to censor for the States. However, to all intents and purposes uniform censorship was practised unofficially from 1928 and the 1947 legislation was just a formal ratification of the 1928 decision. Western Australian public organisations also recognised the 1928 decision and, from this period, directed their complaints to the Commonwealth censor requesting stricter Commonwealth controls rather than the introduction of State legislation.

CONCLUSION

115. This paper has attempted to use the specific responses of Western Australia to consider some factors which affected film censorship throughout Australia. Using Western Australia as a case study, this paper has synthesised government, industrial and public responses to the question of film censorship. Previous works have tended to consider only one or two of these factors. Examining them together indicates that there was an interrelationship between political, social and economic factors which affected the development of censorship controls. Public demands influenced the Federal and State governments and the film industry to consider some form of censorship. However, the Western Australian material suggests that it was a combination of the responses of State and Federal governments and the requirements of the film industry which ultimately influenced the type of censorship controls that were implemented in Australia.
116. The struggle between state and commonwealth control of censorship policy remains an issue in Australia, as does the debate about how best to regulate the public's perceived harms of some film content. This paper does not answer the question now being asked by many writers: did we get it right? Rather, it aims only to introduce the reader to the historical context within which censorship policies have developed in this country. What is evident from such an analysis is that many of the issues that are relevant today were as hotly debated and as socially divisive then as they are now. The tension over who should and should not regulate and the reasons for the apparent modern day obsession with moral protections exist for a reason. It is hoped that this paper goes some way towards enlightening the reader as to why.

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[41] Letter from Ministerial Society of Northam, 27 June 1912. Colonial Secretary's File No. 2294.

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