

(No. 112.)



1882.

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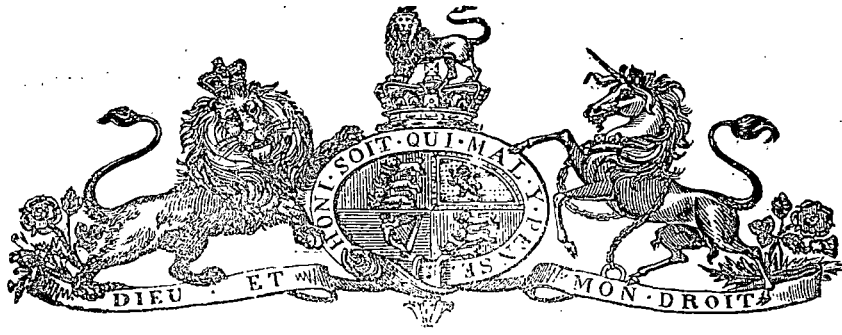
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**CONTAGIOUS DISEASES ACT:**

**REPORT FROM SELECT COMMITTEE, WITH MINUTES  
AND EVIDENCE.**

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Presented by Mr. Rooke, September 22, 1882, and ordered by the House to be  
printed.



**SELECT COMMITTEE** appointed, on the 24th August, 1882, to enquire into the working of "The Contagious Diseases Act."

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MEMBERS OF THE COMMITTEE.

MR. N. J. BROWN.  
MR. CROWTHER.  
MR. GUESDON.

MR. W. T. H. BROWN.  
MR. ROOKE. (*Mover.*)

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DAYS OF MEETING.

September 5th, 6th, 8th, 20th, and 22nd.

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WITNESSES EXAMINED.

Dr. Coverdale, Superintendent Hospital for Contagious Diseases.  
Mr. Quodling, Superintendent Territorial Police.  
Dr. Maddox, Surgeon of Launceston Hospital.  
Mr. Pedder, Superintendent of City of Hobart Police.

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WITNESSES' EXPENSES.

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Dr. Maddox .....	8	4	0

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MEETINGS OF COMMITTEE.

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No. 1.

TUESDAY, SEPTEMBER 5, 1882.

*Present.*—Mr. Rooke (Chairman), Mr. Brown, Dr. E. L. Crowther, and Mr. Guesdon.

Witnesses to be examined: Dr. Maddox, Launceston, to be asked what day will be convenient for his attendance—Thursday or Friday. Dr. Coverdale on Wednesday, at 11:30 A.M. C. D. C. Quodling on Wednesday, at 12. Inspector Pedder on Wednesday, at 12:15 P.M.

Acts bearing on the subject.

The Committee adjourned till 11:30 A.M. on Wednesday.

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No. 2.

WEDNESDAY, SEPTEMBER 6, 1882.

Committee met at 11:30 A.M.

*Present.*—Mr. Rooke (Chairman), Mr. Guesdon, Dr. E. L. Crowther, and Mr. N. J. Brown.

Witnesses examined: Dr. Coverdale and Mr. Quodling.

Committee adjourned at 1 P.M. to 2:30 P.M. on the 8th September.

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No. 3.

FRIDAY, SEPTEMBER 8, 1882.

*Present.*—Mr. Rooke and Mr. N. J. Brown.

After waiting from 2:30 P.M. to 3:30 P.M., there being no quorum, the Committee adjourned.

The Committee met at 7 P.M.

*Present.*—Mr. Rooke (Chairman), Dr. E. L. Crowther, and Mr. N. J. Brown.

Witness examined: Dr. Maddox, of Launceston.

Committee adjourned at 7:30 P.M.

No. 4.

WEDNESDAY, SEPTEMBER 20, 1882.

Committee met at 2:30 P.M.

*Present.*—Mr. Rooke (Chairman), Mr. N. J. Brown, Mr. W. T. H. Brown, Mr. W. A. Guesdon, and Dr. E. L. Crowther.

Witness examined: Mr. Pedder, Superintendent of Police of the City of Hobart.

Committee adjourned at 3:30 P.M. to Friday at 11:30 A.M.

Minutes of previous meeting read and confirmed.

No. 5.

FRIDAY, SEPTEMBER 22, 1882.

Committee met at 11:30 A.M.

*Present.*—Mr. Rooke (Chairman), Mr. N. J. Brown, and Mr. W. T. H. Brown.

Minutes of last meeting read and confirmed.

The Chairman brought up a draft Report, which was read; on the Motion of Mr. N. J. Brown, seconded by Mr. W. T. H. Brown, was adopted, and ordered to be prepared for presentation to the House.

The Committee then adjourned *sine die*.

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## R E P O R T.

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THE Select Committee appointed by your Honorable House to take evidence as to the working of the Contagious Diseases Act, have to report that the evidence clearly demonstrates that, although the operation of the Act has been beneficial to Hobart, it has had the bad effect of causing the disease to spread both to Launceston and the Country Districts generally. Your Committee strongly recommend that, with a view to remedy this evil, the operation of this Act should be extended throughout the Colony.

H. I. ROOKE, *Chairman.*

*Committee Room, 22nd September, 1882.*

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## EVIDENCE.

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WEDNESDAY, SEPTEMBER 6, 1882.

DR. COVERDALE *examined.*

1. *By the Chairman.*—You are the Medical Officer in charge of the Hospital for Contagious Diseases, and intrusted with the carrying out of the Act? I am, and have been since the introduction of the Act, about 2½ years ago.
2. Do you think the operation of the present Act has been beneficial? I do; but the present Act might be made more comprehensive.
3. Are you of opinion that up to the present it has done good to the community? I think it has.
4. How many females do you think you have had under treatment annually? My annual reports would give that. Last year I had about 80 fresh cases.
5. Can you give any opinion, from your experience, whether the present Act can be improved upon? Yes. The working of the present Act is confined to Hobart and six miles round. One of the defects of the present Act is that a female not answering to her summons can be arrested on warrant and conveyed to the Hospital for Contagious Diseases without previous medical examination; the consequence being that in a few instances girls without disease have been brought to the Hospital.
6. From what you know of the operation of the Act, do you think it is properly carried out? The Act only applies to common prostitutes, and is properly carried out so far as its provisions will allow.
7. Have you known of any girls (diseased) belonging to Hobart, who have gone away for any time? Not of my own knowledge, but I have been told by girls in the Hospital of some having done so. One case in point is a girl now voluntarily in Hospital, who left Hobart for Launceston with two other girls who had been summoned under the Act. She states “that she was subsequently diseased and went into the General Hospital at Launceston, where she remained a few days, left it, and went on to the streets again for a time. Went to Deloraine and stayed there for a while, ultimately returned to Hobart.” She then delivered herself up to the Hospital for Contagious Diseases, when I found her the subject of syphilis in an advanced and most contagious form. The two girls summoned have never come under my care.
8. Can you give the Committee any information on any other case? Yes. There was a girl who came from the Reformatory at the Barracks to the Hospital for Contagious Diseases. She was in a bad state of syphilis. She stated that she was a Launceston girl, and had been three months in the General Hospital, Launceston. She left there, and was taken by some person to the Home at Risdon. She remained there a month and then ran away. Afterwards gave herself up to the Reformatory at the Barracks, from whence she was sent to the Hospital for Contagious Diseases under the provisions of the Act. I understand that this case visited the tin mines.
9. Do you think the present Act could be extended to the whole Island? Yes, I think it could, by the same process as adopted in Hobart,—viz., by the action of the police, medical examination, and then taken before a Warden or Police Magistrate, and thence transmission to the nearest Contagious Diseases Hospital if necessary.
10. Have you had any experience of the Continental system of registration of women? I have not.
11. Has the illness or absence of the Police Magistrate had any effect on the working of the Act? Yes, very considerable, inasmuch as during his absence a short time ago there were no admissions by warrant into hospital; and during his late illness there were no admissions of any girls into hospital for the past six or seven weeks under similar conditions, the Police Magistrate alone being empowered to grant summonses and warrants under the present Act.

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MR. QUODLING, *Superintendent of Territorial Police, and Officer appointed for carrying out the provisions of “The Contagious Diseases Act” within the City, up to the 31st August last, examined.*

12. *By the Chairman* (Mr. N. J. Brown in absence of Mr. Rooke.)—Will you give the Committee your opinion as to the working of “The Contagious Diseases Act,” whether it has been beneficial or otherwise? I think the Act has been beneficial to the community by checking disease.
  13. Have any cases of hardship come under your notice of females being interfered with without sufficient cause? None; the operation of the Act has been strictly confined to common prostitutes.
  14. Can you give the Committee any information as to the fact stated by Dr. Coverdale,—that the absence or illness of the Police Magistrate has interfered with the working of the Act? The Police Magistrate is the only person authorised by the Act to issue notices.
  15. Will you inform the Committee if in your opinion the existing Act can be improved? Yes, I think it can be greatly improved. In the first instance, I consider any female wishing to surrender herself for treatment in the Hospital for Contagious Diseases should be allowed to do so without being compelled to appear before a Police Magistrate or any other person, and to be detained there at the discretion of the officer in charge. I also think that the working of the Act with reference to taking complaints, issuing notices, summonses, and warrants, should not be confined to the Police Magistrate of Hobart, but that the power should be extended to Mayors, Wardens, and Police Magistrates. During the months of July and August several cases were reported to me, but through the illness of the Police Magistrate of Hobart no action could be taken. Three of these cases afterwards voluntarily surrendered.
  16. Do you see any difficulty in extending the Act to the country districts? None whatever. By extending the necessary powers to the Wardens and Superintendents of Police the Act could be carried out.
  17. Do you know of any cases of diseased females leaving Hobart for the country districts to avoid the operation of the Act? Yes; in many cases, where summonses have been issued, they leave for Launceston or the country districts.
  18. *By Dr. Crowther.*—Will not the warrant follow them? Yes; but it is difficult to execute because of the difficulty of identification, and also the considerable extra expense incurred. I cannot understand why the Act has not been carried out in Launceston. Had it been so, the carrying out of the Act in Hobart would have been facilitated.
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FRIDAY, SEPTEMBER 8, 1882.

DR. MADDIX examined.

19. *By the Chairman.*—You are a medical man, and practising in Launceston? I am.
20. Speaking from your own observation, what do you consider the sanitary condition, as regards syphilis, Launceston is in at the present time? In a most unhealthy condition.
21. Is it your opinion that it would be a beneficial step to extend the operations of "The Contagious Diseases Act" to Launceston? Most decidedly it would be beneficial.
22. From what you know, would it be at all difficult to extend the operations of "The Contagious Diseases Act," to the country districts, having a central depôt in Launceston? There would be no difficulty in any district where there was a medical man in practice.
23. *By Dr. Crowther.*—Of your own knowledge, are you aware that any diseased woman has come from Hobart to Launceston during the last two years? I cannot speak as regards the woman herself, but two or three of my male patients have informed me that they have been syphilitised by a woman from Hobart.
24. Are you of opinion that when the new wing of the Launceston Hospital is completed there would be the necessary space for carrying out the provisions of "The Contagious Diseases Act?" I think there is the necessary space; and I do not think there would be any objection to it.
25. Do you think the present Staff of the Launceston Hospital could carry out the provisions of the Act? Yes, if on the premises.
26. Would you register common prostitutes, and only give them a clean certificate on periodical inspection? Yes, I would.
27. Do you think this Act would be beneficial if extended throughout the Colony, as a question of humanity? Most certainly I do. I have seen more cases of constitutional syphilis during the last two years than in the previous five years, and it is greatly on the increase,—many of the cases coming from the mining districts. I have known of some cases of this description occurring amongst children.
28. *By the Chairman.*—Is it your opinion that the fact of the Act being confined to Hobart tends to the increase of syphilis in other portions of the Colony? I believe it does.
29. *By Mr. N. J. Brown.*—Do you see any probability of the Act being abused in the country districts by those invested with authority under it, for the purposes of unwarrantable persecution? I do not; for I am of opinion that no one would run the risk of arresting a woman without good reason, because medical evidence would at once disprove the charge.
30. Can you inform the Committee whether there is any general desire on the part of medical men, and those persons who should be consulted on the matter, to extend the operations of "The Contagious Diseases Act" beyond Hobart? Before leaving Launceston, I personally saw all the medical men, and they unanimously stated that I could not speak too strongly in urging the extension of "The Contagious Diseases Act," especially when taking into consideration the large mining population that is constantly passing through the Town of Launceston.

WEDNESDAY, SEPTEMBER 20, 1882.

MR. PEDDER, *Superintendent of Police for Hobart*, examined.

31. *By the Chairman.*—Have you had any experience in the working of the Contagious Diseases Act in Hobart or elsewhere? Not much official experience, having only been appointed an officer under the Act during the present month.
32. From your experience of what you have seen of the working of the Act in Hobart, do you think that the Act has been beneficial in its operations within the City of Hobart? So far as the provisions of the Act give power, it has been beneficial.
33. From what you know of the operations of the Act, can you state if it can be improved upon? I am opinion that the provisions of the Act should be extended to the whole Island, and without delay. The limiting of its operation to the City of Hobart alone, defeats the very object of the Act,—namely, to check the propagation of a contagious disease. I know as a fact that much mischief is being done in consequence of the Act being confined to this city.
34. Do you think that there would be any difficulty in extending the operations of the Act beyond its present limits? No, I do not; and it would be highly desirable to do so.
35. Can you give the Committee any particulars of a special case on this point, showing the necessity of extending the operations of the Act? Yes, I can. I served a notice on a girl last Friday to appear at the General Hospital to-day for examination, and she left by train yesterday morning for Launceston. I believe she was in a highly diseased condition. Since the summons was served, I have been informed that she has diseased other persons. Before serving the notice upon her, I requested her to surrender herself to the Lock Hospital so as to save trouble, but she said if I served her with a summons she could avoid the exposure by going into the country.
36. Is there any machinery or funds available for bringing a girl back to the Lock Hospital, if necessary, in cases of this kind? It would be a very expensive process to proceed after and follow a female to Launceston or elsewhere who had been served with a summons under the Act.
37. Do you know of any case of a girl under summons under this Act having left Hobart and then been brought back? No, not of my own knowledge.
38. *By Mr. N. J. Brown.*—I understand that you have had the working of this Act within the city for only the last month? Yes. In consequence of Mr. Quodling, the Superintendent of the Territorial Police, being the officer, under the Act, appointed to carry out its provisions in this City, I objected, and pointed out that the Police of the City was responsible for the general good government and order of the City, and that consequently I should be armed with all necessary authority, which the law provided, to enable me to carry out the Act. Consequent upon my representation, I was appointed to act within the City of Hobart.
39. From your knowledge of the working of the Act, do you think that there would be any reasonable objection to extending the operation of the Act to the country districts? No, I do not; for if the Wardens of the several Municipalities were invested with the same powers as are now vested in the Police Magistrate under the Act, the Wardens would be careful not to sign any process under the Act except when well assured as to the *bona fides* of the case, and satisfied, on the unprejudiced testimony of two persons, that there were good grounds for issuing the necessary process against the person complained of.

40. *By Dr. E. L. Crowther.*—Do you think, from your own knowledge, that there has been any hardships in the carrying out of the Act? Of my own knowledge, I am satisfied that there has not.

41. Do you think that the operation of the Act could be facilitated by extending the power of issuing processes to Mayors, instead of as at present confining it to Police Magistrates? I am of opinion that the same power as at present possessed by the Police Magistrate should be extended to the Mayors of Hobart and Launceston.

42. What is your opinion as to issuing licences to females? In a small Colony like Tasmania, I do not think there is any necessity for legislation in this direction; besides, I am of opinion that under the present Police Act, Section 81, it would not be legal to license prostitution.

43. *By Mr. Guesdon.*—What is your opinion of Clause 6 of the Act? Section 6 being the Section under the Act which initiates the proceedings against females, great care and discretion should be exercised by the officer appointed that he has good and substantial grounds for making his complaint, that the female complained of is a common prostitute, and that she is suffering from the venereal disease; taking this precaution in connection with the protection provided for in this Section to females, I am of opinion that the probabilities of any hardship or injustice being done is somewhat remote.