CHAPTER III
THE CENSORSHIP

Unfortunate necessities of warfare are the imposing of restraints upon the publication of news, since items of information may be valuable to the enemy, and exercising vigilance over cablegrams and letters. Every commander who has directed the operations of armies has taken precautions to maintain secrecy. The anxieties of generals on this account have been increased in modern times by the ubiquitous industry of the representatives of newspapers, and their avidity to obtain news for publication. Napoleon was not troubled so much by press activities as generals in more recent wars have been, for the press was not so capably organised in his time as it is to-day; but even he was often perplexed because French newspapers published items which he knew would be precious to his enemies. Hence his direction in 1800 that the Minister of Police should notify all editors of journals that they should not print any information relative to the movements of armies and fleets. Yet notwithstanding his frequent directions he had to complain of the indiscretions of a press which certainly did not wish to offend. “If a squadron is expected at Toulon,” he said in one despatch, “I do not see why the Journal de Paris should have the grace to warn all Europe about it.”¹ In the American Civil War, General Sherman made bitter complaints concerning the manner in which his plans were revealed to the commanders of the Confederate armies by newspapers which, being on the Federal side in the great issue, should have been eager to promote the success of his operations. We find Sherman writing:

Who gave notice of McDowel’s movement on Manassas, and enabled Johnston so to reinforce Beauregard that our army was defeated? The press. Who gave notice of the movement on Vicksburg? The press. Who has prevented all our secret combinations and movements against our enemy? The press.²

¹ In Colonel Picard’s Préceptes et Jugements de Napoléon there are five pages of extracts from Napoleon’s correspondence on this subject.
² The Sherman Letters, under date Feb. 1863.
So seriously, indeed, did newspaper revelations prejudice the Northern cause that several editors were imprisoned and journals in cities as important as New York, Chicago, and Baltimore were suspended or totally suppressed.8

Australia had had no experience of the restraints which war conditions imposed upon the liberty of the press, and when the censorship began to operate it seemed to many persons, of whose loyal disposition there could be no question, that an assault was being committed against one of the bulwarks of democracy. It was startling to learn that news which had been passed by the censor in Great Britain was prohibited from publication when cabled to Australia. The appearance of armed guards under the command of officers at the business premises of firms trading under names of German origin, with instructions to search for documents, conjured up visions of military rule totally out of harmony with Australian traditions. Protests were voiced in Parliament. It is significant of the complete acceptance by the Labour party of the war policy of the Fisher Government that these protests did not emanate from members of that party, but from the Liberal opposition. Mr. Cook became anxious, and condemned the censorship in his most scathing style. But Mr. Fisher firmly upheld the actions of the censor's staff. He offered to take the Opposition leaders into his confidence, and to have a formal consultation with them, if they required evidence that what had been done was necessary; he would not promise, however, to prescribe the censor in the execution of his duties. He would not even allow that things said in Parliament should be published, if publication were militarily undesirable.

Some things might be said in this Parliament (he declared) which we, possessing the knowledge we have, would know would, if published, militate against the interests and the welfare of the country. We should not, in such circumstances, allow its publication.4

It was sometimes alleged that the remoteness of Australia from the theatres of war minimised the need for a strict censorship. This view cannot survive an examination of the

8 See J. G. Randall on "The Newspaper Problem in its Bearing upon Military secrecy during the Civil War," American Historical Review, XXIII, 303.

* Parliamentary Debates, Vol. LXXVI, p. 3345
files of papers in the archives of the Commonwealth Government. In spite of the vigilance of the censors, who were on duty at the Post Office, and who opened thousands of doubtful letters, in spite of the supervision exercised over newspapers, in spite of the "shadowing" of hundreds of suspected persons, the German Government was repeatedly advised—sometimes in an exaggerated form, but with sufficient accuracy for its purpose—of events in Australia. It knew something about the internment camps and things connected with the commercial interests of its subjects in this quarter of the globe. According to the report of the Deputy Chief Censor on one occasion action taken in Australia was reported in a Berlin newspaper within seventy-two hours. From the promptness with which it moved neutral countries to intervene whenever there was reason for such action, and from the nature of the information upon which it based its requests, we can infer that the intelligence department of an enemy with a genius for organisation and with highly trained capacity in its service, was alert and vigilant.

On the other hand, the German censorship was occasionally defeated by indiscreet letter-writers in correspondence with friends in Australia, and details which it was inexpedient to permit to reach the Allies were passed on to them from this distant source. Thus, in January, 1916, a German in a letter to a relative in Australia deplored that "the strong men are all in the field, and now the unfit are called in, and every man who can walk has to be a soldier." Evidence of such facts was, however, reaching the Allies in abundance from other sources, and the value of such letters was thereby lessened.

II

Preliminary steps to establish a censorship in Australia were taken before the declaration of war. On the 2nd of August, 1914, the Secretary of State cabled to the Governor-General directing attention to the preface to the defence scheme, which provided for supervision of cables and the prevention of the publication of news likely to be useful to the enemy. The machinery for the censorship in Australia had been planned by General Bridges, and on August 3rd the Commonwealth Gazette proclaimed the "establishment of a
censorship of all cable and wireless communication throughout the Commonwealth" from 5 p.m. on that day. The newspapers became aware on the same day that a censorship had assumed control at the London end of the cable, as indicated by an announcement published by the Melbourne Argus on August 4th:

We have received no cable messages from London since 10.15 o'clock last night. The fact must be regarded as implying that, for reasons which we can only surmise, but which point strongly to the urgent need of precautionary measures, a very strict censorship is being exercised by the British Government.

The Chief Censor at the War Office was immediately advised of the action taken in Australia; and throughout the war there was complete co-operation between the Deputy Chief Censor, whose headquarters were in Melbourne, and the Chief Censor's Department in London. There were regular exchanges of information between the censorship officers throughout the British Empire, and the consular service, with its far-flung ramifications, gave valuable assistance. Sometimes a British consul in a foreign country would hear something about a person resident in Sydney or Brisbane, and would immediately write communicating what he had heard to the Australian authorities. Reports of experiences were mutually communicated, and suggestions offered. At the end of the war, the Chief Postal Censor in London expressed his warm thanks for the "most accurate and useful" reports which he had received from his Australian colleague, and his conviction that "the Australian censorship has been a model institution."

The chief officer of the Australian censorship staff bore the title of "Deputy Chief Censor (Australia)." The first to hold this position was Colonel M'Cay, who commenced duty on the evening of August 3rd. He organised the headquarters staff, and directed the establishment of the district censors' offices, with stations at Brisbane, Sydney, Melbourne, Adelaide, Hobart, and Perth. At later dates sub-stations were established at Launceston, Darwin, Thursday Island, Port Moresby, and Rabaul. Colonel M'Cay was almost immediately

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6 Appendix to Censor's report; mss., Intelligence Department

appointed to the command of a brigade in the Australian Imperial Force, and on August 10th Lieutenant-Colonel Tunbridge was chosen to succeed him as Deputy Chief Censor. A few days later this officer also was appointed to the A.I.F., and was succeeded by Colonel Monash, who assumed office on August 17th. Colonel Monash, afterwards to attain great distinction as a field commander, was in the censor's chair for only a little more than a month. On his appointment to command the 4th Infantry Brigade, he was succeeded, on September 23rd, by Colonel Hall. The system was in full swing when Colonel Hall took charge, and the files of the office show with what tact, good humour, and energy he directed the work during sixteen strenuous months. He remained at his post until compelled by ill-health to retire, and was succeeded on the 31st of January, 1916, by Lieutenant-Colonel McColl, who had been on the censorship staff from the earliest days of the war. Colonel McColl continued at the head of the service till peace was proclaimed, relinquishing office on the 8th of September, 1919, when Captain Hayes was appointed Deputy Chief Censor with the task, chiefly, of winding up proceedings.

The censor's staff, including headquarters and district officers, was a fairly large one. From first to last 530 persons were employed. Many of these, however, were engaged for temporary purposes, such as translating from the more recondite languages. The maximum number employed upon the service in any one year was 187 in 1918; the minimum number was 124, in 1914.

The headquarters staff consisted of press censors, postal censors, interpreters, and the usual equipment of typists, clerks, and secretaries. The personnel of the censorship staffs in the six military districts of the Commonwealth changed...
during the course of the war.\textsuperscript{12} The interpreters were for the most part temporary officers, employed to assist when letters in foreign languages had to be read. They included experts not only in the chief European literary languages, but also Syrians, Greeks, Turks, Poles, Serbs, Magyars, Scandinavians, Czechs, Finns, Persians, Chinese, and Afghans. Sometimes the knowledge of the linguist had to be supplemented by the skill of the chemist, when “invisible writing” had to be deciphered.

When the war began, there was no officer in the Australian defence services who had studied in detail the methods of censorship, and there was no experience upon which to draw. The entire staff had to be trained for the work—often very difficult and delicate—entrusted to it. A few general guiding principles could be laid down, but as the business was entirely novel, and the men in charge of it were necessarily left with a large discretion, it was natural that inconsistencies should occur. There was, too, an enormous mass of work to be done, causing delay which was irritating to those who felt the pull of the censor’s rein. But as the experience gained during the first weeks of the war was co-ordinated, and as more specific instructions were given to the officers who did the daily work of censorship, there was less cause for complaint. Censors were directed to be invariably courteous,

\textsuperscript{12} The following officers served as district censors, their staffs, which were generally larger than the headquarters staff, consisting of assistant censors, interpreters, and clerks:

1st Military District (Q’land): Lieut.-Colonel T. Pye, from 6 Aug., 1914, to 3 Jan., 1915; Captain A. J. Gibson, from 4 Jan. to 2 Apr., 1915; Captain H. C. Coxen, from 3 Apr., 1915, to 31 Dec., 1916; Captain J. J. Stable, from 1 Jan., 1917, to 17 May, 1919; Mr. J. Botten from 18 May, 1919


5th Military District (W Aust.): Captain H. A. Corbet, from 4 Aug., 1914, to 31 Mar., 1915; Major C. R. Davies, from 1 Apr. to 1 May, 1915; Colonel J. C. Strickland, from 2 May, 1915, to 22 Nov., 1916; Captain C. H. Hill, from 23 Nov., 1916, to 21 Sept., 1919.

and there is an abundance of evidence on the files that the chief censor and his staff in this respect followed the injunction given to the district officers, doing their best to avoid inconveniences, and willing to explain their action in cases where it was not inexpedient to do so. All connected with the censorship were sworn to secrecy, and one of the noticeable features of the administration is that there was no recorded dereliction or breach of faith on the part of any member of the staff throughout the war period.

The cost of the censorship to the Commonwealth from 1914 to 1918 was not more than £175,000. No accurate calculation can be made of the value of products, intended to reach the enemy through allegedly neutral intermediaries, which were held back through the vigilance of the censor's staff; but there was one striking instance in which tallow to the value of £250,000 was prevented from being shipped for enemy use, and it was considered that, in addition to this case, at least £500,000 worth of goods were similarly checked. At the close of the war, too, the censorship held fiduciary instruments to the amount of £151,172, in the form of bills of exchange, bank drafts, letters of credit, and money orders, all sought to be transmitted to enemy subjects through neutral countries.

III

There was general willingness on the part of newspaper proprietors to conform to the rules laid down by the censor, but in the beginning it was not always easy to determine what the rules were, nor was there always co-ordination between the branches of the government service as to what should be published and what ought to be prohibited. Complaints were consequently frequent as to lack of uniformity of treatment. The censor was frank in his admission that this defect existed. It was due, he considered, to (a) the inexperience of officers in the early stages; (b) the distance of some of the stations from headquarters; (c) the recalcitrance of a limited section of the press; and (d) the fact that censorship was an entirely novel experience in Australia, “and ran counter to the very deeply rooted customs and prejudices of this country.”

Two things, however, strengthened the hands of the censor

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18 Censor's report, to 31 Jan, 1915; mss, Intelligence Department.
in his relations with the press, and also gave to editors clearer
guidance than they had during the early months of the war
The first of these was the passing by Parliament of the War
Precautions Act (No. 10 of 1914), which, by Section 4, pro-
vided that—

The Governor-General may make regulations for securing the public
safety and the defence of the Commonwealth and for conferring such
powers and imposing such duties as he thinks fit with reference thereto,
upon the Naval Board and the Military Board and the members of the
Naval and Military Forces of the Commonwealth.

Regulations made under this far-reaching provision gave to
the censor the power that he required for the efficacious per-
formance of his functions. The second means of clarifying
the relations of the censorship and the press was the issue, on
September 28th, of a set of general instructions for news-
papers. These were revised from time to time in the light of
experience, the last revision being issued on the 30th of June,
1918.14

Six regulations under the War Precautions Act armed the
censorship with its authority. The first of these (Regulation
19) made it an offence for any person to publish, communi-
cate, or attempt to elicit any information with respect to the
movements of ships or military forces, or with respect to
military or naval plans, works, or fortifications; or any
information which might be directly or indirectly useful to the
enemy. The second (Regulation 27A) made it an offence
for any person by word of mouth or in writing, or by any act
or deed, to advocate or encourage disloyalty or hostility to the
British Empire or the cause of the Empire during the war.
The third (Regulation 28, I) made it an offence to spread
false reports or make false statements likely to cause dis-
affection or public alarm, or likely to interfere with the success
of the King's forces, or likely to prejudice the recruiting,
training, discipline, or administration of the forces. The
fourth (Regulation 28ac) gave power to any officer authorised
by the censor to enter, if need be by force, and to search, any
premises in which it was suspected that there might be any
copies of any publication containing injurious matter, or any
type capable of being used for the printing of such matter;

14 Rules for the Censorship of the Press, marked "strictly confidential and not for
publication; issued by the authority of the Deputy Chief Censor (Australia)."

and gave power to seize such material, to destroy it, or to dispose of it as directed. The fifth (Regulation 28AD) made it an offence for any person to print or distribute matter which had been forbidden by the censorship staff. The sixth (Regulation 28c) prohibited the publication of any matter from which it might be inferred that any alteration, addition, or omission had been made by the censorship, or to publish any statement to the effect that publication of any matter had been forbidden.

The censorship rules affected cartoons and pictures as well as literary matter. It was forbidden to publish any picture of a defence work, camp, signal station, or depot; or any picture of a warship, unless by special authority; or any cartoon likely to discourage recruiting or to give offence to Allied or neutral nations; nor was it allowed to publish "illustrations of gruesome effects of warfare." A newspaper might not "call public attention to the fact that a particular item, name, or locality had been suppressed," because to do so would "defeat the object of suppressing that particular." Articles submitted to the censorship must contain the headlines under which it was proposed to publish them, and a headline might not be altered after it had been passed. If matter which had been passed by the censorship was not published within a month, it was required to be resubmitted. The newspapers were warned not to publish rumours and unconfirmed reports of victories or defeats by land or sea, or headlines "exaggerating successes or failures of any kind."

It was intimated that, whilst legitimate criticism would not be suppressed, nevertheless the publication of statements likely to prejudice the recruiting or discipline of the forces was prohibited. Statements made by individual soldiers as to bad treatment either in Australia or elsewhere were mostly ex parte, and many were "false or exaggerated." Such statements should not be published, but forwarded to the proper authorities for investigation. After the United States entered the war, it was forbidden to publish any matter derogatory to or intended to weaken or minimise the terms of peace "laid down by the Prime Minister of Great Britain and the President of the United States"; and this prohibition specifically applied to "matter commending the Bolshevik peace terms in so far
as they are inconsistent with the terms of peace set forth by Mr. Lloyd George and President Wilson." No manifesto or statement of the Bolshevik party in Russia might be published unless it had been passed by the censor. No reference might be made to the deportation from Australia of members of unlawful associations. The press was "requested to refrain from publishing" any matter likely to "reflect upon the loyalty of our Irish fellow-subjects, or to incite adverse criticism of their action, or to impair the essential unity of the people of the British Empire." The publication of matter which was calculated to prejudice the good relations of the Japanese and Australian Governments was not allowed.

Particular care was taken to prevent the publication of interviews with returned soldiers, unless they were submitted to the censorship. In letters from soldiers no mention of an officer might be published which was "of a disparaging or unduly laudatory nature, or is in any way calculated to be subversive of military discipline." Discussion was not permitted on the subject of the health or conduct of troops. "Reports of any riot or disturbance in which soldiers participate, or of any conflict between soldiers and the military police, should be moderate in tone," because "sensational headlines and details tend to inflame the minds of other soldiers and the public, and to produce further disturbances." No reference was permitted to be made in the press to the internment of Germans or other persons, and all matter relating to concentration camps had to be submitted for censorship before publication. Special instructions were issued from time to time with regard to the publication of news concerning operations in the Pacific, the evacuation of Gallipoli, the export of coal, wool, and metals, the sale of zinc concentrates to the British Government, and the statistics of imports and exports of gold. Precise directions were given as to news relating to the movements of warships, the routes of vessels of the mercantile marine, and the dates of sailing.

The lack of co-ordination, to which reference has been made, is illustrated by what occurred in connection with the despatch of the first contingents of the Australian Imperial Force from Australia. Permission was given to the Melbourne
7. RT. HON. SIR GEORGE FOSTER PFARRE, MINISTER FOR DEFENCE, 1914-21, ACTING PRIME MINISTER, 1916

Photo by Browse & Melbourne

To face p. 66
8. The internment camp at Holdsworthy, near Liverpool, New South Wales

Lent by Sir John Harvey
Aust War Memorial Collection No H12176

To face p 67.
Argus by a responsible military officer to print a photograph of the embarkation of troops from Melbourne. The picture was correctly described as published "with the permission of the military authorities." But the Naval Board was seriously perturbed. The publication of any account of the embarkation of troops, whether by means of picture or in type, meant, the naval authorities declared, playing with the lives of the 30,000 men who were afloat at that moment. Surely the soldier who gave the permission had not realised that the fleet conveying these troops covered something like from eight to ten square miles of ocean; the ships were crowded with men; they were not armoured vessels, but merchantmen which a few enemy shells would crumple up as if they were paper. The consequence of this naval protest was the issuing of an order that no newspaper should be allowed to leave Australia for a fortnight; the prevention for three weeks of the publication of any other picture illustrating the embarkation of troops; and the stoppage for a week of all mails for Java, the East Indies, Singapore, and the Philippines. The indiscretion also resulted in the establishment of a separate naval censorship, which took within its purview all matters relating to shipping.

The rigidity of the censorship exercised in connection with the departure of troopships was fully justified by the fact that, after the destruction of the German cruiser Emden at Cocos Islands, it was admitted by her officers that they were unaware that this large convoy had left Australian waters.

When the war commenced, 1,843 newspapers and periodicals were being regularly published in Australia. They ranged from the important and responsibly-conducted daily journals issued in the capital cities to quite humble and anaemic publications. There was so near an approach to unanimity of opinion concerning the origins of the war and Australia's duty in respect to it, that there was no disposition on the part of the press to resist the restrictions imposed. "The great body of the influential papers submitted to the restrictions of the censorship, to which they were entirely unaccustomed, with

16 On the naval censorship, see Vol. IX of this series—The Royal Australian Navy, pp. 444-56.
the best intention to 'play the game.'” There were occasional deviations from instructions, but these were often due to haste, or error of judgment, or misunderstanding. The method adopted in the early months of the war to remind an offending newspaper of its obligations was to place a censor in the office, with instructions to scrutinize the editor’s proofs. This plan was only adopted in cases where the censor was satisfied that an offence against the rules was marked by a touch of wilfulness, which was not absent in a few instances. The lapses which occurred had no relation to the political views of the journals. In one instance a newspaper of confirmed conservative leanings and unquestioned loyalty in an important city had to be seriously warned that, unless suitable assurances were given that there would in the future be obedience to instructions, a censor would be placed in the office. After that there was no further cause of complaint. From October, 1914, it was not found necessary to place a censor continuously in any newspaper office. Not that offences were not sometimes committed, but the stringent regulations under the War Precautions Act enabled other effective checks to be applied. Newspapers which were frequent offenders in regard to the printing of prohibited matter were required to submit to the censor, for a definite period, all material relating to the war which it was intended to publish. “This was found to be fairly effectual in controlling recalcitrant newspapers, and happily its employment was not very often necessary.”

The earliest general instructions issued to censors engaged upon newspaper supervision (28th September, 1914) directed that “the freedom and liberty of the press is not to be interfered with except in so far as the publication of news is likely to be of service to the enemy or of a false and misleading character.” In later instructions it was again emphasised that “The liberty of the press is not to be limited further than is necessary to serve the express necessities of the war.” Comment and criticism of a temperate character should not be interfered with. It was “no part of the duty of a censor to censor morals or political criticism, unless for local reasons

17 Censor’s report to 31 Jan., 1915, mss., Intelligence Department.
18 Censor’s report, 1 Feb., 1916, to 8 Sept., 1919, mss., Intelligence Department.
statements are harmful as inciting to riot or serious unrest or tend to discourage recruiting or to hamper naval or military preparations.” The Minister for Defence also issued instructions that censors were not to curb any criticism of the Government, and he promised the Senate that, if any evidence could be produced showing that the principle had been disregarded, the officers responsible would be “relieved of their positions.”

The censor was firm in his handling of journals of all degrees of importance, but there was every desire not to hamper the newspapers in their quest of information. Sometimes the enterprise of editors led them to transgress beyond the limits of discretion. An entire edition of a Perth newspaper, which (December, 1914) included items “in defiance of an instruction,” was suppressed. The editor of an important morning newspaper did not agree with the censor concerning an article, and insisted on its publication. The censor telephoned to the Minister some time after midnight, informing him. The Minister was in bed, with a telephone by his bedside; he was frequently called upon to make decisions in the middle of the night. On learning the facts, he directed that, if necessary, troops should be brought to the newspaper office and publication prohibited unless the censor’s decision was accepted. Thereupon the editor gave way, and the journal appeared as usual. During the later stages of the war, vigilance had to be exercised over the publication of matter which was considered likely to prejudice recruiting; and, when conscription became a burning issue in Australian politics, the line was not easy to draw between the legitimate expression of opinion contrary to the policy of the Government, and writing which was calculated to deter men from voluntarily joining the army. There was always, too, some amount of trouble from the publication, even in journals of good repute, of articles which, in the censor’s terms, were simply “worked up from rumours and scraps of floating gossip.”

Serious trouble between the censorship and certain journals occurred after the break-up of the Labour party owing to the raising of the conscription issue in 1916. A Brisbane
publication was a persistent offender. Twice in 1916 and twice in 1917 the publisher was prosecuted and fined. In March, 1917, the editor was sentenced to two months' imprisonment, but was released on his undertaking to comply with the War Precautions Act. In April the publisher was sentenced to imprisonment for further breaches of the regulations, though he also was released on giving a guarantee of compliance. Other prosecutions against the management of the journal were pending, but the charges were withdrawn on the undertaking being given in writing that no further offences would be committed. "Since that time," the Queensland censor reported, "the relations between this office and the newspaper concerned have been of a satisfactory nature."

In Melbourne in July, 1916, and April, 1917, the offices of *The Labour Call* were raided by the military, and a quantity of copies of the journal seized. The papers which were seized in 1917 contained the text of the confidential telegrams relating to the resignation by Senator Ready of his seat, and to the appointment of Senator Earle to succeed him. The resignation itself is more fully discussed in Chapter X of this volume. During the election campaign which ensued, Mr. Anstey published the telegrams in a sheet entitled "Hughes and his Views." As the publication was not authorised by the Government, it was evident that the documents could have been obtained only by surreptitious means, and copies were seized by officers of the censorship. Out of this incident an unjustifiable suspicion was generated. It was assumed that some officer or officers of the Post and Telegraph Department had committed a betrayal of trust by furnishing representatives of the Labour party with confidential information intended to be damaging to the Government. Newspaper articles appeared which demanded that an enquiry should be held. *The Argus*, for example, while allowing that the significance of the telegrams was small, contended that "the corruption which has made possible their publication" was important, and insisted that the authorities of the Post and Telegraph Department should "take steps to
discover the criminal or criminals in the service” who had supplied them. Unfortunately the Postmaster-General, Mr. Webster, who was then in New South Wales, joined in the condemnation of his own department, avowing that such a thing could only have been done “by the disloyalty of some officers of the postal service.”

If the Minister had waited till an enquiry was made, he would have saved himself from undeservedly blaming officers of his department for an offence with which they had no connection. As soon as a skilled detective got to work upon the problem, he satisfied himself that the leakage could not have occurred where suspicion had hastily imputed the fault. The messages were in cipher, and they were handed for transmission singly. No one telegraph operator could have seen the whole of them. This theory of the leakage being rejected, the enquiry was directed to a quarter much nearer the source, and the offence was sheeted home to a junior officer who had access to messages sent and received and to the official cipher in which they were drafted. The culprit was dismissed. The incident evoked a strange contention from one candidate at the election: that it was the duty of a government servant holding his party’s principles to supply the party with inside information which might be useful to it—a position which obtained no support elsewhere, and would certainly have been scouted by responsible men of all parties as immorality subversive of honest administration.

The office of the Labour Call was again raided in June, 1918, when a stock of pamphlets was seized. In one instance a publication was suppressed in consequence of representations made by the British ambassador at Washington. A fortnightly periodical called Stead’s Review had made a feature of a series of questions and answers relating to the war. They had not been objected to by the Australian censorship as they appeared in the Review; but, when they were reprinted in book form, and copies were circulated in the United States, the ambassador telegraphed that the publication, which was

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*The Argus, 1 May, 1917.
called *Stead's War Facts*, was regarded there as "scurrilous and pro-German," and inquired whether it was true that it had been passed by the censor. The fact was that, inasmuch as the questions and answers had been submitted to the censor periodically and passed, no attention had been given to the reprint, which, it was admitted, after attention had been thus called to it, had "an objectionable tone." It was therefore determined to declare the book a prohibited publication.

In the few instances in which a disposition was shown to defy the censorship, it was found that the imposition of fines did not have a deterrent effect. Nor was the withdrawal of mailing facilities, or the suspension of the journal itself for a period, effective. In Canada and Great Britain, however, experience showed that the weapon of suspension was used with satisfactory results. The Australian censor was reluctant to press for the imprisonment of publishers. Indeed, he showed so strong a dislike for prosecution that other newspapers, which loyally obeyed the instructions, complained of the apparent immunity from interference enjoyed by journals which were flagrant offenders; and, where frequent and severe warnings were insufficient, prosecutions had to be instituted in order that the censor might retain that control over the press which it was his duty to exercise. Throughout the war there were only three instances of newspaper prosecutions instituted by the censor being unsuccessful.

Some editors of newspapers contended that only journalists should have been employed as press censors. The censor's reply to this contention was that, in the instances wherein journalists had been employed, even when they were men of many years' experience, their work had not been satisfactory "simply and solely because their censorship was far too strict." The censor admitted that it required "well-balanced, cool, and impartial minds on the part of the officers engaged upon the work, in a larger measure than was requisite, perhaps, in some other branches of activity," but he did not consider that it was difficult to find suitable men.

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Governor-General's papers, Canberra. In *Stead's Review* for February, 1923, the editor, Mr. Henry Stead, published the correspondence which passed between him and the Defence Department with reference to the suppression of *Stead's War Facts*. The book was on sale again at a reduced price in 1919, when it was advertised as:—"Suppressed by the Censor: now on sale again."
The editors of newspapers, however, complained that the inexperience, slowness, and mental inadequacy of some of the officers with whom they had to work made the production of their journals a nerve-racking business. Contradictory instructions, the alteration of decisions at times when changes in the make-up of a page were exceedingly difficult to effect, in some instances sheer ignorance of the meaning of matter intended for publication, caused delay, irritation, and confusion. The censorship staff contained officers of high cultivation and eminent fitness, but it is notable that some of the newspapers of the Commonwealth whose good faith was beyond question were subjected to censorship control by men the memory of whose incapacity evoked indignant feelings years after the conclusion of the war. It seems probable that, if the methods adopted to secure harmonious relationships between the newspapers and the censorship in 1918, had been commenced in 1914, much unnecessary friction would have been avoided. In Great Britain a journalist of long experience, Sir Edward Cook, one-time editor of The Pall Mall Gazette and The Daily News, was placed at the head of the branch of the intelligence department which had to do with newspaper censorship. But in Australia the official attitude was that it would never do to entrust this work to men who knew something about newspaper production. The Minister himself, in Parliament, scoffed at the idea of practical experience being appropriate to the proper discharge of this function, apparently believing that men of knowledge of the processes of journalism required other persons without such knowledge to supervise them—very much in the spirit of Juvenal's question: "Sed quis custodiet ipsos custodes?"

Mr. Henry Stead published in Stead's Review a series of articles, extending from July, 1919, till August, 1920, under the title "The Censor and I." In one of these (9th August, 1919/19. Journalist; of South Stoke, Oxon., Eng.; b. Brighton, Eng., 12 May, 1857. Died 30 Sept., 1919) it is, however, significant that the Prime Minister on a public occasion dissociated himself from the official attitude. Speaking in London on 17 August, 1918, Mr. Hughes said: "In his capacity as a Minister in Australia it had been his duty to impose restrictions on the press. He had never been able to convince the press of the necessity of those restrictions; and, indeed, in his own most positive moments, he had doubts about them himself. Through him the Australian press censor had his being. But he had never been able to understand the working of the censor's mind. Nor, often, could the Australian editors; that was their grievance."

1919) he alleged that on Christmas Eve, 1915, he received an urgent message requesting him to see the Prime Minister immediately. He gave an account of the interview with Mr. Hughes, detailing the conversation which passed between them. Mr. Hughes, he said, spoke of the censor as "a stupid blunderer," though it does not appear that this description was intended to apply to the censor’s handling of Mr. Stead’s *Review*. The main point of interest in this article is that it alleged that the Prime Minister ordered that a set of the proofs of the next number of the *Review* was to be submitted to him. It is an instance of the head of the Government taking a personal responsibility for an act of censorship, and exercising the powers committed to the censor.30

Throughout this series of articles Mr. Stead maintained that he had never attempted to publish anything "which in my opinion could in any way assist Germany," that he "invariably carried out the censor’s instructions with scrupulous exactness, and never complained, save on one or two occasions, of flagrantly unfair treatment." But he regarded himself as "probably more severely treated by the censor than any other editor in Australia," and stated that he was "engaged in a constant duel out of which I venture to say I often came out best." Inasmuch as he admitted that he succeeded in getting a great deal through "by skilful writing of studied moderation which yet conveyed a great deal more than it seemed to on its face," it is evident that Mr. Stead was constantly endeavouring to defeat the purposes of the censorship; and he could not know all the reasons why matter, which in his opinion would be of no assistance to Germany, might be considered by the censorship to be dangerous. He gave instances in which he amused himself by "playing the trick of copying paragraphs out of papers which had large circulations in the Commonwealth and submitting them to be slashed to pieces by the censor," and stated that on one occasion he took a complete sub-leader from *The Bulletin* "and ran it in amongst my own; three lines of it were left, the rest was cut out altogether." The articles do not convey the impression that Mr. Stead was endeavouring

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30 Hughes threatened to confiscate Mr. Stead’s plant, and put him in gaol or "have him shot"
to work fairly with the censorship. He was, indeed, conducting his Review in a rebellious spirit and in a mood of exasperation, due partly to annoyances which he had received, but more to the policy which he was pursuing, of publishing information which was not available in other publications.

The press censors were directed to do their work with the utmost promptitude. Not a minute should be lost in dealing with telegrams, since the loss of the opportunity to publish an important message at a certain time was equivalent to a loss of money. When two newspapers in a city received a similar message which had to be held up but was subsequently released, censors were instructed that the message should be released at a time which would give the journal which, but for the censorship, would have been the first to receive it an opportunity for prior publication. Thus, if a cable message reached Sydney at noon, and was received both by the morning and the evening journals, if the censorship prohibited publication and subsequently lifted the ban, that message had to be released in time for the evening newspapers to publish it in advance of their morning contemporaries on the following day; and the rule operated in the same manner to the advantage of the morning papers in the case of messages arriving after evening papers had been issued. There were a few instances in which this rule, through mischance, was not observed, and on these occasions the censor was made acquainted with dissatisfactions in an emphatic manner.

One passage in a report by the censor it is desirable to quote in his own language, since it touches upon the most delicate matter with which he had to deal, affecting the distinction between the publication of political opinions written with bona fide intent, and of matter which for sound military reasons should not have been published. These two paragraphs, also, embody reflections upon his experience in the exercise of this distinction and the extent to which it was influenced by political considerations:

A matter which was always a point of variance between the Government and the Press was that which was termed by certain editors "political censorship." Their contention was that there were some matters forbidden publication by the censorship which were not of a character which should be controlled by the censorship, the publication of which would not have been harmful from the point of view of
hampering our war efforts, and the prohibition of which was used for a political, not a military, purpose. It is admitted that the border line between “political” and “military” censorship is very narrow, and almost impossible to define. It is only natural that the Government controlling the censorship should incline to the view that its powers in this respect were larger than those contended for by editors who, equally naturally, desired as much information as possible for publication.

There is no doubt that many of the subjects classed as “political” by editors were justifiably controlled by the exercise of press censorship, but at the same time I deem it my duty to say that many instructions issued to the press could not possibly be justified as an exercise of military censorship under the proclamation establishing a censorship of the press, or under any War Precautions regulation which was intravires. This opinion is not intended to infer that such instructions were issued for a purpose other than a military one, but I merely wish to point out that, quite apart from the object with which they were issued, there was no legal power to enforce them had they been challenged qua subject matter of the particular prohibition.

This point is important in the history of the press censorship, because the friction caused by the controversy between the censor and the editors with regard to “political censorship” led to the first interstate conference of newspaper editors ever held in the Commonwealth. The immediate occasion of the conference was the second referendum campaign, during which, it was complained, the censorship was particularly rigid. The Minister of Defence, Senator Pearce, therefore invited the editors of all the more important newspapers published in Australia and Tasmania to assemble under his presidency at Melbourne on the 15th of April, 1918. Both the military and naval censors were present, as were also the Chief of the General Staff, the chief naval officer, and several of the more experienced of the censorship officers in the States. Twenty-seven editors were present, representing every morning and evening newspaper in the capital cities. The conference listened to a full exposition of the censor’s point of view, and, being invited by the Government to express the opinions of its members “frankly and fully on all questions connected with the censorship of the press,” appointed a drafting committee to formulate a statement of conclusions. This committee consisted of Mr. Braham, editor of the Sydney Daily Telegraph, Mr. Kneebone, editor of the

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Adelaide Herald, and Mr. Sowden, editor of the Adelaide Register. The committee's report was presented to the Minister in behalf of the conference as one in which "practically all its members unanimously affirmed" that the only proper function of the press censorship is to prevent the publication of matters that might be of naval or military value to the enemy, offensive to an ally, or likely to embroil us with a friendly power; it protests against the use of censorship for political purposes, and further declares that the employment of the censorship to prevent publication of matter which in the opinion of the censor is calculated to prejudice recruiting, has itself become highly prejudicial to recruiting by hindering the redress of grievances.

The conference agreed that the specification of what matter might be of military or naval value to the enemy, or objectionable to allies, should be left entirely to the censorship, but it also held that judgment as to what effect the publication of other matter might have upon public feeling and opinion should be left to the editors of the various newspapers. The conference also criticised the work of the censorship in respect to lack of uniformity in application of the rules, pointing out that it had sometimes happened that matter censored in one newspaper was permitted to be published in another; complained of the delay in passing cables and other news for publication; objected to duplication of censorship through the banning of cablegrams upon their arrival in Australia when they had already been censored at the point of departure; and referred to the serious financial loss occasioned by this fault, and by the necessity of submitting matter to the censor in printed form, which involved the "setting up" of matter which was afterwards not permitted to be published. As a practical means of lessening friction the conference recommended the appointment of an advisory board to consult with the censor. This suggestion was at once adopted. The board consisted of Dr. Cunningham, editor of the Melbourne Argus, Mr. Schuler, editor of the Melbourne Age, Mr. Davidson, editor of the Melbourne Herald, and Mr

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91 J. E. Davidson, Esq. General manager and Editor-in-Chief, Melbourne Herald and Weekly Times, 1907/18; Managing Director and Editor-in-Chief, News Ltd., Adelaide, 1924/30; b. Pine Hills Station, Harrow, Vic., 21 Dec., 1870; Died 1 June, 1930.
MacKay, representing Labour newspapers. Mr. Davidson shortly afterwards resigned on severing his connection with the Melbourne Herald, whereupon his successor, Mr. Innes, took his place on the board. This body of experts was appointed only a few months before the conclusion of the war. It met never less frequently than weekly, at the office of the Melbourne Age, under the chairmanship of Dr. Cunningham, and the Deputy Chief Censor was invariably present. He submitted cases for advice, and the drafts of fresh instructions to the censors, who acted upon the recommendations of the board in all instances. The conferences were highly valued by the Deputy Chief Censor, who wrote in his final report:

I have no hesitation in stating that the Board made a great difference to the thankless and at times arduous work of the press censorship; the members of the Board, who gave their services gratuitously, were of great assistance to the censorship; and the most amicable relations existed from the outset of its meetings with the Deputy Chief Censor until the censorship of the press entirely ceased shortly after the signing of the armistice.

In view of the fact that the newspapers represented at the Press Conference were nearly all supporters of the conscription proposals of the Government, it is remarkable that their editors had cause to complain of the censorship of political opinions during the second referendum campaign. The ground of the complaint was not so much connected with editorial comments as with news. The heated oratory of the assailants of the Government frequently contained statements which were distinctly prejudicial to recruiting, and were in some instances apparently intended to be so. An examination of the files of newspapers during this period does not leave the impression that those journals in the Commonwealth which were opposed to conscription were hindered from stating their case fairly. Nor, viewing the circumstances coolly, at a distance of time from the excitement of the campaigns, does there seem to have been justification for the belief that the censorship itself prejudiced recruiting "by hindering the
redress of grievances." It was the opinion of the man who made the most thorough analysis of the reasons for the decline of voluntary recruiting, Mr. Mackinnon—who as Director-General of Recruiting wrote an elaborate report upon the subject in 1917—that one of the most potent causes was the conversion of service in the army into a fiercely debated partisan issue. Mr. Mackinnon's view was that "irresponsible and to a large extent misinformed talk about conscription should be stopped. Men are driven into hostile political camps, and recruiting tends to become a secondary issue. There are sinister influences at work to foment political strife and damage the voluntary effort." These influences were certainly not less effective in 1918 than they were in 1917. It is, however, clear that there was prevalent among the producers of newspapers a feeling of irritation on account of the restrictions imposed, and that the conference was useful in removing suspicions and affording explanations. Complaints were very few after the conference, though the rules were not less rigorously applied than previously.

It is desirable that the case as it presented itself to journalists should be stated fairly; and consequently the following statement is appended to this section. It is from the pen of Mr. Heney, who was the editor of The Sydney Morning Herald during the war period, and consequently had personal knowledge of the operations of the censorship. Both the character of the journal and the known patriotic sentiments of the author entitle his judgment to consideration. It is quite certain that Mr. Heney and the newspaper which he then directed had no other desire than to respect the requirements of the censorship, and his criticism does not dispute its necessity. The questions raised affect its methods.

It was perhaps chiefly in connection with the newspaper press that complaint arose and continued. The first intimation of troublous conditions came in the delay, accompanied by mutilation, of the ordinary cable services from London. It seemed to newspaper men that they were sufficiently handicapped by those delays in the service which were due to the congestion of Government business, that the Allied interests

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Memorandum of 17 June 1917; Governor-General's official papers, Canberra.

were already adequately protected by censorship in London, and that it was essential to the Australian and Imperial morale that the true and vital news of the war should be made available as soon as possible to the community, so as to prevent the growth of rumour. To this end the Australian press had voluntarily made extensive preparations, and a new cable service was about to open its doors in London, in part subsidised by the Commonwealth Government. Matter published in London was never re-censored in Australia, except by direct orders from London. But such instructions could not be made public, and on these points the Australian officials could not be open to argument or appeal; they had but one duty—to enforce the ruling and keep their mouths shut. At various intervals the cablegrams were released from censorship, with words, phrases, or sentences excised. With these mysterious communications the telegraphic staffs in the newspaper offices had to deal as best they could, while further subject to general instructions as to matter which they were not at liberty to publish—even though it had passed through the censorship in the telegraph office—until proofs had been submitted and passed.

The same treatment continued in every daily newspaper office, and, while pressmen were at all times anxious to be of service to their Government and people in the new circumstances, the rigid and unsympathetic official attitude in regard to cablegrams, ordinary telegraphic reports, general reports of public movements, and even of military agitations such as that for recruitment, compelled the press in Australia, as in other countries, to feel that in military eyes it was an evil, and not even a necessary one. None who were at that date associated with the Australian press would deny that they received from many officers, and these chiefly the heads, of the censor’s department ready and courteous consideration in some of their real difficulties. But the system was too inflexible. Too much had to be referred to Melbourne, sometimes with a cumbrous mass of irrelevant material. Delays abounded and increased, and it came to appear as if, the more a man laboured for a completely accurate exposition of some effort in behalf of the war, the more likely he was to bring his toil to naught through an oversight in respect of some practically obsolete or obsolescent war-regulation, censor’s order, or pedantry which some new censor regarded as still of formidable importance. As a consequence a severe trial was put upon the patience and loyalty of scores of men who were quite ready to obey clear and obvious instructions, while giving their public of the best at the earliest hour and in such a manner as to maintain the spirit of the people. Such men were often exasperated to find that, when they had got beyond clerks and embryo reporters, and had reached to university lecturers or even professors, they had at last to take the word of command from a Deputy Chief Censor who had no personal knowledge of journalism, and who apparently never troubled to acquaint himself with the hours, routine, or system of a morning or an evening newspaper.42

It seemed to Australian newspaper men that national interests, and even Allied and neutral susceptibilities, were amply protected by the censorship of telegraphic matter, by the remoteness of Australia from the scene of war, and by the Government control of all means of communication abroad. But the censorship took itself with the most deadly seriousness; it treated the leading and the most devoted organs

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42 This criticism was apparently intended to apply to Colonel W. H. Hall.
of public opinion as if they were all vehemently suspect, and as if they necessarily desired to publish dangerous matter. The newspapers were rendered powerless by the fact that, though they may criticise, they make it their policy never to break the law or support others in so doing. It was a grievous addition to their anxieties when it became necessary for them to take full note of the mass of trifling and conflicting instructions which accumulated in the form of censors' orders endowed with all the force of law. It is now difficult to believe that the war had lasted nearly four years before the Australian Government took the natural course of consulting—not upon the principle of a censorship, but merely upon its working details—the men who had to carry out the censors' orders. In many instances instructions were issued at extraordinary hours, and it was often necessary to recast pages long after an edition had gone to press. Young men without journalistic experience were often attached to the censors' staffs, and these had power to bewilder editors by ordering exceedingly inconvenient things to be done and exceedingly desirable things not to be done. Proofs must be sent to the censor, and, if they did not secure official approval in time, the type must disappear from the formes, even though it might reappear half-an-hour later in another edition. One journal might submit a report which would be held up, and another might publish it and undergo reprimand, though there might exist no special order requiring it to be submitted.

If all this vexation was the daily lot of those journals which were heartily in accord with the Imperial policy and supporters of the Australian Government, it may well be supposed that the press absolutely opposed to the Government would not suffer less. When the conscription issue divided the community, the whole of the Labour press found itself in a very unsatisfactory position. It is probable that in the first instance the censorship acted on its usual principles, and dealt with news from a naval or a military standpoint. But gradually matters grew worse. The charge was vehemently made (and was never wholly disproved) that as time went on the censorship, especially under the new war regulation which punished the doing or saying of anything prejudicial to recruiting, became political or semi-political. Every Australian is more or less a politician, and a potent element of strife was added to the struggle on the second referendum when the anti-conscription party were able to assert that they were hindered in their campaign by the official censorship, acting, it was assumed, under the direct orders of the Government and in the interest of the Government policy. It must be admitted that when a political campaign in war-time turned upon a military question—namely, the necessity or otherwise of keeping up the Australian forces by compulsion—the situation became one of extraordinary delicacy for the censorship. But, when once the suspicion arose that one side, and that not the Government side, was controlled by official edicts and supervision and prevented from putting in its last ounce of strength, the censorship had need to exercise a double amount of circumspection.

Finally, in April, 1918, at the same time that the Governor-General convened his Round Table Recruiting Conference, the Government assembled in Melbourne a gathering of representative Australian working journalists of all shades of political opinion. They were received by the Acting Prime Minister, W. A. Watt, and Senator Pearce. The censorship was fully represented. The editor of The
Argus was called to the chair, several resolutions were fully and frankly discussed, and finally a small consultative committee was appointed to act with the Deputy Chief Censor and minimise friction. Had the war and the need for recruiting continued, this committee would doubtless have proved of use. But the stage at which such a measure should have been adopted was that at which hostilities began, and when by instructions from the Imperial Government Australia for the first time instituted a press censorship. If at that time a conference of this sort had been held and a man of large press experience and of acceptance in newspaper offices had been appointed to the Chief Censor's staff, and another such added to each State censorship, it would have been of supreme advantage for united action and sentiment. Many difficulties would in that case never have arisen, and others would soon have disappeared. No individual official can ever be equal to the immense responsibility of dictating to the whole of Australia what shall or shall not be published on a subject which commands the concern and affects the vital interest of every citizen in the Commonwealth.

IV

The activity of the censorship in regard to mails was directed mainly towards three purposes, the prevention of information reaching the enemy which might be injurious to the cause of the Allies, the tracing of cases of enemy trading, and the detection of disloyalty and enemy sympathisers. The vigilance of the censor's staff was instrumental in placing the Government in possession of a large amount of information on these subjects. Cases affecting disloyalty were dealt with by the Attorney-General's Department, and those concerned with trading by the Department of Trade and Customs. The number of letters, newspapers, packets, and other postal articles which passed through the post offices of the Commonwealth during the war years, 1914 to 1918-19, was 3,791,846,000. It is apparent, therefore, that it would have been impossible for the censorship to exercise supervision over this vast quantity of mail matter even if it had been desirable to do so. But it was not. The purposes in view were capable of definition, and resolved themselves into the following:

(1) To prevent persons communicating with the enemy, or obtaining information for that purpose, or for any purpose calculated to jeopardise the success of the operations of British or Allied Forces, or to assist the enemy.

(2) To prevent the spread of false reports, or reports likely to cause disaffection to British relations with foreign powers.

*Commonwealth Year Book, 1920, p. 719.*
(3) To prevent assistance being given to the enemy, or the successful prosecution of the war from being endangered.

(4) To bring to the notice of the Commonwealth Government information concerning the dissemination of enemy propaganda.

(5) To detect breaches of the regulations relating to the security of the public interest.

(6) To prevent illegal trading.

(7) To keep a watch upon persons suspected to be dangerous.

(8) To examine the correspondence of persons in concentration camps.

For these purposes the censorship exercised vigilance with regard to all letters addressed to and received from enemy countries or territories under enemy occupation; letters from certain neutral countries; all letters received from or addressed to persons or firms in any part of the world who were placed upon what were known as the "black lists"; all mails to and from persons whose names were upon another "suspect list." By the time of the end of the war the letters of about 15,000 persons were being systematically watched.

The troops who left Australia with the first contingents of the Australian Imperial Force were warned to be particularly careful as to what they wrote in their home correspondence, as enemy raiders had not then been cleared from the seas. Nevertheless a spirit of sheer wilfulness induced some of the men to defy the rules the observance of which was imposed for their own safety. The following letter addressed by a soldier to a young woman in Sydney is a specimen of the kind of correspondence that was not delivered:

Of course we are strictly prohibited to write any of this, so that is the reason I am doing so, and will trust to luck and a little common sense to get it to you. Did you get my last letter from Albany? I posted it by going over the side on a rope and giving it to one of the men of a tug that came along. It was rather risky, but it was worth it. I was nearly caught, too, as an officer just passed as I was climbing aboard again, but it was a dark night, which probably saved me.

The adventure on the rope was doubtless a gallant act, but it was wasted on the censorship officer who read the letter, while the lady for whom it was intended never knew how much the swain had dared in his effort to let her know the secrets of a troopship at sea.

The "black lists" were of two kinds, one of which was published, while the other was secret. The first was known as the "statutory black list." The names upon it were those of individuals or firms which, owing to their being wholly
controlled by enemy capital or owing to their many un-neutral acts, were declared to be "enemy firms." These names were published in the Commonwealth Gazette. Most of them were in the first instance published in The London Gazette, and transferred to the Australian Statutory Black List by subsequent publication in the Commonwealth Gazette. But sometimes the Commonwealth Government itself placed the name of a firm on the black list without waiting for action to be taken against it by the British Government. One firm which was so treated brought an action against the Commonwealth, challenging its right and seeking to establish the principle that the action of a dominion government in such a matter was ultra vires of the powers of the Commonwealth Government. In this case the procedure followed had been the usual one. Mr. Hughes, as Attorney-General, had published in the Commonwealth Gazette a proclamation stating that the company affected was managed or controlled or under the influence of persons of enemy nationality. The High Court determined that the proclamation was not unlawful, and thus established the right of the Commonwealth administration to "black list" a firm which was believed to be mainly of enemy proprietorship. The names of about 2,500 firms were from time to time placed on this list. No inhabitant of the Commonwealth was permitted to trade with a firm whose name was proclaimed in this manner, though if a firm which was placed on the Commonwealth black list was not also on the British list, the prohibition did not apply to residents of Great Britain. Similarly, a firm which was placed on the British black list was not debarred from trading in the Commonwealth if it was not proclaimed in the Commonwealth Gazette; but there were very few instances of this kind.

In cases where it could be shown that goods which were the product of a "black-listed" firm could not be obtained elsewhere, it was possible to obtain a licence from the Attorney-General, the effect of which was to render trading with the particular enemy firm legal. But trading with a firm on the list without licence was an offence punishable by severe penalties.

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The secret "black list" contained the names of persons or firms in neutral, and in some instances Allied, countries, with whom it was not considered desirable that inhabitants of the Commonwealth should trade except under restrictions and with guarantees that the trading would not benefit the enemy. The ramifications of trade are intricate; the commercial connections of manufacturing firms are often numerous and widely spread. A firm in a neutral country might be linked with associates in an enemy country. It was therefore necessary to obtain strict guarantees as to the place of origin of goods supplied by the firms in neutral states, and similar guarantees as to the destination of goods purchased by them in the Commonwealth. Confidential lists were therefore placed in the hands of the officers whose duty it was to prevent violation of the confidence reposed in such neutral firms.

There were also what were known departmentally as "white lists." These applied mainly to China, Siam, Persia, Morocco, Liberia, and Portuguese East Africa. The object of these lists was to prevent Australian exports to these countries from reaching certain firms which were thought likely to forward them to enemy countries. With certain other firms it was considered safe to trade, and the names of these were accordingly published in the Commonwealth Gazette in order that traders in Australia who had commercial relations with the countries enumerated might be aware of the firms with whom they could deal without risk of committing an offence against the Trading with the Enemy Act.

The censorship did not, as a rule, pay heed to letters posted within the Commonwealth for delivery within the Commonwealth. Its main concern was with postal matter of foreign origin or intended for foreign delivery. The exceptions to that rule were letters to and from suspected persons, and the correspondence of persons within the concentration camps. All correspondence addressed to enemy countries was of course perused. If dated before the declaration of war, it was returned to senders marked "undeliverable." If dated after the 4th of August, 1914, it was held, and, if the contents supported a charge of trading with the enemy, was used as evidence against the writer. But within a few months after
war commenced commercial correspondence with enemy countries had ceased; after two years there was practically none.

Many devices were adopted for defeating the censorship, but the writers of letters who thought that they were clever enough to hit upon a method which the experienced officers daily engaged in this work did not know, were much simpler souls than they believed themselves to be. Various invisible inks were used, some of which would reveal their messages when warmed, others when treated chemically. Several prisoners of war thought they could convey secret messages by writing beneath the postage stamp. Small dot-and-dash punctures in the paper were used. Officers of special skill and knowledge were employed to deal with correspondence of this character, and the censor felt confident that there was no means available of secretly conveying information abroad which his staff did not know. To some of these trained men, ciphers were almost as easy to read as ordinary print, and there was no chemical trick which they could not trump.

In the early months of the war, German firms who had debtors in Australia became anxious to secure payment, and desired to press for settlements of their accounts through the intermediacy of branch officers or agents. It was natural that they should do so, since if there was a serious fall in the value of the mark, and the debts were contracted in marks, they would lose to the extent of the depreciation of German currency. This, in fact, is what did happen when the mark fell in value till it became practically worthless paper. Payment of debts to German firms became, however, after the declaration of war, a form of trading with the enemy, which it was the function of the censorship to prevent. A legal doubt was suggested as to whether the censor had the right to stop letters containing remittances when there was good reason for believing that the money was intended to be paid in Germany through the intermediacy of agents in neutral countries. The legal advice furnished to the censor was that, although the mere suspicion of an intention to remit money to Germany through a neutral country would not be sufficient
to justify a prosecution, there was nothing to prevent him from stopping such correspondence because he was suspicious. The censor acted on this advice, and soon had under his care a very large amount of money which persons in Australia had endeavoured to transmit to enemy firms. Various devices were adopted with the intention of maintaining correspondence between Germans in Germany and their agents in Australia. What were called "blind codes" were used. These meant that an apparently innocent letter would convey information by the employment of words which did not mean what they seemed to signify. Thus, the word "layman" in one such blind code meant the Kaiser, and the word "shares" meant the war. Letters were also transmitted from Germany through intermediaries; the letter would in the first instance be addressed from Germany to a person in the United States or the Argentine Republic, by whom it would be readdressed to a person in Australia with an English name, who allowed himself to be used for this purpose. There was no means of stopping all correspondence conducted in this manner, except by the examination of all overseas letters, which would have been a task of immense magnitude; but a good number of instances were discovered accidentally, or through the awakening of suspicions by various means.

Methods of secret writing often taxed, but in the end never defeated, the ingenuity of the censor's staff. In the early months of the war, envelopes came regularly from a foreign country addressed to a firm in Australia whose transactions there was good reason for watching. The envelopes all contained apparently blank sheets of paper. One of these, bearing a Viennese watermark, was subjected to the following nineteen different tests, none of which revealed the secret. The paper was heated, placed in diluted tannic acid, iodine solution, potassium ferrocyanide solution, stannous chloride solution, phenolphthalein solution, copper sulphate solution, potassium iodine solution, hydrogen peroxide, sulphuric acid, ammonium solution, silver nitrate solution, ferrous sulphate, copper nitrate, diluted potassium sulphate solution, diluted oxalic solution; it was tested by wetting, by the action of vapours of mercury, and with iodine-hydrochloric acid-ammonium. The censor might well have
thought that he had at all events found a perfect paper, for the sheets endured the chemical inquisition without apparent deterioration. But they did nevertheless contain messages, which were not delivered to the addressees, and were eventually deciphered without laboratory aid.

It was not considered desirable to give explanations as to why letters were opened, and members of the censorship staff were instructed not to supply reasons of a categorical character; but they might meet a complaint from an inquirer who in good faith protested against his correspondence being interfered with, by informing him that in the interests of national security citizens whose loyalty was not open to suspicion were occasionally liable to suffer annoyance and inconvenience by the enforcement of a scrutiny of mails, and that this had been the means "of stopping much hostile and traitorous information from falling into enemy hands." Such complainants were also reminded that the censors were sworn to absolute secrecy, and that their only effort in discharging a trying duty was to safeguard the interests of the nation. Often, however, groundless complaints were made as to letters having been opened by the censor, when in fact they had not been interfered with in any way. Thousands of letters pass through the post which have not been properly closed; and during the war nearly everybody who received a letter in an unfastened envelope seemed to jump to the conclusion that it had been opened by the censor.

Letters were sometimes found enclosed in bags of rice, the particular bag in a consignment which contained the letters being marked in a peculiar way. After the occupation of Samoa letters were found in copra bags from that island, and the persons responsible were promptly interned. Prisoners of war in internment camps were sometimes so foolish as to ask persons to whom they wrote letters to send them newspapers, which it was requested should be "well concealed." They were seemingly unaware that all letters from concentration camps were opened by the censorship, and that they were bringing suspicion upon themselves and their correspondents. The censor's staff in Sydney perused every week about 4,000 letters written by or to prisoners of war.
Some letters were expressly exempt from censorship. These included letters believed to emanate from governors and ministers of State, whether Commonwealth or State; the Papal Delegate in Australia; bishops of the Church of England and the Roman Catholic Church; the heads of religious denominations, judges, and consuls. But two exceptions were made to this rule. The exemption of the letters of religious leaders did not apply to the Lutheran Church on account of its German connections and of the large number of Germans in Australia who were Lutherans. As to consuls, the general rule of the censorship was that their letters should not be interfered with. Before the United States entered the war, and while the American Consul-General was in charge of the interests of Germany in Australia, and in official possession of the papers of the German consulate, it was an inviolable rule of the censorship that the seal of the United States consulate should be sufficient to pass any document through the post without interference. But consular correspondence was not entitled to be regarded as sacrosanct. Admittedly it ought to be treated with especial respect, and no letter addressed to or emanating from a consular office was ever touched unless certain facts suggesting suspicion were first communicated to the Deputy Chief Censor and he gave express authority for an examination to be made. This amount of supervision had to be insisted upon, because it was found that traders in one or two neutral countries were causing trouble, and were, indeed, the cause of leakages which it was the business of the censorship to prevent; and there was reason for believing that correspondence passing through the consular offices of the countries suspected contained evidence of contraband trading. In one instance an amusing mistake informed a consul that his letters were being examined. A document was translated by one of the linguistic assistants of the censor, but by error the translation was put into the envelope and forwarded to the consul together with the original letter. The consul, when he next met the translator, congratulated him on the excellence of his rendering, but assured him that it was not necessary to enclose the translation as he thoroughly understood his own language.
The difficulty of preventing the leakage of information by means of cablegrams was increased by the possibilities of wireless telegraphy; and there is no doubt that in the first few days of the war this instrumentality was employed. The method adopted was to telegraph over inland wires to remote coastal towns, from which the information was transmitted by unregistered wireless plants. The fact that preparations had been made prior to the outbreak of the war for information to be sent by wireless in this manner is in itself evidence of precautionary organisation on the part of the firms with German connections which adopted the method. That there was enemy activity in getting information out of the country by wireless was, however, discovered by August 8th, and thenceforth careful supervision was exercised over telegrams on land wires north of Perth. The use of codes for cable purposes was also prohibited, except to banks and well-known Australian firms. Even foreign consuls were not allowed to send or receive messages in code. As soon as the danger of leakage by wireless was recognised, and steps were taken to locate plants, the censorship of inland telegrams was almost entirely discontinued. Virtually the only cases to which it continued to be applied were those of persons suspected of enemy trading, or, especially after 1916, persons engaged in dangerous propaganda. After 1914 the naval censorship took entire charge of the censoring of wireless messages.

The censorship warned those responsible for the management of cable business to institute careful inquiries among their operators and other employees concerning their nationality and sympathies. Censors were also placed in the offices of the Eastern Extension Cable Company, the Pacific Cable Board and the general post offices. Very great care was taken in the selection of officers for this work, as it was evident that a person placed in possession of information gained from the perusal of commercial and financial cables could, if not perfectly scrupulous, make improper use of it for his own advantage. But during the whole period of the war not a single instance was even suggested of an officer of the censorship being concerned in the leakage of information through the handling of such messages. At the conclusion of the cable
censorship—which ceased throughout the British Empire and Allied countries at midnight on 23rd-24th July, 1919—the Australian censorship staff engaged upon this work consisted almost entirely of men of experience, the great majority of whom were returned invalided soldiers, and the censor in his final report justly claimed that "the almost entire absence of complaint from members of the public throughout the period of the war is a tribute to the efficiency of the officers and decoding clerks employed on the cable staffs." This is a remarkable fact, having in view the fact that throughout the war the average number of messages dealt with per month by the various censor cable stations was 259,252, consisting of 98,195 cable messages and 152,057 telegrams, both inclusive of press cables and telegrams.

From 1916 the examination of cinematograph films was added to the already onerous functions of the censorship. A regulation was passed under the War Precautions Act giving the censor power to require the screening of a film "which relates or refers to the present war or to any subject connected with or arising therefrom, or which depicts anything in the nature of a cartoon which may be considered offensive to people of Allied or neutral countries." Under this regulation an American film entitled The Cheat, which appeared to make an appeal to the anti-Japanese feeling in the western states of America, was prohibited, though one of the censors dryly commented that the reflection which the film made upon the morals and manners of the United States of America was worse than its references to the Japanese. A film called The Yellow Passport, also American, was absolutely forbidden. Another, entitled Ireland a Nation, professed to be a representation of historical events relating to the carrying of the Act of Union by the Irish Parliament, but was held to be nevertheless an oblique comment upon current Irish politics, and as such likely to cause contention and strife. It was at first prohibited altogether, but, after having been screened in the presence of the Minister of Defence, was allowed with certain "cuts" to which the producers consented.

The question of censoring gramophone records was brought forward in 1917. As many thousands of these discs were
imported annually, it would have necessitated a very considerable addition to the staff if it had been considered necessary to institute a systematic examination of them, and the task would probably have been agonising experience for those entrusted with the duty, especially for such returned soldier officers as had already suffered from shell-shock. But the Customs Department came to the rescue with the undertaking that its officers would detain any records which were addressed to private persons or traders who might in any degree be suspected of being favourable to the enemy; and this was considered sufficient.

One travelling lecturer received attention from the censorship. Mr. Ashmead-Bartlett, an English war-correspondent, came to Australia in February, 1916, to deliver popular lectures on the Gallipoli Campaign and other war subjects. He was required, upon his arrival in Sydney, to furnish a copy of the lecture which he intended to deliver. He informed the censor that he had not written out his lecture, but was assured that it was absolutely necessary that what he intended to say should be written and a copy of the manuscript submitted for approval. Mr. Ashmead-Bartlett protested, but after argument agreed to furnish a copy by 6 o'clock. The officer of the censor's staff who dealt with the matter was a barrister with a keen critical faculty. He reported after perusal of the manuscript that it contained nothing dangerous, and in fact might be regarded as calculated to encourage recruiting. Mr. Bartlett was therefore permitted to deliver the lecture as advertised, but was warned that he must not deviate from the lines laid down in his manuscript, or his entertainment would be at once stopped and himself removed from the platform. An official stenographer accompanied by a military officer was sent to the lecture to check his language with that of the manuscript, a copy of which was duly filed with the censorship papers. The lecture was afterwards delivered in Melbourne, Adelaide, Brisbane, and other Australian cities.

Generally the censorship was not concerned with the examination of imported books, as there was power to prohibit the importation of undesirable literature under the ordinary Customs law. Indeed, the Deputy Chief Censor even requested

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that if anarchist literature was to be prohibited, action should not be taken by his officers, because he did not consider that he was warranted in using his powers against books which, however undesirable from a political point of view, were not objectionable from the standpoint of a military censorship. Some books of this class were held up by direct instructions from the Minister. But it was found that the censorship could not avoid paying attention to books, when it became clear that some with innocent-looking titles were in reality works of propaganda with a definite appeal to disloyal sentiments. Similarly, even poems and songs required attention. A choice volume of *Songs of Love and Rebellion* certainly stressed the rebellion at the expense of the love, and a song entitled "The Rebel Girl" deserved exclusion as doggerel no less than as treason.

Whenever the Department of Trade and Customs was in doubt about a book, this would be referred to the censorship for an opinion, and before the war ended there was a fairly long list of prohibited publications, which were stopped without further reference. Germany—resembling in this her opponents—systematically organised propaganda for the purpose of causing dissension or unrest in Allied or neutral countries, and creating a sympathetic feeling for the cause of Great Britain's enemies. Some of this work was very cleverly done. A book which attained a fairly wide circulation in Australia before its nefarious intention was discovered was entitled *The Finished Mystery*, and was actually published by a religious society in the United States. In appearance and from a cursory examination it seemed to be perfectly innocent. But this seraphic veneer, which was decorated with quotations from scripture, proved on closer examination to be the cover for a fervent prediction of the ultimate triumph of Germany in the war. Revolutions and moral decline were prophesied as the sure fate of certain nations, which were not named, though their identity was made evident, whilst the success of another nation—again not named, but indicated plainly—was predicted. Attention was drawn to this professedly theological book by the Canadian censorship, whose investigations revealed that the American society which issued it was "directly subsidised by German
money.” In Germany, it was ascertained, more than a hundred writers of remarkable talent were employed in writing short stories and novels, wherein a political moral—if that be the proper word—was inculcated by means of cleverly depicted character and incident. These were translated into foreign languages and circulated in an attractive form. They were published in large quantities in the United States before the entry of that nation into the war. Japan also was a producer of these translations in the English language. A novel by Oskar Hoecker, *Human Bullets of Germany*, was printed in English in that country, and had a wide circulation—which, indeed, on its literary merits, might well have been enjoyed without question in any other than war times. But this book and others were on the Australian list of prohibited works because of their obvious propagandist intention.

VI

The official reports of the debates of the Commonwealth Parliament were, in the early period of the war, ordered to be treated as privileged, and were not subject to censorship. A statement was made in the Senate that passages from speeches had been omitted, but the President promptly characterised this as “a most improper suggestion,” and said that “there had never been any censoring of Hansard.” The senator who made the statement did not support it by citing instances, nor did any other member of the Senate. But a distinction was drawn between censoring the official reports and censoring the reprints of them in newspapers. “There is a difference,” it was officially submitted, “between censoring Hansard and censoring the publication of matter taken from Hansard.” The reason was that a member of the Commonwealth Parliament might, and some members did, secure publication in the official reports of matter which would not have been permitted to be published by a newspaper; and it was not considered expedient that a newspaper should be enabled to obtain a right to publish prohibited matter by simply getting a friendly member of Parliament to embody it in a speech.

*Commonwealth Parliamentary Debates, LXXX, p 10035*
There were, however, instances of the censorship forbidding the newspapers to publish questions addressed to ministers in Parliament and the replies to them; and in one case neither a question addressed to the Prime Minister by the Leader of the Opposition, nor Mr. Hughes's reply to it—both of which were the subject of the censor's prohibition—are to be found in the report in Hansard.47

But in these instances the Government disavowed responsibility. The censor was entrusted with defined powers, and ministers denied that they interfered with him in the exercise of them. The Prime Minister, questioned with regard to the censoring from Hansard of certain speeches delivered in the Queensland Parliament, stated that he had no knowledge that parliamentary speeches were being censored anywhere. The Speaker of the House of Representatives was "responsible for any censoring that may be done" in connection with that House, "and the Speaker of the Queensland Legislative Assembly has a similar responsibility."48

The exciting controversies engendered by the conscription referendum campaigns, however, compelled the censorship to devote attention to the official reports of parliamentary debates, both Commonwealth and State, and at length the Federal Parliament, by the votes of both Houses, adopted a self-denying ordinance, giving to the President of the Senate and the Speaker of the House of Representatives authority to direct the compilers of the parliamentary reports to omit from them any remarks to which attention was directed by the law officers of the Crown as being inimical to the successful prosecution of the war. In this sphere, therefore, the censorship eventually operated through the law officers.

The first instance of interference by the censorship with the official reports of parliamentary debates occurred in Queensland. The Premier of that State, Mr. Ryan,49 on the 19th of November, 1917, addressed a public meeting in Brisbane in opposition to the conscription proposals of the

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47 See Parliamentary Debates, LXXX, p. 8644, and the proceedings of 1 Sept., 1916.
48 Parliamentary Debates, LXXX, p. 8644.
Commonwealth Government. Captain Stable, the censor of the 1st Military District, prohibited the publication in the Queensland newspapers of some passages in the speech. Mr. Ryan took the earliest opportunity of repeating the excised portions, in a speech which he delivered in the Legislative Assembly, calculating that the “privilege of Parliament” would secure for them protection from the censor’s attentions. The passages which had been omitted from the newspaper reports were printed in thick black type in No. 37 of the official report of the Queensland Parliamentary Debates. It was also learnt that Mr. Ryan had given instructions that the speech should be reprinted in pamphlet form and that 10,000 copies had been ordered for distribution during the second conscription campaign.

The district censor thereupon acted with prompt decision. On November 24th he served a notice upon the Government Printer ordering him to submit the report of the debate in the Legislative Assembly before publication. This the Printer did not do. Mr. Hughes, arriving in Brisbane on the 26th, at once directed the censor to seize all copies of No. 37 and of the pamphlet. That night Captain Stable, taking a small military party, in uniform but unarmed, carried out the instruction. Next day Mr. Ryan replied with the publication of a special issue of the Queensland Government Gazette, containing a notification addressed “to the Public of Queensland” in the following terms:

I deem it my duty, on behalf of the Government of Queensland, a sovereign state of the Commonwealth of Australia, to inform you that Hansard No. 37, containing a report of the proceedings of the Legislative Assembly of this State on the 22nd instant, has been denied transmission through the Post Office by the Federal Government.

The Gazette also contained a letter of protest from Mr. Ryan to Mr. Hughes.

On the same day, November 27th, these antagonists met at the Belle Vue Hotel, and, after some preliminary skirmishing, Mr. Ryan remarked, over a cup of tea: “I suppose you’ll have martial law against me next time you raid the place, but you won’t find it as easy a job as you think.” This seemed to mean that the State Government would prevent the Federal
authority, if necessary by force, from access to the printing office. Going to the censor, Mr. Hughes told him to visit that office again, and demand delivery of any further copies of the offending publications that might have been produced. For the purpose Mr. Hughes, as Attorney-General, drew up a warrant which, whatever its legality, had at least a formidably legal sound. "Change into your civilian things," he said, "and, if anyone interferes with you, say that you are acting by authority of the Commonwealth and of the War Precautions Act and call upon all persons to assist you in the names of the King and Commonwealth."

Accordingly, accompanied by Mr. Hughes's private secretary (Mr. Deane), a representative of the Commonwealth Crown Solicitor (Mr. Roberts), and a barrister (Mr. McGregor), Captain Stable—himself a lecturer at the University—proceeded to the printing office. Finding it closed, Stable went round to the back and knocked. A policeman inside asked what was wanted. Stable repeated his "open sesame," but the policeman was not impressed; behind him was a body of armed police. Stable climbed over the fence, and was about to jump down into the courtyard when the Government Printer himself arrived. He insisted on admitting the censor, who, after inspecting the office, was able to report to the Prime Minister that no more copies of Hansard, bound or in sheets, had been found there.

Mr. Ryan maintained that there had been an interference with the rights of a sovereign state, and, to test the legality of the censor's action, issued a writ against the Commonwealth Government, asking for an injunction. The Commonwealth, in turn, summoned Mr. Ryan and the Queensland Treasurer, Mr. Theodore, before the Brisbane Police Court for having made false statements prejudicial to the public interest. The magistrate dismissed the case, stating that he declined to find on the facts. Mr. Ryan's action against the Commonwealth was settled out of court. But No. 37 was bound up with

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*P E Deane, Esq, C M G Served in A I F, 1914/16; Private Secretary to Prime Minister, 1916/21; Secretary, Prime Minister's and External Affairs Deps, 1921/28; Home Affairs, 1929/32; Member of War Pensions Entitlement Appeal Tribunal, 1932/36. Of Melbourne, b. Melbourne, 10 Aug., 1890.


the annual volume of the *Queensland Parliamentary Debates*,
with the censored passages printed in the thick type as
originally intended to be published.55

In July, 1918, the military authorities raided the Queensland
Government Printing Office and prohibited the publication
of a report of the State *Parliamentary Debates* because it
contained a speech delivered in the Legislative Assembly on
July 23rd commenting upon the treatment of certain internees.
This time the censor took charge of the office for a day.
The report was afterwards issued with these passages deleted.
In both the Queensland cases the Commonwealth asserted its
right to interfere with official publications of a state parlia-
ment when they were considered to contain matter prejudicial
to the military policy of the Government; and the action was
not successfully disputed by legal process.

A case arose in the Commonwealth Parliament in April,
1918. On January 15th of that year Mr. Catts,56 a member
of the House of Representatives, made a speech in support
of a motion of no-confidence in the Hughes Government. In
the course of it he made a strong attack upon the censorship,
alleging that public men had been “persecuted” and
newspapers subjected to “tyranny.”57 Objection was taken
to certain passages in the speech in the course of its delivery,
on the ground that Mr. Catts was using his position in
Parliament to help the enemy, and that his conduct amounted
to “a kind of treason.” The Deputy Speaker, who was
presiding at the time, ruled that the remarks to which
exception was taken were out of order, and Mr. Catts accepted
the ruling, “however much I may disagree with it.”

It was an established practice in the Federal Parliament
that a member who desired to do so might have a speech
which had been delivered in the House reprinted in pamphlet
form, by paying for the cost of the reprint. Mr. Catts made use
of that privilege; and on Saturday, February 23rd, parcels

55 See Brisbane Courier, Nov.-Dec. 1917, passim. Queensland Government Gazette,
1917: *Queensland Parliamentary Debates*, Commonwealth Parliamentary Debates,
LXXXIV, 3275. One of the terms of the settlement of Mr. Ryan’s action against
the Commonwealth was that the Commonwealth should keep the pamphlets which
it had seized, but should return to him the copies of No. 37. Afterwards, finding
that the Commonwealth possessed only some half dozen copies of No. 37 but
thousands of the pamphlet, he good-humoredly told Sir Robert Garran that he
had got the worst of the settlement.

57 Commonwealth Parliamentary Debates, LXXXIII, p. 2962 et seq.
containing 5,000 pamphlets addressed to Mr. Catts were delivered at Parliament House. The Commonwealth arms and the words "Commonwealth of Australia" were printed on the cover, and the general appearance of the pamphlets had an official character. The Minister of Defence, on becoming aware that the reprint contained the passages which had been ruled out of order, intervened. The Speaker of the House of Representatives being absent from Melbourne at the time, the Minister wrote to the President of the Senate asking him whether he would direct the parcels to be detained. The President detained them pending the Speaker's return to Melbourne. The Speaker then informed the Minister of Defence that he had no official control over reprints of members' speeches, and did not feel justified in interfering with the delivery of the parcels, which were the property of the member who had ordered the reprint of the speech.

Two days later, February 28th, a military officer in uniform (Lieutenant Lempriere\(^5\)), accompanied by a detective, appeared at Parliament House and produced a search warrant signed by Brigadier-General Williams,\(^6\) Commandant of the 3rd Military District (Victoria), giving him authority to seize the parcels. The officer interviewed the Clerk-Assistant of the House of Representatives, and, showing his warrant, asked that the parcels should be produced. The Clerk-Assistant disclaimed responsibility, pointing out that the parcels were not official documents, but were the personal property of the member to whom they were addressed. He refused to give any information as to where they might possibly be. The officer and the detective thereupon searched for them, and found them in the room allotted to members of the Labour party. They were forthwith taken away in a motor-car driven by a soldier in uniform. Subsequently (March 6th) the Minister for Defence accepted full responsibility for the action of the officer, stating that he had given the order for the removal of the parcels, "the contents of which were detrimental to the safety of the Commonwealth," and the


\(^6\) Major-General R. E. Williams, C.M.G., V.D. Commandant, 3rd Military District, 1915/19; City Clerk of Ballarat, 1902/15; a Director of Herald and Weekly Times, Melbourne, since 1923; b. Ballarat, Vic., 13 Aug., 1855.
printing and publishing of them, he was advised, "amounted to a breach of the War Precautions regulations."

When these circumstances were reported to the House of Representatives by the Speaker (April 5th), the Leader of the Opposition, Mr. Tudor, moved a resolution expressing the opinion that "the intrusion into and invasion of Parliament House by a military force for the purpose of search and seizure, in defiance of the expressed objections and without the consent of Mr. Speaker, constitutes a breach of privilege." The Speaker objected to the statement that he had "expressed objection" to the action of the military authorities, inasmuch as the action was taken without reference to him. Mr. Tudor accordingly omitted the phrase from the motion, which after debate was negatived by 35 votes to 18.

In the course of the debate the Prime Minister read a statement from the Minister for Defence explaining why he acted as described. The statement embodied an opinion of the Solicitor-General (Sir Robert Garran), who, in addition to indicating passages in the speech which were breaches of the War Precautions regulations, called attention to the fact that Mr. Catts had already been convicted in Sydney on three charges under War Precautions regulations, and had been ordered to enter into bonds to comply with them during the continuance of the war. It was the Solicitor-General, also, who advised that the fact that the offending pamphlets were in Parliament House afforded no reason why they should not be seized. The Prime Minister denied that any question of privilege arose. Mr. Catts, he asserted, had sought to do under cover of privilege things which were unlawful. It was not legitimate for a member at a time of deadly peril to increase the danger by the circulation of indiscreet statements. Putting his point in a sentence, Mr. Hughes submitted that "we are not to play the part of traitors here and then cover ourselves with the mantle of privilege." The vote of the House supported the view of the Prime Minister.80

While Mr. Watt was Acting Prime Minister (1918), he endeavoured to make an arrangement whereby members of Parliament would submit to "a voluntary censorship," specially in respect to remarks which might impede voluntary

80 Commonwealth Parliamentary Debates, LXXXIV, pp. 3646-79.
recruiting; and he stated that he intended to strike out of the official report any observations of his own that might seem to have such a tendency. But the Defence authorities did not think it safe to rely upon a voluntary method of preventing the publication of indiscretions, and the Minister for Defence determined to take the bull by the horns and to submit in the Senate, of which he was a member, a direct injunction to the presiding officer to censor speeches and questions. Accordingly on September 25th, Senator Pearce moved:

That, during the progress of the present war, Mr. President be and is hereby authorised, at his discretion, to direct the omission from Hansard of any remarks made in the Senate in the course of debate, or in any other proceedings in the Senate, to which his attention may be directed by the law officers of the Crown, as being calculated to prejudice His Majesty's relations with a foreign Power, or the successful prosecution of the war, or to imperil the safety of the Commonwealth.

Senator Pearce stated that there had been instances in both Houses of Parliament, in which the President and the Speaker had omitted passages from speeches by the voluntary consent of the members who had made them, and that in each instance he had obtained the consent of the members affected. In one case, a whole debate in the Senate had been omitted. But he considered this a clumsy method of achieving the object in view. Statements were sometimes made in Parliament which, without such an intention by the members making them, disclosed information which it was most undesirable to publish. It was, for example, an advantage to the enemy to know the whereabouts of ships, and there was a case in which a question addressed to a minister in the House of Representatives had disclosed the location of a British cruiser and a Japanese vessel-of-war on the east coast of Australia. The danger of allowing such information to be disseminated is obvious, for one German raiding vessel, the Wolf, reached local waters and destroyed a number of merchant steamers. Though the censorship made efforts to prevent information which might be useful to the enemy getting out of Australia, still, if such information were published, it might in some way reach enemy hands. Prohibitions which had been marked by the censor "secret and confidential" had been read in the House of Representatives and embodied in the official report.

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\[1\] Commonwealth Parliamentary Debates, LXXV, pp. 6429-31.
\[2\] Ibid., 6303-4.
It had come to the knowledge of the Defence Department that determined efforts had been made to publish and otherwise circulate in Australia a statement in regard to an ally with the object of causing dissension, and, said the Minister, "we knew with absolute certainty that the statement was of German origin, because we had the original sent out by the German Secret Service Department." On behalf of the Government he disclaimed any intention of interfering with freedom of speech in Parliament, but it was necessary to guard against the publication of mischievous matter, especially at a time "when the only chance of our defeat in the war lies in a break-up among the Allies".

The motion was agreed to by the Senate by 15 votes to 8. On October 2nd a motion in the same terms was accepted by the House of Representatives, by 32 votes to 14. During the remainder of the war, therefore, parliamentary proceedings in both Houses of the Federal Parliament were subject to this internal censorship, which might be exercised by the presiding officers at the instance of the law officers. Two months later, however, the Speaker informed the House that the discretionary power entrusted to him was one which, he was happy to say, he had not been called upon to exercise, and at the same time he emphatically denied that the reports of debates had at any time been subjected to any kind of manipulation or interference by ministers. This disclaimer he felt called upon to make in consequence of a statement of Mr. Catts that, "no longer can the records of Parliament be relied on as true and accurate reports of the proceedings of Parliament, because now, under the direction and dictation of the Government, they are subject to such manipulation as Ministers may choose." In December the Speaker reported to the House that the crown law authorities had directed his attention to certain remarks which had been made on a previous day, and that, after consultation with the member who had made them, he had ordered their elimination. But this was the only case of the kind reported in the House of Representatives; in the Senate the President had no occasion to mention the exercise of the discretionary power.

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48 Commonwealth Parliamentary Debates, LXXXV, p. 6306-7. 49 Ibid., 6407.
46 Ibid., LXXXVI, 6572. 47 Ibid., LXXXVII, 8516.
50 Ibid., LXXXVII, 9299.
The official attitude of the Labour Party concerning the censorship was declared in a letter to the Prime Minister from the Leader of the Opposition, Mr. Tudor, dated 10th May, 1918, wherein it was set forth:

We hold strongly that the essential conditions of freedom of discussion and public meeting should be re-established, and that these involve also an uncensored press, subject only to the limitations imposed by the necessity of withholding matters advantageous to the enemy, or—save where the paramount interests of our own country require a clear enunciation of the whole truth—matters likely to give offence to an allied power. Statutory Rule No. 304 of 1917 and various amendments, and Statutory Rule No. 182 of 1917, are examples of rules offending against the above principles.86

There was no substantial difference between these principles and those under which the censorship worked. The actions of Mr. Tudor and of many of his party left no doubt of their sincere desire for the attainment of the war aims of Great Britain and her allies, but there were individuals, prominent both by speech and writing, of whom this cannot so confidently be said; and whatever their motives—possibly through failure to appreciate the probable consequences of their language—they made it impossible for "conditions of freedom of discussion and public meeting," so far as these involved publication, to be reinstated during the currency of the war. The instances in which there was deliberate endeavour to impede voluntary recruiting, or to thwart the attainment of victory, were rare, but still, there were such instances; and no government, whatever its complexion, could have permitted

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86 Statutory Rule No. 304, 1917, applied to the military service referendum. It consisted of several amendments of the rules previously promulgated. Probably the provision to which Mr. Tudor objected was the new clause (No. 42) which provided that "Any person who, on or before the polling day for the Referendum, makes or authorises to be made verbally or in writing any false statement of fact of a kind likely to affect the judgment of electors in relation to their votes, or who prints, publishes, or distributes any advertisement, notice, handbill, pamphlet, or card containing any such statement shall be guilty of an offence. Provided always that it shall be a defence to a prosecution for an offence under this sub-regulation if the defendant proves that he had reasonable ground for believing and did in fact believe the statement to be true."

Statutory Rule No. 182, 1917, declared that it should not be lawful "for any number of persons exceeding twenty to meet in the open air in any part of the proclaimed place for any unlawful purpose, or for the purpose or on the pretext of making known their grievances or of discussing public affairs, or of considering or presenting or preparing any petition, memorial, complaint, remonstrance, declaration, or other address to His Majesty or to the Governor-General or to both Houses or either House of the Parliament of the Commonwealth or to any Minister or Officer of the Commonwealth for the repeal or enactment of any law or for the alteration of matters of State."
this, inasmuch as the will of the great majority of the nation was unquestionably against allowing freedom to make statements or to commit acts tending to hamper successful prosecution of the war in which a hundred thousand Australians were daily staking their lives.