ORIGINS
of the
VICTORIAN APPRENTICESHIP
COMMISSION

A History of Apprenticeship Regulation in Victoria,
1896 - 1927

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'Origins of the Victorian Apprenticeship Commission'
M.Ed. Thesis by P.D. Brereton

ABSTRACT

By the eighteen nineties, factory methods had encouraged looseness or avoidance of apprenticeship contracts. The improver system, under which employers were not responsible for teaching, flourished. Youths grew up insufficiently skilled to command full tradesman's pay, thus threatening adult jobs and wages.

In 1896, following anti-sweating agitation, wages boards were established to determine minimum rates and maximum numbers of juveniles in certain seriously exploited trades. By 1900, this system was extended to other trades, but the minimum duration of apprenticeship contracts was set at only one year. Because employers resented limitation, wages boards in 1903 lost the power to fix the proportion of apprentices; but in compensation an apprentice was redefined as one bound to be taught for at least three years. Nevertheless, without adequate means of training, adequate definition of trade skills, or an adequate tribunal, the situation remained unsatisfactory. Trade classes were developed to supplement workshop experience, but they had little effect.

In 1907 a Conference recommended that an Apprenticeship Commission take control of certain skilled trades and establish the numbers to be admitted as apprentices, their wages, and the goals and methods of their training, including technical education. Improvers would be excluded from those trades. Although wages boards gained power to prescribe indentures in 1909, and regained their limitation powers in 1910, when Bills to establish a Commission were presented in 1911 and 1912, both the form of the proposals and the antagonism of employers resulted in their rejection. A second Conference in 1913 recommended that apprenticeship be left to the wages boards.

Between 1911 and 1921, the Federal Arbitration Court improved apprenticeship conditions in some trades; the technical school system developed its capacity, especially in preparatory work; and a Repatriation Training Scheme adopted organisational machinery similar to that proposed in 1907.

In 1922 a third Conference again recommended an Apprenticeship Commission; but legislation, now more widely supported, especially as a means of utilising technical schools, was again rejected because employers, unconvinced of the need for large numbers of skilled men, still preferred the improver system. By 1927, however, the risks to employers were reduced and an Apprenticeship Act was finally passed. Essentially, it sought social rather than industrial benefits.
Chapter I
A STATE OF DISREPAIR

In 1891 almost 90,000 young people under twenty years of age were gainfully employed in Victoria; they formed 18 per cent of all breadwinners. More than 30,000 of them were in industrial occupations, where they formed about the same proportion of the industrial as of the total workforce.¹ Some of these young industrial workers were simply labourers, using little more than their physical strength; but most of them were supposed to be learning or exercising more or less complex special skills which they had not begun to learn in the elementary schools. To help them to acquire industrial skills, there were the remnants of schools of art and design, and a few trade classes in technical schools. The schools of art and design had been intended to teach drawing as the 'language' of technology, and 'applied' art subjects such as geometry and perspective; but most had drifted far from their original industrial purpose - in them, one critic had said a few years before, "the bulk of the work...has no relation whatever to the manufactures of the colony".²

The few trade classes in technical schools held only a tiny fraction of the young industrial workers, although 1891 was a peak year for enrolments, which declined for some years afterwards.\(^3\) What is clear from this is not the insignificance of the technical schools so much as the great importance of employment as a means of acquiring industrial skills.

For centuries, learning on the job had been associated with apprenticeship; and although that institution was now decadent, many young people starting work were still, though loosely, called apprentices. Traditionally, an apprentice had given a period of bound service in return for instruction in some trade or craft: his service and his learning had gone hand in hand. The apprentice had been supported while he learnt a marketable set of skills by which he could hope to attain a measure of economic independence; his master had secured a cheap assistant and produced a journeyman whose competence would help to protect the price of the trade; and the community had enjoyed the stability of long-term arrangements and the services of a pool of skilled men. This classical balance, however, had been severely disturbed by changes in economic organisation.

\(^3\) In this period, gross enrolment figures were given in the annual Statistical Register of the Colony of Victoria, Part IX - Social Condition, printed in Vic. P.P. On early trade instruction in technical schools, see below, pp. 72-86.
Apprenticeship had come to denote bound service, or merely a period of low pay, more surely than a period of learning. Division of labour, specialisation, and mechanisation had broken down traditional sets of skills. Traditional terms of apprenticeship were often no longer appropriate to the time required to learn new trades; experience at work was often less conducive to the development of general competence; and the new masters were usually less interested in the production of 'all round' men. Laissez faire economists had decried almost every hindrance to free play in the market. Legislative protection had been withdrawn from the custom of limiting the number of apprentices to a trade and excluding from its practice those who had not served an apprenticeship to it. The earlier coherent view of the nature and ecology of man at work had not been replaced by any common rationale of the new industrial society, so that problems of vocational maturation sprouted in a no man's land of confusion and conflict. In short, although many young people entering industry were still called apprentices, it could be said of most of them that there was no general agreement on what they needed to learn, or how they might best be instructed, or whose responsibility they were, or whether they were principally learners or cheap labour.

To these questions the law in Victoria provided only a loose framework of answers. The principal legislation affecting apprenticeship was the Master and Apprentice Act 1890, a consolidating Act identical with an earlier statute of 1864.4

4. 27 Vic. No. 193 (1864) and 54 Vic. No. 1117 (1890).
Its penal clauses provided for fines to be imposed on masters who ill-treated their apprentices or neglected to instruct them properly or dismissed them from their service without the consent of a court, and for the imprisonment of apprentices who were disobedient or ill-behaved or who absconded from their master's service. Thus, seemingly, the Act implied that an apprentice was his master's responsibility, and that the proper conduct of apprenticeship matters was the concern of the State. Circumstances, however, had overtaken and vitiated these implications.

The practice of taking so-called apprentices, without indentures, and often without any written agreement at all, had become widespread - despite a requirement in the Act that an apprentice be taken "by indenture in writing". In the absence of indentures a master could not be fined for neglecting to instruct his apprentice, or for dismissing him, nor could an apprentice be gaolled for absconding from his master's service.


Without a record in writing, an apprenticeship agreement - even as a civil contract - was not binding if its terms were to be performed over more than twelve months, nor could a complaint based upon it be summarily determined in a court of petty sessions.\(^7\) In the circumstances, the responsibility of the master and the concern of the State were more difficult to establish in practice.

Apart from excluding from its operation "the articled clerks of attorneys or solicitors, or the clerks or apprentices of any person engaged in the tuition of any professional or scientific pursuit", the Act in no way limited or defined the sets of skills which might be made the subject of an agreement with which it purported to deal; nor was it concerned with the relationship between the skills to be mastered and the length of the term of bound service. On these matters the parties to an apprenticeship had freedom of contract - if indeed they contracted at all. "Any householder tradesman or other person exercising any trade art or manual occupation" might take an apprentice "to be instructed in such trade art or occupation for a term which shall not exceed seven years".\(^8\)

Traditionally, an apprentice had been supposed to be rewarded for his cheap bound service by the instruction which the Act asserted to be the purpose of his binding; but this nexus between service and instruction had been loosened in

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8. Master and Apprentice Act 1890, s. 9.
practice, despite solemn assertions to the contrary. In an appeal case in 1881, the Supreme Court had held that in an apprenticeship agreement the covenant by the master to teach and the covenant by his apprentice to serve, and to remain in the service, were so far interdependent, that failure or incompetence of the master to teach afforded an excuse in law to the apprentice for quitting his master's service. One of the judges, supporting the Chief Justice, had declared that the "primary and natural object" of the contract was "the instruction of the apprentice".

That being so, I think it obvious that if the master does not substantially teach, or is unable to teach, or puts it out of his power to teach, then that which was the main consideration of the contract disappears.

From the same bench, however, in the same case, one of his brothers handed down a minority judgement in which he maintained that those two covenants - to teach and to serve - were independent of each other. This latter view would have been echoed - though for different reasons - by many employers, who substantially avoided the obligation to teach.

The looseness in apprenticeship matters had been due mainly to changes associated with the division of labour in production. Many thought it to be an inevitable consequence of those changes. Whereas the trades of the carpenter, cooper, weaver, tinsmith, and so on, had for centuries been well defined and comparatively complex sets of skills and ancillary knowledge, the new principle of industrial organisation entailed identifying many simpler

skills as occupational units:

...in the way in which [pin making] is now carried on, not only the whole work is a peculiar trade, but it is divided into a number of branches, of which the greater part are likewise peculiar trades...it is even a trade by itself to put [the pins] into paper...10

Traditional apprenticeship arrangements, conceived as appropriate to learning the "whole work" of traditional trades, had tended to persist into the new situation. Employers, however, had found it easier and more profitable to instruct and employ their young workers only in some one branch or "trade by itself" - such as putting pins into paper; and many adult workers, too, were required to exercise only a fraction of the skills associated with their trades. Consequently, the traditional arrangements had been loosened as both masters and apprentices sought to avoid those obligations which they believed to be unfavourable to their particular interests.

To the extent that they were able to do so by avoidance, imprecision or evasion of contract, the situation might seem to have been as much in the apprentices' as in the employers' interests; for just as an employer might keep his apprentice at one particular operation, and so enjoy cheaply the lad's increasingly dextrous production, or dismiss him in order to employ another more cheaply, so an apprentice might quit his employer, in order to seek more pay for such skill as he had or to broaden his experience or start at new skills.

The advantage to the apprentice, however, was far less secure than the advantage to his employer. The opportunity for better wages or instruction might not arise, and to acquire instruction piecemeal as opportunity offered was at least a risky venture—though not always an unsuccessful one, for a lad skilled only at such work as lads could usually be found to do could come little closer to earning a journeyman's wage through his years of low pay. 11

In the factories in Victoria, work was generally much subdivided. In clothing manufacture, for example, a stock garment might be made in many stages, each performed by different operatives: the cloth would be cut; then trimmed; then given to girls to make up; then the garment would be inspected; then buttonholed; then pressed; then its buttons would be sewn on; and finally it would be brushed and folded and packed. In making boots, much the same stages would be followed: a pattern would be made; the leather cut ('clicked'); the boot roughly made up ('put up'); then finished; and so on. Even these branches might be further subdivided, to such an extent that (to take an extreme case) a boy could be put on to learn heel pegging. Mechanisation often caused further deskilling. In making coats, for example, machines in the hands of a few operators were used to make up the cut and trimmed cloth to a nearly finished stage, so that girls in the making-up section had only to fell the necks and sleeves by hand. 12

12. This account is based on evidence taken by the Royal Commission Employes in Shops, 1882-4; and Factories Act Inquiry Board, 1893-4, Minutes of Evidence and Appendices, Vic. P.P. 1895-6, vol. iii, no. 44, passim.
Apprentices in these factories were usually kept at one branch of the business until their term had expired, and then kept on at the same branch of work as piece-workers at low wages. As soon, however, as they had become sufficiently proficient to demand the standard rate for skilled workers, they were replaced by fresh cheap labour. Sometimes, supposed apprentices worked for six or twelve months on 'probation', receiving no wage, after which they were dismissed and others taken on to fill their places. 13

This exploitation of juvenile labour was facilitated by the existence of a class of workers known as 'improvers'. Originally, an improver had been a worker who for some reason had failed to complete a normal apprenticeship before reaching the age at which his term had perforce to expire, or who had completed his term without acquiring full skill; by consent of the skilled men, formerly, such partially skilled men had been employed for a time at less than journeymen's rates, until they had acquired the skill to deserve full pay. That system, however, had become widely abused. It absorbed not only those absconding or dismissed ex-apprentices who were in fact improving themselves - those, that is, who were becoming fully skilled - but also many youths employed on work at which they could never learn to command full pay. Many youths, for example, were employed on probation at one narrow skill, and then directly as improvers in the same work.

The factories were not the only section of industry to exploit the improver system, but they generally relied more heavily on juvenile labour than did other sections. At the census of 1891, juveniles comprised about 20 per cent or more of those engaged in the manufacture of books and publications, clothing, vehicles, footwear, foodstuffs and furniture; whereas among stonemasons, bricklayers and carpenters, they formed nearer half that proportion, despite the enormous increase in the numbers engaged in building during the boom of the eighties.14

In occupations which had come to rely heavily on juvenile labour, adult workers saw their jobs and wages threatened. Not only was the proportion of jobs for men decreasing, but deskilling had weakened one of the props to the claims of skilled men in wage negotiations. The general challenge of deskilling tended to evoke a new context of negotiation: 'industrial' unions rather than 'craft' societies became the dominant form of labour organization, and the prop of skill was replaced by the buttress of numbers. In response to the specific challenge of juvenile workers, however, the labour movement - and those who for various reasons found themselves in sympathy on this issue - proposed three interrelated remedies. They demanded the abolition of the improver system, so that there would be no cheap workers apart from apprentices; they demanded the revival of regulations limiting the number of apprentices in each trade, so that the proportion of jobs available to juveniles could be controlled, and 'overstocking' avoided; and they demanded that apprentices be taught all branches of a trade, so that particular branches

would not become the almost exclusive province of cheap and narrowly trained youths.

It was possible, and indeed not unreasonable, to argue that these remedies were necessary to ensure proper teaching and learning. Improvers generally learnt only one narrow branch, and could easily find themselves unable to command full pay, or even out of work if their particular skill became obsolete owing to the introduction of machinery; apprentices could not be properly taught on the job if there were too few skilled men to spare the time to teach them; and in the absence of indentures (which it was hoped would compel a master to teach his apprentice whatever skills made up the trade that the lad was supposed to be learning), there was no other guarantee against insufficient instruction.

A growing body of opinion, however, perceived that those remedies alone might not ensure proper training, since under the changed conditions in industry the means of teaching an apprentice were often no longer readily available. Not only was production increasingly specialised, so that it was at least difficult, and sometimes impossible, for the one undertaking to provide a full range of instruction and experience; but even the masters, because they were not themselves tradesmen or were not experts, often lacked the knowledge and skill which they might have been expected to impart to their apprentices.15

Consequently, as an alternative or complement to learning on the job, technical classes were advocated as a necessary means of ensuring proper instruction.

In short, then, the remedies proposed for this sickness in the training and employment of youths were (a) technical schools, (b) compulsory apprenticeship with proper indentures, and (c) limitation of the proportion of apprentices to journeymen. Each of these had been canvassed before the depression of the nineties. Perhaps the most significant movement was that to establish and extend trade classes in technical schools; but for at least a decade, and nearer two, the indenture and limitation issues concerned by far the greater number of youths, especially as they became the subject of legislation in the factory Acts from 1896 on.

Before turning to examine in detail the period from 1896 until 1927 (which it is the purpose of this essay to explicate), it is necessary to notice one change from the situation so far described. The position of apprentices was somewhat altered by the Employers and Employes Act of 1891, which made all contracts between employers and employees into civil contracts, not enforceable by imprisonment except in cases of fraud. Thus apprentices could no longer be imprisoned for refusing to continue in their master's dutiful service - though they might be apprehended and compelled to attend a court hearing.
The penal provisions in the previous apprenticeship laws had not often been used to compel an absconding apprentice’s return; but the 1891 Act left masters with only a windy threat. Monetary judgements — as damages or surety for performance — might be awarded against an apprentice or his guardian, as against a master; but indebtedness so incurred was to be civil indebtedness only. Since there seemed little certainty of any judgement being exactable against an apprentice or his guardian, some employers felt that the Act had rendered any apprenticeship contract a one-sided affair in which the employer was effectively bound but the other side was not. The Act was clearly humane in its intent to see employers and employees equal before the law; but one of its consequences was probably a further decline in the number of indentured apprentices. As a boot manufacturer explained, "the easiest way out of the difficulty was not to enter into covenants at all".


17. This view had some currency for many years: e.g. Evidence taken by the Royal Commission appointed to investigate and report on the operation of the Factories and Shops Law of Victoria, 1900-3, Qq. 10756-7, Vic. P.P. 1902-3, vol. ii, no. 31; and Age, 2 June 1903.

So far, this sketch has concentrated on some major symptoms of the decadence of apprenticeship, and for that reason it has presented a somewhat biased impression. A balanced account, intended to describe rather than to point up problems, would have allowed greater weight to less gloomy evidence. In some small trades, such as watchmaking, the old spirit and arrangements persisted as a rule; and in others some employers, despite the general looseness, still turned out good tradesmen. Nevertheless the state of affairs had by the nineties caused such concern that there were numerous demands for the introduction of a proper system of apprenticeship.
Chapter II

FACTORIES LEGISLATION 1896-1903

Of those who complained of the state of apprenticeship and the improver system, most were moved by considerations other than concern for vocational training. The ideal of the educated working man, contributing through his technical knowledge to an improvement in the quality of life and an expansion of exports, had been in the air for some time; but it had not been realised in industrial legislation. When the Victorian Parliament first passed an Act which would regulate the conditions of apprentices and improvers, that Act (the Factories and Shops Act 1896) was not directed towards improving the industrial skills and knowledge of young workers; nor was the thought of such improvement uppermost in the minds of members. In as far as it was present at all, it arose principally as a distraction from the sort of regulation proposed.¹

The 1896 Act established special boards to determine wages and conditions in the clothing, footwear, furniture and baking trades, and required the boards to determine also the number or proportionate number of apprentices and improvers under the age of eighteen years who may be employed within any factory or workroom, and the lowest price or rate of pay payable to such apprentices and improvers...

It prescribed, too, a minimum weekly wage of two shillings and sixpence for any person employed in a factory or work-room.²

2. Factories and Shops Act 1896, ss. 15(7) and 16.
The minimum wage provisions followed a revulsion of sentiment against sweat shops like some small clothing factories in which the whole staff comprised girls 'employed' at no wage at all. 3 Sweating (unscrupulous exploitation of the necessities of the poor to impose on them harsh conditions and low wages) had been the subject of complaint and inquiry for some years. A Royal Commission on Employes in Shops, in its 1884 report, had weighed the evidence of witnesses and its own investigations, and had reached the conclusion that since "the working classes in some trades and businesses require to be protected from themselves", "nothing but an absolute prohibition by Statute can meet the evil." 4 However, in presenting a Workroom and Factories Law Amendment Bill that followed the Commission's report, Alfred Deakin, then Solicitor-General and Minister of Public Works, had had to find an excuse for inaction on the sweating issue: he had affected a concern for the hardship which prohibition would impose on women supporting invalid husbands and sick fathers. 5

Revulsion against sweating had not been stilled by the inaction of Parliament. Sweating was attacked in the press and investigated again by a Parliamentary Board of Inquiry which

reported in 1893 and 1894. The Board's inquiries concentrated on conditions in the clothing trade, where the onset of depression had led to particularly adverse conditions of labour as employers sought to reduce overheads by exploiting the excessive supply of unemployed who were prepared to work at home for next to nothing; and on the furniture trade, where the effects of the depression were aggravated by Chinese competition. By 1895 the clothing trade was recovering strongly and earlier than most, so that steps to stop abuses which had been worst in that trade were likely to command public support. The same holds generally for the boot trade. The furniture trade had not recovered - in fact it remained depressed through most of the nineties - but the target here was sweated Chinese competition. Thus it was fairly accurate to claim that in the main trades covered by the 1896 Act "there was a heartfelt desire throughout the length and breadth of the country that the sweating evil should be stopped". (The baking trade, also covered by the Act, had been inserted in the Bill as an afterthought, in the hope that long hours would be curtailed.)


The passage of the minimum wage proposals can be seen, then, as the culmination of protracted agitation against sweating. The acute distress caused by the depression, the early recovery of the clothing and boot trades, and the anti-Chinese sentiment had helped to produce a situation in which that agitation bore statutory fruit. Anti-sweating sentiment, however, cannot be used so simply to explain the introduction and passage of a proposal to limit the proportion of apprentices and improvers.

One section of parliamentary opinion was inclined to argue from a concern with sweating to a desire to see even customary limitations removed. One prominent member, having heard another declare that sweating was attributable to "an insufficient demand for a redundant supply of unskilled labour", took up his point and developed it into a case against any restriction on the number of apprentices employed:

The great cause of the redundancy of unskilled labour is...that there is no trade in which men are allowed freely to take apprentices to teach them their business... If we can teach our young people to do something beyond turning a handle in a boot factory we shall do something towards getting rid of the sweating evil.9

That he exaggerated the current restrictions is clear; but he stated a view which commanded some support and which was strongly urged in subsequent years. Strangely, however, this view was not advanced in specific opposition to the limitation proposal during the debate on the Bill in 1895-6. In view of the furore that gathered round the question within a few years, it would

seem that we must understand not only how the limitation proposal arose but also why on this occasion the conservatives did not join issue on the point.

Limitation of the proportion of juvenile labour had long been part of the radical and labour programmes, and the liberals had been inclined to join them in legislation. In its distinctly unconservative report, the Royal Commission on Employes in Shops had recommended in 1884 that "the number of apprentices shall not exceed one in five of every adult employed"; but this recommendation, together with three others on apprenticeship, had been dropped - as had the recommendation on sweating - from the Bill of 1884 which embodied most of the Commission's recommendations. The Minister's rather specious public excuse for this omission had been that, although the apprenticeship recommendations were admirably adapted for the employments which the commission evidently had in their minds ..., they could not be universally applied without loss to the employer and a consequent stoppage of work, which would mean loss to the employed.

10. "In proposing any remedy for the relief of employes in shops, your Commissioners rely on the results of practical experience rather than the theories of those political economists who hold that legislative interference is in violation of the law regulating supply and demand." Royal Commission on Employes in Shops, 1882-4, Second Progress Report..., p. xiii, Vic. P.P. 1883 (2nd session), vol. ii, no. 16.


Members of the Royal Commission protested, but the employers had frightened the liberals off.\textsuperscript{13}

The Report of the Factories Act Inquiry Board in 1893 had linked sweating with "the system of taking on so-called apprentices" and had recommended that a properly constituted system of apprenticeship shall be adopted under requirements made on that behalf under authority to be given by an Amended Factories and Shops Act.\textsuperscript{14}

The Board had not specifically recommended limitation; in fact it seems rather to have had compulsory indenture in mind: but since it had inquired into trades where sweating was worst, and since in those trades the exploitation of juvenile labour was one of the clearest evidences of sweating, it was not difficult to interpret its recommendation as in part an endorsement of the demand to limit the proportion of apprentices and improvers.

In one important respect the situation which confronted the Chief Secretary, Alexander Peacock, when he introduced the Factories and Shops Act Amendment Bill in 1895, was different from that which had confronted Deakin in 1884. The 1895 Bill was confined to the sweated trades. Its proposal on the limitation of apprentices and improvers was not, therefore, to be "universally applied", at least outside the specified trades, and it could be seen as an attempt to extend to the sweated trades by legislation the somewhat better conditions that obtained in some other trades by negotiation.

\textsuperscript{13} Ibid., pp.2178, 2258, 2367; also S.Murray-Smith, op.cit., pp.270-2.

\textsuperscript{14} Factories Act Inquiry Board, 1893-4, First Progress Report..., pp. 23, 26.
It is worth noticing, too, that the limitation proposal formed only part of a clause which, in its original form, carried the same stamp of State guardianship as had earlier factories legislation. The clause had been drafted to apply only to boys under sixteen years and to females. It was only by amendment that the minimum wage idea was extended to all employees in factories covered by the Act.

Perhaps the evidence of distress was so strong that this protective motive, combined with an awareness of the strength of anti-sweating sentiment, helps to explain why the Council did not reject the wages board idea, and with it let the limitation proposal pass. Such a view would be consonant with Sidney Webb's remark, after talking some three years later to many who had been concerned at the time, that in passing the Act, "the Upper House was apparently as much carried away by its feelings as was the Lower".

Probably, however, there were other reasons, too, why a Select Committee of Council, under the conservative leader, Sir Frederick Sargood, did not object to the wages boards' being given the power to limit the proportion of apprentices and improvers. They may have been distracted by the novel extension

17. The Webbs' Australian Diary 1898, p.80.
of the wages boards' jurisdiction to all ages and to males as well as females, and by the threat of an amendment to extend it even further.\textsuperscript{19} For the moment, too, they had not experienced the working of boards with equal representation of employers and employees, under an independent chairman; they took care to amend the Bill so that the boards would be elected, rather than nominated on a possibly hostile Minister's advice, but apparently they did not anticipate later objections to the boards' voting procedure.\textsuperscript{20} Although the Council was antagonistic to the general prospect of wages boards, it could in the last resort have been argued that in respect of apprentices the determinations of the boards would merely compel unfair competitors to fall into line with more ethical men of business.\textsuperscript{21} One should not forget, too, that the factory owners were not at that time a strong political force.\textsuperscript{22}

The limitation proposal, then, though it had long been sought by labour and radical opinion, represented not so much a concession to the demand to protect adult workers from juvenile competition as an attempt to protect juveniles against promiscuous exploitation. Because the effect of the proposal was likely to be

\textsuperscript{19} Ibid., vol. 79, pp. 3548-9.

\textsuperscript{20} By 1902 there were bitter complaints that the vote of the independent chairman too often swung decisions in favour of the employees.


\textsuperscript{22} Ibid., p. 150; and cf. S. Murray-Smith, op. cit., p. 686n.
felt only in those sections of industry in which exploitation of juveniles had been worst, and perhaps because of the distraction of greater risks and a hope that the machinery of the wages boards could be favourably managed, opposition to limitation did not crystallise, and the proposal was allowed to stand part of the Act.

According to Sidney Webb,
the expedient of instituting joint boards to fix a legal minimum of wages and maximum of apprentices seems to have been an empirical device of the Chief Inspector of Factories...who was horrified at the sweating which prevailed...

Whether the idea of the wages boards originated with Harrison Ord (the Chief Inspector of Factories) is not our immediate concern; but if it did, it seems doubtful whether he saw the power "to fix a legal...maximum of apprentices" as one of the boards' significant attributes. In "a short statement of the more important provisions of the Act", which Ord included in his report for 1896, he did not even mention the limitation power among thirty-one points that he made. It was the power of the boards to fix wages for apprentices and improvers, rather than their numbers in proportion to workers on the minimum wage, which was emphasised in his reports for the next few years.

Already in Ord's report for 1895, his first woman inspector, Miss Margaret Cuthbertson, had welcomed the minimum wage proposal in the Factories Bill because it would give employers an interest

23. The Webbs' Australian Diary 1898, p.79.
in teaching girls the clothing trade. If employers had to pay their girls, Miss Cuthbertson argued, they would teach them at least enough to make them worth the pay. In fact, however, many employers in dressmaking and millinery reacted at first by paying the compulsory half crown on Friday and demanding it back on Monday as an instalment of a supposed premium, on the grounds that the girls were learning a trade and spoilt more than they earned. "I do not believe, in many cases," said Ord, "that either contention is correct."

Ironically he commented that at least this attempted swindle had attracted the attention of some parents who found that "the art of picking up pins was included in what they were paying for the girl to learn". Miss Cuthbertson, while continuing as an inspector of factories, became also first secretary of the Clothing Wages Board. In her report to Ord in 1897, she returned to the effect of wages on training, but now switched her attention from the effect of a compulsory minimum wage on employers to the effect of incremental wages on learners. She argued that the system of annual increments of pay would be "an incentive to the apprentice to thoroughly master the trade, knowing that she must make herself efficient if she is to be kept on at the increased rate each year".

This argument, although it dealt entirely with incentives and not at all with means, is interesting because it assumed a system under which a learner would be dismissable as often as her pay increased. In other words, it cut directly across the

tradition of the apprentice indentured for a period of years, and would involve a radical redefinition of 'apprentice' in line with the minimum which the law then allowed. In fact an apprentice so defined would be little different from an improver who happened to be in a trade in which improvement was possible.

The problem of defining the term 'apprentice' had already caused Ord and his staff some difficulty, as a result of their efforts to enforce the 1896 Act. In prosecutions against employers for underpaying in trades where the boards had prescribed different rates for apprentices and improvers, the employers had been able to escape, simply by claiming that their apprentices were improvers, or vice versa. In prosecutions for employing an excess number of apprentices or improvers, employers had been able to manipulate the terms "to make the summons bad no matter how it was worded". (In 1898, for example, the only successful prosecution for employing an excess of boys had been against J.M. Guest, a boot manufacturer of Fitzroy, who had been fined five shillings with two guineas costs on each of two charges.)

On the Furniture Board the employers' representatives had feared that the term 'apprentice' might include "boys who were engaged as rouseabouts, carrying glue pots, picking fibre and so on", but they had been assured from the opposite side of the table that an inspector of factories would be unlikely to interfere "so long as such lads did not use tools, and were not there for the purpose of learning the trade". It is not surprising

28. The Master and Apprentice Act 1890 set only a maximum term - of seven years.
30. Ibid., pp. 37-43.
31. Age, 15 June 1898.
that Ord, with some acerbity, demanded that Parliament either define the terms or accept them as synonymous; "the Boards," he said, "would then clearly understand their powers which they are certainly not able to do at present." 32

Ord submitted the report containing this demand on 1 June 1899. A few months later his Minister, Peacock, introduced a Bill which became the Factories and Shops Act 1900. It contained, at last, a definition clause:

4. (a) "Apprentice" shall mean any person under twentyone years of age bound by indenture of apprenticeship and also any person under twentyone years of age employed under a written agreement signed by the employer on the one part and such person's parent or guardian on the other part under which such employer agrees to employ such person and such person agrees to work for such employer for not less than one year; and

(b) "Improver" shall mean any person (other than an apprentice) who does not receive a piece-work price or rate or a wages price or rate fixed by any special Board for persons other than apprentices and improvers and who is not over twentyone years of age or who being over twentyone years of age holds a licence from the Minister to be paid as an improver. 33

Notice that the definition of apprentice contains an alternative: an "indenture of apprenticeship" (that is, under the Master and Apprentice Act), or "a written agreement...for not less than one year". That one-year agreement had been one of the cornerstones of Miss Cuthbertson's theory. (The other was a scale of

33. Act No. 1654.
wages increasing with the number of years that a learner had been at his trade; and the fixing of such a scale was also specifically endorsed by the Act. 34)

In his report for 1900, Ord himself endorsed that theory at some length. He introduced it as "an unexpected but beneficial result" of the determinations of the boards; but he can scarcely have been unfamiliar with a theory which had already been outlined in reports he had signed. From the tone of his remarks in the 1900 report, one might even conjecture that Ord had lent the theory his support before the 1899 Bill was presented:

As the time draws near for the compulsory increase in wage, the employer or his agent will urge the employe to renewed efforts at improvement, and the employe has the knowledge that failure to do so will lead to dismissal. The lad who is not suited to the trade, or who is lazy and careless, is soon eliminated under such a system, instead of remaining for some years at a small wage, and then having to leave to swell the great army of unskilled or half skilled workers. The natural result will be an improved class of workers who will be a credit to their employers, the trade and the State. If my conclusions are correct it will be generally admitted that such a result is a matter for congratulation. 35

A Royal Commission on Technical Education under the chairmanship of Theodore Fink, which by this time had turned its attention to industrial education, took a very different view.

34. Ibid., s. 15(10).
Far from offering congratulations, the Commission roundly condemned the scheme:

The existing provisions for so-called apprenticeship in trades working under the Factories Acts are unsatisfactory in the extreme....the twelve months' period of apprenticeship is of but little advantage to youths requiring a knowledge and training in the exercise of their trade. 36

There is no reason to believe, however, that the twelve months' "agreement" of the 1900 Act was intended to imply only twelve months' "knowledge and training". What Miss Cuthbertson (and Ord?) had sought was not a short apprenticeship but a system of incentives to encourage learning and teaching. (Indeed the wording of the definition clause may have been due to misunderstanding or poor drafting. Peacock, for example, seems not to have understood what the clause might imply: in the second reading debate on the Bill he spoke of a "written agreement to teach the apprentice", and seemed not to grasp the point when an opponent interjected that there was nothing in the clause about teaching a trade. 37)

By the 1900 definitions, the difference between an apprentice and an improver might be no more than that one had a contract for twelve months' employment whereas the other had not. Some wages boards set lower rates of pay for apprentices than for improvers, in the hope of encouraging instruction; but since an


'apprenticeship' agreement might contain no reference to teaching, these lower rates became merely concessions to employers in consideration of their restricted right of dismissal. Neither apprentice nor improver had any legal guarantee of instruction.

The 1900 Act may nevertheless have done some good - more, at least, than could be inferred from the Fink Commission's attack. John Lemmon, a shrewd observer who became one of the most persistent and perciipient Labor advocates of apprenticeship reform, claimed in 1901 that the Act was "tending in the direction of improving the lads" but he was arguing for an extension of the Act and for a more thorough control of apprenticeship. Peacock, too, claimed in 1902 that one result of the Act had been "a better class of workman than we had in years gone by" - but he was defending legislation that he himself had introduced and administered. To admit that Fink and his Commissioners had exposed fundamental weaknesses in the 1900 Act - its failure to fix "the period...deemed to be requisite for the proper learning of the various trades", or to consider "some scheme of organized industrial education" - is not necessarily to endorse the Commission's outright condemnation. The Act was, for example, adaptable to various periods of learning, and to learning by various means. There is some reason to argue - as we shall -

39. Evidence taken by the Royal Commission...on...the Factories and Shops Law of Victoria, 1900-3, Q. 12830.
that to recognize the variety of problems confronting the various trades, and to admit a variety of solutions, was almost as important at the time as to recognize the need for technical schools - at least within the context of job training.

More important, however, than the definition clause in the Factories and Shops Act 1900 was the section which permitted an extension of the wages board system to any process, trade or business carried on in factories, and to the butchering trade. A resolution of either House of Parliament was to be sufficient to establish a wages board (except for the Butchers' Board, which was directly established by the Act). Thus arose the possibility of extending the control of apprentices and improvers far more widely.

At first, reactions were cautious. In moving the establishment of the first batch of new boards in September, 1900, the Chief Secretary referred in only one sentence of his speech to the fact that, in the trades proposed, some employers had an unduly large number of boys in proportion to adult labour. The Act itself had required the appointment of a Royal Commission to investigate the factories legislation; and the operation of the Act had been limited to a trial period

42. Act No. 1654, s. 15(1).
of two years. For some time, according to Peacock, that Royal Commission received no complaints at all about the operation of the factories Acts, and even after A.R. Outtrim (who succeeded Peacock as Chairman of the Commission in February 1901) had publicly invited opponents of the Acts to express their views, the Commission received only a few letters in five months. As yet, too, there was not much painful experience on which to base opposition. The only limitation which by then had been strongly criticised had been one by the Clothing Board, which had fixed a proportion said by some to be insufficient to ensure the replacement of women leaving the trade. That determination, however, had been amended to remove the cause of complaint.

By mid-1902 the former calm had completely gone. Owing to Section 92 of the Federal Constitution, manufacturers, who previously, behind the wall of the State tariff, had passed on additional costs imposed by the operation of the factories Acts, now found themselves openly exposed to interstate competition.

44. Ibid. 1902, vol. 100, p. 111; 1902-3, vol. 101, pp. 91-2. It will often be necessary in the following discussion to distinguish between the Royal Commission on Technical Education, 1899-1901, commonly known as the Fink Commission, and the Royal Commission on the Factories and Shops Law of Victoria, 1900-3. For convenience we shall sometimes refer to the latter as the Outtrim Commission, although A.R. Outtrim was not its first chairman.

They became convinced that, if Victorian manufacturers had to pay wages and accept conditions which were costlier than those of their counterparts elsewhere, they could be undercut in their own markets. Their fears were sometimes given substance by their own ability to undercut competitors interstate. When, for example, the New South Wales Arbitration Court forced boot and clothing manufacturers in that State to pay higher wages and employ fewer youths, the consequent increase in production costs had opened the market to Victorian boots and garments; but the tables could easily have been turned by Victorian wages boards. During the debate which toppled his ministry in June 1902, Peacock claimed that he had been under enormous pressure to suspend the factory legislation because of the creation of the Federal Parliament. In addition to this fear of external competition, the manufacturers had been shocked by the seeming unreasonableness of some of the new boards. A determination of the Tinsmiths' Board, for example, had meant that jam factories would have to pay tradesman's wages for work which it was claimed that boys and girls could learn in from six to eight weeks.

49. Ibid., p. 886.
The factories Acts were due to expire at the end of the Parliamentary session in 1902. When a new ministry, under the more conservative William Irvine, took over from Peacock's in June, John Murray, the new Minister for Labour, introduced a continuation Bill which was hotly contested, especially in the Council, and had not been passed before Parliament was dissolved in September. Thus the factories Acts (except for one of 1890) lapsed. Their reinstatement became an election issue, and Irvine was forced to undertake to continue them; but he undertook not to broaden their application either. In the new Parliament, after Irvine's victory, a Continuation Act was passed; but the legislation was only reluctantly extended for twelve months, to allow time for the Outtrim Commission's report to be completed, received and considered. As a temporary curb, the wages boards were compelled to reach their determinations by a majority vote of seven out of ten, or four (two employers and two employees) out of six, and the chairman could no longer cast a vote.

The attack on the factories legislation had centred on the limitation powers of the boards. The ground was well chosen, for the conservatives were able to argue altruistically and to attract the support of many of the liberals. The fiction was invented that the wages boards were driving boys into the streets and making them loafers because they could not get employment learning a trade. This charge was repeatedly laid by the

50. Ibid., 16 July - 9 September, passim, Factories and Shops Act Continuation Bill.
51. Factories and Shops Continuance Act 1902 (No. 1804).
opponents of the factories Acts, but it is difficult to substantiate. The Factories Department's figures show an increase rather than a decrease of juveniles for the years 1900 to 1902 in the large trades of clothing and footwear; although in the smaller trades of jewellery manufacture, butchering and woodworking the operation of the new boards' determinations led to an initial drop in the proportion of boys. In any case, to judge from the 1901 Census figures, the proportion of juveniles to adults could safely have been one to four males and one to two females, and generally these or higher proportions had been set by the boards.

Whatever the truth of the charges, they were pressed vigorously, and when the Irvine ministry sent a new Factories Bill to the Council in October 1903, that body promptly removed the right of the boards to limit the proportion of juvenile workers. The Lower House, however, would not acquiesce in this total loss of restraint; even the ministry felt compelled to compromise. John Murray, the Minister for Labour, secured an amendment which restored the limit on

52. For a typical broadside, see Vic. Parl. Deb. 1902, vol. 100, pp. 886, 889, 891, etc.

53. Of those employed in industrial occupations, men formed 63 per cent, boys 14 per cent, women 15 per cent and girls 8 per cent. (Calculated from Census of Victoria 1901, Part IX - Occupations of the People, Vic. P.P. 1904, vol. ii, no. 50.) Determinations of the wages boards are summarised in the annual reports of the Chief Inspector of Factories, Work-rooms and Shops.

improvers while leaving the proportion of apprentices unrestricted. At the same time a further counterbalance was applied: after some evasion by Irvine, a new and ostensibly tighter definition of 'apprentice' was implicitly adopted: it is contained in this paragraph of the Act:

> All apprentices not bound by indentures of apprenticeship which bind the employer to instruct such apprentice in such process business or trade for a period the whole term of which is not less than three years shall be deemed to be improvers...

55

Thus, for the moment, limitation of apprentices had been lost, and indentures gained. What had been lost upon the roundabouts would, it was hoped, be pulled up on the swings - at least in as far as the Act affected the training of youths.

At bottom, however, the Factories and Shops Act of 1903 was not concerned with the training of youths, and the language of the fair ground optimist is hardly appropriate to the bitter struggle which had been fought over the right of the State to intervene in industrial matters. The Labour party (and, to a certain extent, the liberals) had sacrificed principles to preserve the factories legislation, even as a temporary measure. George Prendergast, already influential and soon to become Labour leader, had felt in "an extraordinary dilemma" over the Bill. He had been inclined to risk an election on this issue rather than continue "in the spirit of compromise which was giving away everything to the friends of the sweaters". 56 The opposition generally would have

55. Factories and Shops Act 1903 (No. 1857), s. 7.
been inclined to go to that length also, but for the fact that this Bill affected thousands and tens of thousands of people who, until they obtained legislation of this kind, had no protection whatever. They saw the unions' position threatened, too, by the Court of Industrial Appeals which the Act would establish with the power to amend any wages board determination which in its judgement "has had or may have the effect of prejudicing the progress or maintenance or scope of employment in the trade or industry affected". To a lesser extent, even the conservatives had compromised in the hope of escaping greater risks. One admitted in the Council that he "would sooner not have it [the Factories Bill] in some respects, yet he would sooner have a Factories Act than have a Conciliation and Arbitration Act".

In as far as it concerned the training of youths, the 1903 Act was, as we have seen, a compromise. On the limitation issue, capital and labour had adopted opposite positions for the same ostensible reason. To the Royal Commission on the Factories and Shops Law, furniture manufacturers had argued that it was against the interests of the working class to restrict opportunities for the employment of boys, and prevent them from being taught a trade. This argument sat well with the employers' desire for cheap labour. Their employees, on the other hand, had argued that

57. Ibid., p. 986.
58. Act No. 1857, s. 15.
The restriction of the number of apprentices was intended for the protection of the boys, who should be taught their trade properly... 60

This argument in turn sat well with the unions' antagonism to boy labour. Those who opposed limitation for motives of self interest had been joined, however, by moderates who, while deploring disproportionate boy labour, believed that arrangements to ensure training, rather than limitation, deserved the urgent attention of the legislature.

R.G. McCutcheon, a master printer, politically conservative but widely known for his interest in industrial training, had agreed that "no employer had a right to take boys into his establishment without having the means of teaching them", but he thought that

a great deal of this legislation, though well meant, practically affected the fair employer, and worried him, without securing the results it should secure from the sweating employer.

The remedy for promiscuous employment of youths might be found, he believed,

under the Master and Apprentice Act if properly amended, so that a boy on going to learn a trade should be compelled to be properly bound after a certain time, with due remedies provided if the master did not teach him the trade. 61

In the 1902 debate, George Swinburne, a strong and generous advocate of technical education, had argued against limitation as a hindrance to an efficient solution of the training problem.

60. Report of the Royal Commission...on...the Factories and Shops Law of Victoria, 1900-3, pp. xlix-l.

Representing a serious and benevolent body of opinion he had urged that "technical schools and apprenticeship should go hand in hand". This was the view adopted, too, by the Outtrim Royal Commission. Commenting on the operation of the New Zealand Arbitration Court, the Commissioners observed:

The demand of the workers' unions...to fix the proportion of apprentices...merely meets their claim to prevent undue competition in the present. It does not touch the larger question of insuring steady and careful training of youths.

They recommended compulsory indentured apprenticeship and thorough training in technical classes.

From the point of view of apprenticeship, the Factories and Shops Act 1903 probably did more to promote than to retard a solution. By reviving indentures as an ostensible guarantee of training, it focussed attention on the questions to which answers had to be found before that guarantee could be efficacious. It was likely, too, to encourage apprenticeship, since an employer, if he wished to increase the number of his juvenile workers beyond what had been previously allowed, would have to do so by taking indentured apprentices.

There is no doubt that the Act led to an increase in the number of apprentices and, more importantly, to the

63. Report of the Royal Commission...on...the Factories and Shops Law of Victoria, 1900-3, pp. xix, lxxiv-lxxv.
indenturing of youths who had previously been improvers. Some of the boards (for example the Boot Board in 1904 and the Printers' Board in 1905) reduced the allowable proportion of improvers in order to provoke this response. Thus they brought more young people under contracts which bound their employers to teach them. Other boards behaved differently. The manoeuvring that was possible is well illustrated by the determinations of the Brassworkers' Board and the Ironmoulders' Board, which set much higher rates for apprentices than for improvers. These determinations could be interpreted (as the Brassworkers' was, by one of the Factories Department's inspectors) as an inducement to improvers to become apprentices; but they could also be interpreted as a means of discouraging employers from taking on lads in the category in which they were free to employ as many as they wished.

For years, in consequence, apprentices were virtually unknown in the brassworking trade; although the employers of ironmoulders were soon prepared to pay the higher wage in order to secure lads for work which was unpopular because of the effects of splashed hot metal. The additional numbers of apprentices in many trades under the wages boards were reported with some satisfaction by some of the factories inspectors, and with some misgivings by others. In their reports after 1903, such expressions as "the system of" unlimited numbers of apprentices, and "advantage was taken of the law by indenturing", become fairly common and suggest that the Act was seen, even in the Factories Department, as working generally to the employers' convenience.
That some employers abused their right to take unrestricted numbers of apprentices is evident from numerous comments and cases reported by the inspectors. The effective cheapening of labour by this means is illustrated by a case reported in 1905: whereas the average wage of females in the clothing trade was 17/1 per week, in one factory, where four fully paid women were employed with seventeen apprentices and improvers, the average wage had been cut to 8/8 per week. Such tactics, of course, could only succeed in trades where much of the work could be done by hands who learnt their skills in a pretty short time. 64

More significant than the increase in numbers, however, are the comments which suggest, from as early as 1905, that indentures did not ensure that apprentices were taught. For that year, one of the inspectors reported:

the apprenticeship agreements are held very lightly by both employer and employe, and too often they appear to be made as a mere subterfuge in order that a large proportion of juveniles may be employed. 65

Already when the 1903 Bill was being debated, the leader of the Labour Party had suggested that a short form of indenture should be appended to the Bill, and failing that, that the Government should give an undertaking to amend the Master and Apprentice Act "in order to render the indenture of apprenticeship really binding for the purposes for which

64. The preceding two paragraphs are based on the reports of the Chief Inspector of Factories, Work-rooms and Shops for 1903-9.
apprenticeship was undertaken". He had correctly suspected that the 1903 amendment "was no guarantee at all that very great abuses would not creep in again." Indentures had been urged as an apprenticeship guarantee for many years before this, but they had never really worked. The reasons had been thrown into prominence after the 1903 Act. Who was to decide what constituted a trade, so that an apprenticeship might have a practicable goal? Who was to decide whether teaching had been satisfactory? Could the same term be prescribed for all trades? And how was instruction to be given?

The factories legislation had revealed the need for a legal definition of 'apprentice', and had provided two such definitions. It had also led to a juggling with wage rates. These matters underlay an amusing case at law, in which Joseph Hines, ex-apprentice of Warrnambool, sued his former employer, Ernest Phillips, for £40/9/-, comprising mainly the difference between the rate determined by the Furniture Board for male improvers of over two and under three years' experience and the ten shillings per week that Hines had been paid under an agreement in writing between himself, his guardian and Phillips. The agreement referred to Hines as "the said apprentice", but it made no reference to instruction and did not even mention Phillips's business (furniture manufacture). Although Hines had been instructed, and a

magistrate had dismissed his complaint, the Acting Chief Justice, a'Beckett, in reviewing the case, was forced to agree with Hines's contention that he had been transformed from an apprentice into an improver by Section 7 of the Act of 1903 - since his agreement, which would have met the 1900 definition of 'apprentice', would not meet the new one. In his judgement old a'Beckett remarked rather testily (though evidently without much knowledge in the matter):

It is difficult to imagine why this new way of describing an apprenticeship document should be adopted....owing to the singular diversity of the Acts in describing things substantially the same, and probably intended to be treated as the same, an apparently unreasonable result is arrived at.

Taking a wider view and different evidence, he might have arrived at the same conclusion. In spite of the singular diversity of the Acts, things which some at least had not intended to be treated as the same had remained substantially the same. From the point of view of industrial training, the 1903 Act had indeed had an apparently unreasonable result.

Chapter III

INDUSTRIAL EDUCATION

In the factories legislation from 1896 until 1903, industrial training was not a central concern. The Acts had mentioned and affected apprentices, but they had been aimed at controlling wages and limiting the proportion of jobs available to juvenile workers. Nevertheless, attempts had been made to suggest how training might be encouraged within the framework of the Acts, and a concern for training had supplied arguments both for and against the wages boards' restrictive power. Finally, by the same stroke as repealed the boards' power to limit the numbers of apprentices, Parliament had adopted a definition of 'apprentice' which restored to prominence the contract to teach.

Indentures (or apprenticeship contracts) had been urged for many years as a solution to the problem of industrial youth. They seemed to afford the most obvious means to revive the atrophied heart of apprenticeship. It was assumed that if employers could be forced to bind themselves to teach their apprentices, then somehow teaching would occur, and both individuals and the community would be restored to health.

In the eighties, the advocates of indentures had been concerned more with social justice than with industrial efficiency. A special committee of the Trades Hall Council had claimed that the "loose and indifferent manner" of teaching apprentices had helped "to swell the ranks of rowdyism" and to keep wages low. They had demanded that employers in all factories and workshops be compelled to apprentice any youth over fourteen years of age who had been in their employ for a
period of three months, and that such apprenticeship be for a minimum period of five years during which the employer would be compelled, under penalty, to see that his apprentice was properly taught the trade. A Royal Commission on Employes in Shops, to which these views were presented in 1883, although generally in sympathy with the unionists' views, had not been prepared to go quite as far; its report avoided endorsing the demand for compulsory apprenticeship, but it did recommend that all apprentices be legally indentured for at least five years, and that employers be compelled to teach them "as far as possible" the several branches of the trade or business.¹

By the end of the eighties, representatives of the Employers' Union had been prepared to join the Trades Hall Council in recommending compulsory indentures and compensation to an apprentice whose master failed to instruct him properly.² A Bill was drafted and introduced into Parliament in 1890; although it was not proceeded with in that year, nor reintroduced, despite requests in 1892 and 1893.³

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2. Argus 4 January 1890; S. Murray-Smith, op. cit., p. 287.
Then, in 1893, the Factories Act Inquiry Board also deplored "the system of taking on so-called apprentices". 4

The fundamental difficulties in the way of solution through indentures have already been suggested. They may be pointed up by recalling the words of the 1903 definition: "...indentures which bind the employer to instruct such apprentice in such process business or trade for...not less than three years". Whatever the motives at various times for attempting to revive indentures, their essential effect was intended to be the insurance of instruction, whether as means or end. But if teaching was to be the essence of the contract, it was vital to reach agreement on what was to be taught, and how; for without that agreement, indentures would continue to be toothless gums mumbling against expediency.

Many men (and women) worked at jobs in factories which did not require a full range of skills. If job specification had been the sole principle for defining the goal of apprenticeship training, then in principle apprenticeship could well have yielded to the improver system in many occupations - as in practice it had. The advocates of apprenticeship reform, however, generally agreed on a broad definition of what was to be taught and learnt: they clung to the traditional model of the skilled all round tradesman in spite of industry's growing reliance on narrow expertise. This persistence had important consequences, and the reasons for it must be sought.

Probably, any explanation should first emphasize that persistence. Those who opposed the minute subdivision of trades were indeed concerned with reform, in some senses: abuses were to be stopped, and new methods of training were proposed. But the definition of a trade as a broad set of skills was part of long tradition, and reform in this regard was more a matter of restoration than of shaping anew. Nevertheless, to explain the opposition to narrow training as due simply to a yearning after old ways would be insufficient.

In part, the demand for broad training was a response to wage practices. Employers had been able to cut the rates for work which narrowly trained youths could do - at least until the wages boards began to determine adult wages. In a joinery shop, for example, a lad might be kept at sash and frame making until he became so adept that he would be making the pace for the shop; an employer, if he were to produce at competitive prices, could then not afford to pay men more than boys' wages to do that work. 5 Consequently, although there was some truth in the 'modern' opinion that the best specialist made the most money, the better paid man (as F.A. Campbell, first Director of Melbourne's Working Men's College, told the Outtrim Commission) was "not necessarily the narrowest specialist".

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5. Evidence taken by the Royal Commission...on...the Factories and Shops Law of Victoria, 1900-3, Qg. 10759, 10844.
You may narrow your specialism until you cannot earn anything at all. You might make yourself expert, but you must have a certain breadth of knowledge.  

Traditionally, the skilled mechanics had occupied a privileged position in wage negotiations; and although their position was much weaker by the end of the century, the disposal of rates either side of the 'minimum' set by the wages boards still turned largely upon a traditional concept of skill. Here is a woodworker in 1901:

    We have at present a considerable number of men who... can only do one certain line; and they, to the detriment of their fellows, are quoted as those who should not receive the minimum rate of pay, because they cannot earn it.  

The same point is implied in Campbell's further remark that "the machinist attending the machine" (as distinct from "the carpenter, who is an all-round man") could get his training entirely as an improver in the shop, "provided that he is not anxious to go any further than being able to earn the minimum wage".

Allied to the hopes or fears arising from wages practices were fears of unemployment or restricted opportunities.

6. Ibid., Q. 13874.
7. Ibid., Q. 10761.
8. Ibid., Q. 13810.
'Overstocking' or temporary 'dullness' in a particular branch of trade affected the narrowly trained more severely than those whose broader skill left them more room to manoeuvre. A Board of Inquiry on Unemployment which reported in 1900, after noticing that "ill adapted education methods may easily contribute to conditions of unemployment", drew special attention to the uncertain prospects of youths who were "turned out from their period of apprenticeship so little acquainted with the mysteries of their craft as to be unable to secure employment in the same at customary wages". The narrowly trained were also more likely to be made redundant by mechanisation. Hand finishers of boots, for example, were one group displaced by machines in the early nineties. Their fate, and the risk to others like them, had provoked Harrison Ord to write, in his first report as Chief Inspector of Factories:

There can be little doubt that steps must be taken to insure boys and girls employed in factories having at least the opportunity of learning the principal branches of the trade at which they hope to earn their livelihood."

There was the fear, too, that skilled immigrants would occupy better paid jobs to the exclusion of the native born. To a certain extent this fear was founded on fact. An engineer with the Metropolitan Gas Company told the Fink Commission that "the practice now was to keep up our standard in a great measure by sending to England now and again for a good man"; 11 and a representative of the Amalgamated Society of Carpenters and Joiners admitted to the Outtrim Commission that "Our best tradesmen today all come from the old country." 12 F.A. Campbell had wielded this fear in a series of articles in the Argus in 1889-90:

The only way for our workmen to protect themselves is to educate themselves, and let no one, English or foreign, step over their heads through the power of superior training. 13

He was still wielding it in 1901. 14

(The argument here may seem to have deviated from its object. We set out to explain why the reformers retained a broad rather than a narrow definition of trades; yet we have just quoted terms - such as "good man", "best tradesmen" and "superior training" - which do not necessarily imply breadth. In

12. Evidence taken by the Royal Commission...on...the Factories and Shops Law of Victoria, 1900-3 (hereafter cited simply as 'Outtrim Commission, 1900-3, Evidence'), Q.10842.
13. Argus, 4 January 1890.
the context of the means by which such excellence was attained, however, the higher competence was based on a broad foundation. This is not to suggest that all English apprentices were well or broadly trained - they were not, as the consternation of English observers attests\textsuperscript{15} - but a sufficient number of them had been brought on in the old ways to allow of the better trained being represented and noticed among immigrant mechanics.)

It is probable, too, that another factor which disposed reformers to retain a broad definition was the sentiment for 'improvement', in a moral and social sense. In a colourful passage, the historian Paul Mantoux thus describes the fate of apprentices employed merely as cheap labour:

They left the factory ignorant and corrupt....They had learned nothing beyond the mechanical routine to which they had been bound during so many long hard years, and they were thus condemned to remain mere slaves tied to the factory as of old the serf to the soil.\textsuperscript{16}

The goal of a dignity beyond such servitude was still perceptible in the thinking of reformers and tradesmen at the turn of the twentieth century. The Outtrim Commission could subscribe to the belief that


no intelligent youth, who has an opportunity of learning, will be content to be restricted to work in one section or branch when he might be thoroughly grounded in the whole. It should be our aim to raise and improve the condition of the apprentice by holding out to him the prospect of advancement...

And in the words of some of the workmen who appeared before the Commission a belief in the dignity of breadth and knowledge rang clearly. As a result of the piece-work system, said one, "We are rushed in many cases - enough to work the heart and soul out of you"; but, he believed, "improvement of the mechanic", which "the old joiners have been hammering at for years trying to get", would do away with piece-work and its rushed and scamped results, so that "the status and tone of the trade as a whole will be raised". And another spoke fondly of men familiar with "the higher branches, such as hand-railing and stair-casing":

these are the best men. They are geometrical men, and they must be good joiners at the same time - experts with the pencil and thoroughly well up in lines.

To be liberated from servitude, to become respected as an artisan and as a man, had been thought at first to require the sort of 'useful knowledge' that groups like the mechanics institutes sought to disseminate; and even after the impetus of this movement had slowed and faith in its methods had all but dried up in the sands of experience, something of its high hopes affected the character of technical education. The resounding slogans of English enthusiasts like Sir Lyon Playfair

17. Report of the Royal Commission...on...the Factories and Shops Law of Victoria, 1900-3 (hereafter cited simply as 'Outtrim Commission, 1900-3, Report'), p. lxviii.
18. Outtrim Commission, 1900-3, Evidence, Qq. 10779, 10781,10824.
19. Ibid., Q. 10843.
("technical education becomes the rationale of empiricism, and the knowledge imparted dignifies and fructifies labour")²⁰ were translated into more practical programmes by such bodies as the City and Guilds of London Institute, the Artizans' Institute, and the Regent Street Polytechnic. They adopted the idea of trades as broad areas of competence. In a list of subjects examined by the City and Guilds in 1887, the following were included as single items: Iron and Steel Manufacture; Glass Manufacture; Boot and Shoe Manufacture; Plumber's Work; Carriage Building; Carpentry and Joinery; Brickwork and Masonry.²¹ When trade classes began at the Melbourne Working Men's College, a similar breadth was implied in the subjects offered and proposed.²² This breadth was emphasized in prospectuses for subsequent years, as the following comments from the 1897 issue show: (carpentry and joinery) "The whole trade is thoroughly taught..."; (plumbing and gasfitting) "...a thorough theoretical and practical training in every branch of the trade..."; (boot and shoemaking) "...both theoretical and practical instruction in the various branches...". The significance of these technical courses (in the context of the present discussion) is the probability that they not only reflected the reformers' belief in broad trade training, but helped, too, by defining course content, to reinforce the concept

²⁰. Quoted by F.A. Campbell, Argus, 26 October 1889.
²¹. Quoted in Technological and Industrial Instruction: Report of the Royal Commission...1887, p. 8.
²². Working Men's College, Melbourne, Report...1888, p. 18.
of an apprenticeable trade against the challenge of the changed industrial situation.

It is noticeable that among the reasons we have advanced to explain the view that trade training should be broad, there has so far been scarcely any reference to industrial 'efficiency', in the sense of producing more and better goods and services. Those who believed that competent workmen could be turned out only through broad training relied on that broad training to break the nexus they saw between narrow training, piece work or rushed work, and scamped results. But even men who had made some attempt to revive apprenticeship saw that, from the point of view of efficiency alone, there were strong arguments against broad training:

Boys would not be content to drudge along year after year learning one or two sub-departments thoroughly and nothing else. Yet if they had not done that they would be of very little use in a large factory. A jack-of-all-trades and master of none was of very little use now.

An employer of labour, especially in a factory or a sub-contracting business, could readily regard it as easier and surer and cheaper to confine a lad to one branch than to make him a jack-of-all-trades and master of some.

So far, in this chapter, we have pointed to one of the questions which the restoration of indentures brought into prominence: what was an apprentice to learn? We have shown

23. E.g. Outtrim Commission, 1900-3, Evidence, Qq. 10819-20, 10831-3.
that the reformers generally favoured a broad definition of the trade to be learnt, and we have attempted to explain why they took that view. We have not yet examined the process by which that broad view prevailed over the contrary view; it will be convenient to do so in a later chapter. First, however, we should give some attention to another question raised by indentures: how was an apprentice to be taught? The answer, of course, depended partly on what it was believed an apprentice should be taught; but even that premiss involved not only the definition of 'trades' as goals (in terms of knowledge, skills and dexterity) but also the larger question whether a trade, however defined, was all that an apprentice needed to be taught.

In earlier times it was believed that the responsibility of master and apprentice extended beyond preparation for productive tasks. Under the conditions of 'domestic' apprenticeship, the master had been responsible, too, for the fosterage and supervision of the boy: a moral citizen, as well as a competent workman, had been the expected outcome of the period of bound service. By the nineteenth century, however, this wider responsibility was no longer felt to be a necessary part of the contractual relationship\textsuperscript{25} - although doubtless some masters continued to act paternalistically towards their apprentices. Elementary education had filled the place of the master's general educative function. A curriculum of Three R's and moral precepts was provided as "one lever, among others, ... to lift the lower orders out of their misery."\textsuperscript{26}  

\textsuperscript{25}. Its traces may be seen in the Victorian \textit{Master and Apprentice Act} 1890, in those parts (e.g. S. 8) which refer to orphan apprentices.

with the direction and pace of its results had led to efforts
to supplement that elementary lever by providing useful
knowledge to improve the working man.27 Even after
confrontations with European industrial competition had given
a more urgent impetus and a new motive to this movement, it had
still been argued that, even if technical education did not make
workmen more expert, it should nevertheless be provided in order
to make them "a more intelligent factor of the community".28 In
the eighteen nineties, however, that liberal objective yielded
place to a more banausic conception of the goals of vocational
preparation. In Australia, the political, cultural and moral
education of youth was not generally associated with vocational
training once young people left full-time school. In short,
when considering how an apprentice (as an apprentice) might be
taught, those who sought answers in Victoria sought only the
means of instructing him in his trade. (In this respect,
Germany provides an interesting contrast, since its system of
industrial education was so often admired around the turn of
the century. There, the part-time industrial continuation
schools - the gewerbliche Fortbildungsschulen, ancestors of the

27. Bray, op. cit., p. 87, comments acidly on the success of
the elementary schools in producing pupils conditioned
above all to regularity and obedience, and suited therefore
to become messengers, shop boys and machine minders: "It
is something of a tragedy that the most signal triumph of
the schools should be, perhaps, the cause of their most
signal failure."

28. Sir Lyon Playfair, quoted F.A. Campbell, Argus, 26 October
1889.
modern Berufsschulen—taught German language and citizenship, and physical training and hygiene, in addition to drawing, arithmetic and technical science. On the other hand, a generally narrower definition of apprenticeship trades emerged.

Let us recall briefly some of the conditions which stood in the way of proper instruction. Apprentices might be dismissed, or might abscond, at whim; their masters might be incompetent or disinclined to teach them; the journeymen with whom they worked were often antagonistic and even obstructive; and in the haste of production the boys picked up slovenly ways without any corrective:

He uses a nail pretty often, and the employer says that he never thought a wire nail would do it, and he wants everybody to use it in preference to using the glue and the dovetail. The next lad that comes along believes that the nail is as good as the dovetail and glue.

Apprentices were often kept at only one or two processes and, as we have seen, many regarded this as in itself inimical to proper training. Under these conditions it was doubtful whether proper instruction could be given (or obtained) on the job. Consequently it had been proposed to separate instruction from production, as an alternative to traditional methods; and such separate instruction was generally envisaged as being given in technical schools. This possible solution raised further questions. Should trade instruction precede employment or be concurrent with it? Should it encompass related knowledge,

practical methods, and the development of dexterity? How would it affect those already at work and those excluded from it? And was it, in fact, necessary for all trades?

Whether or not trade classes were necessary for all apprentices, and whether attendance at them were to precede or be concurrent with employment, there was little doubt by the nineties that young people would enter industrial occupations better prepared if their previous education had included some experiences more directly related to their working lives than were provided by the curriculum and methods inherited from earlier decades of elementary education. We need not dwell in detail on the reforms which were urged and gradually introduced, but it is necessary to mention briefly the changes which were sought in the kindergarten and manual training movements.

The English background to these changes has been very ably drawn by R.J.W. Selleck. 32 On the local scene, to take a pertinent example, F.A. Campbell, in a series of articles on 'The Industrial Education of the People in 1889-90', advocated the spread of kindergartens because he regarded them as "the introduction to all manual training, the first step in education of the hand and eye". Choosing his metaphor carefully, he spoke of the happy little infants receiving in the kindergarten "the thin end of the great educational wedge which is to be hammered by degrees into

32. Selleck, op. cit., especially Chapters 4 and 6.
their heads later on".  

Campbell's lack of enthusiasm for manual training in the elementary school may have been due to the fact that, as Selleck points out, the men who looked to manual training for its contribution to industry were usually satisfied to leave a gap between the work of the kindergarten and the work of the upper grades; but even for this upper work Campbell seems to have been disinclined to trust the elementary schools. His reservations need to be seen in the added light of the ineptitude of local attempts. The elementary schools of Victoria did not develop acceptable manual training work for more than a decade after Campbell wrote that series of articles. In the nineties, for example, boys had been required by regulation to take needlework "so that the manual training supplied...may to a small extent prepare them for the use of tools when they leave the school". The results were not promising. As one inspector of schools reported,

33. Argus, 23 November 1889.
34. Selleck, op. cit., pp. 110-1.
35. The evidence considered by the Fink Commission, and its recommendations concerning manual training, are well known indications of this ineptitude; Royal Commission on Technical Education, 1899-1901, Second Progress Report, passim, Vic. P.P. 1899-1900, vol. iv., no. 51.
The boys themselves do not take kindly to it, and when a visitor happens to see them at it, their faces often wear a look as if they had been detected in some occupation of which they had reason to feel ashamed. 36

One recalls, too, the biting scorn of a press attack on the Education Department's hand and eye training scheme, which had, said the editor of the Age, after "much consultation and spluttering of pens" been "evolved, so to speak, out of the inner consciousness of the inspectorial staff" - although no one in the Department understood the new teaching, in a practical way. 37

The manual training class started at Campbell's Working Men's College in 1892 was much more successful. In 1893 it was taken over by P.J. McCormick, who had been top student in woodwork at the College some five years earlier and later became first head of the Melbourne Junior Technical School. From 1893 until 1897 the class was held for two hours each afternoon from Monday to Friday and for three hours on Saturday morning. The course was intended (among other aims) to teach students "habits of neatness and accuracy, and instil within them a taste for manual labour"; it speedily developed, it was claimed "the constructional faculty dormant in most boys for want of an opportunity of showing itself". 38 In 1898, manual training was offered as a full day course, which was subsequently developed

37. Age, 11 July 1899.
38. Working Men's College, Melbourne, Prospectus... 1897, pp.57-8.
into the Melbourne Junior Technical School. Other technical schools, too, had attempted, in various ways and with varying success, to encourage manual training in the upper grades of elementary schools; 39 but these few scattered attempts (and the more successful one by McCormick) made only negligible impact on the preparedness of the thousands of young people entering industry each year. In 1900, for example, fifty-seven candidates presented for the Department's examination in Manual Training, and of those forty-one came from the Working Men's College. 40.

A pre-vocational type of post-primary education was also conceived. This idea owed its origin, broadly speaking, to two springs. On one hand lay the desire to develop an education appropriate to those classes for whom the learned professions were assumed to be out of reach - a free, secular and technical education. As the Fink Commissioners said,
The class of students for whom provision would be made by continuation schools would be largely the children of the working class, who will ultimately have to support themselves by manual work... 41.

On the other hand lay the desire to enlist education in the cause of international economic competition. Here the Age's blunt statement expresses the typical view:

The German knows more; and knowledge is power.
Knowledge is trade, too; and it is money. 42

(Notice, by the way, how the words "knowledge is power", in this context, reflect the change in attitudes which had taken place since the Bradford Mechanics Institute adopted those same words long before as the motto for their library book plate. 43) There was, too, the inspiration of the continental continuation schools, which had been developed by conscious national policy: in France, for example, after the Paris Exposition of 1878; a special commission of the government had made recommendations which not only strengthened shop work in the upper primary schools but also included the concept of post-primary schools based on parent industries, which would equip lads to take up a number of related trades and specialties. 44 A more immediate (though not uniquely local) spur was the notorious 'gap' between the elementary schools and the technical schools. Those who passed out

42. Age, 17 July, 1899; cf. Royal Commission on Technical Education, 1899-1901, Final Report on Technical Education, p. 147: 'the economic struggles of the future will be waged by the trained faculties of contending peoples.'


44. Bennett, op. cit., pp. 146-65.
of the elementary schools lacked a sufficient background in mathematics and science for the work of the higher technical classes; but even for the work of the trade classes they were ill prepared. They had generally had no worthwhile experience in the manipulation of tools and materials, they had had slight or no experience on which to base their choice (or their parent's choice for them) of a trade, and by the time they enrolled in a technical school they had usually been away from any disciplined instruction for two or three years.

A full-time pre-vocational course, as Campbell explained it in his *Argus* articles, would include practical mathematics, science, drawing and geometry, and some working with wood and iron and the tools used in various trades. Thus, he believed, it would quicken the mind in useful directions, would provide training for hand and eye, and would allow the student to determine his future interests. In a politic and thrifty vein, Campbell argued, too, that to establish schools for this work in the main centres of population would probably be cheaper in the long run than to equip the State schools to teach the use of tools, especially since such schools could also be used in the evenings for apprentice training. However, schools with this type of curriculum were not developed in significant numbers in Victoria until after the Education Act of 1910.

Although neither useful manual training nor continuation schools had in fact been available to any but a few of the youths who went to work in Victoria hoping to learn a trade, many of the men who sought a means of teaching apprentices incorporated those
ideas as part of the system they proposed. We must now consider the provision of specific trade training in schools.

L.W. Phillips, in a 1938 essay, isolated certain features which distinguished the English from the continental tradition in technical education. The English tradition was characterised, he said, by an emphasis on the vertical mobility of labour and the improvement of the individual. Consequently, technical education was conceived as supplementary to on-the-job training and was provided mainly through part-time evening classes for those already employed. One might add that a further reason for this prevailing view was a lingering faith in British inventiveness, a trust that trained workmen would grow in the factories of England "as furze grows on her commons". 45 The continental tradition, on the other hand, he saw as posited on a stratified society in which the interests of the State were dominant. Consequently, technical education was more readily conceived as a substitute for on-the-job training and was often provided in day courses preceding employment. 46 One might add, too, that it was sooner supported and even directed by employers who were conscious of real competition for markets. 47

At the end of the eighties, it was, not surprisingly, the English tradition which influenced the opinion of most Victorians

45. The sarcastic phrase is from the Age, 27 October 1898.
47. On the influence of gilds and employers, see Bennett op. cit., pp.193-212, passim.
concerned with apprenticeship. When the Trades Hall Council and the Employers' Union expressed their joint concern, they sought to strengthen indentures in order to remedy the decadence of apprenticeship by reviving on-the-job training. There was, in fact, no other immediate remedy to turn to, for (as we shall see) very few trade classes were available. As F.A. Campbell admitted at the time, "much remains to be done yet to establish and fit out the technical colleges for the important work in the industrial training of the artisan which it is their special function to perform". 48 Campbell, however, stressed the potential role of the technical colleges.

At first, he cautiously advanced the idea that the technical college should supplement training on the job. He outlined in the press a scheme for training apprentice carpenters, and was at some pains to point out that his scheme was the result of carefully studying how technical instruction and job experience could best interlock. "In this way only," he wrote, can we be sure that the work of the technical college fits in and does not mar the work of the shop....Each has its special function to perform in the proper training of the artisan, and the omission of either would render it incomplete. 49

Even in this article, however, there are hints that that statement was placatory. Referring to the unionists and


employers themselves, Campbell said that "improvement in matters relating to apprenticeship may be left confidently in the hands of those to whom it has been entrusted"; but of their proposals he wrote far less sanguinely:

the experiment is worth trying; something must be done, and the first trial should certainly be such as that proposed. If the result is not what is expected then the next experiment must turn in another direction.

That other direction he made clear six weeks later in another article. His challenge was sounded in two questions:

Is it really a fact then that a trade cannot be taught except in the workshop? Is there some mysterious virtue about the indenture...?50

To answer these questions he distinguished two elements which determined a tradesman's wage-earning capacity: knowledge, and expertness. Knowledge, he had already shown, could be obtained at the college better than in the workshop; but so, too, he now claimed, could expertness - at least to a considerable degree.

Time would not be frittered away there on valueless work, ...the student would be shown how to work and why one way is better than another, so that at the end of his college trade course, although not quite enough (sic) to earn the full wage of the journeyman, he would have received such a powerful impulse in the right direction that he would quickly, when set to work in the practical shop, reach the standard now attained after five or seven years' desultory training...

Partly, this bold assertion was an assertion of the value of practical workshops in technical colleges, a development which had been introduced successfully in Sydney and then in Melbourne; but a reference in the article to trade schools in the United States suggests that Campbell was thinking also of full-time

50. Argus, 15 February 1890.
training preceding employment. 51

Local opinion, however, did not wholeheartedly endorse, let alone act on, such a radical suggestion. Even as a supplement to job experience, trade schools were for many years regarded with some suspicion. "...useful as this movement is," said the Age in 1894,

...it is fraught with the greatest danger of modern education - the acquisition of a smattering and not a thorough knowledge of any subject. No system of learning a trade has ever been invented equal to the time honoured institution of apprenticeship. 52

(This, in spite of having described apprenticeship seven years before as "a kind of serfdom...utterly at variance with our democratic epoch"; 53 and in spite of the campaign which the Age mounted a few years later, in the course of which it deplored "the old system of apprenticeship, which assumes that seven years of manual practice is required to teach a workman what an intelligent youth under skilled direction could learn in two". 54) On the one hand many employers suspected that technical education, at least on the English pattern, was

52. Age, 1 December 1894.
53. Ibid., 9 May 1887.
54. Ibid., 21 September 1898.
intended to raise workmen to the rank of foremen or managers rather than to produce better hands for the shop floor; while on the other hand tradesmen themselves feared competition from 'half trained' improvers who might be turned out by the technical schools.

It was this fear which led unionists to insist, at the Fink Commission hearings, that only those actually engaged in a trade should be admitted to trade classes.\(^{55}\) The Working Men's College had adopted regulations which were not so rigorously exclusive: it allowed unrestricted admission to first-year trade classes, except that those employed in the trade had priority if applications exceeded the number of places available; but in the second and third years, indentured apprentices and men in the trade were given greater preference, since 'outsiders' could not enrol until the date of commencement of classes, and were charged double fees on admission.\(^{56}\) Although the Fink Commission, having considered what was done in this respect by technical schools in other states and overseas, concluded that the regulations of the Working Men's College should afford a sufficient safeguard against the production of inefficient or partially trained tradesmen, there is some evidence to suggest that the qualification inserted in its report ("provided the regulations which have been adopted


\(^{56}\) Working Men's College, Melbourne, Prospectus...1901, p.16.
are adhered to") was not without foundation. In 1899, the Education Department's inspector of technical schools thought it necessary to point out that extra practice would have to be provided for those enrolled in trade classes who were not engaged in the trade during the day.\textsuperscript{57} The vice-president of the Associated Master Plumbers of Victoria claimed that many men who had gone through the plumbing classes at the College had not been plumbers at all.\textsuperscript{58} And Campbell himself seems either to have been unaccountably inconsistent or vague, or to have tightened his administration: in April 1901 he told Fink that "about half" of those engaged in trade classes were engaged in the trade; although eight months later he assured the Outtrim Commission that in the trade classes they were "nearly all" working in the trades.\textsuperscript{59} The implication would seem to be that, despite the regulations, there had been some grounds for the claim that College-trained 'outsiders' did not turn out as well as those who had in fact acquired their skills on the job. Nevertheless, they probably presented no greater threat than many others who, as we have seen, worked at a trade without acquiring sufficient skill.

\textsuperscript{57} Report of the Minister of Public Instruction, 1899-1900, p. 88; ibid., 1897-8, p. 63.

\textsuperscript{58} Melbourne and Metropolitan Board of Works Inquiry: Report of the Board appointed to inquire into certain matters concerning the Melbourne and Metropolitan Board of Works, together with Minutes of Evidence, Q. 2146, Vic. \textit{P.P.} 1901, vol. ii, no. 7.

\textsuperscript{59} Royal Commission on Technical Education, 1899-1901, Minutes of Evidence, Q. 11746; Outtrim Commission, 1900-3, Evidence, Q. 13836.
Suspicion affected more than the question of admission to trade classes. Between 1890-91 and 1893-94, as depression struck, government expenditure on technical education had been cut by more than seventy per cent; grants to the Working Men's College had fallen from £8,500 in 1891-92 to less than £2,500 in 1893-94, and the amount provided for buildings in particular had been drastically reduced. In the first quarter of 1893 the College had closed its doors in protest against the reduced grants and a new method of determining them. (The Age's praise of traditional apprenticeship, which we have quoted, appeared in 1894, while the need to reduce public indebtedness was still acute. It occurred in an article occasioned by grants to the university; and reflected the reevaluative questioning prompted by depression.) It would be foolish to minimize the effects of this retrenchment upon technical education; but it would be careless to conclude that trade classes were affected just as severely as the rest. The new grants policy gave preferential support to subjects which it was hoped would improve the State's manufactures, and of eleven classes which the College had dropped when it reopened, only one (lithography) had any trade character. Nevertheless, although the grant to the Working Men's College had by 1900 returned to the pre-depression figure, and trade class enrolments had increased slowly, a considerable set-back to growth had occurred. 60

60. Reports of the Minister of Public Instruction, 1890-1 to 1900-1; and Prospectuses of the Working Men's College during the same period. On the general background of technical education in Victoria at the time, see S. Murray-Smith, op. cit., pp. 672-708.
If technical schools, and especially their trade classes were to help to solve apprenticeship problems, somebody had to pay for them - and here suspicion vitiated the plans of enthusiasts.

Although both unionists and employers were prepared to offer some support, as they had in the foundation and running of the Working Men's College,\(^{61}\) and although some employers were prepared to pay the fees for attendance at classes,\(^{62}\) neither group as a whole was prepared to foot the bill. Both groups believed that the State and the other group should bear the expense. Neither group was sure that the benefits that would accrue to it from technical education would be such as to justify increased expenditure by their side alone. Both fell in willingly with the argument that since, as the Fink Commissioners said, "the necessities of the State" demanded greater attention to trade instruction than before,\(^{63}\) it was the State which should provide that instruction. With this view the Outtrim Commission in its turn concurred. Although it recommended that employers be entitled to pay to any apprentice admitted to trade classes a determined lower rate than the authorized wage for apprentices "provided that the difference between the full and reduced wage shall be paid by his employer into the funds of such school towards the cost of tuition and training,"\(^{64}\) the Commission realised that this scheme would not substantially affect the number of classes

\(^{61}\) Ibid., p. 288.
\(^{64}\) Outtrim Commission, 1900-3, Report, p. lxxv.
provided. "In order to maintain the manufacturing pre-eminence of Victoria", its report said, additional trade classes were essential, and these could only be provided "by the most generous encouragement and aid on the part of the State Government". In 1903, however, the State Government was committed to reducing public expenditure, and in line with that policy proposed to reduce expenditure on technical education. There was inadequate support from either side of the political arena for the arguments of R.G. McCutcheon, a master printer, who urged that, rather than reduce the vote for technical education, Parliament should double it to strengthen Victoria's position in competition with other states; or of F.H. Bromley, a Labour member and a trustee and former president of the Working Men's College, who asked, "Was it true economy to rob our artisans of the means of obtaining that skill which was necessary for them in their avocations?"

We shall return to the reasons for this lack of support in the next chapter, and relate it to the unresolved question whether, and how, trade classes were to ease the problem of training apprentices. It will be convenient first to give some description of the type and range of classes which were available in Victoria.

65. Ibid., p. lxviii.
67. Ibid., vol. 102, p. 2275.
For most of the nineteenth century it had been customary to think of the role of technical education in trade training as that of perfecting the artisan by supplying extra knowledge which he might not acquire on the job. Consequently, it was the related art and science which the early technical educators sought to supply. Victoria's Technological Commission in the seventies and eighties had adopted these means to its end of promoting the skill of artisans engaged in the industries of the state.\(^68\) Generally, its efforts were more successful in the various branches of art than of science; but although large numbers could be counted in the schools of art and design which the Commission supported, the great majority of the students were enrolled for subjects which they valued as accomplishments rather than as complements to trade knowledge. Nevertheless, where teachers could be found, apprentices and journeymen in a number of trades could round out their skills with a knowledge of geometry and design, and might better understand the more intricate aspects of their work after a grounding in chemistry or mechanics.\(^69\)

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68. For an account of its origins, contribution and demise, see S. Murray-Smith, op. cit., pp. 146-92 and 333-9.

When a group of visiting experts conferred under the chairmanship of C.H. Pearson in 1889, they concluded that it was this sort of evening class that was needed in Victoria, and that the existing schools were "capable of supplying the immediate wants of the community".\textsuperscript{70}

Among those schools, however, was a prodigious youngster which offered to teach also the practical work of various trades. By 1888, its second year, the Working Men's College had already started classes in carpentry and staircase building, plumbing, painting and graining,\textsuperscript{71} architectural modelling and plaster casting. The establishment of practical workshops and the purchase of machinery had made these classes popular and, in the estimation of the Council's report, "abundantly successful".\textsuperscript{72} By the end of the nineties, the College had added other trades to its list. In 1900, there were classes in carpentry (three grades), coachbuilding and carriage drafting (two grades), plumbing and gasfitting (three grades), two branches of printing (each of two grades), turning and fitting (two grades) and tailor's cutting and fitting (two grades). Classes were also


\textsuperscript{71} 'Graining' - the process of painting so as to produce the effect of wood grain. This, together with 'marbling', was regarded by contemporaries as a refinement of the decorator's art.

\textsuperscript{72} Working Men's College, Melbourne, Report...1888, p. 18.
proposed in blacksmithing and metal founding, although only the first grades of these had been planned and instructors had not been appointed by the time the Prospectus for that year was printed. (A class in bootmaking, which had been offered in earlier years, had been discontinued in 1899 - partly, perhaps, because no candidate had been passed by the examiners. 73) In addition to these subjects, which were then classified by the College as 'trade' subjects, there were classes in graining and marbling (two grades) and signwriting (two grades), which were reclassified in the 'trade' group in the following year; in woolsorting (two grades); and in photography (two grades), cookery (two grades) and dressmaking - thought it is doubtful whether the last three were used principally as preparation for employment, despite the Education Department's classification of examinations in them as belonging to the group of trade subjects. To this list there were some additions and extensions in subsequent years: house

73. See the results of examinations in the Reports of the Minister of Public Instruction for 1896-7 to 1899-1900. J. Dennant, the Department's inspector of technical schools, suggested that this failure was due to the fact that very few of those in the class were connected with the trade; Report of the Minister of Public Instruction, 1897-8, p.63.
decorating was added in 1903, and ticket writing in 1906; the metal founding class, which had been discontinued after 1903, was replaced by separate classes in moulding and pattern making in 1910; and higher grades were added in some of the trades. With these exceptions, however, the list of trades offered by the Working Men's College in 1900 remained substantially the same for the next decade.\footnote{74}

Outside the Working Men's College there were few trade classes. In 1900 the Bendigo School of Mines had a small class in turning and fitting, and the Ballarat East School of Arts a small class in carpentry; and the Gordon Technical College at Geelong taught plumbing, woolsorting and dress-making. When the Fink Commission visited these institutions in 1900 it found the following numbers of students enrolled for trade classes (including manual training classes): \footnote{75}

\footnote{74. Working Men's College, Melbourne, \textit{Prospectus...1900}, and subsequent years.}

\footnote{75. Royal Commission on Technical Education, 1899-1901, \textit{Final Report on Technical Education}, pp.170–87, passim. (The numbers enrolled for Woolsorting at Geelong and Cookery at the Working Men's College are not given; in each case they were probably small, to judge from the numbers of examination candidates.)}
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<thead>
<tr>
<th>Working Men's College</th>
<th>Ballarat East</th>
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<tr>
<td>Carpentry</td>
<td>81</td>
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<td>Coachbuilding</td>
<td>18</td>
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<td>Cookery</td>
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<td>Dressmaking</td>
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<td>(3 branches)</td>
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</tr>
<tr>
<td>Graining and Marbling</td>
<td>23</td>
</tr>
<tr>
<td>Manual Training</td>
<td>121</td>
</tr>
<tr>
<td>Metal Working</td>
<td>108</td>
</tr>
<tr>
<td>Photography</td>
<td>23</td>
</tr>
<tr>
<td>Plumbing</td>
<td>102</td>
</tr>
<tr>
<td>Printing</td>
<td>42</td>
</tr>
<tr>
<td>Signwriting</td>
<td>29</td>
</tr>
<tr>
<td>Tailor's Cutting</td>
<td>18</td>
</tr>
<tr>
<td>Woolsorting</td>
<td>40</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Carpentry</td>
</tr>
<tr>
<td></td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Manual Training</td>
</tr>
<tr>
<td></td>
<td>Bendigo</td>
</tr>
<tr>
<td></td>
<td>Metal Working</td>
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<td>Geelong</td>
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<td></td>
<td>Dressmaking</td>
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<td></td>
<td>Manual Training</td>
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<tr>
<td></td>
<td>Plumbing</td>
</tr>
<tr>
<td></td>
<td>Woolsorting</td>
</tr>
</tbody>
</table>

What proportion of these enrolments comprised youths, and especially apprentices, it is not possible to tell with certainty. Photographs of trade classes, published in the prospectuses of the Working Men's College, commonly show groups of men and boys in this period. Gross enrolment figures for the College, which were published in the Statistical Register of Victoria each year, suggest that, at the time, men formed about one-third, and boys about two-thirds, of the males enrolled; and that not much more than one-eighth of the boys were indentured apprentices. 76 It is unlikely, however, that these proportions were characteristic of every trade class; and in view of the regulations for admission, apprentices may have formed a higher

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76. See, for example, Statistical Register of the Colony of Victoria, 1900, Part IX - Social Condition, p.9, Vic. P.P. 1902, vol. ii. no.7.
proportion of those enrolled in trade classes than in classes generally.

The establishment of these trade classes did not imply the abandonment of the related knowledge which had been offered previously. Not only did the Working Men's College (and other schools) have substantial enrolments in drawing, mathematics and science classes allied to trade work, but it made clear, by the prescription of courses of study, that these subjects contributed importantly to the preparation of a fully trained tradesman. The prescribed courses of study included the grades of trade work, together with allied subjects. After two stages of such a course, and on producing evidence of having been engaged in practical work for five years, a successful student might be awarded a Technical Certificate; after a third and final stage, and with six years' practical experience, he could be awarded an Expert's Certificate. (Expert's certificates were also awarded by the College in commercial work and in assaying, metallurgy, geology, etc.; only one year's practical experience was required in those fields.) A student undertaking one of these courses had to pass all the subjects of one stage before proceeding to the next stage - an important principle especially for the theoretical side of trade instruction, and one apparently not insisted on for those enrolled only for trade subjects. The scope of these courses of study may be judged from a couple of examples: 77

77. Working Men's College, Melbourne, Prospectus...1897, pp.63-4.
For Carpenters and Joiners

Stage 1: Mensuration
  Practical Plane Geometry I
  Freehand Drawing I
  Trade I

Stage 2: Solid Geometry I
  Elementary Mechanics I
  Trade II

Stage 3: Building Construction I
  Architectural Drawing I
  Applied Mechanics II
  Trade III

For Fitters and Machinists

Stage 1: Mensuration
  Practical Plane Geometry I
  Elementary Mechanics I
  Mechanical Drawing I
  Trade I

Stage 2: Solid Geometry I
  Applied Mechanics II
  Mechanical Drawing II
  Trade II

Stage 3: Solid Geometry II
  Applied Mechanics III (Machines)
  Trade III

To the extent that these courses of study included subjects other than trade subjects proper, and since the award of the certificates for them was conditional upon a considerable period of practical experience, we must clarify our understanding of the claims we quoted earlier concerning the 'completeness' of the trade subjects: that completeness lay in the coverage of a
number of branches of practice rather than in depth of theoretical understanding and familiarity with a variety of problems. However, from the inclusion of the 'science' subjects, it would seem that these full courses of study were intended (as the titles of the certificates suggest) to train technical experts, as foremen perhaps, rather than ordinary mechanics. 78

Examinations in technical subjects had in Victoria been based at first upon the syllabuses of the English (South Kensington) Department of Science and Art. Although a change to the more practically oriented City and Guilds of London scheme had been advocated in 1887, 79 it had not been made before the Department of Education took over from the Technological Commission as the State's controlling influence in technical education. The Department issued syllabuses and conducted examinations from 1892. The trade subjects examined were in fact those taught by the Working Men's College, simply because, as we have seen, there were very few trade classes in other

78. This inference is supported by a comment by J. Dennant in the Report of the Minister of Public Instruction, 1897-8, p. 63.

79. Technological and Industrial Instruction: Report of the Royal Commission...1887, p.4.
schools, and none in subjects not offered by the College.

Successful candidates were awarded ordinary or credit passes by external examiners, after examinations which comprised both practical tests and theoretical questions. In some subjects a considerable proportion of the candidates failed, owing to at least three special factors. Candidates could enter for the examinations irrespective of the period during which they had received instruction; consequently some were simply trying their luck. Those unconnected with the trade had often had insufficient practice to develop proficiency; and in some trades there was an acknowledged shortage of teachers who combined both practical skill and theoretical knowledge, so that even candidates who were adept at practice might find the theory papers a *pons asinorum*. For some time, too, there was virtually no consultation between examiners and instructors, so that what had been emphasised in teaching might not be given like weight in testing. (This last condition was partially remedied when, after discussions in 1905, it was agreed that external examiners should be informed of the details of any internal progress tests, that in subjects taught in more than one school the school should be allowed to award one-third of the marks, and that in subjects taught only at one school the instructor should be co-examiner.) The external examiners appointed by the Education Department were usually drawn from the Public Works Department - in metal working, carpentry, plumbing (at first), and the painting trades - or from private
firms. Employer organizations nominated the examiners in printing (from 1899, when examinations in that trade started) and plumbing (after 1901). 80

Certification as a means of 'articulation' between technical school and society had been considered for some time. As early as 1887, it had been suggested rather fancifully by one Minister of Public Instruction, that the Technological Commission "should form itself into a kind of university... granting certificates and degrees". 81 In the sphere of trade instruction, the Age had greeted the technical certificates of the Working Men's College with these confident hopes:

we may fairly look forward to a time when artisans will earn distinction by the production of diplomas, the same as members of the professions...technical certificates we may be certain will come to have an appreciable commercial value, in addition to the prestige attaching to them... 82

The hopes, however, were not realized. The unions, at the start of the nineties, had been almost willing to accept technical school certificates as an equivalent to completed indentures; but they had been drawn back from acceptance by their desire to control entry to trades in order to deal with competition from boy labour. 83 Moreover, the general coinage of certificates

80. Details in this paragraph are drawn from the annual reports of the Minister of Public Instruction.

81. Technological and Industrial Instruction: Report of the Royal Commission...1887, p. 6.

82. Age, 23 March 1892.

83. S. Murray-Smith, op. cit., p. 698.
became so debased by the loose practice of many schools, and by the issue of certificates for single subjects, that the Fink Commission in 1901 recommended not only that inspection of technical schools be tightened but also that certificates be "restricted to students who have completed organized courses". A few witnesses had suggested to the Commission that apprentices should be examined by the Government before being admitted to the status of journeymen; but such a move was not favoured by unionists generally. Enthusiasm for it was still dampened by fear of unregulated entry, and consequent overstocking, and by a lingering suspicion of theoretical rather than practical men. It was also possible that certification, if it were not compulsory, might become a means of splitting the ranks of labour in any confrontation with the lions of capital. To this coolness of labour was added the coolness of capital. Compulsory certification could not be acceptable to those employers who wished to avoid the obligation to provide full training, since it might provide too ready a means of exposing the insufficiency of what their apprentices had learnt. Except for those occupations (such as plumbing, and later the electrical trades) in which licensing was introduced to protect public health or State investment, compulsory certification was never to be allowed to impede private enterprise. On the whole, as the Age correctly judged in 1899, public opinion was not ready


85. E.g. ibid., Minutes of Evidence, Qq. 9694, 9706-7, 9749-50.
for such a regulation. 86 There was, for one thing, no examining body that the opposing constituents of public opinion could agree to trust.

Some of these aspects of trade instruction may be conveniently illustrated by developments in the plumbing trade. In plumbing, unlike most building trades, there were almost as many engaged in 1901 as in 1891. 87 The depressive effect of the building decline in the nineties had been offset by the inauguration of extensive sewerage works. The new type of work called for new skills and knowledge, a need made explicit by a Board of Works decision to issue new licences to those whom it regarded as fit to undertake sewerage work. (Old licences were not called in, but they were valid only for water work.) 88 The new opportunities, and the need to be licensed, almost certainly account for the popularity of the plumbing classes at the Working Men's College and Geelong.

The Education Department, as we have seen, conducted examinations in plumbing. At first, its examiner was an engineer mechanic of the Public Works Department; then in 1898 the position passed to Mr. D. Berry, chief plumbing inspector for the Board of Works. In his first year he passed twenty out of eighty-five candidates; in his next year ten out of fifty-five.

86. Age, 28 July 1899.
87. Census of Victoria, 1891 and 1901, loc. cit.
88. Melbourne and Metropolitan Board of Works Inquiry: Report ...with Minutes of Evidence, Qq. 2127-30.
In the practical tests he found that many candidates had entered for a higher grade than they were prepared for; and to the theoretical questions he thought the answers "very disappointing". The theoretical portion of the course, he urged,

should receive more attention, and should form a most important and essential part of every plumber's education, as being the one distinguishing characteristic of all highly qualified plumbers.89

In an attempt to prevent premature entries, the Education Department in 1900 merged the third-grade plumbing examination with the Metropolitan Board's licence examination, which had recently been restricted to those with at least three years' experience. (This arrangement was convenient, since Berry was also chief examiner for the Board.) Whether the change was efficacious is not clear: the number of candidates dropped in 1900, and the pass rate rose; but that improvement was not sustained.

The Board's examination for licences also comprised a practical test and theoretical questions; but unlike the Education Department, the Board did not insist on a pass in the theoretical portion. Those who passed in both theory and practice received a first class licence, whereas those who passed only the practical test received a second class licence; but plumbers could operate freely with either licence. (Only the Board's inspectors were required to hold the higher ticket.) It had been the Board's intention to insist on the theoretical examination.

89. Quoted in Report of the Minister of Public Instruction, 1899-1900, p. 88.
but the plumbers themselves had objected. Even the Board's Engineer-in-Chief was less of a stickler for this point than his chief inspector: the theory paper, he thought, was "as a sort of bait, well and good, but it is not necessary". 90 The Associated Master Plumbers did not trust even the Board's practical test. Explaining why he did not regard the Board's licence as a guarantee of competency as a working plumber, the Association's Vice-President claimed in 1901 that the examination had varied so little from year to year - consisting generally in 'wiping' joints in different positions, bending pipes and working sheet lead - and was so artificial - since it was performed at the bench where work was much easier than on the job - that many who were not plumbers at all had been able to practise those operations at the Working Men's College and then obtain the Board's licence. 91

From 1902, the Master Plumbers themselves nominated the external examiners appointed by the Education Department, so that it might be expected that these difficulties would thenceforward have been resolved. For the next two years, the pass rate was higher (perhaps because of interest from members of the Association); but in 1905 it dropped again. The examiners for that year, in their report to the Department, conceded that the Working Men's College had been of "untold value" in producing the workforce which had carried out the sewerage installation, especially as apprenticeship in the trade was "practically dead";

90. Melbourne and Metropolitan Board of Works Inquiry: Report...with Minutes of Evidence, Q. 3543.

91. Ibid., Qq. 2146ff.
but they still argued that the school should concentrate on theoretical knowledge rather than practical proficiency. "The practical work", they said, "can in many cases be learnt outside, but theory is what can best be taught at the College..."\(^92\)

Many candidates, however, as they also reported, did not even bother to sit for the theory paper, being content to obtain the Board's second class licence. Thus, although the Associated Master Plumbers, through their examiners, might stress the importance of theory and assert their competence to give practical training, it is evident that conditions in the trade, and regulations which the plumbers themselves influenced, gave rise to a situation in which technical classes were filled with students seeking practical training rather than theory.

In plumbing, unlike most of the factory trades, the need for broad training had never been seriously questioned - mainly because of the comparatively high proportion (one in three of those over twenty-five) who were either employers of labour or in business on their own account.\(^93\) But even in this trade, had F.A. Campbell's claim for the schools been vindicated? In 1905, fifteen candidates presented for Grade III Practice, and seven for Grade III Theory; only one passed in both together.\(^94\)

\(^92\). Report of the Minister of Public Instruction, 1905-6, p. 64.
\(^93\). Census of Victoria, 1901, loc. cit.
\(^94\). Report of the Minister of Public Instruction, 1905-6, p. 64.
Chapter IV
APPRENTICESHIP CONFERENCE, 1906-7

Victoria's factories legislation was consolidated in 1905. Unlike most of its predecessors, the Factories and Shops Act of 1905 was not limited to a stipulated duration. Its continuance would therefore be less susceptible to the uncertain favour of Parliament, since the legislation could no longer lapse by default, as had happened in 1902. The Act did not, however, restore to the wages boards the power to limit the proportion of apprentices, which had been revoked in 1903. Yet that power had been the chief concern of the labour movement in connexion with the factories Acts - apart from the general question of securing the survival of the legislation. Thus, although the permanency of the 1905 Act represented some measure of success for its liberal and Labour supporters, the Act itself was still a clear target for amendment.

By 1905, as we have seen, it was already evident that the loss of the limitation power had led to an increase in the proportion of juvenile labour, and to plain cases of inappropriate exploitation of the freedom employers enjoyed. Labour members continued their campaign to restore limitation; 1 and many liberals were now ready to concede them some justification for their stand. In the debate on the consolidating Bill, prominent liberals, while urging acceptance of the Bill for the sake of securing permanent provisions, admitted that they thought that regulation of the number of apprentices was a matter on which it

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would need subsequent amendment. Some months later, in debating an amending Bill to allow experienced youths to be bound for less than three years, the Chief Secretary too, admitted that he would have been happy enough to see a limiting proportion decided by the wages boards on a seven-tenths majority vote; but he had declined to include such a clause in the amending Bill because he felt there was no chance of the Legislative Council agreeing to it. And even the conservative R.G. McCutcheon, arguing from the same premiss as had been used by opponents of limitation in 1902 and 1903, contended that the revocation of the power to limit had been "a complete anomaly", since if it was intended to ensure that youths had an opportunity of learning then it was essential to limit their numbers to "such a number as the firm can teach". By 1906, the Government was being strongly pressed to restore the limitation power.

At the same time, an improvement in trade had led to an increased demand for labour, especially in the clothing trade; and since a proportion of this demand was for skilled hands, some weight was leant to the arguments of those who had foreseen a shortage of skilled workers as a result of earlier failures to deal with the apprenticeship question. Most manufacturers, however, did not wish to see the limitation power restored.

2. Ibid., vol. 110, pp. 943-4.
4. Ibid., p. 3446.
They claimed, as before, that youths should be allowed freely to enter trades, and that efficiency could be improved if necessary by training in technical schools. Fearing that the Government might yield to opposition pressure, the Chamber of Manufactures sent a deputation to the Chief Secretary, Sir Samuel Gillott, urging him to call a conference on apprenticeship. Gillott, although plainly not prepared to nod to all of the views expressed by the deputation, saw that a conference might provide clear lines along which to proceed to a solution. Accordingly he called together five representatives from the Chamber of Manufactures and five from the Trades Hall Council, and these men, at their first meeting on 14 November 1903, unanimously invited Theodore Fink to act as their chairman.

After seven months of deliberation and eighteen meetings, this Conference presented its report in July 1907. That report was a milestone in the development of ideas about apprenticeship. It will be easier to understand the force of the solutions proposed by the Conference if we first review some of the problems which confronted it. We have already noticed the positions adopted by employers and labour, and indicated the progress achieved (and the frustrations encountered) by the

6. See, for example, the remarks of Daniel Fallshaw and J.M. Joshua at a meeting of the Chamber of Manufactures, Argus, 18 September 1906.

7. Ibid., 20 September 1906.
technical schools. We may indentify the problems confronting the Conference a little more sharply by examining the thinking of the two important royal commissions which had considered apprenticeship several years previously.

Both the Fink Commission (1899-1901) and the Outtrim Commission (1900-3) had been sharply aware of the unsatisfactory state of apprenticeship and industrial training. Both had given similar reasons for attempting to ameliorate the situation: the Fink Report had looked to "the economic struggles of the future", 8 and the Outtrim Report had sought means "to maintain the manufacturing pre-eminence of Victoria". 9 Both had urged the Government to support the growth of technical schools. But apart from these similarities there were significant differences between the proposals of the two bodies.

The Fink Commission had been eager to find reasons for advocating the growth of technical education. It had accepted the decline of apprenticeship as a premiss from which to argue its case: "In the manufactories of Victoria," it had said, "the decay of apprenticeship renders the extension of technical training a pressing want in almost every trade". 10 It had

recommended that legislation provide for fixing "the period of
apprenticeship deemed to be requisite for the proper learning
of the various trades", and for the inclusion in apprenticeship
agreements of a stipulation that the apprentice be afforded
"facilities...to attend technical classes where such are in
existence", including "time off during the day"; and it had
thought that by instituting "trades examinations conducted by
skilled experts" and "expert supervision of trade classes by
skilled tradesmen", much might be done to raise the standard
of efficiency of youths beginning in the various trades.¹¹ Sig-
nificantly, however, it had refrained from recommending that
apprenticeship be made compulsory; it had eschewed compelling
employers who did not wish to train apprentices.

Although the majority of young people in 1901 were not
engaged in industrial occupations, it was nevertheless true
that those occupations provided jobs for more boys than any
other field except primary industry, and for more girls than
any other field except the various forms of domestic service.
The distribution of young people in the various occupational
categories is shown in the following tables (which include,
for comparison, figures for 1891) ¹²:-

¹¹. Ibid., pp.200-1.

¹². Calculated from Census of Victoria, 1891 and 1901, loc.
cit., with rounding of figures.
Of every 1,000 boys aged 15-20, there were -

<table>
<thead>
<tr>
<th>Employment</th>
<th>Boys (1,000)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary industry</td>
<td>329 (288)</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>291 (323)</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>164 (151)</td>
<td></td>
</tr>
<tr>
<td>Transport and communication</td>
<td>53 (58)</td>
<td></td>
</tr>
<tr>
<td>Domestic</td>
<td>28 (32)</td>
<td></td>
</tr>
<tr>
<td>Professional</td>
<td>28 (22)</td>
<td></td>
</tr>
<tr>
<td>Total dependants, incl. scholars, etc.</td>
<td>893 (881)</td>
<td></td>
</tr>
</tbody>
</table>

Of every 1,000 girls ages 15-20, there were -

<table>
<thead>
<tr>
<th>Employment</th>
<th>Girls (1,000)</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic</td>
<td>206 (190)</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>173 (172)</td>
<td></td>
</tr>
<tr>
<td>Primary</td>
<td>97 (56)</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>37 (25)</td>
<td></td>
</tr>
<tr>
<td>Professional</td>
<td>27 (29)</td>
<td></td>
</tr>
<tr>
<td>Transport and communication</td>
<td>1 (1)</td>
<td></td>
</tr>
<tr>
<td>Total dependants</td>
<td>541 (472)</td>
<td></td>
</tr>
</tbody>
</table>

Dependants, etc.                     | 459 (525)     |            |

When the Commission reckoned that "the large majority of the children leaving the State school will never enter technical schools", its estimate could have been justified by these occupational data (provided technical schools were taken to be relevant only to industrial occupations); but in view of

the importance of industrial occupations as a source of employment, and of the Commission's concern with industrial progress and competition, it is difficult to escape the impression that, since the Commission saw technical schools as a very important adjunct to apprenticeship, and yet saw only a small minority of children entering those technical schools, it thought of apprentices as an elite among industrial youth. (This impression is strengthened by the Commission's commendation of an American scheme in which selected lads were apprenticed at seventeen or eighteen years of age after completing high school. 14)

If this was indeed the Commission's concept of apprenticeship, it was not a concept shared by all, and certainly not by the labour movement, which wished to see only two grades of workers—apprentices and journeymen. 15 It is not surprising that Fink and his fellows found the unions often somewhat apathetic to technical schools. The unions were more concerned for the ordinary lad growing into an ordinary workman, and some of them were at a loss to understand why higher technical instruction should be essential in that process provided on-the-job conditions could be improved. Perhaps the unionists were motivated in part by laziness, and certainly they were motivated by fears

15. E.g. the former president of the Trades Hall Council, ibid., p. 198.
(of overstocking and of half-trained competitors) which we have already noticed; but to interpret their apathy to technical schools as "a condition of apathy on the part of the average workman to the need for improvement of skill"¹⁶ was probably less than just. And in that spirit the Commissioners exhorted the unions: "The desire for high wages and shorter hours must be supplemented by the recognition of the need for skilled workmanship."¹⁷ They were much more charitable in judging employers:

We are satisfied, from the evidence given by employers, that there is a strong disposition on their part to use their influence in securing the best trade instruction for workmen, and to encourage as far as possible the acquirement of knowledge pertaining to the respective trades.¹⁸

As we have seen, that disposition on the part of employers all too often stopped short of any action more demanding than the cry for technical schools.

If the Commission had settled on an elitist view of apprenticeship, it might have been expected (in view of the public concern for so-called apprentices as a social as well as a training problem) to draw out the implications of its view more clearly. It might well have concluded that the first step in answering the questions posed by the decline of apprenticeship was not to provide more classes and encourage lads to

¹⁶. Ibid., p.197.
¹⁷. Ibid., p.200.
¹⁸. Ibid., p.192.
attend them, but rather to recognize that apprenticeship was a particular rather than a general problem. In other words, the Commission's conclusions seem to imply that the social problems - the exploitation and vulnerability of the narrowly trained, and the competition of boys against men - were not essentially apprenticeship problems at all, and might be solved by developing adaptability through broad continuation school training, and by regulating the proportion of juvenile labour. To have stated these implications clearly would have helped to identify apprenticeship as primarily a matter affecting industrial efficiency - and a much smaller section of industrial youth than was commonly assumed. It might also have led the Commission to examine the practicability of the solution it proposed.

If one accepts, with most contemporaries, that the problems of industrial youth were widespread and were entangled in the relations between employers and employed, then it would appear necessary to have grasped the nettle of compulsion more firmly than the Fink Commission did - however usefully one might prune and plant in others parts of the garden. Significantly, it was the industrial, rather than the educational, royal commission which steeled itself to this move.

19. Ibid., p. 191: "complaint as to the present unsatisfactory apprentice and improver system was almost universal".
The Outtrim Commission came down unequivocally in favour of compulsion; it recommended "that a system of indentured apprenticeship be made compulsory in all the principal trades and manufacturing industries". It also recommended that apprentices be admitted on favourable terms to, and required to attend, courses of training in technical schools. In arriving at this recommendation, the Outtrim Commission had steered, in some respects, a middle course between the preoccupations of employed and employers. It rejected, as we have seen, the union arguments in favour of fixing the proportion of apprentices; but it also recognised and rejected the employers' arguments against indentured apprenticeship. Employers might prefer what it called "the free-and-easy system", "the slipshod system of improvers", because they had more control over improvers, and because specialisation and mechanisation had diminished the need for thorough grounding in a trade; but although the Commission found this attitude of the employers "perhaps excusable" and their reasons "true to some extent", it would not accept the conclusion that contractual apprenticeship should be left to sink or swim unaided.

If the weakness of the Fink solution was that the labour movement found in it no answer to their most pressing concerns,

21. Ibid., pp. xix, lxviii.
and that it virtually exonerated employers, the weakness of
the Outtrim solution was that it fixed on all employers a blanket
responsibility which some, in varying degrees, could see reason
to accept, but which most, to a marked degree, saw reason to
reject. Shortly after the Commission's report had been tabled
in a hostile house, the President of the Chamber of Manufactures
declared its recommendations "one-sided", and again paraded
the very arguments which the Commission had rejected. 22

An interesting key to this problem of rejection lies in the
wording of the Commission's report. In its discussion of
apprenticeship, the report began by limiting observations to
"the higher-class trades and manufacturing industries"; but
in the statement of recommendations, that wording was altered
to "all the principal trades...". 24 Moreover, at a subsequent
Trades Hall Council meeting which prepared an amended version
of the recommendations to express the unionists' point of view,
that same phrase was further altered to read simply "all the trades
....". 25

These variations in wording are evidence of a problem we have
noticed already: was "compulsory apprenticeship, coupled with

22. *Age*, 2 June 1903.
systematic training in trade classes" (the terms of the Outtrim Commission's solution\textsuperscript{26}) appropriate to the higher-class trades only, or to most (all the principal) trades, or to all trades?

At one of the Outtrim Commission's hearings, on 19 December 1901, F.A. Campbell had taken up this point at some length. He had carefully distinguished three types of industrial workers, which he exemplified by the wood machinist, the carpenter, and the manufacturing jeweller. The wood machinist, he claimed, could attain his position entirely through the training he received as an improver; by attending on a journeyman for a few years, he could learn to run the machine by himself and so qualify as a journeyman entitled to the minimum wage. He required "no outside training to assist him. Technical education is of no use so far as that work is concerned..."\textsuperscript{27} He was, moreover, "representative of a fairly considerable class....there are a large number of trades in the same position" - trades like boot-making and the clothing trade.\textsuperscript{28} The carpenter, on the other hand, required "a very large all-round knowledge", which he could not obtain in the factory or the workshop; consequently

\textsuperscript{26.} Outtrim Commission, 1900-3, Report, p. lxviii.
\textsuperscript{27.} Campbell's main argument is stated in ibid., Evidence, Q.13810.
\textsuperscript{28.} Ibid., Qq. 13818, 13820.
"there is some other means necessary to give that man his training" - a means available in the technical college.

Finally, the manufacturing jeweller represented those few small trades in which youths "do receive a very considerable portion of their training by the old means", i.e. apprenticeship. Thus Campbell distinguished three types of workers for whom he argued that technical classes were (respectively) unnecessary, essential, and superfluous.

In the light of this distinction, he concentrated on the group whose need for technical classes could be most easily established; and he sought to persuade the Commission that by allowing that group to be distinguished from the others (particularly the first), and by making technical classes compulsory for that group, a worthwhile advance could be made. "I think," he said,

The public are prepared to expend a considerable sum of money in providing training for artisans, provided they are assured it would be spent efficiently...But while the college exists, and while the want of...knowledge is felt, there is still something required to make the institution effective.

Since neither employers, parents, nor trade unions would take the initiative, he believed the question should be entrusted to the wages boards. The boards could continue to limit the proportion of juveniles, but could insist, in trades where highly trained men were needed, that a proportion of the permitted number of juvenile workers should be properly apprenticed and compelled by their employers to
attend technical schools. Thus the distinction Campbell drew, and his inferences from it, were an attempt to get something done where he felt it could be done. He was anxious that the growth of technical schools should not be retarded because they could not solve the whole problem of industrial youth.

Campbell had begun his evidence to the Commission by warning them that

You cannot deal with such a question as this from any one point of view. No general regulation or rule will apply in all trades.

But having heard Campbell's argument, Outtrim replied:

When we go into the question we can hardly deal with two or three divisions...If we are going to have indentured apprenticeship it must be applied as a general rule in all the trades.29

This reply was characteristic of the long-standing assumption that there was an apprenticeship problem, to be solved by some single panacea - an assumption (or a pretence) which had led almost inevitably to the persistence of apprenticeship problems, left unsolved because steps that might have met some of them would not solve all. That Campbell recognised this danger is evident not only from his evidence before the Commission, but also from his remarks at a Chamber of Manufactures meeting some eighteen months later when, aware of the Chamber's opposition to the Commission's recommendations,

29. Ibid., Qq. 13820, 13833.
he again urged a detailed consideration of the particular requirements of each trade, and pointed out that in such an assembly as the Chamber, representing so many trades, it would be difficult to hold anything more than a general discussion.  

Attitudes to the provision of technical classes offer one instance of the monolithic thinking that Campbell tried to oppose. Some employers, as we have seen, flew the technical schools as a kite to test the strength and direction of the State financial wind, or to serve as a barrage against limitation; but they held the string more gingerly, or dropped it altogether, when the kite needed a tug of financial aid to keep it aloft, or when it risked tapping the lightning of compulsion. The unions, if they could not see technical classes meeting their industrial difficulties, were inclined to be apathetic, as Fink had found; or, if they saw the likelihood of classes being provided for some, demanded them for all, so that technical education, like Queen Anne's bath, would be installed whether it were needed or no. Even among less partial men, Campbell's restricted demand was not easy to grasp. He had already explained it fully when Outtrim objected:

30. Age, 2 June 1903.
It must be obvious to you that there are thousands of young people engaged in Melbourne. Have you thought for a moment what sized technical college would be required to accommodate them?

There seem to have been several reasons for this tendency to tackle apprenticeship problems en bloc. In a complex situation it is not uncommon to find hopeful or disconsolate oversimplifications. The trust in indentures, the hopes for technical education, and the cry that subdivision of labour made apprenticeship obsolete, were all at times expressed naively. In a period when industrial legislation was still comparatively new, there were fears that decisions made with the authority of Parliament would escape from Parliamentary control unless the principles upon which they were made were spelt out clearly and uniformly: the seeming unreasonable ness of some of the wages board decisions had lent substance to those fears. The labour movement was anxious to close its ranks, and 'industrial' unionism was opposed to the sectionalism of earlier craft societies. It tended to narrow, rather than magnify, the distinctions in training and wages between skilled tradesmen and semi-skilled operatives. Both labour and capital had tended to use, against partial remedies which they did not favour, the argument that those remedies could not be universally applied. In a competitive economy a remedy within one trade had to be enforced on all those in it, lest the unscrupulous secure a telling advantage; between trades there was a similar reluctance to see some flourish while others languished; and more broadly still, the manufacturers competed with merchants on uncertain
terms. Finally, since apprentices tended to be regarded as cheap labourers rather than learners, it was tempting for their protectors to hope that what remedied exploitation would prove a sufficient remedy for ignorance, and for their exploiters to demand a remedy for ignorance as a condition for curtailing laissez faire; tempting for both sides, in short, to adopt total views encouraged by sentiment rather than differential views recommended by reason.

There is little doubt the Campbell's suggestion to the Outtrim Commission would have proved more acceptable - and therefore have led to specific improvements - had it not been obscured in the generalities of the Commission's recommendations. There is little doubt, either, that the Fink Commission's suggestions pointed the way to long-term benefits; but in the urgency of immediate contention they seemed off-target, vague and chancy. Thus the major difficulty confronting the Conference in 1906 was to break the monolithic approach to apprenticeship problems, so that precise and

32. Although public enterprises like the Board of Works and the Railways Department would not let contracts to manufacturers who paid less than the minimum wages, they did not refuse contracts to merchants who bought cheaply from outside Victoria of from local sweaters. Age, 6 April 1903.
particular steps could be taken, and at the same time to provide for reasonable compulsion by an acceptable authority. If that difficulty could be overcome, then other problems - limitation, improvers, indentures, incentives, and the role of schools - might be solved.

In approaching its task, the Conference adopted a broad base for its proposals and a restricted role for apprenticeship. It agreed that industrial progress was threatened by the defective system of industrial training, but recognised that apprenticeship was only "part of the remedy therefor"33, and that the claims of industrial efficiency should not be the sole spring of action. Subdivision of labour might indeed have proceeded to such an extent that much of the work of industry consisted in "the constant mechanical repetition of one particular set of movements or acts"; but this fact by no means settles the question of the industrial training of the youth who are condemned to such mechanical routine.

In this question...the claim and right of the youth to receive a training that will develop all his faculties, and give him sufficient mobility of mind, body, and such manual skills as will enable him to pass readily from the ranks of the unskilled or automatic laborer to the individual or skilled, one is paramount.

Not less is the right of the State to have all its children fully developed in mind, character, and faculty, including manual skill based upon a sound training of hand and eye.\textsuperscript{34}

The paramount claims of youth and of the State were to be met by universal preparation, and not by universal apprenticeship.

\ldots the apprenticeship system should be only enforced in those callings where a definite and systematic course of training is called for\ldots At the same time public policy requires imperatively that\ldots there should be such an appropriate training as will form a firm foundation for any system, either of apprenticeship, technical training or other appropriate industrial discipline, and that this training should be universal.\textsuperscript{35}

Like the Fink Commission, then, the Conference did not see apprenticeship as a panacea, and it laid considerable stress on the importance of continuation schools; but, like the Outtrim Commission, it did see apprenticeship as enforceable.

It is, in fact, in devising a machinery for selective enforcement that the Conference made its most notable, if not immediately successful, contribution. It proposed first to remove apprenticeship from the market place of Parliament to

\textsuperscript{34} Ibid., p.3.
\textsuperscript{35} Ibid., p.4.
an independent tribunal, a central Apprenticeship Commission to be established by legislation. This Commission would have the power to constitute for any trade a Special Apprenticeship Committee, which would distinguish skilled from unskilled work and determine what special conditions should be applied to apprenticeships in the skill branches. Finally, legislation would also prohibit the employment of any new improvers in those skilled branches once a special determination had been made. Thus the Commission would be able, in effect, to enforce approved conditions of apprenticeship in any trade which it was satisfied should be brought under its jurisdiction.

We suggested that one of the main difficulties confronting the Conference was to break the monolithic approach to apprenticeship problems; but before turning to consider how it proposed to use the machinery of special committees

36. The determinations of this Commission were to be subject, nevertheless, to the approval of the Chief Secretary or the Minister of Labour. (Ibid., pp. 4, 7.) The idea of a central authority seems to have been drawn from the Swiss scheme briefly described in the report of the Conference: "It is perhaps optimistic to expect that the objects of the Swiss authority or commission can be fully realized in Victoria at an early date..." (Ibid., p.3.)

37. "Without this prohibition...it is obvious that the system would be utterly defeated by the continuance of the "improver" system. It cannot be too strongly emphasized that no sound system of apprenticeship can exist side by side in skilled departments of industry with the present improver system." (Ibid., p.4.)
to deal with specific questions, it is appropriate to notice how another significant principle was carried into the composition of the proposed Apprenticeship Commission. This Commission, the Conference recommended, should comprise a President, appointed for a fixed term, "who may or may not be a public servant, but should be of a standing involving judicial and administrative experience, not necessarily legal", three members nominated by the Victorian Chamber of Manufactures and three nominated by the Trades Hall Council - thus far its composition resembled in principle that of the wages boards - together with the Director of Education, a representative of the University of Melbourne, and the Director of the Working Men's College. The addition of the educationist members could be seen as an attempt to bring expert opinion on training into the Commission's deliberations; it also reflected the importance which the Conference attached to the role of the schools; but more importantly it followed from the same reasoning that led the Conference to reject the wages boards as adequate apprenticeship tribunals:

In the apprenticeship question the moral right of the youth of the country to industrial training stands quite apart from a dispute between employer and employed. The general obligation of the community to effectively train its youth is also outside the province of a Conciliation or Arbitration Court, or any body exercising such jurisdiction.38

38. Ibid., p. 5.
To deal with any particular trade, the Commission was to add to its general membership special representative employers and employees elected in a similar way to the trade representatives on wages boards; this enlarged body would then constitute the Special Apprenticeship Committee for the trade.

With this machinery the Conference hoped to deal with the problems of limitation and apprentices' wages, as well as with matters more directly related to training. The Commission was to be required to register all apprenticeships - by receiving a triplicate of indenture forms which it would prescribe - and to consider from time to time the numbers employed in each trade. (The device of registration, although newly applied to apprenticeship contracts, was of course a well tried means of marshalling matters subjected to legislation or regulation: it had, for example, been applied for many years to factories under the Factories Acts.) If the Commission were satisfied that the number employed exceeded the number that could be trained effectively or the number that could hope to find employment as tradesmen in view of the future prospects of the trade, then it might prohibit or limit the increase of apprentices in particular industries or departments for certain periods, provided that the relevant Special Committee approved. It was, moreover, to be concerned with the number that could be effectively trained "either generally, or as to particular factories, or particular industries, or departments thereof"; and to report periodically to Parliament
"as to the actual position of the (sic) industry, so far as it relates to the apprenticeship question, and...as to particular trades". The Commission, through its special committees, would also determine apprentices' wages, so that these might be related to progress in training and the acquisition of skill rather than to the encouragement or discouragement of other forms of juvenile labour. On wages matters, however, the educationist members of the Commission were not to take part or to vote, "the question being outside their province, and it being unlikely that they would have time to devote to any but the questions of the efficient training of youth".

On these two controversial issues, although the Conference believed that it had agreed on "a method which, without any sacrifice of principle on either side, is bound to settle the

39. Ibid., pp.5-6.
40. See above, p. 39. A wages determination by the Apprenticeship Commission was not, however, to be applied without the approval of the appropriate wages board in the case of any apprentice previously employed under the wages board's determination. This was merely to protect the terms of existing contracts.
question in dispute with benefit to the youth of this country", its contribution was rather in the principle than the method. The method, after all, was scarcely novel: the wages boards, as independent tribunals, had determined limitation and wages for particular trades, and the composition of the proposed special committees resembled that of the wages boards. The new element in the Conference proposal was the recognition of certain principles which could govern the determination of limits. Those principles had been suggested before - in McCutcheon's idea of trainable maxima, for example, and in the "actuarial basis" which a Labour leader had stated in 1903 - but they had not been brought together; nor does it seem to have been clearly recognised earlier that limits might be applied as specific, variable and temporary checks responsive to changing circumstances and prospects, rather than as a compromise in the bargaining between employer and employed.

42. Ibid., p.5.


44. One at least of the manufacturers' representatives on the conference, Daniel Fallshaw, had expressed his opposition to limitation at a meeting before the Conference was convened (Argus, 18 September 1906); yet he signed its report. It may be that in doing so he merely bent conviction to convenience; but his apparent concurrence might just as well be evidence of opinion changed by the terms of the Conference proposal.
Apart from limitation and wages, the special committees were to be responsible for a wide range of training matters. Broadly, they were to determine the objectives, the means and the duration of training, to supervise it, and to arrange for examinations and certification.

We have already seen that in the changed conditions of industry it was often disputed whether workers needed a broad trade training, and that the reformers generally sought broad training for a number of reasons. It is therefore important that the Conference should have proposed to require the special committees to distinguish skilled from unskilled work, and to determine "what departments or sub-departments of the trade should be recognised as forming the subject of apprenticeship, with a view of guaranteeing that an apprentice at the end of his time knows a substantial portion of the trade sufficient to give him an opportunity of getting permanent employment, and of earning his living". As antecedents of this proposal there had been, from local men, F.A. Campbell's suggestion in 1901 that in each trade the wages board should determine that a proportion of juvenile workers should be properly apprenticed in order to produce the requisite number of "men capable of taking the higher branches", 46

45. Report by the Apprenticeship Conference, p.5.
46. Outtrim Commission, 1900-3, Evidence, Q.13811.
and the Trades Hall Council's recommendation that "it shall be within the province of any special board to determine what is a trade or a branch of a trade". Both of these suggestions had been made to the Outtrim Commission, but they had not survived in its report. Thus the importance of this proposal in 1907 was not that it was novel but that it authoritatively recognised both that some subdivision of skills was justified, and that this subdivision could not be left to ungoverned negotiation between employers and intending apprentices. If broad training was to be insisted on for a restricted range of workers, and if the breadth of training was to be somewhat restricted, there was rather more likelihood of that ideal surviving by adaptation to the changed conditions.

A second difficulty had been to devise and secure the means by which apprentices could be trained. Like its predecessors, the 1906-7 Conference anticipated a heavy reliance on schools. Although school attendance might not be made compulsory in every trade, the Conference believed it to be "quite obvious that the conditions in many of the trades...will involve attendance at the technical schools". Each special committee was therefore to be empowered to specify what subjects apprentices should study, which classes they should join, and at what hours they should attend. Moreover, the Conference expressed "a very decided recommendation" that such instruction should be free.

47. Ibid., p. 626.
A special committee's concern with the means of training was not, however, to stop at specifying appropriate schooling. It was also to determine, in respect of on-the-job training, "the method of instruction, whether by master, foreman or workman"\(^{49}\) — although the report nowhere made clear how such a determination could be made except in the most general terms. Probably it was intended to compel employers to make some staff time available for instruction. Training on the job was more likely to be influenced by the supervisory and judicial powers which the Conference proposed that Parliament should confer upon the Apprenticeship Commission. That tribunal, it recommended, should have power after investigating complaints by either side to order the cancellation of apprenticeship; they should also have power to permit or arrange transfers of apprentices from one master to another, or make arrangements for alteration of work so as to enlarge the experience of apprentice, if such experience is limited with master to whom apprentice is bound.\(^{50}\)

It was also to have the power to impose penalties in cases of breach of contract. In connexion with its supervisory functions, the Commission was to arrange for inspectors (perhaps "some of the staff of officers administering the Factories Act\(^{51}\)" to investigate and report on the practical work of apprentices, under conditions to be determined by the special committees.

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49. Ibid., p. 5.
50. Ibid., p. 8.
51. Ibid., p. 7.
Thus the scheme proposed by the Conference held answers to all of the major questions posed by the decline of apprenticeship. Fundamentally, the scheme rested on two principles: first, a contraction of the area to be dealt with by apprenticeship regulation, a contraction supported by an emphasis on continuation schooling as a basis for all subsequent training whether by apprenticeship or otherwise; and second, the creation of a single authority, representing both industrial and educational opinion, which would determine the requirements for each trade (including the question of subdivision) on the advice of members of that trade. At the conclusion of their labours, the members of the Conference esteemed it "a matter for congratulation that they, as representatives of employers and employed" had unanimously agreed on their recommendations. They could hardly have felt confident, however, that their unanimous recommendations would be accorded unanimous approval. Just a week before the members proudly signed their report, a deputation from the Employers' Federation and the Chamber of Manufactures had asked the new Chief Secretary, Peacock, whether the government would not only refrain from introducing legislation in connexion with the apprentice question but would oppose any such legislation if it were introduced.

52. The Conference suggested that the scheme of continuation work, although prepared by the Education Department, should be approved by the Apprenticeship Commission. (Ibid., p. 8.)

53. Argus, 11 July 1907.
Chapter V
ADVANCE AND RETREAT 1908-13

The scheme proposed by the Apprenticeship Conference in 1907 was both comprehensive and feasible. It comprehended all the major problems connected with the decline (or revival) of apprenticeship; and it would have allowed each trade to be treated separately and differently, and to be brought under regulation as soon as appropriate arrangements for training could be made. This flexibility of the proposed machinery was not matched, however, by any flexibility of principle. No room had been left for those who would subordinate the interests of youth and the state to the interests of proletarian unity or private profit.

The basic strategies of differentiation on the one hand and compulsion on the other were repugnant respectively to some on either side of the political arena. On the Labour side a difference began to be evident between those who emphasised the communal and educational principles adopted by the Conference and those who emphasised only those aspects of its proposals which could be taken up as weapons in the party political struggle. This difference was soon heard in Parliament, and is well illustrated in the speeches of two Labour members, John Lemmon and George Prendergast.

Lemmon had been associated not only with the unions - he had, for example, been the principal spokesman for the Trades Hall Council at the hearings of the Outtrim Commission - but also with the Working Men's College, on whose Council he had served since 1901. In Parliament he had been a loyal advocate for the demands
of the Labour movement on industrial questions, seeking, for example, the return to the wages boards of their power to limit the proportion of apprentices; but when, in 1908 and again in 1909, he initiated motions to compel the Government to legislate in terms of the 1907 recommendations, his appeal to the House was non-partisan and his reasoning constructed on a broad grasp of apprenticeship problems. He acknowledged the faults of both unions and employers and urged concerted action towards the remedy proposed:

...a combination of workmen may be so hostile to boy labour that...they will not allow a fair percentage of juvenile workers...The employers, in order to obtain a maximum amount of profit, may desire to employ as large a number of boys and girls as possible...this House should recognise that the industries and trades of the State are national property, and we should allow neither one side nor the other in the industrial arena to...interfere with the progress of any industry.

When he presented union complaints, he did so in a training rather than a wages context. Prendergast, Lemmon's Parliamentary leader, was a politician cast in the mould of Métin's antipodean workers: "They visualize their interests so plainly and pursue them so consistently that they fear even that which might make them appear

4. Ibid., p. 1336.
less narrow."\(^5\) Speaking to Lemmon's motion in 1908, Prendergast took a much harsher tone and immediately converted both the motion and the Conference recommendations into an attack on the Government for its failure to restore the limitation power to the wages boards.\(^6\)

The difference between his attitude and Lemmon's was evident in their comments on the Railways apprenticeship scheme. (In 1905, at the request of Thomas Tait, then Chairman of the Railways Commissioners, the Working Men's College had instituted a special three-year course for railway workshop apprentices, who were required to attend classes at the College on two afternoons and one evening each week. The apprentices had to provide their own books and materials, but the Commissioners paid the tuition fees and offered prizes to lads who performed creditably, including a two-year scholarship for the best of them to undertake a full day course in mechanical or electrical engineering.\(^7\)) Lemmon, in his 1908 speech, had praised this scheme highly, and had urged the Premier, Sir Thomas Bent, to institute a similar scheme for

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6. Vic. Parl. Deb. 1908, vol. 119, p. 1340. In the previous year he had also used the Conference's report, with partial success, as a weapon to counter a proposal to allow men to be bound as apprentices after the age of twenty-one. Ibid. 1907, vol. 117, p. 1552.

Despite these differences of attitude and emphasis, the Labour movement generally supported the recommendations of the 1907 Conference. Some, like Prendergast, lent their support for the time being, because the Conference had jostled specific planks in Labour's industrial platform - notably limitation, and the abolition of improvers. Others, like Lemmon, also sympathised with the attempt by the Conference to set these questions in a wider context.

Employers, too, were not of one mind. Some employers had signed the Conference report; but it is clear that they did not represent all shades of employers' opinion. It was admitted that "a number of employers" had been "placed...in antagonism to the Conference" and had refused to answer its questions;\(^\text{12}\) and the Chief Inspector of Factories had privately drawn the attention of his Minister to the body of opinion not represented at the conference table.\(^\text{13}\) This division of opinion was also revealed at a meeting of the Chamber of Manufactures three weeks after the Conference, when a motion mildly favouring adoption of the Conference report was opposed by about a third of those present.\(^\text{14}\)

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To most employers, the strategy of compulsion was unacceptable, especially if it was to be carried through by the tactics, and with the objectives, which the Conference recommended. Basically, the unregulated situation had allowed employers to pay less than the minimum wage while accepting no more responsibility for training than they wished. They were able to avoid responsibility through two convenient circumstances: they could make loose agreements that bound them to teach a lad only some small fragment of a trade (and there was no ready tribunal to judge whether even that had been properly taught); and they could employ improvers, for whose training they had not even ostensible responsibility. The Conference proposed to remove these conveniences. Moreover, it proposed to remove them at the discretion of an appointed Commission. The risk was that the Commission might abolish improvers and prescribe the term and scope of training before employers could have recourse to what they considered suitable means to discharge the responsibilities that would be fixed upon them. Thus, although the scheme proposed by the Conference did not necessarily entail precipitous compulsion, it was feared that in fact it might.

Generally, employers hoped that schools would provide the training which it was inconvenient and unprofitable and even (from the viewpoint of those who wanted only process workers) extravagant to provide on the job. But the schools were not ready; they could provide neither broad preparatory training nor supplementary trade classes for anything like a sufficient number of youths. Pressure on employers was unlikely, however, to wait upon the schools:
many Labour men still believed that training could be secured simply by tighter indentures and stiffer penalties that would compel employers to train, and that improved training was in any case secondary to improved working conditions. Since employers in 1907 feared "the previous seeming pliability of the Government in Parliament to requests made by the leader of the Opposition", it is not surprising that there were moves against the adoption of the scheme proposed by the Conference.

The Government, in the circumstances, was uncertain and dilatory. Lemmon's 1908 motion was agreed to, but only in an amended form which called on the Government, not to give effect to the 1907 recommendations, but to give the apprenticeship question its urgent consideration. As the Premier, Sir Thomas Bent, said, "...we may wish to vary or alter their recommendations." By 1909 John Murray, who had succeeded Bent as Premier, voiced doubts which were widely felt: "A proposal to strictly and rigidly apprentice youths to employers who cannot possibly teach them their trade properly does not advance the matter very much." Lemmon's second motion, calling on the Government to act "during the present session", was nevertheless agreed to without opposition, probably because Murray had in mind as an "instalment" a far less comprehensive measure than the Conference proposals called for.

15. *Age*, 11 July 1907.


19. *Ibid.*, pp. 617-8. In effect Murray promised only to restore the limitation power, although he vaguely conceded the need to give some body power to deal with the wider question.
There was growing recognition that without more schools it would not be possible to "advance the matter very much"; but two other particular problems connected with apprenticeship soon claimed some attention from the House. In 1909 the wages boards were empowered to prescribe the form of indentures; and in 1910 they regained the limitation power.

There had been no diminution in the vigour or the frequency of Labour demands for the return to the wages boards of the power to limit the number of apprentices. Influential Victorian employers, however, finding themselves in an advantageous position in competition with manufacturers in other states whose industrial tribunals could restrict the employment of apprentices, had opposed those demands. Between these extremes stood many of the liberals who had by now recoiled from the results of their compromise in 1903 and were sympathetic to Labour's stand. In October 1909 this question came to a head in Parliament when Murray introduced the Factories Bill which he had evidently had in mind when speaking to Lemmon's apprenticeship motion two months earlier. One clause of the Bill proposed to restore the limitation power. This Bill, and the proceedings in the House, are illumined, however, by proceedings at the same time in the Federal Arbitration Court.

20. On the relevance of the shortage of schools, see below, pp. 141-4.


The Commonwealth Court of Conciliation and Arbitration, established by a Federal Act of 1903, had power to conciliate and arbitrate in industrial disputes extending beyond the borders of a state. Before it, in 1909, the Boot Trade Employees' Federation had cited thirty-four boot manufacturers as respondents in a dispute over wages and conditions. The Federation had demanded, inter alia, that the number of apprentices be limited to one to every four journeymen, and that every apprentice be taught some substantial portion of the work of a factory.23 Hearings began in Melbourne shortly before Murray introduced his Factories Bill, and before its second reading, which was delayed for two months, the President of the Court, Justice Higgins, had delivered his opinion in this (Boot Factories) case.

"It appears," he said,

...that much bitter feeling has been engendered in the minds of manufacturers of other States against Victorian manufacturers through the failure of the Victorian Factories Act to provide for any limitation in the number of apprentices employed, or to define what is a proper indenture of apprenticeship....I find that it will not only allay much irritation among the employers, but also (what is more pertinent) much of the irritation of the employees throughout the several States resulting from the excessive and unfair use of boy labour, if I make a uniform limitation of numbers.24


24. Ibid., p. 19. (Higgins became increasingly convinced of the role of his Court in countering the effects of State rivalry: in the Federated Engine Drivers' case in 1911, he said, "No Court but this can take the weight of inter-State competition off the back of the wage earner." C.A.R., vol. 5, p. 17.)
The practice (allowed by Victorian law) of covenaniting "to teach the boy 'heel scouring', or the cognate mystery of 'heel trimming' or 'stiffener skiving', or some other ridiculously small fraction of the work in some department of the factory" he deplored as "a farce, which I shall not sanction." In his proposed award, announced on 19 November, he defined 'apprentice' in such a way as to prescribe a minimum term of four years, a form of indenture, an approved list of branches which a boy might be apprenticed to learn, and a proportion of one apprentice to two journeymen.

Whether employers had requested the introduction of the 1909 Factories Bill is not certain, but by the time of its second reading, on 7 December, Murray could inform the House that "some of the employers who were most opposed to the exercise of that power [limitation] by the Wages Boards are now asking for it, and, notably, prominent members of the Employers' Federation". Evidently they hoped that, if Victoria's wages boards had the same powers as tribunals in other states, other Victorian employers might escape the fate of the boot manufacturers.

25. Ibid., vol. 4, pp. 19, 21.
26. See Appendix 1.
28. This language is a little imprecise, since the Bill introduced by Murray on 7 October was not the only Factories Bill of 1909; however, as it is the only one referred to in the present text, confusion is unlikely.
30. This inference is supported by plainer statements made in the following year; see below, note 55.
In the Assembly the limitation clause, now acceptable to all parties, was passed without demur.

The Council, however, struck it out. At first sight it would appear that the habitual refractoriness of the Upper House had uncharacteristically frustrated the intentions of employers; but the real reason for the rejection - and the further manoeuvres of employers - may be discerned in another clause which the Council added to the Bill. Limitation by the wages boards had been to employers a pis aller: they had been prepared to accept it only to dodge the Federal Court, which by its nature and by the conviction of its President was less susceptible to their influence. If, however, their plans were to miscarry and they were to find themselves in the position of their boot manufacturing colleagues, they would be subject to two tribunals, neither of which could bring about conditions less favourable to employees than the other. Clearly the better solution would be to shut out the Federal Court. To this end two moves were made. A Commonwealth Enabling (Industrial Legislation) Bill was introduced in the Assembly on 14 December, but then withdrawn; this had been intended to grant to the Commonwealth only certain specific powers. The second move was the Council's addition to the

31. See, for example, Higgin's comments on the "average reputable employers" clause, which had hobbled the Victorian Factories Acts from 1903 until 1907. C.A.R., vol. 2, p. 8.

32. The possibility of a clash of jurisdiction between State industrial law and the Federal Court had been foreseen for some time. See, for example, comments in July on a motion to establish a Paper Makers' Board. Vic. Parl. Deb. 1909 (2nd session), vol. 121, pp. 403f.

Factories Bill of a clause to make compliance with the State Act the only responsibility of employers. This clause had been (according to its mover) "drafted by eminent counsel on the instruction of certain employers". That eminent counsel (E.F. Mitchell) was also counsel for the Victorian employers in the Boot Factories case. Thus, as long as there was some chance that the Federal Court might be thwarted, there was no need to concede the limitation power to the wages boards in order to reduce the risk of citation before it. The Legislative Council, in striking out the limitation clause from the 1909 Bill, merely did as one of their number had urged: they "let well alone at present".

We shall need to pursue the Boot Factories case and the limitation question further, but we should first notice another addition to the Bill. John Lemmon proposed a sub-clause which would have required the wages boards to "define the terms of an indenture of apprenticeship wherever practicable and provide that during hours of employment portion of the apprentice's time shall be spent in a technical school...". This proposal was opposed by the conservative but training-minded McCutcheon. On principle he resented "the beginning of more interference between employers and apprentices", but in particular he argued that the wages

34. Ibid., pp. 3590-7.
35. Act No. 2241, s. 39.
37. Ibid., pp. 3658, 3662 and C.A.R., vol. 4, p. 2. Despite the eminence of its authorship, many in the Assembly either believed or suspected that the clause would prove ineffectual; hence, although its purpose was clearly seen (and resented by some), the clause was not rejected by the Lower House. Vic. Parl. Deb. 1909 (2nd session), vol. 123, pp. 3659ff.
38. Ibid., p. 3548.
39. Ibid., p. 3039.
boards (and especially their chairmen) were incompetent to deal with educational matters, and that (what in part illuminates his first point) the boards might impose such conditions on employers (especially as regards time-off) that they would refuse to take apprentices. The Premier, although he accused McCutcheon of sitting like another Achilles and sulking in his tent, seemed afraid that the proposed sub-clause might take matters too far too quickly. After a lengthy discussion, in which liberal supporters of sound training played a leading part, a compromise was reached in a reworded sub-clause which dropped Lemmon's reference to technical schools and time-off but retained the power to prescribe the form of indentures. This weakened version - Lemmon's proposal, after all, would have secured a significant part of the 1907 recommendations - might still be useful, as its champions sincerely hoped; but it represented far less of a risk to unwilling employers, especially since the supporting penalties clause was also somewhat blunted. The Council allowed it to pass.

40. Ibid., pp. 3042-5, 3057.

41. See the speeches of Swinburne and O.R. Snowball, Ibid., pp. 3053ff. For the clause see Factories and Shops Act 1909 (no. 2241), s. 31(2).

42. That the wages boards did not 'abuse' this power is suggested by one recommendation of a conference four years later; see Report of the Apprenticeship Conference 1913, p. 6, Vic. P.P. 1913, vol. ii, no. 59. See also below, pp. 153-5.

43. Vic. Parl. Deb. 1909 (2nd session), vol. 123, p. 3060; and Act No. 2241, s. 32.
Thus, although the 1909 Bill in its original form had proposed to restore limitation, that power had not been restored; yet power over indentures, which had not been part of the original draft, eventually stood part of the Act. The further history of the limitation question now waited upon developments in the courts.

Faced with the possibility of an argument about jurisdiction, Justice Higgins, before making his award in the Boot Factories case, asked the High Court to decide whether he could make an award inconsistent with a State wages board determination. On 14 March 1910 the High Court held that an Arbitration Court award would not be inconsistent by virtue of being higher, would not necessarily be inconsistent if it imposed different conditions for payment below the minimum wage, and would not be invalidated by Section 39 of the Victorian Factories and Shops Act 1909 (No. 2). The move to shut out the Federal Arbitration Court had failed.

On 4 April Higgins made his award, which was to come into operation six days later. On 11 April, the boot manufacturers, in a further attempt to block the award, secured an order nisi against its enforcement; but on 10 July the High Court ruled that

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44. Minutes of the proposed award had been announced on 19 November 1909.

45. It was in the specification of such conditions that the regulation of apprenticeship was to be achieved.

46. This was the clause added by the Legislative Council, in an attempt to exclude the Commonwealth Court. For the High Court judgement, see C.L.R. vol. 10, pp. 266-341.
the award was enforceable, except on two grounds in respect of
which they allowed Higgins time to amend the award: the approval
of subjects for apprenticeship could not be delegated to a board
of reference, 47 nor could the award prescribe rates of pay for
apprentices in a way not sought in the original plaint. 48 An
amended award was announced on 5 August, in which the list of
approved branches for apprenticeship was enlarged (with the
concurrence of employees) from seven to fifteen, 49 and the
proportion of apprentices was reduced, from one to two, to one
to three journeymen. 50

The attempt to exclude the Arbitration Court having failed in
March, and the attempt to block the award having been thwarted by
the July judgement and Higgins's amended award, it again seemed
desirable to bring Victorian legislation into line with that in
other states, especially New South Wales and Queensland. On 10
August Murray introduced another Bill to restore the limitation
power. At its second reading on 27 September the Assembly passed
it straight through all stages. 51 By the time this Bill reached
the Council, an added reason for passing it had appeared.

47. Higgins had intended to allow a board of reference - "an
equal number of employers and of employees chosen in a
manner approved (before or after the choice) by the Registrar
[of the Court]" - to deal with applications for approval of
subjects not included in his original list of seven branches.
49. The revised list included clicking, stuff cutting, ten branches
of making, and three branches of finishing; it is interesting
evidence of the extent to which subdivision might be taken
without(apparently) reaching subjects too narrow to provide a
reasonable basis for secure employment as a journeyman, and of
the extent to which earlier holistic views had been modified.
50. Higgins reduced the proportion because he believed the High
Court ruling had removed certain safeguards from his proposed
award.
On 16 September the boot trade employees had applied to the Arbitration Court to have the recent award made a common rule for the industry, under Section 38 of the Commonwealth Arbitration Act - an application under this section had been allowed some years before by Justice O'Connor 52 - but the High Court, after a question from Higgins, held that the common rule provision in the Act was invalid. 53 Consequently the employers who had been respondents in the Boot Factories case found unexpectedly that only they would be subject to both the wages boards and the Arbitration Court, whereas their competitors who had not been respondents would be subject only to the former. In was now, therefore, in their interests, too, to have the wages boards empowered to impose the same restrictions as the Federal Court had imposed, since a wages board determination effected a common rule within the State. 54 This consideration, and the fear that other trades might be brought before the Federal Court as a result of interstate jealousy, combined with the continued pressure of Labour and the concurrence of the Government, were sufficient to secure the passage of the Factories and Shops Act 1910, which restored to the wages boards the power they had lost in 1903. 55

53. C.L.R., vol. 11, pp. 311ff.
55. The importance of the Boot Factories case is plain at many points in the debate: see Vic. Parl. Deb. 1910, vol. 125, pp. 1387 (Murray), 1388 (Swinburne), 1578 (Baillieu), 2220 (Manifold).
In bringing in the 1910 Bill the Government had acceded, not unwillingly, to pressure from the Labour party and the Employers' Federation; but neither the Government nor those interested groups regarded the Bill as an ideal achievement.\textsuperscript{56} Labour had still to fight the improvers question;\textsuperscript{57} there was little likelihood of improved industrial training as a result of the Bill;\textsuperscript{58} and the employers had had limitation thrust upon them. Outside Parliament there was strong opposition from the Chamber of Manufactures, most of whose members favoured the 1907 plan, which five of their number had helped to work out. On the day on which Murray introduced his 1910 Bill, members of the Chamber of Manufactures had joined with representatives of the Trades Hall Council, the Builders' and Contractors' Association, the Australian Natives' Association and the technical schools in a deputation to ask the Premier to give effect to the recommendations of the 1907 Conference.\textsuperscript{59} Two months later a meeting of the Chamber condemned the limitation Bill, claiming that it contained no proper provision for the training of young artisans, that the wages boards were incompetent to deal with apprenticeship, and that in introducing the Bill the Premier had merely taken the line of lest resistance and offered "a political sop".\textsuperscript{60}

\textsuperscript{56} Ibid., p. 1387.
\textsuperscript{57} Ibid., p. 1388.
\textsuperscript{58} Ibid., pp. 2221-31 passim.
\textsuperscript{59} Argus, 11 August 1910.
\textsuperscript{60} Ibid., 11 October 1910.
The manufacturers, however, did not have enough weight to sink the Bill, although their opinion, together with the unwillingness of their request from the Employers' Federation, may explain why the Legislative Council insisted that the limitation clause should expire at the end of 1912⁶¹—a condition which the Assembly accepted on Murray's assurance that the Bill was "only intended as a stopgap" until a proper apprenticeship measure could be brought in.⁶²

It would be unduly cynical, and indeed unjust, to suggest that the Chamber of Manufactures, in opposing the 1910 Bill, was not motivated by any genuine concern for industrial training. To a considerable extent they were right in saying that the Bill re opened an old sore "without conferring any benefit on the party most interested, namely, the rising youth".⁶³ Many manufacturers, too, were experiencing difficulty in obtaining sufficient skilled tradesmen to produce the goods which the market at the time could absorb.⁶⁴ But they were also motivated by the hope that an Apprenticeship Commission might deal with limitation less arbitrarily than the wages boards,⁶⁵ and perhaps by the likelihood that on such

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⁶². *Ib id.*, vol. 126, p. 3327. This condition was removed, without protest from the Council, at the end of 1912. Ibid. 1912, vo 1. 112, Ep. 3856, 4219.


⁶⁵. *Arms*, 31 October 1910; 10 October 1911.
a Commission their organisation would have more influence than it had on the wages boards. 66

In 1911, a deputation from the Australian Natives' Association, the Trades Hall Council, the Chamber of Manufactures, and members of the 1907 Conference (including Theodore Fink) again went to the Government asking that the recommendations of the Conference be given legislative effect. 67 Less than two weeks later the Chamber of Manufactures, at one of its meetings, again declared that the 1907 recommendations provided "a basis of a good working scheme". 68 Under constant pressure, and in view of its earlier promises, 69 the Government, despite opposition from the Employers' Federation, 70 introduced an Apprenticeship Bill at the end of September.

Murray, the Premier, claimed to believe that the Bill was "on the lines that are desired, both by the Chamber of Manufactures and the workers themselves"; 71 but despite a show of impatience and importunity by one of his colleagues 72 he could scarcely

66. Employers' representatives on the wages boards were nominated or elected from among any who were, or had been, bona fide employers in the trade concerned (see Act No. 1975, ss. 76f); but the 1907 Conference had recommended that on an Apprenticeship Commission they be nominated by the Chamber of Manufactures (Report by the Apprenticeship Conference, p. 5). This fact may help to explain the divergent views, on this issue, of the Employers' Federation and the Chamber.
67. Argus, 1 June 1911.
68. Ibid., 13 June 1911.
70. Argus, 21 June 1911.
72. Ibid., pp. 1920f.
have claimed that the Government expected to secure the passage of the Bill in that session. The Ministry had already decided to seek an early election, in order to avoid the harvest months. Although the Bill reached the committee stage on 18 October, one Labour member claimed that there had never been more than four members on the Government benches during the debate; and Parliament was dissolved six days later. The failure of this 1911 Bill (as distinct from opposition to it) would seem to need no further explanation; and since its provisions closely resembled those of another Bill introduced in the following year, it will be convenient to discuss those provisions, and the responses to them, in the context of the later Bill.

At the opening of the new Parliament, the Ministry announced its intention to proceed with the apprenticeship question, and a Bill for that purpose was brought in on 25 July 1912. It proposed the appointment of an Apprenticeship Commission comprising

One member nominated by the Council of the University of Melbourne;
The Chief Inspector of Technical Schools or other representative of the Education Department nominated by the Minister of Public Instruction;
Three members nominated by the Victorian Chamber of Manufactures;
Three members nominated by the Trades Hall Council of Melbourne;
The Chief Inspector of Factories;

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75. Both Bills (1911 and 1912) were printed and are bound in the volumes of Bills Presented for the respective years; in the text, insignificant differences between them will be overlooked but significant differences will be noted.
One member, who shall be a woman, nominated by the Minister; and
One member nominated by the Minister to act as President of the Commission.

This Commission was to decide the trades or branches of trades in which apprentices would be allowed; the proportionate number of apprentices to journeymen, and of improvers to apprentices; the term of apprenticeship in each trade or branch, and the period of probation; the earliest and latest age at which apprenticeship might begin; the matter to be taught to each apprentice in each trade or branch and "the method and manner of instructing him whether in factory, workshop, place of business, technical school, trade class, school of manual training or otherwise, and the times and conditions of such teaching"; the periodical and final examinations to be taken by apprentices, and their certification; and the pay of apprentices and improvers. In arriving at these decisions, the Commission was to be allowed to deal with trades or branches in whatever order it thought best; and it might if it thought fit call on the assistance of equal numbers of employers and employees as assessors for each trade, or of the wages boards, who would be required to render such assistance. It was also

76. The reference to branches of trades was added in the 1912 Bill, but although the recognition of branches had been - as we have seen - an important question, it is probable that the simpler wording of 1911 was intended to mean the same as the longer wording of 1912.

77. There had been no reference to improvers in the 1911 Bill; on the significance of this addition, see below, p. 137.

78. The words requiring the wages boards to assist when requested were added in 1912, perhaps in an (unsuccessful) attempt to meet the criticisms outlined below on pp. 135, 138-9.
to have power to summon, send for and examine witnesses, documents and books. Once the Commission had made its decision regarding any trade, the Governor in Council might by order bring that trade under the proposed Act, and might by regulation prescribe the form and conditions of indentures. No unindentured apprentices were to be allowed, and all indentures were to be registered at the office of the Chief Inspector of Factories. Wherever attendance at technical school or trade classes or other instruction was provided for in the indentures, it was to be the duty not only of the apprentice to "attend punctually and diligently learn", but also of the employer to "compel as far as lies in his power the apprentice to attend".

Thus the Bill proposed to give effect to the 1907 recommendations - with a few significant differences. First, the Commission was to be permitted, and not required, to derive its wages and limitation decisions from the advice and with the consent of employer and employee representatives of the trade concerned. To this the Labour party strenuously objected. Lemmon protested in 1911 that without the special committees (as proposed in 1907) "we will not get that confidence in the Commission which is essential". After pointing out that the Conference had recommended that only the trade representatives, under the Chairman, should vote on wages, he observed that the Bill proposed to have wages decided by the whole Commission. "That," he said, "is a very important departure, and it is not satisfactory." 79 By 1912 the Leader of the Opposition made plain Labour's fears: his party would "not allow the employers to get things into the hands of a

few people for the purpose of benefiting themselves". To this end he attacked the membership of the Commission. Not only did he object to the University's representative ("What has such a man to do with the education of apprentices and improvers"), to the Victorian Chamber of Manufactures ("a mere collection of busybodies"), and to the Chief Inspector of Factories (he "does not seem to be too full of knowledge"), but even to the Chief Inspector of Technical Schools:

Purely as the representative of the Education Department, we would not have anything to do with him, except to the extent of his connexion with technical schools or colleges... but to regulate the hours or wages, it is an impertinence to put such a man on a body which will control the principles of unionism.

Nor was the Commission to be required to seek the advice of experts in the trade when deciding other conditions of apprenticeship, including the demarcation between skilled and unskilled branches, the subjects to be taught and the means of teaching. And to this employers and practical educationists in their turn objected. McCutcheon, a master printer, claimed in 1911 that "no scheme of this kind, that is evolved in the closet, will work in the factory"; And in 1912 F.A. Campbell was also critical:

80. It is ironical that he should have claimed not to object to the Employers' Federation (who were also against the proposed Commission - Liberty and Progress, vol. 8, no. 10 (25 October 1911), p. 230).

81. H.M. Murphy, from the Law Department, had succeeded Harrison Ord after the latter's death in 1910; unlike his predecessor, he seems not to have enjoyed the confidence of the unions.


83. Ibid. 1911, vol. 128, p. 1926. McCutcheon and others had made the same objection in principle when by the 1909 amendment it appeared that these matters might be decided on the casting vote of wages board chairmen. Ibid. 1909 (2nd session), vol. 123, pp. 3044f., 3055.
A general commission, such as is proposed in the Bill..., will not meet the case. Such a commission would have to get its knowledge second hand, and would never be able to deal adequately with the whole of this complex question. The Bill, as it stands at present, should be recast.84

A second difference between the 1907 plan and the 1911-12 Bills concerned improvers. The 1907 Conference had believed it essential to abolish improvers in any proclaimed trade. Although some benevolent men believed that the improver system could be remedied by the aid of the technical school and was often unavoidable in the conditions of modern industry,85 most observers agreed with the view of the Conference (and the unions). The President of the Commonwealth Arbitration Court, for example, had called improvers "a standing menace to industrial order and industrial peace, as well as a hindrance to industrial proficiency",86 and had deplored "this pestilent manufacture of imperfect tradesmen";87 while in New South Wales a Royal Commission decried the "corrosive effect" of "this nondescript free-lance among industrial rails".88 The 1911 Bill, however, made no mention of improvers. R.H. Solly (a 'Lemmonist') asked how the Commission could regulate the number of apprentices so as to provide an adequate but not excessive supply of tradesmen, if it had no power over improvers;89

85. On improvers and technical schools, see e.g. Swinburne, Vic. Parl. Deb. 1910, vol. 126, pp. 3328f.
87. Ibid., vol. 4, p. 15.
and McCutcheon foresaw that an employer who wished to escape the responsibilities and the risk of penalties which would attend his taking apprentices would simply engage boys as improvers and regard their higher wages as "an insurance against persecution". 90 The 1912 Bill, to meet these objections, proposed to allow the Apprenticeship Commission to decide the number of improvers in proportion to apprentices. 91 This power, though, would have permitted the removal of a convenience which most employers wished to retain; and despite the added strength which it gave to the Bill, it lessened the chance of the Bill's surviving what Labour's Billson aptly called "the conservative tendencies of another chamber". 92

A third difference between the 1911-12 Bills and the 1907 recommendations concerned the administration of apprenticeship law, which the Conference had proposed to leave in the hands of the Commission itself (and its special committees). The 1911-12 Bills proposed to make the Factories Department responsible for administering the law because, as Murray put it in 1911, that Department had become "tolerably familiar" with industrial affairs and achieved "some degree of efficiency". 93

90. Ibid., p. 1918.
Murray probably did not intend to imply that the Commission would be intolerably unfamiliar with industrial affairs, but the change led to criticism by those on all sides who doubted the design of the Bill. In the form proposed - an honorary board of eleven members - the Commission was thought unlikely to be able to discharge its considerable responsibilities; but to entrust its supervisory functions to factories inspectors was regarded by Lemmon as an unacceptable remedy without the special knowledge and concern of the trade committees proposed in 1907. Moreover, the power to be given to the Governor in Council, of amending or revoking regulations made on the Commission's recommendation, while probably only a machinery provision, was criticised by some as allowing a Minister in office to frustrate the Commission's intentions, and by others as allowing the Minister "to sit in his office and issue instructions to employers".

There were other objections to the Bills. They proposed sharp penalties against employers and apprentices (or their guardians) who failed to carry out any conditions of an indenture. In addition to fines, and imprisonment in default, an offending employer might be debarred from taking another apprentice until the term of the offended lad had expired; and an absconding apprentice was to be prohibited from entering a second apprenticeship without the written permission of the Minister. Some, having regard to

94. Ibid., p. 1906. See also Report of the Royal Commission of Inquiry into the Cause of the Decline of the Apprenticeship of Boys to the Skilled Trades..., p. xvi.
96. Ibid., pp. 1906f.
97. Ibid., p. 1925.
the fears of employers and doubting whether monetary penalties
would be exactable against apprentices,\textsuperscript{98} fell in with the
earlier view that such sanctions would prove one-sided in practice;
but Labour members, having noticed no doubt that the provisions of
the Employers and Employes Act 1891, in as far as it related to
apprentices, were to be repealed by the Bill, spoke bitterly of
the gaol as "the principal strength behind that system".\textsuperscript{99} In this
connection, John Lemmon recalled many years later that "the late
Mr. Scott" (presumably J. Scott who had been secretary of the 1907
Conference) had remarked that "the mark of the beast was on every
page of the [1912] Bill".\textsuperscript{1}

We saw in the previous chapter that the major problems confront-
ing the 1907 Conference had been to break the monolithic approach to
apprenticeship problems and to devise an acceptable tribunal which
could apply a reasonable degree of compulsion. It is plain that one
of the greatest weaknesses of the 1911-12 Bills was their failure
to propose an acceptable tribunal: neither the Labour movement nor
the majority of employers was prepared to trust a commission that
could operate without reference to employers or employees intimately
connected with each trade. In the absence of such special committees
it was feared that the Commission would prove cumbersome, incompetent
and subvertible, and the proposal drew down again all the objections
evoked by the earlier total approaches. Clearly Murray was astray
when he claimed that there was "a certain strength in the simplicity"
of the 1911 Bill.\textsuperscript{2} As George Swinburne replied,

\textsuperscript{98} Ibid., p. 1908.
\textsuperscript{99} Ibid. 1912, vol. 130, p. 988.
\textsuperscript{1} Ibid. 1927, vol. 173, p.1067.
\textsuperscript{2} Ibid. 1911, vol. 128, p.1782.
Trade has been so specialized by the introduction of machinery that we cannot talk upon this apprenticeship question in any airy kind of way. It has to be brought down to practical everyday knowledge, and faced in all its difficulties and troubles with intelligence and information....it is impossible simply to refer the matter to a Commission and say, "You can draw up apprenticeship agreements, settle the number of boys for every trade, and inflict heavy penalties if the agreements are not carried out," because you are asking a Commission to do something which is an impossibility.3

We can only conjecture why the Government failed to change this aspect of the Bill4 before (virtually) resubmitting it in 1912. It may be that the Ministry did not appreciate the potential strength of a Commission operating on the 1907 plan, and considered that the decision to be made lay between a Commission on 1911 lines or complete fragmentation with the wages boards. Perhaps they really believed that the Commission would have access to sufficient information.5 It may be, too, that both the Bills were merely political kites which were never expected to succeed. That, at least, was the opinion of Swinburne, who called the 1911 Bill "almost a blind",6 and of J.W. Billson (Labour) in 1912.7

Perhaps the most significant impediment to the Bills, however, lay in the fact that there were insufficient schools to allow them to be realised effectively. Whenever apprenticeship had been under discussion it had been pointed out that without more schools no legislation could ensure an adequate level of industrial training

3. Ibid., p. 1905.
4. The only change, as we noted earlier (p. 134n), was the addition of words making it the duty of a wages board to assist the Commission if requested.
6. Ibid., p. 1906.
under modern conditions. Differences of opinion on this question were distinguishable not by whether this group or that wanted schools, but by the conditions under which they wanted them. Among employers the main distinction lay between those who were prepared (at least on the surface) to trade some freedom in return for training, and those who were not. The Chamber of Manufactures for the most part took the former view - as implied by its support of the 1907 scheme. As one member (W. McNeilage) said, "Apprenticeship and technical education should in my opinion run in double harness."\(^8\) The Employers' Federation, on the other hand, wanted technical schools without compulsion, especially in respect of time-off.\(^9\) The Government claimed to recognise the significance of the role of the schools. In 1910 Murray told a deputation asking for legislation on 1907 lines that that scheme could not be carried out without technical schools,\(^10\) and when another deputation returned in the following year his colleague Watt repeated this view\(^11\) - although several months later he argued that a start might be made in perhaps half-a-dozen trades.\(^12\)

Among the Labour and liberal ranks, those devoted to apprenticeship reform continually pointed out that the success of any legislation would depend on the availability of schools. The Labour men were prepared to push through ahead of the schools, although Lemmon and Solly saw the difficulties sharply enough. In 1909 Lemmon said of the technical schools that "their ramifications are not

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8. Argus, 13 June 1911.
11. Argus, 1 June 1911.
extensive enough", 13 and Solly contended that "there should be such schools throughout the whole of the State". 14 Again in 1911 Lemmon made the same point:

Technical instruction is essential in connexion with this Bill. Concurrently with the passage of this Bill we ought to be considering the policy of establishing technical schools throughout the length and breadth of the State, where large centres of population are to be found....We ought to be passing a sum of money to establish technical schools. If the Government are going to say to the Commission that they want to compel the employers to give the young artisans time off to attend technical schools..., surely it is a lot of humbug if the Government do not provide the schools for these lads to go to. 15

By 1912, in desperation, he had fallen back on a temporary substitute:

The passage of the proposed law need not be delayed because of the regrettable absence of a sufficiency of technical colleges. The good work done by the Technical Correspondence School could be availed of until better means of instruction were forthcoming. 16

George Swinburne, although sympathetic to the purposes of the 1911-12 Bills, differed from Lemmon and Solly in refusing to push ahead without the schools, which he had so persistently demanded. 17

His position in 1911 was quite clear:

...until we have operated under that Education Act (1910), and brought into being the technical colleges and industrial schools for which power is taken, this Apprenticeship Bill is not worth spending five minutes upon. It is not only vague in its operation, but it is absolutely useless in the carrying out of our ideas in the absence of the structural basis of technical education....I feel so strongly upon this matter that I am going to vote against the Bill... 18

15. Ibid. 1911, vol. 128, p. 1903.
16. Proceeding of the First Educational Congress...1912, p. 86.
Despite the passage of the Education Act of 1910, which empowered the State to establish secondary and technical schools, there had not been by 1912 any significant increase in the number that could be accommodated in technical schools. An articulated system was planned, and a Chief Inspector (Donald Clark) had been appointed; but these were scarcely a sufficient earnest to convince employers that at last they might safely submit to comprehensive apprenticeship regulation—especially since the Treasurer made it plain that the State could not afford more technical education without some fresh source of revenue.  

This lack, together with the other shortcomings of the Bills, doomed them to failure. In the face of mounting opposition the Government dropped the 1912 Bill in September.  

Lemmon's bitter comment that the cause of this abandonment had been "simply a matter of dirty jealousy" (between the Chamber of Manufactures and the Employers' Federation) told part, but not all, of the story.

The concept of a controlling Apprenticeship Commission had been pared down, weighed in the balance, and found wanting. Yet some control seemed necessary. Conservatives might claim that, if schools were provided, employers would see to training because it was in their interests to do so; but the course of manoeuvres in the Boot Factories case suggests that such fair-seeming claims were ill founded. Moreover, as long as employment policies abetted

19. Proceedings of the First Educational Congress...1912, p. 148

20. For opposition outside Parliament see Argus, 17 August, 24 August, 4 September, 24 September, 1912; and the list of petitions praying the House to lay the Bill aside, in V.& P. (Vic. Legis. Ass.), 1912, p. xxxviii.

them, apprentices themselves were not loth to go off as improvers for a better wage. The technical school men saw the need for control quite clearly: speaking of technical education in 1912 the principal of the Gordon Technical College remarked that "In Victoria its consideration from an economic aspect is rendered more complex by the extent to which industrial conditions are influenced by legislation", and referring to day-time classes he warned that "Employers, master tradesmen, and contractors owe a duty to the community which has been exacted in other countries by parliamentary enactment, and which must, sooner or later, be fulfilled in this land."  

Control by the wages boards had seemed to offer an alternative to control by a general commission, despite its rejection by the 1907 Conference. As early as 1909 Murray had spoken of the 1907 Commission with its Special Trade Committees as "practically after all...simply...a Wages Board under another name" and had expressed the view that the wages boards would have more practical knowledge than a commission.  

Even Lemmon and Solly, although still preferring a commission, were prepared to empower the wages boards as the next best thing. Opposition to wages board control had been based on antagonism to limitation and on the supposed incompetence of the boards to deal with broader questions than wages and hours. The number who stood on the first of those

22. G.R. King, "Technical Education and National Progress", Proceedings of the First Educational Congress...1912, pp.73,75.
23. Vic.Parl.Deb.1909 (2nd session),vol.121,p.617. It should be remembered that Murray was preparing the way for the 1909 Factories Bill.
grounds had been reduced, however, by events in the Boot Factories case. By 1911 the acting Premier, Watt, seems to have formed the opinion that while the core of a commission might be worth trying, its particular duties could be undertaken by wages boards rather than "all these overlapping committees".\textsuperscript{27} Once the type of commission proposed in 1911-12 was known, even those most eager to reform apprenticeship were inclined to prefer the wages boards.\textsuperscript{28}

When Murray convened another Apprenticeship Conference in April 1913, he made sure that it was more widely representative than the Conference of 1907. The members assembled under the chairmanship of Theodore Fink represented the Government, the Opposition, the Chamber of Manufactures, the Employers' Federation, and the Trades Hall Council. Predictably, when this Conference reported four months later, it recommended "that the responsibility of initiating, controlling, and administering the apprenticeship system be imposed upon the Wages Boards".\textsuperscript{29} The report gave four reasons: a commission with special trade committees "might prove cumbersome and expensive"; "some more direct means of administering the system should be sought"; "legislation should proceed on the

\textsuperscript{27} Argus, 1 June 1911.

\textsuperscript{28} E.g. F.A. Campbell, Proceedings of the First Educational Congress...1912, p. 81.

\textsuperscript{29} Report of the Apprenticeship Conference, 1913, p. 5, Vic. P.P. 1912, vol. ii, no. 59. The recommendation was predictable because Labour had turned away from the idea of a commission (Vic. Parl. Deb., vol. 130, p. 988), although three Labour members of this Conference (Lemmon, who had championed the 1907 report, and Dobson and Long, who had helped to frame it) may have had mixed feelings; both the Government representatives (Swinburne and McCutcheon) had spoken against the 1911-12 Commission; and the Employers' Federation had stoutly opposed it.
lines of utilizing the existing tribunals and organizations"; and the wages boards, being now more numerous and more extensive in their jurisdiction, and having acquired the power both to fix the proportionate number of apprentices and to prescribe a form of indenture, were better fitted to control the system than they had been in 1906. 30

Sensibly, no doubt, but surprisingly in view of those reasons, the Conference also recommended that each wages board be empowered "To appoint or secure the appointment...of Trade Committees, either in relation to the whole of one trade or (what is thought will be required in most cases) to appoint Committees dealing with their particular trade in particular districts or localities", 31 for the purpose of administering and supervising the regulations made by the board. With respect to trades in which no wages board had been appointed, the Governor in Council was to be empowered to appoint a Special Committee to exercise the recommended powers in relation to apprenticeship. 32

Apart from the change to the wages boards, the most noticeable differences between this 1913 report and that of 1907 were the omission of any reference to improvers; the much greater stress on the obligations of the apprentice himself and on ways of compelling him to meet them; 33 and the recommendation that the Government should "establish a system of instruction by correspondence for the assistance of apprentices and others resident

31. Ibid., p. 7.
32. Ibid., p. 9.
33. Ibid., pp. 7-8, paragraphs 11(c)(3), (j), (k), (l), (n), (o).
in districts where there are no Technical Schools or other facilities available". 34

Control by the wages boards seemed indeed to offer a "more direct means of administering the system"; but in one respect it lacked the advantage of practicality. If, as McNeilage had said, apprenticeship and technical education had to "run in double harness", and if technical education was still a weak though willing horse, what would be the effect of harnessing that meagre beast to 131 wages boards? The Conference recommended that

The Wages Boards or Trade Committees be empowered to obtain reports from the Director of Educatiaon, or from the head of any technical or trade school, and to confer with the same or the principals or managers of any such school as to the teaching that should be provided to carry out the conditions of apprenticeship on any trade, and, for any of the above purposes, to visit technical schools and trade and other classes, and to get information from same. 35

If the Factories Department had found, as its Chief Inspector wrote, that "It is desirable for the sake of uniformity and economy that apprenticeship agreements should be as far as possible identical in all trades", 36 what administrative problems would confront the technical schools as a result of fragmented control by the wages boards?

34. Ibid., p. 9.
35. Ibid., p. 8.
Although the report of the 1913 Conference was never essayed in legislative form (despite assurances that it would be\textsuperscript{37}), it was this problem that it posed that in essence confronted Victoria on the eve of World War I. Only the wages boards had any control over apprenticeship; the system of technical education was at an early stage of development; yet the growth of industrial training required an effective co-ordination of both.

Chapter VI

ARBITRATION, TECHNICAL SCHOOLS, REPATRIATION - 1911-21

The period between the two conferences of 1907 and 1913 had been marked by a conflict of interests that centred on the regulation and control of apprenticeship. From that conflict little ground had been gained. The influence of the Commonwealth Arbitration Court had led to a reintroduction of rigid limitation. As a result, the excessive use of juvenile labour had been checked; but the more flexible and prospective curtailment proposed in 1907 could have served both apprentices and employers better. Although the wages boards had been empowered to prescribe a form of indenture, there had been no effective prohibition of "unindentured" apprentices and improvers. Such control of apprenticeship as there was remained with the wages boards, which despite their uncoordinated multiplicity had seemed at least trustier to the conflicting parties than the clipped coin commission offered in 1911 and 1912.

From 1913, in awards made by the Federal Arbitration Court and in agreements filed with its Registrar, the principles established in the Boot Factories Case were gradually extended to other industries. Among those principles had been that of limitation: although Justice Higgins did not favour "an arbitrary limitation of numbers without regard to the circumstances of each particular factory"¹, he had included a fixed proportion in his award. Victorian wages boards, under the 1910 Act, were, as we have noticed, prohibited from fixing a proportion less than one apprentice to every three journeymen; but the Commonwealth Court

not bound by that prohibition, sometimes fixed (or endorsed) smaller proportions, particularly where greater limitation was sanctioned by the custom of the trade. In the Felt Hatters' case (1914), it fixed a proportion of one to five, where union rules had for many years had one to seven as a standard from which concessions had been made.\(^2\) In the liquor trades, from which juveniles had been virtually excluded, an agreement between unions and employers, filed with the Court in 1914, enjoined a proportion of only one boy to twenty-five men.\(^3\) Proportions below the Victorian wages board minimum were established also for flour millers (1914),\(^4\) saddlers and leather workers (1915)\(^5\), wool and basil workers (1920),\(^6\) and carpenters (1921).\(^7\)

Higher proportions were fixed in a number of trades, usually with the concurrence of the unions. In 1913 the Furniture Trades Society agreed to a proportion of one to two at Wertheim's piano factory, probably because the factory had been not long established and the need to train specialists was conceded.\(^8\) Similar higher proportions were established for boilermakers (1914),\(^9\) engineers (1914),\(^10\) tool makers in munition works (1915),\(^11\) pastrycooks (1917),\(^12\) and coachbuilders (1920).\(^13\) In some of these cases,

3. Ibid., vol. 8, p. 97.
4. Ibid., p. 12.
5. Ibid., vol. 9, pp. 430-1.
6. Ibid., vol. 14, pp. 311ff.
7. Ibid., vol. 15, p. 239
8. Ibid., vol. 7, p. 385.
9. Ibid., vol. 8, p. 490.
10. Ibid., p. 459.
12. Ibid., vol. 11, p. 932.
13. Ibid., vol. 14, p. 1053.
the risk of abuse was reduced by the close prescription of other conditions, as, for example, the scope of instruction to be given; but in others the Court took further steps. In the Tanners' case (1914) and the Clothing Workers' case (1919) it provided against the risk that a fixed proportion applied to a factory as a whole might lead to a heavy disproportion in certain sections of work: it insisted that the overall proportion be applied to each department or section individually.

Higgin's dissatisfaction with rigid proportions led him eventually to essay a different sort of solution. In the Coopers' case (1918), he declined to impose any precise limitation, on the ground that there was a dearth of journeymen coopers; instead he proposed to allow this question (and some others) to be decided for particular cases by a Board of Reference. Shortly after that award, however, the unions and employers themselves agreed to a proportion, so that Higgin's referral became redundant. In 1921, in one of the last cases he heard before resigning, Higgins again took the same course in the hope of finding a flexible but acceptable solution. In the Engineers' case in that year, the union had claimed a limitation of one apprentice to four journeymen; in his judgement Higgins set a proportion of one to three "as a liberal allowance for perpetual succession in the trade", but he also provided that the proportion might be altered as to any particular employer with the written consent of the union or of the appropriate Board of Reference.

"I feel strongly," he said,
that any variation...should be sanctioned by men
concentrating their attention on the business and
needs and character of particular employers. Much
depends on the particular employer's plant, appliances
and organization.18

The Board of Reference appointed for Victoria comprised three
unionists and three employers, with (should they fail to agree)
the Deputy Registrar of the Court. It was to such a committee,
and with a similar outcome in view, that the 1907 Apprenticeship
Conference had wished to refer limitation.

In 1909, shortly after Higgins had announced his proposed
award in the Boot Factories case, each Victorian wages board
acquired the power to prescribe a form of apprenticeship
agreement. Although this power had been exercised by many of the
boards before the Conference of 1913, and although its existence
and its exercise were cited by that Conference among its reasons
for preferring the wages boards to a central commission, the
preference for the boards at the time seems rather to have been
an aftermath of the conflicts of 1910-12 than a recognition that
a new and promising forward step had been taken. The forms of
indenture prescribed by the boards seem, in other words, more
significant as an element of change in the situation leading up
to post-war decisions than as a characteristic of the period
before the 1913 Conference.

18. Ibid., vol. 15, p. 327.
Another feature of the Boot Factories award had been the recognition of specific branches of the bootmaking trade as separate subjects of apprenticeship. Many Victorian boards did as the Federal Court had done: they specified a number of branches of a trade and required that at least one of them be written into each agreement as the subject which the employer covenanted to teach his apprentice. Typical early examples may be found in the forms prescribed by the Carriage Board, the Underclothing Board, the Wicker Board, the Woollen Trade Board, and the Woodworkers' Board. The Painters' Board, on the other hand, did not specify a number of branches, being content to require that a lad be apprenticed as either a painter or a painter and paperhanger, but included in its prescription fairly detailed definitions of the knowledge and proficiency implied by those terms; in 1916 it added a similarly detailed definition of the knowledge and skills to be taught to a signwriter. Although rudimentary definitions appeared in the forms prescribed by some other boards (e.g. the Clothing Board and the Dressmakers' Board), none were as detailed or as broad in scope as those in the Painters' Board's form.

20. Ibid., p. 5685.
22. Ibid., pp. 2131f.
23. Ibid., p. 4220.
24. Ibid., 1910, pp. 4484f.
25. Ibid., 1916, p. 1839.
26. Ibid., p. 2313.
27. Ibid., 1917, p. 1829. An example of these rudimentary definitions is that for the proficiency required of a "coat maker" - "Making all parts as are usually made by hand of such coats as are usually made by the employer to whom the apprentice is bound."
In these wages board prescriptions, because the boards tended to centre on particular industries (concerned with the manufacture or processing of a class of products) rather than on trades (in the sense of sets of skills and knowledge), occasionally what were presumably the same, or virtually the same, trades or branches appeared among those specified by different boards. The designations "shaper" (machinist) and "band and jig sawyer", for example, were used by the Woodworkers' Board, and "machinist (shaping)" and "sawyer (band and jig)" by the Furniture Board. Again, where the Carpenters' Board - a trade-centred one - said bluntly "carpenter and joiner", the Woodworkers' Board - based on manufacturing - designated "carpenter" and "joiner" separately. This contrast exemplifies a tendency for the factory-centred boards to accept subdivision rather more readily than those concerned with the building trades, e.g. the carpenters, painters, and plumbers and gasfitters.

By 1920, 44 Victorian wages boards had prescribed forms of indenture, although only 32 of these included any designation, whether explicitly or by implication of other wording, of the trade(s) to be taught. The remainder used only the empty formula "the process trade or business of ", leaving the gap to be filled at will.

28. Ibid., 1911, p. 4220.
29. Ibid., 1912, p. 633.
30. Ibid., 1910, pp. 4287f.
31. Ibid., 1911, p. 4220.
The principle of specification and subdivision was carried on, too, in numerous Federal awards and agreements. In the Felt Hatters' case (1914), the award specified eight branches in the felting department of the trade and nine in the finishing department,\(^{32}\) and the form of indenture included as a schedule to the award required that an apprentice be taught at least four of these branches.\(^ {33}\) In the Tanners' case (1914), the Court required that apprentices be taught at least one of four specified departments.\(^ {34}\) A Munition Workers' award (1915); made under the Arbitration (Public Service) Act of 1911, endorsed an agreement that any apprentice in the Government arms factory should be trained as a "tool, jig and gauge maker".\(^ {35}\) A similar award for leather workers in the Government harness factory (1915) endorsed an agreement that apprentices should be instructed in one of ten specified branches.\(^ {36}\) In the Butchers' case (1916), Higgins, reluctantly concluding that he "must take apprenticeship as the best means at hand to check the present slovenly fashion of picking up trades",\(^ {37}\) defined an apprentice to the trade as one who had been duly indentured to learn slaughtering or shop work or both.\(^ {38}\) In the Coopers' case (1918), the union wished

\(^{33}\) Ibid., p. 446.
\(^{34}\) Ibid., p. 177. These four were identical with those prescribed in 1911 by the Victorian Tanners' Board, except that the wages board had divided the finishing department into two branches for "sole" and "fancy" leathers. (Vic. Govt. Gazette, 1911, p. 4120).
\(^{36}\) Ibid., pp. 430-2. Perhaps because of the range of products of the Government factory, these ten included three in addition to those specified by the Victorian Saddlery Board in 1911; two of the three overlapped branches specified by the Victorian Leather Goods Board. (Vic. Govt. Gazette, 1911, p. 2307)
\(^{38}\) Ibid., p. 506.
to identify several branches as subjects of apprenticeship and although the Court did not decide this question in its award, most employers subsequently agreed. 39 Another agreement filed in 1919 between clothing workers and employers included a definition of ten branches as subjects of apprenticeship. 40 The award of the Court in the Timber Workers' case similarly included definitions of seven branches of the trade. 41

What is most immediately apparent in these instances is the subdivision of what to a lay observer might seem to have been single trades. For example, one of the forms of indenture prescribed in the Timber Workers' case contains the following clause:

12. Apprentices shall be instructed and taught fully at least one of the following branches, groups or departments of the industry or any one group with part of any other group or groups added, namely:-

<table>
<thead>
<tr>
<th>Branch</th>
<th>Proficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Machinists</td>
<td>Instruction and practice of at least three of the following machines:- Shaper, general joiner[,] moulding machine, buzzer, tenoning machine, jointer, detail band or jig saws and brazing.</td>
</tr>
<tr>
<td>B. Sawyers</td>
<td>Instruction and practice of circular sawing and sharpening circular saws.</td>
</tr>
</tbody>
</table>

40. Ibid., vol. 13, pp. 1125f. These were identical with those specified by the Victorian Clothing Board in 1916.
41. Ibid., vol. 14, p. 955.
C. Saw Doctors ... Instruction and practice of repairing saws and putting saws in perfect working order inclusive of hammering.

D. Wood Turning... Instruction and practice of wood-turning.

E. Carpenters and Joiners... Instruction and practice of carpentering and/or joinery.

F. General... At the option of the employer instruction and practice of such machine or machines as may be agreed upon in respect of individual employers with the union or in default of such agreement then as approved of by the Board of Reference. 42

More significant than this subdivision, however, is the fact that the scope of training defined in these determinations, awards and agreements was considerably broader than the experience, let alone instruction, obtained by many apprentices (and more improvers) under unregulated conditions. It had been common enough for a lad to begin on the broom and the billy, then to hand up timber to the operator of some particular machine, until he had watched long enough to be given a try by himself, then to practise at the machine when work was slack until he obtained some proficiency, and finally to be put to work on that machine and kept at it, turning out for his employer a gradually increasing tally of work at cheap rates; at the end of his time he often knew only that machine and no other work.

42. Ibid.
The influence of the Federal Court on apprenticeship extended beyond the problems of limitation and the scope of training. In some cases it made even more specific provision against the mismanagement of apprentices. In the Felt Makers' case (1914), for example, it required that an apprentice be placed under tuition within 14 days of signing his agreement, that no journeyman take more than one apprentice at a time, and that an apprentice, as he progressed in knowledge and skill during his apprenticeship, should be placed on higher and more skilful work from time to time. 43 The Apprenticeship Conference of 1907 had proposed that special apprenticeship committees for each trade should define the branches of that trade and, with the help of inspectors working under their direction, ensure that apprentices received proper instruction and experience on the job.

Since 1903, Victorian Factories Acts had prescribed a minimum term of three years for any apprenticeship under the wages board system, except in special cases with the Minister's approval. In the forms of indenture prescribed by the boards after 1909, no term was fixed, 44 a space being left for the term to be written in to each agreement. However, from the wage rates for apprentices, where the boards fixed a number

43. Ibid., vol. 8, pp. 446-9.

44. A single exception was the first form fixed by the Bread Board, in which a four-year term was specified (Vic. Govt. Gazette, 1911, p. 2733); this specification was, however, subsequently removed in an amended form resembling those prescribed by other wages boards (Ibid., 1914, p. 3196).
of annual (or, occasionally, six-monthly) increments, it is clear that in many trades terms longer than three years were customary and expected. Examples may be found in the determinations for jewellers, \textsuperscript{45} tanners, \textsuperscript{46} tinsmiths, \textsuperscript{47} woollen trade workers, \textsuperscript{48} electrical workers, \textsuperscript{49} engineers, \textsuperscript{50} pastrycooks, \textsuperscript{51} and farriers. \textsuperscript{52} Longer terms were specified in many of the awards made by the Federal Arbitration Court and in agreements filed with its Registrar; \textsuperscript{53} by 1921 a five-year term had been prescribed in many trades, although some shorter and a few longer terms were also in force. (In the Munition Workers' case (1915), following agreement between the parties, the form of indenture prescribed by the Court contained the interesting provision that the term of apprenticeship might be extended by up to two years if the apprentice was deemed not to be competent after five; \textsuperscript{54} this provision seems, however, to have been unique among the Court's prescriptions.) Thus, for many apprentices, the minimum term laid down in Victorian legislation was neither the customary nor even the legal minimum. The 1907 Conference had recommended that an Apprenticeship Commission should determine the duration of apprenticeship to each trade on the advice of special trade committees.

46. Ibid., p. 4120.
47. Ibid., p. 2591.
48. Ibid., p. 2131.
49. Ibid., 1912, p. 2082; and 1914, p. 1193.
54. Ibid., vol. 9, p. 107.
One inhibiting factor in the conflict between 1907 and 1913 was (as we briefly suggested) the lack of sufficient schools to provide either pre-vocational preparation or supplementary trade instruction. Technical education had, however, gained some ground in the period between the two conferences. A new technical school, the first in the suburbs, had opened at Glenferrie in 1909, and its trade classes had quickly filled; the Working Men's College and the Education Department had begun to plan extended trade courses; and growth under the 1910 Education Act had begun. In fact, since that Act had empowered the State to establish preparatory trade schools, including evening continuation classes, as well as technical and trade schools proper, it might seem that a great advance had been made. It would be apter to say that a rise had been topped, but that those who stood on this higher ground were not quite agreed on the objectives of their imminent advance, and not certain of the support that would be available if they marched in this direction or that.

Tate, the Director, had laid his plans with apparent thoroughness. After visits overseas he had reported his observations, pointed out the weaknesses in Victorian education and prepared a blueprint for development. In particular he had praised the efficiency of the schemes of industrial training in Germany and the United States and contrasted their continuous, well articulated systems and numerous well equipped technical schools with the poor provision in Victoria.

He had proposed to establish "various types of technical instruction each with its place in a well-ordered scheme",\textsuperscript{57} and many who welcomed the 1910 Act looked forward to the realisation of these proposals as a means to their special ends. Employers, for example, had greeted Tate's report on his European trip with gleeful approbation, observing that it confirmed the need to "ring out the [apprenticeship] system,...and ring in the technical school".\textsuperscript{58}

By 1912, Tate was stating his principles in terms that were not as welcome: "...our national ideal," he said, "does not stop short with a narrow industrial training....We are concerned with training the whole man and making him a fine citizen."\textsuperscript{59} The curriculum for continuation schools should include, he maintained, "those subjects which especially train for leisure", since the factory hand needs "some resource within himself to re-act against ...soul-deadening routine" and "the worker whose mind is dwarfed by mechanical monotonous toil, and who spends his time vacantly or viciously, is the prey of the unscrupulous politician or the newspaper".\textsuperscript{60} This emphasis employers rather bluntly rejected:

"Education is a preparation for life, and not merely for livelihood," says Mr. F. Tate....It is because Mr. Tate reverses the modern order of things that his system is deficient in utility, and is likely to make idlers instead of workers.\textsuperscript{61}


\textsuperscript{58} Liberty and Progress, vol. 5 no. 9 (25 September 1908), p. 207.

\textsuperscript{59} Proceedings of the First Educational Congress...1912, p. 48.

\textsuperscript{60} Ibid., pp. 48f.

\textsuperscript{61} Liberty and Progress, vol. 10 no. 7 (25 July 1913), p. 161.
"...idlers instead of workers" - that was the keynote of conservative opinion. The natural and moral distinction between an upward-thrusting individual and the collectivist 'loafer' was to be allowed to appear in any social scheme. If it was necessary to bridge the gap between elementary schools and technical schools, the means should be evening classes, to which students would be led by ambition. In the debate on the 1910 Education Bill, R.G. McCutcheon put it succinctly: "Technical schools, evening classes, and physical training, are what I advocate for the masses of the people." 62 Individual responsibility, the employer's right, was to be also the worker's duty. But if the distinction between workers and idlers implied that voluntary evening classes were preferable to day continuation schools, it implied too that any common post-elementary instruction should be practical rather than literary. The limits of what was useful lay within the matrix of the capitalist order: as conservative opinion had earlier remarked, the workers "will not trouble much about unionism when science has taught them to stand alone;... nor will employers worry themselves about strikes when they know that if need be they can carry on with the aid of a group of technical college graduates". 63

63. Liberty and Progress, vol. 1 no. 6 (26 September 1904), p. 146.
Evening classes and a practical curriculum were not, however, the demands exclusively of conservative self-interest. George Swinburne was also a strong advocate of evening classes as a means of social reechage. Those who enrolled for technical courses often ceased to attend when they found that their years away from school or their early leaving had left them ill prepared for technical studies. Through evening classes, he believed, these students could recover opportunities which they had earlier foregone or let slip; such classes were therefore "what we want" and should be established in half the State schools throughout Victoria. 64 A.A. Billson, Minister of Public Instruction, when introducing the 1910 Bill, had more cautiously remarked that it was "hard to say how many evening schools would be established, or what success they would achieve". 65 And in fact they did not succeed, at least as a feeder to technical schools. By 1914 Donald Clark reported that no students had joined technical schools in consequence of them. 66

Technical school men themselves were inclined to favour the industrial element in popular post-elementary schooling. They stressed its preparatory rather than its continuative function, in part they were moved by a conviction that improved technical skills led to qualitative social gains, 67 and in part by the

67. E.g. Clark: "While a well-trained academic scholar derives internal satisfaction from his knowledge of classical and modern literature, and from his mathematics, his knowledge is, to a large extent, self-contained and bookish, and the community does not benefit; on the other hand, the man who obtains knowledge which enables him to deal with things, and who applies that knowledge, becomes at once a pioneer and missionary of industrial progress." Report of the Minister of Public Instruction...1912-13, p. 100.
practical observation than an occupationally oriented curriculum was often more attractive to young people than a predominantly literary one. This practical and preparatory emphasis is clear in F.A. Campbell:

...much of the work done under the name of Secondary education on the continent is in reality Elementary Technical instruction. ...What is chiefly required [in Victoria] is an extension on the same lines of these evening preparatory courses [at Working Men's College], embracing mathematics and drawing applied to trades, with elementary exercises in trade processes; the whole to be in the hands of efficient tradesmen with an aptitude for teaching. 68

Donald Clark, appointed first Chief Inspector of Technical Schools in 1911 after many years in charge of technical schools at Bairnsdale and Bendigo, was also fired by the utilitarian purpose that intermediate schools might serve. In the early years of his administration he set out to secure the development of a type of intermediate school closely related to vocational preparation. These schools - the junior technical schools - would follow a curriculum "nearly uniform in character" and governed by "the ascertained requirements of the community". 69 They would include mathematics and drawing and science, which, being taken at the intermediate stage within the period of compulsory schooling, and being taught by teachers whose outlook was industrial, 70 would be accepted by the students and would provide the basis on which subsequent trade education could be soundly erected. In his early reports, Clark devoted much space to arguing for this type of school. By 1913 he was satisfied

68. Education and Industry, p. 11.
69. Report of the Minister of Public Instruction...1910-11, p.11.
70. Ibid....1911-12, p. 130.
that the general secondary schools had had no beneficial effect on technical education:

The only system which promises to develop well is that adopted in the junior technical schools....The ultimate success of our technical schools will depend on the work done in the junior technical schools. 71

The growth of these schools was perhaps the most marked feature of the first decade of administration under the 1910 Act. Whereas the numbers enrolled in technical schools almost doubled between 1911 and 1920, the numbers enrolled in junior technical schools increased at a much faster rate. Fewer than five hundred attended them in 1911, but by 1920 there were more than two and a half thousand. 72 Moreover, the establishment of new schools, particularly in the suburbs, provided plant and staff in areas away from the city centre, so that in some trades - notably carpentry and engineering - it became easier for apprentices and others to reach trade classes. 73

In one respect, however, the growth of junior technical schools seems to have impeded the full development of trade instruction. Clark had early urged as one of the benefits of the junior technical school that "at any stage those who do not go on to the next higher stage will be better qualified for the

71. Ibid....1912-13, p. 100.
72. Annual reports of the Minister for Public Instruction.
73. On the earlier difficulty in this respect, see the evidence of P.J. McCormick in Board on Inquiry into the Working Men's College, Final Report...together with Minutes of Evidence, etc., Qg. 2640-3, Vic. P.P. 1911, vol. ii, no. 14.
work which they are doing". More specifically he pointed out that "At the age of 16, they [junior technical school students] can enter upon their special line of work trained to be of immediate use, and also able to take an intelligent interest in their work." Those who passed out of the junior technical schools had in fact acquired a greater facility in handling tools and materials than many who had been at work for some years. In consequence they were much in demand as "apprentices" (whether indentured or not), and their very skill and adaptability helped to soften for some time the demand for further trade training.

The junior technical schools, which had been intended to be pre-vocational in the sense of preparing their students to begin on vocational (especially industrial) training proper, thus became pre-vocational in a more immediate sense. By 1914, Tate went so far as to speak of the junior schools as providing "a direct vocational training" for pupils in the last years of their compulsory attendance, and suggested that the technical schools should urge the "pecuniary advantage" to pupils from the courses offered. Two years later he reported that the opportunity of employment was seducing students even before they had completed the junior technical school course. More students wished to attend the schools than could be accommodated in them.

74. Report of the Minister of Public Instruction...1910-11, p.113.
75. Proceedings of the First Educational Congress...1912, p.65.
76. Report of the Minister of Public Instruction...1912-13, p.100.
77. Ibid....1913-14, p. 41.
78. Ibid....1915-16, p. 15.
So great was the pressure that Clark, faced with an inadequate rate of expansion to meet this demand, was forced to seek a rather more specialised role for the schools than had originally been intended. The practical manipulative work of the junior technical schools had been associated with the working of wood and metal: students in their first year did some general woodwork and sheet metal work, and in their second year some more specialised work in carpentry, sheet metal work, blacksmithing, instrument fitting, etc. This work was fairly closely associated with the 'higher' trades which called for a high degree of manual skill and some sophistication in making and reading drawings, as well as a measure of technical knowledge. Yet boys who wished to follow other trades sought to attend the junior technical schools. Clark sympathised with these intending butchers and bakers and bootmakers and so on, but by 1914 he wished to discourage them: "Until...we have provided for the higher branches of technical work and for the future tradesmen, we cannot provide special courses for many of those who can acquire a reasonable amount of knowledge and skill from the pursuance of their daily duties." 79

Once again the technical schools, even at this ostensibly pre-vocational level, were forced to restrict the range of occupations upon which they could set their sights.

By 1918, Clark saw technical education in danger of being hoist on his own petard; he was forced to point out that there was "a danger in focussing too much attention on junior schools". 80

But the "pecuniary advantage" had its effect and requests for the establishment of junior schools continued unabated, particularly

79. Additional Appendices to the Report of the Minister of Public Instruction...1913-14, p. 36.
80. Report of the Minister of Public Instruction...1917-18, p.19.
from working class areas. In 1919, for example, after strong agitation, it had been promised that money would be set aside for the establishment of junior technical schools in Northcote and Richmond; but the necessary amounts had not been retained on the estimates for that year. The local Parliamentary representatives, in criticising this omission, brought out quite clearly the socio-economic springs of their demands. John Cain spoke of "the necessity of technical education in those two districts, which are the homes of industrialists exclusively, and where such education is essential to the welfare of the rising generation";81 while his colleague, Cotter, pointed out that

There is a population of 42,000 in Richmond, nearly all workers, and they are anxious that their children shall have the advantage of technical education, for the time is coming when no boy will be able to get a position of any importance without a certificate.82

Although the junior schools grew vigorously after 1911, there were few significant developments in the trade work of the technical schools. The problems in 1911 were not new: there were not enough classes, and students had neither sufficient incentive nor proper opportunity to attend them. A Board of Inquiry into the Working Men's College, which reported shortly after Clark took up his appointment as Chief Inspector, put the needs succinctly: "If a proper system of training apprentices were inaugurated, for which there is urgent necessity, it would of course involve the compulsory attendance of all apprentices, and other youthful workers[,] in all skilled trades";83 such a system would

82. Ibid., p. 3808.
83. Board of Inquiry into the Working Men's College, Final Report..., p. 12. (The comma inserted is consistent with the report.)
entail the establishment of classes in the suburbs; and it would require that students be granted day time off, since otherwise they would be "in danger of being physically injured by overwork". 84

If the recommendations of the Board are an indication - albeit generous - of the needs, the reaction of employers is equally an indication of the opposition to be overcome before those needs could be met. Employers had reacted sharply to Justice Higgins's suggestion (in his Boot Factories judgement 85) that the solution to the problem of industrial training might lie in "closely associating the factories with the technical schools" and giving lads up to half their time to acquire in the school a thorough knowledge of their trade:

As the factories are not yet elevated to the status of benevolent asylums, it is evident that they cannot do anything in the matter....Technical education is of signal importance in our industrial life, but it cannot be provided in the wholesale manner suggested by Mr. Higgins. 86

Now they reacted similarly to the recommendations of the Board of Inquiry. Employers would decline to take apprentices if they had to allow them time off; such a scheme would involve enormous expense; and there was no justification for the "new and unprecedented" scope of operations. 87 The scheme proposed would reduce "parents to nullities, employers to spectators, and taxpayers to hopeless embarrassment". 88 Tracing these recommendations to Fink (who had been chairman of the Board of Inquiry),

84. Ibid., pp. 16f.
86. Liberty and Progress, vol. 6 no. 12 (23 December 1909), pp. 275f.
87. Ibid., vol. 8 no. 7 (25 July 1911), p. 157.
88. Ibid., p. 158.
they attacked him as "a pure theorist", "a gentleman whose antiquated memorandum on apprentices would be the laughing stock of any other industrial country"; he had, they said, "a rather quixotic view of the relationship between employers and their apprentices". 89

In as far as they referred to industrial training, Clark's reports for some time remained predominantly discussions of problems and proposals rather than records of achievement. Initially he was inclined to seek both compulsory technical training and the registration of efficient tradesmen: 90 but, conscious that compulsion might be unjustly burdensome to learners without daytime attendance, and finding that employers — with some exceptions — were obdurately opposed to granting time off, he soon rejected the principle of compulsory attendance and wished to rely instead on the incentive of a compulsory registration of tradesmen. In support of registration he cited the example of the plumbers, 85 per cent of whom had attended classes to obtain a licence from the Metropolitan Board; but because that scheme had not led plumbers to complete full courses he wished some State-wide authority, rather than separate boards to control registration. Realising, however, that the State was unlikely to register tradesmen, he could only urge the unions to emulate the guilds of earlier times by insisting on acceptable qualifications before admitting tradesmen to their ranks. 91

89. Ibid., vol. 8 no. 10 (25 October 1911), p. 230.
90. Report of the Minister of Public Instruction...1910-11, p. 11
91. Additional Appendices to the Report of the Minister of Public Instruction...1913-14, pp. 89f.
When he was invited to report on technical education to the South Australian government in 1916, Clark urged the same solution. Compulsory technical training, he wrote, was "unlikely under present conditions to yield the results desired, even in skilled trades";\(^92\) but registration of tradesmen offered "another form of compulsion which is much more effective, and which throws the onus of study on the individual".\(^93\) In that report in another State, he brought out difficulties which had not been mentioned in his reports at home. He spoke of "unwilling and disorderly students in compulsorily attended classes", and pointed to weaknesses in the Victorian Railways scheme of compulsory attendance:

...many [apprentices] show no interest in their work, and up to the present only about half of them succeed in passing comparatively simple examinations at the end of their three years' course. The standard of work is necessarily lowered.\(^94\)

He contrasted the Railways scheme with that adopted at the McKay Harvester factory at Sunshine. There, apprentices who wished to attend classes were allowed to do so on one half day during working hours\(^95\) provided they attended for two evenings as well, but others were not compelled to attend; the results, Clark believed, were "much more satisfactory".\(^96\)

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93. Ibid., p. 7.
94. Ibid.
95. Later extended to two half days.
There would seem to have been serious impediments to the implementation of Clark's proposal. A State authority to control registration could hardly have functioned effectively unless it were closely associated with both training and manpower predictions. 97 The unions were unlikely to act as registration authorities in order to provide an incentive for lads to study in their own time when they might fight for time off instead. And without a registration scheme, if compulsion were to be eschewed, any increased use of technical schools for industrial training would depend - as it had for so long - on the good will and enlightened self interest of employers and their employees. The evidence suggests that these were still insufficient factors. In 1916, it was reported that, of those who attended classes in carpentry, only 10 per cent completed a full course; and although in some trades the proportion was higher - 40 per cent in turning and fitting, and more in patternmaking - the general picture was far from satisfactory. 98 Employers, even when they were most disposed to be open-minded, remained suspicious of day training because they feared that they might suffer inconvenience without gaining any compensatory benefit. In the same year, at a smoke night to honour the retiring president of the Working Men's College, Tate and Clark might have heard the senior vice-president of the College put this point of view:

97. This seems to have been in Clark's mind when he suggested briefly the formation of a Department of Industry. Additional Appendices to the Report of the Minister of Public Instructic ...1913-14, p. 90.

98. Report of the Minister of Public Instruction...1915-16, p.15.
Compulsory education was a splendid idea, but there were two sides to the question. If apprentices had to attend during the daytime it would result in many machines in a factory being rendered idle, and this would mean decreased output. If the system were adopted they must have the lads trained to a finish - they must be turned out expert and skilled workmen. ⁹⁹

Clark's antipathy to compulsion and his reliance on the incentive of registration may have been motivated by a desire to keep his schools free from the pedagogical problems posed by the lad who trudged unwillingly to school; perhaps he wished to place the limited resources of his schools at the disposal of the keenest students; or perhaps, since he recognised that compulsion might antagonise employers,¹ he was reluctant to lose the support of one essential group in the training partnership. In any case, his official position, as well as the immediate impracticability of his proposal, probably committed him to a policy of gradual persuasion. This gradual persuasion was still going on in 1920, when a conference between the Director of Education and certain employers was reported to be considering day release.²

In establishing links between industrial conditions and technical education, the public regulating bodies were rather more effective. Earlier we noted that printing employers had been active in initiating and supervising the trade classes for compositors and letterpress machinists which began at the Working Men's College before 1900. After Victorian wages boards acquired

⁹⁹. Age, 22 April 1916.
¹. Report of the Minister of Public Instruction...1914-15, p.78.
the power to prescribe indentures, the Printers' Board endorsed this existing practice. In the form of agreement it prescribed, an employer undertook to

Permit the said apprentice during the currency of the third fourth and fifth years of the term of this indenture to attend technical classes for ** [compositors or machinists] (wherever such classes are held within a radius of five miles of his place of business) for at least one half-day each week when such classes are in session.³

When a separate wages board was established for printers in provincial towns (the Provincial Printers' Board), the same clause was adopted;⁴ although - almost certainly for geographical reasons - it was not included in the form prescribed later by a third board, the Country Printers' Board.⁵ Apart from the two printing boards, however, no other Victorian wages board included any reference to technical schools or classes in the form of indenture it prescribed. Indeed it might be argued that, since the words "provide that during hours of employment portion of the apprentice's time be spent at a technical school approved by the Minister" had been specifically omitted from the enabling clause which had been inserted in the 1909 Act,⁶ Parliament had not intended to authorise any reference to schools and time off in the forms of indenture approved by the wages boards. In may well be that the Printers' Board's prescriptions were allowed to stand simply because there was no outcry against them.

3. Vic. Govt. Gazette, 1912, p. 2418; Ibid., 1916, p. 2991. (The terms of the indenture did not state that this time off was to be paid time, but since it is not mentioned in those clauses which specified times for which the apprentice would not be paid, it is reasonable to conclude that it was.)
4. Ibid., 1916, p. 3394.
5. Ibid., 1920, p. 1679.
Technical schools were again raised in connection with Victorian factories legislation in 1919. In a Bill introduced very late in the Parliamentary session, it was proposed to allow those in attendance at technical classes to be paid at rates below the minimum determined by the wages boards. (Sec. 226 of the Factories and Shops Act 1915 had allowed students taking full day courses of technological study to acquire some practical experience without being paid the wages determined for employees, but this was not for the benefit of intending tradesmen.) Although the Minister of Labour claimed that the 1919 clause was merely to accommodate arrangements for unpaid time off for those working under weekly rates, especially ex-servicemen, there were many (including Lemmon) who objected that the clause was too loosely drawn and would allow abuses; it was struck out in committee without debate.\(^7\) When the Bill was finally passed, in haste and confusion,\(^8\) it included another clause which had occasioned no mention during its passage. This clause empowered the wages boards to approve of courses of technical education including correspondence courses which in the opinion of the Board it is desirable should be taken by apprentices or improvers.

Any Board having approved of a course of technical education for such employees shall report the same to the Minister who may with such terms and conditions as he thinks fit make it applicable only to such trades or portion of such trades in districts or portions of districts as he may prescribe.\(^9\)

8. Council did not have a copy when they passed the Bill at 1.30 a.m. on the morning of Christmas Eve.
Since no such approval was gazetted, it must be assumed that any consequent action was taken solely through the administrative processes of the Factories Department.

The relation between technical schools and apprenticeship was spelled out more clearly in conditions determined under the auspices of the Federal Arbitration Court, especially after the war. The Munition Workers' award of 1915 had already incorporated specific conditions in relation to technical education. By the terms agreed between the Small Arms Factory Employees' Association and the Minister of Defence, it had been provided that during their apprenticeship all apprentices would be required to take up a course of technical education in some technical or correspondence school approved by the manager. Moreover, apprentices who achieved at least 75 per cent of the possible marks were to have their course fees refunded, provided their conduct had been satisfactory; and prizes of £10 worth of precision tools were to be offered to those who had obtained honours in the technical course. 10 Although the Munition Workers' award had had no direct effect in Victoria - since the principal works were at Lithgow in New South Wales - the relations established under the Timber Workers' and the Carpenters' awards in 1920 and 1921, and the Engineers' award in 1921, were effective in all States.

The Timber Workers' award is noteworthy for the close ties it established between technical schools and improvers, and for the wages recognition accorded to technical training. Although

the award as handed down contained several variants to meet the situation of various respondents, that part which affected most Victorians provided that

except with the consent of the union only boys who have attended a Technical School in or in connexion with the learning of any of the occupations mentioned in this clause [11] for a period of at least twelve months prior to his employment, shall be eligible to be employed as improvers, unless the improver shall during the course of his employment as an improver, attend a Technical School in or in connexion with learning any of the occupations...

In further clauses, employers were required to pay 2s. 6d. per week above the basic rates to any apprentice or improver who produced a certificate from a technical school stating that he had attended classes in the timber industry for one year prior to his being apprenticed or employed as an improver; and to pay an additional 2s. 6d. per week during the third and any subsequent year to any apprentice or improver who was certified to have attended a two years' course and passed an examination in a technical school in an appropriate branch of the trade. [12]

Thus the award, as it touched apprentices, offered a direct inducement to lads to attend technical classes in their own time to qualify for higher pay; it did not require employers to support their attendance — although an employer might of course find it convenient to discharge his teaching responsibility by sending his apprentice to, or persuading him to attend, a technical school. As it touched improvers, the award provided

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12. C.A.R., vol. 14, pp. 953f. (A similar reward for apprentices was also included, by consent of the parties, in a Coach-builders' award of the same year. Ibid., p. 1053.)
rather more inducement, for both lads and their employers, in that it made attendance at technical school a prior or concurrent condition of employment: since an improver's pay was set higher than an apprentice's, a lad might well be willing to attend a school in his own time in order to get an extra eight to ten shillings a week;¹³ and an employer might well be willing to pay the higher rate and exert the necessary pressure in order to have an employee for whose training and tenure he had no responsibility. Although this added inducement was designed to secure better training for improvers, who had been a continual centre of abuse, it left perhaps too little incentive for apprentices themselves, whose continuity of employment and teaching was widely considered to be a necessary condition of sound trade preparation.

In the Carpenters' award of 1921,¹⁴ and its extension in 1922,¹⁵ although the Court did not grant the union's claim that all boys should be apprenticed, and did not impose the same conditions for employment as an improver as it had in the Timber Workers' case, it did require that apprentices attend a technical school for two nights each week in their second and third years and that employers refund them their fees each quarter provided their attendance had been satisfactory. Weekly wage additions were prescribed for prior attendance at technical classes, and for successful completion of technical examinations during the apprenticeship, as in the Timber Workers' award.¹⁶

¹³. For the rates, see ibid.
¹⁵. Ibid., vol. 16, pp. 1136ff., especially pp. 1146f. and 1155-6
¹⁶. Ibid., vol. 15, p. 253 and vol. 16, p. 1155.
The most important award linking apprenticeship and technical education was that in the Engineers' case in 1921. Having declared that "apprenticeship is of extreme importance in engineering", Higgins granted the union's claim that employers should not only pay the fees of apprentices to attend technical schools but should also allow them paid time off to do so: on this point the award provided that

Each apprentice shall be permitted by his employer to absent himself during ordinary working hours for four hours every week for the purpose of attending a suitable technical school or other school approved by the claimant or by the appropriate Board of Reference. Or if there be no such technical or other school approved as aforesaid then to pursue a technical course with a correspondence school approved as aforesaid.

If the apprentice produce a certificate from the school showing that he has given satisfactory attention to the work of the school for a quarter or other terms then for that term there shall be no deduction from his pay for the time of absence and the school fees shall be paid by the employer...18

Observing that similar or greater concessions had already been made by some State and private employers, Higgins concluded that his award could "hardly be regarded as unreasonable or extravagant". Nevertheless, employers applied to the Court in the following year to have the award varied in this respect; but Higgins's successor, Justice Powers, declined their request. 20

17. Ibid., vol. 15, p. 325.
18. Ibid., pp. 334f. The full text of the section is reproduced in Appendix 2.
19. Ibid., p. 328.
20. Ibid., vol. 16, pp. 241f.
In South Australia, the principle established in the Engineers' award of 1921 had been adopted in State law four years earlier. Under the Technical Education of Apprentices Act 1917, indentured apprentices were required to spend six hours each week for forty weeks of the year in attendance at a technical school. Four of those six hours were to be in the employer's time; and the Government would pay the school fees. The general principles of this Act owed much to the report of the Victorian Apprenticeship Conference of 1907: in the debate on the Bill they were in part restated thus:

The beneficiaries under this measure are the public, the employers, and the individual, and it is only fair that the three who shall participate in the benefits of the measure shall also share in its responsibilities.21

Although the South Australian Parliament was conscious of leading Australia with its legislation,22 and of responding to the need for local manufacturing skills in an isolated community, the passage of the 1917 Bill was no doubt facilitated by the comparative simplicity of the situation with which it proposed to deal. There were only about six hundred indentured apprentices altogether in the metropolitan district, and, since the legislation would apply compulsorily only to those under eighteen years of age, only about half of that number would be affected at any one time.23 Moreover, although some sections of employers complained that day time off would disrupt their work,24 and declared that they would

22. Ibid., p. 1200
23. Ibid., pp. 318, 1203.
24. Ibid., pp. 1204f.
rather pay the fees themselves than grant it, there was apparently very little opposition to the Bill. The general attitude of members of the Legislative Council seems to have been that they might as well give the Bill a trial: as one of them said, "...we shall be able to set up in a small way working up gradually to a proper and systematic training of men in different trades." Probably, the Minister of Education did not exaggerate unduly when he assured the Council that the scheme of the Bill could be introduced "without causing any disturbance in the normal flow of local industrial conditions". Such, however, would not have been the case in Victoria.

So far in this chapter we have been concerned with changes in industrial regulation and educational provision as they affected the training of tradesmen in the decade after 1911. The European War of 1914-18 was little more than a distant background to the later of those changes. Now we must notice one way in which the direct results of belligerence gave a special impetus to industrial training.

25. Ibid., pp. 1210f.
26. It may be that the proportion of apprentices employed by Government agencies in South Australia, such as the naval dockyards and the railways (both State and Commonwealth), which already granted time off (ibid., p. 316), was significantly higher than in Victoria. If so, this would have further facilitated the passage of the Bill.
27. Ibid., p. 1200.
28. Ibid., p. 319.
The tide of battle washed back to Australia a mounting jetsam of disabled men whose incapacities prevented them from resuming their pre-war occupations. State War Councils, established in 1915, fostered the organisation of local War Service Committees, and some of these provided a context within which local training initiatives developed as an alternative to the often unsuccessful attempts to establish returned men in small businesses. In Victoria, for example, the Labour parliamentarian Martin Hannah in 1916 sponsored a scheme for providing training in woodwork at Collingwood Technical School. He proposed that the trainees should manufacture toys under an "Anzac" trademark and by April had persuaded three stores to take all the toys produced. Partly to co-ordinate such efforts, the State War Councils also organised Disablement and Training Committees, on which the Education Departments and the technical schools were represented. These Committees interviewed applicants for vocational training and determined what courses they should undertake in technical schools.

For a time exaggerated claims were made for the prospects and success of such schemes. Short courses, of from three to twelve months' duration, were said to be turning out competent tradesmen; but those in the schools thought otherwise. Alfred Hart, an instructor at the Working Men's College and (at the time) president of the Technical Instructors' Society, in an

29. Age, 20 April 1916; see also 22 April 1916.
address published in 1917, pointed out that the short courses could fit a man only for "some specialized branch of industry in which his sphere of usefulness would have a very narrow diameter, diminishing as the years went on". 31 His Chief Inspector agreed, warning that "repatriation training...is not technical training at all". 32 Hart and his colleagues feared that the products of these courses would be employed at low wages while trade was brisk, only to be dismissed when it slackened. "As skilled artisans," said Hart, our trade instructors "...know the short training scheme is hopelessly bad and will inevitably cause industrial difficulties." 33

After the Commonwealth Repatriation Department was formed in April 1918, two important developments ensued. Recognising the advantage of continuing to utilise existing facilities, the Department entered into a formal agreement with the States, under which the Department undertook to provide the cost of any additional buildings, staff and equipment necessary to provide for the increased numbers of ex-service trainees expected, and the States agreed to take over at the conclusion of the scheme any liabilities due to substantial alterations to existing buildings and to such new buildings as might be mutually agreed on. The States were also to have an option over all other

32. Report of the Minister of Public Instruction...1917-18, p.19.
33. A. Hart, op. cit., p. 3.
buildings and equipment provided during the currency of the scheme and no longer required by the Commonwealth at its conclusion. The sums involved were to be offset against monies payable by the Commonwealth to the States on account of transferred property generally. In this way Victoria acquired significant additions to its facilities for technical training. In 1919 Donald Clark reported that the State now had fourteen or fifteen schools "well equipped for trade classes". In all, twenty-two Victorian Education Department schools were utilised under the Vocational Training Agreement.

Not only were additional plant and staff provided, but new classes were established at the instance of the Repatriation Department. Training was provided in many trades and branches in which no classes had been available previously.

Of equal, if not greater, significance, however, was the machinery developed to ease the industrial difficulties anticipated by Hart. An overall scheme drawn up by an expert advisory committee was submitted to, and received the endorsement of, a national conference representing organised employers and the unions. Training was to take place in two stages: first, a period of 'preliminary training', usually in schools, during which trainees would be brought to a level of proficiency

34. The Civil Re-establishment of the A.I.F., p. 15.
35. Report of the Minister of Public Instruction...1918-19, p.22.
36. The Civil Re-establishment of the A.I.F., p. 18.
37. For a list of these trades, see ibid., pp. 17f.
reckoned to be 40 per cent of that of a fully trained worker; then a period of 'industrial training', when the trainees would work in actual employment, receiving the standard wage, to which the employer would contribute a proportion commensurate with the trainee's adjudged level of efficiency, and the Repatriation Department the balance. A network of Industrial Committees for trades and districts was established, each comprising equal numbers of employers and employees and a representative of the Repatriation Department. These Industrial Committees, with a Central Industrial Committee for the State, were not only to satisfy themselves of the suitability of applicants for training in particular callings, but also to advise on the equipment required for classes, the character of the training to be given, and the positions available, and to act as assessor of the efficiency (and hence of the value of the labour) of trainees actually at work in industrial establishments during the second stage of training.

Initially, only incapacitated ex-servicemen had been eligible for training under the scheme, but late in 1918 it was decided to extend the offer to young men who had enlisted under twenty years of age and who had either had no industrial training or whose training had been interrupted by their military service. (Many of these were too unskilled to receive a journeyman's wage and too old to be eligible for the junior wages laid down in awards.) To cope with this expanded number, a scheme was prepared in which proportions of the expected total of twenty thousand trainees were allotted to the "highly-skilled
less-skilled, and little-skilled" trades respectively. This scheme, too, was accepted by an Australian Conference of Industrial Representatives, on the understanding that no variation would be made in the allotted figures without the consent of the trades concerned. Approval of these variations was made an additional responsibility of the Industrial Committees.

Thus there was evolved a machinery which closely resembled proposals previously made in 1907 (and, in some respects, 1913) for the solution of apprenticeship problems. Even allowing for the sanguine tendencies of official judgements, there seems little reason to doubt the general validity of the Repatriation Department's estimate of the worth of this machinery:

The system of Industrial Committees..., while involving the creation of an extensive machinery in some respects cumbersome in operation, has been attended on the whole with very beneficial results. It has made the trade organizations co-partners with the Department in reaching the ends aimed for and, by keeping the responsible representatives of those organizations cognizant of all that appertains to the process, it has gradually corrected misapprehensions, and from the side of both employer and employee brought to the aid of the trainee much valuable experience.  

Classes under the Repatriation scheme were at their peak in 1919 and 1920; but the ordinary industrial apprentice was hardly better off than he had been before the war. The Council of Public Education, a watch-dog and advisory body recommended by the Fink

38. Ibid., p. 16.
39. Ibid., pp. 16-17.
Commission in 1901 and established under the Education Act of 1910 - among its members were George Swinburne, Donald Clark, and G.R. King of the Gordon - had resolved "That the Government be asked to appoint a committee to consider and report on the question of the technical training of apprentices and other juvenile workers, particularly in relation to the application of the compulsory provisions in regard thereto". But no committee was formed, and for some time the Government did not reopen the question. In July 1921, however, Sir Alexander Peacock, who then held both the Labour and the Public Instruction portfolios in the Lawson ministry, announced his intention of calling a third apprenticeship conference. In doing so he admitted that he had had the collaboration of John Lemmon, and that "he and I are in agreement...that the matter should not be left to the Wages Boards." 


Chapter VII
CONFEERENCE AND CONFLICT 1921-1925

On 21 November 1921, twelve men gathered in State Parliament House, Melbourne, to begin the first meeting of a third Apprenticeship Conference. Around the table were the Chairman of the Conference, David Avery (a consulting chemist and former teacher at the Working Men's College); two representatives of Parliament (Frank Groves, Government whip and director of a sanitary plumbing firm, and Labour's John Lemmon); two representatives of the Chamber of Manufactures; two representatives of technical schools (C.A. Hoadley, Principal of the Footscray school, and W.H. Middleton, President of the Council of the Ballarat School of Mines); two representatives of the Trades Hall Council; and three prominent public servants (the Director of Education, the Chief Inspector of Technical Schools, and the Secretary for Labour).

For three of these members there was nothing new in their presence or purpose. R. Aitken Pryor and Archibald Dobson, representing manufacturers and unions respectively, had sat opposite each other fifteen years earlier at the first Apprenticeship Conference; and both they and John Lemmon had been members of the second Conference in 1913. On this occasion, perhaps, they were struck by the changed representation of interests around them. That first Conference had comprised only unionists and manufacturing employers; to the second,
parliamentarians had been added; now this third Conference included educationists and administrators as well. It appeared that all those parties who would be affected by any recommendations, or needed to give effect to them, had at last been assembled to excogitate a solution. Could the old hands, who had seen the results of their earlier deliberations gather dust, have derived some dry satisfaction from this slight implied recognition of principles they had worked out years before?

At a preliminary meeting a few weeks earlier, the Minister of Labour and of Public Instruction had assured the members of the Conference that if they could agree unanimously he would introduce legislation based on their recommendations. Over the next nine months the Conference met on twenty occasions; but although its deliberations were prolonged in an attempt to resolve outstanding differences, it did not reach unanimity. In the end it presented the Minister with draft legislation and a report; but the report signed by the majority was accompanied by three minority reports, which declared or implied their authors' disapproval of important aspects of the proposed legislation. Before considering the minority reports, which provide important clues to significant issues, we shall briefly traverse the arguments and proposals of the majority report, which represents the position of those who sought an ordered and regulated scheme.

2. *Argus*, 22 August 1922.
The Conference set out to discover a remedy for two main problems: a comparatively small number of boys entered apprenticeships; and even of those who did, a number did not go through a satisfactory course of training. The shortfall in the number of apprentices was ascribed to four principal causes. Many boys left school at fourteen to enter temporary employment in occupations which soon rendered them unwilling or unfit for further disciplined study. Again, since the number of apprentices had been limited in proportion to the number of minimum wage earners or journeymen in particular establishments, any refusal to take apprentices by particular employers necessarily entailed a lowered proportion over the trade as a whole. It was recognised that such refusal could result from uncertainty about obligations that might be imposed on employers by industrial awards, from the seasonal or otherwise discontinuous nature of an employer's work, or from the belief that specialised machinery had reduced or removed altogether the need for fully trained workmen. The poor wages paid to apprentices - often, as we have noticed already, they were paid less than unindentured lads - and the small margins for skill in the adult wage structure, offered little inducement for boys to become apprentices. Finally, owing to the improver system, neither employers nor boys were compelled to regard apprenticeship as a necessary step towards skilled employment.

3. Report of the Apprenticeship Conference, 1922 (Melbourne, 1922), p. 3. A "comparatively small number" is the language of the report: it could be justified by comparing actual numbers with the numbers permitted by the wages boards or the Arbitration Court.
Those who did become apprentices, despite these circumstances, did not always become efficient tradesmen. Sometimes they entered trades to which they were unsuited, or for which they had had insufficient preliminary education. The scope of their training might be unduly restricted because, where trades were ill defined, a lad could be bound to an employer whose work was highly specialised or who chose to keep him at some specialised branch. And there was in any case little incentive for a lad to gain higher qualifications: both increase in wages during apprenticeship, 4 and eventual recognition as a skilled tradesman, depended on little more than the effluxion of time. In particular, this lack of incentive had resulted in uncertain attendances at technical schools and early withdrawal from trade courses. 5

These conditions, the Conference believed, might best be met in ways devised and supervised by specialist Trade Committees, comprising "representative employers and representative employees, who understand thoroughly the requirements of their own trades and who are familiar with the difficulties that have to be overcome." 6 Moreover, because of problems peculiar to country areas, local District Trade Committees should advise, and should operate within the authority of, these central Trade Committees. 7

4. For certain exceptions under Federal awards, see above pp. 177-9.
6. Ibid., p. 5.
7. Ibid., p. 11.
There was, of course, no fresh invention here. A similar scheme of specialist and local recommendation and supervision had been proposed in essence in 1907\(^8\) and elaborated in 1913.\(^9\) It had also been a feature of the Repatriation Training Scheme.\(^{10}\) But in regard to the overall control of apprenticeship, the 1922 Conference reversed the conclusions of 1913 and returned to those of 1907: it again recommended the establishment of a powerful Apprenticeship Commission.

In the Report itself,\(^{11}\) little attempt was made to argue this prominent proposal, which to some seemed the most significant among the Conference's recommendations.\(^{12}\) The relevant passage is comparatively brief:

...while it may be freely admitted that apprenticeship in a given trade is supervised best by a special committee for that trade, the apprenticeship scheme must be a consistent one. Its details may differ to meet the peculiar requirements of the various trades, but it must be linked together by general principles common to all, and expressing broadly the structure and object of the scheme. This is best achieved by the establishment of a central body or Apprenticeship Commission intrusted with the administration of the scheme. This Commission should represent broadly all the interests involved - industrial, educational, and administrative or departmental.\(^{13}\)

10. See above, pp. 185-7.
11. The majority report, unless otherwise specified.
12. For example, the Argus, 22 August 1922, called this the "outstanding recommendation".
Here the Commission is presented partly as an administrative centre, but principally as a means of bringing into legislating focus "all the interests involved" so that they might develop a "consistent" scheme "linked together by general principles". Since the Conference was about to recommend important basic principles of the proposed apprenticeship scheme, it seems reasonable to infer that the chief virtue of the Commission in this regard was intended - at least by a majority of the members of the Conference - to be its authority, its ability to carry those principles into effect, rather than its suitability for devising them anew. And indeed, as we shall see, opposition to the proposed Commission stemmed largely from fear of its authority, just as in 1907.

Among the most significant principles discussed by the Conference were those affecting the number of apprentices, their wages, the declaration and definition of apprenticeship trades, and the recognition or abolition of improvers. Except in as far as these matters were concerned, it had no new ideas to offer on the training of apprentices. Like its predecessors, it expected that each trade committee would map out a course of training, including the work to be done at technical schools and the broad classes of operations of which experience was to be gained on the job; that the progress of the apprentice would be ascertained regularly through technical examinations and assessment of the work done in his employer's shop; and that a final certificate of proficiency would be awarded, attesting the apprentice's successful completion of the full course of training. 14

14. Ibid., p. 3.
On the question of numbers, the Conference adopted the same principle as its forerunner in 1907: it recommended that limitation be applied to each trade as a whole rather than to each workplace or employer individually. After considering statistics of employment in their trade, and its condition and prospects, each Trade Committee was to recommend the number of additional apprentices that could be absorbed during the year without creating a surplus of labour. The Commission would then gazette this number, which would become the maximum number to be taken on during the ensuing twelve months, unless it were varied by the Commission to meet unforeseen circumstances. 15

Thus, while some employers might continue to take fewer than their previous quota of apprentices, others might take more. In the latter case the apprentices would be protected by the definition of the scope of training and the supervision of their workshop experience by the Commission's agents. It is noteworthy that the efficacy of this scheme as a means of ensuring against oversupply and other abuses would have depended not only on clear definition and adequate supervision of training but also on the Commission's authority to register all apprentices and to prohibit the employment of unregistered apprentices.

Concerning wages the Conference made two related and practical recommendations. The first of these was new, the second a neat restatement of a principle already adumbrated in some industrial awards. 16 Like its counterpart in 1907, the

15. Ibid., p. 9.

Conference believed that the wages of apprentices should be determined by the Apprenticeship Commission; but rather than have the Commission fix actual wages, it proposed that there should be fixed, for apprentices in each trade, various "percentages of the minimum wage ruling for journeymen" so that the resultant actual wages would "rise and fall in harmony with the trade fluctuations". In fixing these percentages, the Commission would decide, with the advice of the appropriate Trade Committee, the percentage for the first year, the percentage increment for each subsequent year, and percentage increments dependant on success in the apprenticeship course. Thus an apprentice's wage would comprise three elements - a starting level, a "time increment", and a "proficiency increment" - determined by the Commission, but its actual level would depend on determinations by a wages board or the Arbitration Court. This scheme would, it was hoped, make it easier to use wages as a training incentive, and at the same time protect the essentials of the Commission's wage decisions against interference by other bodies.\(^\text{17}\)

The 1907 Conference had proposed that any trade might be brought under regulation "on the necessity or desirability of this course being established to the satisfaction of the Apprenticeship Commission."\(^\text{18}\) The 1922 Report proposed the same course; but in describing how trades would be brought under the scheme, it sought to anticipate - though it did not entirely


\(^{18}\) Report by the Apprenticeship Conference (1907), p. 4.
prevent\textsuperscript{19} - those fears of arbitrary decision and precipitate action which had been urged against the earlier proposal. It recommended that the Apprenticeship Commission should publish its intention of dealing with any trade, and hear argument from any one concerned, before declaring an apprenticeship trade. It suggested, too, that the scheme should be extended only gradually, new trades being included only after those already under the scheme had settled down into "routine working".\textsuperscript{20}

By whatever procedure it might be answered, the question remained: which trades should be declared apprenticeship trades? The opinion of the 1907 Conference had been that

the apprenticeship system should be only enforced in those callings where a definite and systematic course of training is called for.\textsuperscript{21}

The 1922 Report relied on the same criterion -

One important factor in determining whether any given trade should be an apprenticeship trade will be the necessity of laying down a definite course of training for its apprentices\textsuperscript{22}

- but it attempted also to identify the conditions which would necessitate a course of training. Those conditions were most difficult to identify in branches of industry where mechanical routines seemed to have replaced "the craftsman's intelligent judgment, manual dexterity and knowledge of a variety of operations constituting the craft". The distinction between

\begin{itemize}
\item \textsuperscript{19} See, for example, James Martyn's minority report. \textit{Report of the Apprenticeship Conference, 1922}, p. 17.
\item \textsuperscript{20} Ibid., p. 10.
\item \textsuperscript{21} \textit{Report by the Apprenticeship Conference} (1907), p. 4. Emphasis added.
\item \textsuperscript{22} \textit{Report of the Apprenticeship Conference, 1922}, p. 10. Emphasis added.
\end{itemize}
mechanical routine and skilled work might be seen in the fact that a mechanical routine could be "acquired in a very short time, and once learned no increase in proficiency is possible, whereas in a skilled trade proficiency is always increasing as knowledge and proficiency increase." It might be tested, too, by the question "whether success depends on the operator's judgment as a distinct factor, whether control and direction are demanded apart from the mechanical routine of the machine itself or not." 23

Useful as this attempt was, it will be seen that it did not clearly specify any range of operations. On this point the Report floundered:

It will probably be necessary to designate not only the series of operations in a trade that should constitute a course of training for a craftsman, but also what particular operation is of such a nature as to require trained apprentices or journeymen. 24

The crux remained: if a particular operation was held to require trained apprentices or journeymen, did it necessarily require apprentices or journeymen trained in the series of operations designated as constituting the scope of training for a craftsman? This issue, which was intimately connected with arguments for the exclusion of improvers from skilled trades, continued to divide opinion on apprenticeship, and indeed it divided the Conference.

23. Ibid.
24. Ibid. -
At first, a resolution recommending the abolition of improvers in skilled trades was adopted only on the vote of the Chairman; but several members, convinced that recommendation so marginally adopted would carry little weight, arranged a special meeting of the industrial representatives, at which after some hours a compromise was negotiated. This compromise, however, was incorporated not in the Report but in the draft legislation submitted with it: it took the form of a clause which would empower the Commission to determine the conditions under which improvers would be allowed to be employed in skilled trades. In the Report itself, the matter was, as one dissentient noted, "smoothly passed over". Although the improver system was mentioned among factors responsible for the small numbers of apprentices and for the production of "untrained or partly trained men", the proposed treatment of improvers was not directly referred to. The "discouragement" of improvers was, by implication, advocated in one section.

26. The presence of this clause in the draft legislation is inferred from a comment by Donald Clark - "many matters of importance...are much more definitely treated in the proposed Bill" (Ibid., p. 17) - and from the appearance of such a clause in a later Bill which it is reasonable to suppose was based on the Conference draft ('A Bill to amend the Law relating to Apprenticeship and for other purposes', clause 43, Vic. Legis. Ass., Bills Introduced, 1925). Its precise form is, in any case, not important at this point; and its intention is clear from the references mentioned in the text, and from the reactions of those who submitted dissenting reports.
28. Ibid., p. 5.
29. Ibid., p. 10.
but the true intention of the majority peeped out only from one subordinate clause, in another section, rendered logically necessary to explain the proposed control of numbers. There, an alert or a suspicious reader could have discerned that "...it is recommended that the employment of unregistered apprentices be not permitted...". 30

Here was the crucial problem. In the Report, and generally in the advocacy of those who wished to prohibit unindentured learners in skilled trades, it was posed only in terms of efficient training; but the underlying issues were those of responsibility and mobility. Employers would be legally responsible for the training of indentured apprentices, and if, by the abolition of improvers, a full course and adequate conditions of training were demanded for all young people entering skilled trades, then their employers would carry a considerable responsibility. Some might have been willing to carry this responsibility had they been sure that they could afford it, but most preferred to secure their skilled men at someone else's expense, and few were really sure that industry needed large numbers of fully trained men. If full training were to be secured in the interests of the mobility of labour, rather than its productivity, then why, the employers asked, should the responsibility be theirs?

In a dissenting report following the 1913 Conference, W.S. Busby, then President of the Victorian Employers' Federation, had criticised attempts "to revive the obsolete system of

30. Ibid., p. 9.
apprenticeship and make the employer responsible for the complete training in every particular of his apprentices". He argued that, because of changes in industrial organisation, "it largely lies with the apprentices themselves and with the educational facilities afforded them by the State whether or not they may become useful and intelligent artisans". A great number of employers, he noted, "object to indentured apprentices, though quite willing to teach their trades to the best of their ability to unindentured learners, who are more amenable to discipline, and who are more anxious to improve themselves". Therefore, he warned, to impose training obligations on employers would be to close their doors against apprentices.

Busby's theme was restated in 1922 in the three minority reports. James Martyn, proprietor of the Steel Company of Australia Limited, who had replaced R.A. Pryor as an employers' representative a few months before the Conference concluded, maintained that both employers and boys should be left free to decide whether indentures and full training were desirable. Fearing that "many so-called skilled trades" in which "compulsory technical training may not be necessary" might be "brought inadvisedly under indentured apprenticeship", and asserting that there should be "a gradual evolution to finding highly skilled men where necessary", he opposed the "nightmare of further compulsion".

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32. Ibid., pp. 13-14.
33. Cf. above, p. 197; it is difficult to escape the view that what Martyn and others feared was impartial, rather than unadvised, decisions.
Donald Clark, the Chief Inspector of Technical Schools, also eschewed compulsion. He argued that, since employers would probably decline to take apprentices under the conditions proposed in the majority report and the draft legislation ("They may be indirectly forced to do so, but there is every possibility that fewer boys will be taken than at present"\textsuperscript{35}), it would be "putting the hands of the clock backwards" to insist on universal indentured apprenticeship.\textsuperscript{36} He resented, too, the consequences of recent decisions which had "had the effect of legislating some of our best trained boys in Technical Schools out of a chance of employment in our own industrial workshops."\textsuperscript{37} (Clark did not develop this point but it is reasonable to suggest the following explanation. Many of the keenest students in technical schools were probably unindentured lads who expected to command more money or better opportunities as their skill increased. If, however, an award restricted the employment of unindentured lads, so that many of those currently employed would have to become indentured apprentices, and also prescribed higher rates of pay for apprentices with higher qualifications,\textsuperscript{38} then an employer might decline to apprentice highly qualified lads unless he were sure that he could continue to employ them profitably.) Finally Clark believed that the

\textsuperscript{35.} Ibid., p. 19.
\textsuperscript{36.} Ibid., p. 18.
\textsuperscript{37.} Ibid.
\textsuperscript{38.} The Timber Workers' award, 18 December 1920, Division B, clauses 3, 5 and 6, provided such conditions, and may well have been the "legislation" Clark had in mind. \textit{C.A.R.}, vol. 14, pp. 953-4.
money to be spent on the proposed Commission and its attendant machinery would be better spent on technical schools, which were already dealing with the educational problems of trade training. 39 "The whole problem," he concluded, "should be settled by the willing co-operation of all those interested, rather than by legislation." 40

The Secretary for Labour, H.M. Murphy, pointed to the diminishing need for skilled tradesmen. He reckoned that, although in some trades, such as carpentry, plumbing and wicker-working, all the workers needed to be "trained and highly skilled, both in practical work and technical knowledge", in others, such as engineering, moulding and boilermaking, not more than a quarter of the hands needed to be fully skilled men. While he conceded that such a body as the proposed Commission should have the right to prohibit improvers in trades of the first group, he maintained that any law would be likely to fail which would compel employers in the second group to make skilled men of all their recruits. 41 Murphy's final paragraphs sum up neatly:

It is impossible to conceive a system of indentured apprenticeship which will secure a better and more thorough training than obtains at present, without increasing the obligations of the employer.

39. Report of the Apprenticeship Conference, 1922, p. 19. Clark was the only dissentient to oppose the establishment of a Commission; Martyn and Murphy wished to remove or curtail its legislative power.

40. Ibid., p. 21.

41. Ibid., p. 23.
As you increase these obligations there will be more employers who will refuse to take apprentices, and the more complete, therefore, your system, the fewer apprentices, unless some law be passed to compel employers to take them.

I do not think such a law is a possibility in Victoria, therefore, any system of indentured apprenticeship, which binds the employer to do more, pay more, and give more time off for technical instruction, will be liable to defeat itself.\textsuperscript{42}

The scheme proposed in the 1922 Report, and its accompanying draft legislation, was aimed at "the production of thoroughly trained craftsmen, and only thoroughly trained craftsmen, for the maintenance of the skilled industries."\textsuperscript{43} But it was at least doubtful whether the skilled industries needed for their maintenance the production of skilled men only, and it could scarcely have been argued that there existed a general shortage of skilled men which necessitated urgent action. The Report noted rather lamely that "in some of the skilled trades, competent tradesmen are scarce";\textsuperscript{44} yet according to the Secretary for Labour that scarcity obtained only in the building trades, which were peculiarly prone to "periods of stagnation on the one hand and over-activity on the other". Neither the Officer-in-Charge of the Labour Bureau nor the inspectors of the Department of Labour had been able to name any other trades which were short supplied in 1922.\textsuperscript{45}

The building boom which lasted from 1922 until the latter part of 1924 produced a flurry of interest in trade training.

\textsuperscript{42} Ibid., p. 24. \hspace{1cm} 44. Ibid., p. 3.
\textsuperscript{43} Ibid., p. 10. \hspace{1cm} 45. Ibid., p. 22.
Employers short of skilled men sought ways of obtaining them quickly, and unions forced some concessions for their own apprenticeship schemes.

Late in 1922, the Victorian Plasterers' Union proposed to take over the training of plastering apprentices. It would register apprentices, and see that they had been properly indentured if after twelve months' probationary service both union and employer considered them suited to the trade. It would also help to pay for the apprentices' technical school instruction. 46 Early in 1923 the Union asked the Master Builders' Association to appoint a small committee to confer on this scheme, 47 and by May the representatives had met and confirmed its main principles. Apprentices were to be indentured to the Master Builders' Association and transferred between employers as circumstances demanded. 48 Although there were some delays as details were worked out, 49 agreement was finally reached in August 1923. The Union undertook to give preference, in the general supply of men, to employers who were training apprentices under the scheme, and the Master Builders for their part agreed to give preference to plastering sub-contractors who were employing these apprentices. Both parties would contribute to training expenses. The employers would allow apprentices 16 hours a month of day time off for school attendance and would pay the fourth term fees for the first two years, provided that the apprentice attended school on one night a week in addition;

46. Argus, 23 December, 1922.
47. Ibid., 27 March, 1923.
48. Ibid., 12 May, 1923.
49. Ibid., 19 June and 19 July 1923.
Such an attempt to exploit class instruction for immediate profit may have been, on one side, the degenerate offspring of an erstwhile respectable dam, the full-time trade schools advocated years before and tried overseas; but it was sired by a different spirit in Australia in 1923. "Some employers today," one Labour critic had warned, would try to bring about a state of affairs by which the State would establish schools in order to enable them to obtain cheap labour at the expense of the State. They want the technical schools to be run as trade institutions...to train boys to turn out particular items of commerce at the minimum cost and in the minimum time.61

On the broad industrial front, a continual crossfire of recrimination raged. Overall, the 1922 Conference had found, the number of apprentices was only about one-twelfth of the number of minimum wage earners, and twice as many lads were unindentured improvers.62 Employers blamed chiefly the restrictions placed on the employment of apprentices and the responsibilities thrust upon employers; while the unions blamed the employers' selfishness and irresponsibility.

One leading timber merchant, with an opportunity to fill orders, yet faced with a shortage of joiners and an award which restrained him from employing an additional apprentice, complained bitterly that "The law would not prevent that boy from selling race cards and newspapers in the streets until midnight if he wished, but it debarred him from learning a trade by which he could earn a good living."63 An irate and well intentioned

63. Argus, 17 March 1923.
mother described the limitation laws as "wicked and dangerous". The secretary of an association of master plumbers blamed the shortsightedness of parents, and even the thoughtless bias of the Education Department which allowed pupils to practise letter writing "to merchants, or for positions as junior clerks" instead of "to an employer seeking apprenticeship".

The unions, on the other hand, could lead the evidence of the figures with some confidence and ire. When the Chief Engineer of the Bendigo Sewage Authority blamed the limitation laws, the Secretary of the Plumbers' Union promptly pointed out that the number of plumbing apprentices was far less than the law allowed, owing to the "failure of the employers to recognize their duty to the community". The general manager of a Castlemaine engineering works claimed that employers were eager to train youths, and were prevented only by the difficulties placed in their way by unions, the Factories Department and the Arbitration Court. His company, he said, employed 54 ironmoulders and was entitled by law to take 18 apprentices; but owing to the opposition of the men it employed only six. Three days later, the Secretary of the Federated Moulders' Union analysed these figures to reveal the justice of the tradesmen's opposition. The 54 supposed moulders, he claimed, comprised 30 tradesmen, and 24 others who received the minimum wage; the company was entitled to employ not only 18 apprentices but 18 improvers as well; so

64. Ibid., 13 October 1923.
65. Ibid., 25 October 1923.
66. Ibid., 19 May 1923.
67. Ibid., 16 May 1923.
that to concede the justice of the manager's claim was to imply that 36 boys could be taught be 30 tradesmen - who were, moreover, on piece work rates. 68 Among men of influence, some (e.g. the President of the Ballarat School of Mines 69) sympathised with the employers' stand, while others (e.g. the Minister for Labour 70) agreed with the unions in blaming employers rather than the labour laws.

Underlying this noisy crossfire, which we have illustrated from one Melbourne newspaper, lay matters of deeper significance. Both sides conceded that low margins for skill were a contributory cause. 71 The money value of margins had not been increased during the 1914-18 war, so that as the basic wage rose, skilled workers had found themselves in a less favourable position. Although the purchasing power of margins had been restored to its pre-war level in 1921, it had again been reduced in the following year. The margins determined in awards were not, however, legal maxima, and if skilled men were in short supply one would expect higher actual rates to have been paid in an effort to attract additional labour. Such over-award payments do not seem to have been a constant feature of industrial conditions at the time. One economic historian, having examined the evidence on this point closely, concluded that "at different times in various industries such payments appear to have been widespread". 72 He instanced particularly the textile industry,

68. Ibid., 19 May 1923.
69. Ibid., 31 October 1923.
70. Ibid., 17 October 1923.
71. E.g. ibid., 16 May and 31 October 1923.
motor body building and electrical manufactures. Without the incentive of substantial legal margins, and with the apparently temporary nature of over-award payments, 73 there was less reason for boys to seek apprenticeship as the likeliest route to fully skilled status. It could be argued from the same evidence that there was also less reason for employers to be willing to meet the cost of ensuring a greater constant supply of skilled labour. As Victoria's Chief Secretary remarked at the opening of the Ballarat East Sloyd School, "The danger was that, although there were not enough artisans to meet present demands, there might not be enough work for them all 10 years hence." 74

The actual need for fully skilled men is difficult to estimate. In the factory trades, in particular, easy assumptions were challenged. When, for example, at a meeting of the Council of the Working Men's College in 1923, a resolution was moved supporting the recommendations of the 1922 Conference, it was opposed by the Chairman of the Council who had just returned from a trip abroad armed with a low assessment of the modern factory's need for skilled labour: only one per cent of his workers, Henry Ford had claimed, needed training lasting more than a month. 75 In local engineering works, not yet organised to the same techniques, the Secretary for Labour had reckoned that three-quarters of the men did not need full training. 76

74. Argus, 16 March 1923.
75. Ibid., 24 October 1923.
His estimate may be supported by comparing the level of unemployment in the metal trades generally with that among members of a skilled union in the field. In appears that, whereas the skilled men were often almost fully employed, there was generally a considerable reservoir of unemployed among others in the industry; yet even in the skilled group the supply seems never to have been so desperately short that large numbers could be added without creating a surplus. 77

In terms of actual job descriptions, the low estimate of the need for skilled men was probably not exaggerated; but it ignored one consideration which became evident when attention shifted from the job to the man who did it. The Amalgamated Engineering Union raised this point in the Arbitration Court in 1922 when it argued that, although particular functions in a factory might be highly specialised, a mechanic who was highly specialised "would find his field for employment decidedly limited". 78 It seems reasonable to conclude that, in the factory trades at least, the range of skills of a fully trained man were chiefly of importance to the man himself, as a source of mobility and security.

Against this background we may trace the fate of the 1922 Report and its legislative aftermath. The Minister for Labour, Sir Alexander Peacock, had received the Report at the end of August 1922, and could have claimed that the unanimity he had

77. For the unemployment data, see Forster, op. cit., p. 182.
78. Argus, 31 March 1922.
sought as a condition for legislation had clearly not been achieved. Late in December, at the close of the Parliamentary session, he informed the House that an officer had been appointed to "get to the pith of the reports", and promised to go into the question himself during the recess. 79

In the following year, Parliament was not summoned until July. An apprenticeship Bill was then promised in the Lieutenant-Governor's speech, 80 and was welcomed even by some members of the Legislative Council; 81 but it did not appear. At the end of August, Peacock assured a questioner that the draftsman was busy on the measure. 82 Further questions were asked by Labour in November and December, without eliciting any satisfactory response. 83 Although the Minister claimed to regard apprenticeship as a non-party question, he merely repeated his promise of twelve months earlier, to consider the matter in recess. It seems probable that Peacock was partly distracted by troubles within the Government. The Lawson ministry, having lost supporters within its own party, had resigned in September and resumed office in a reconstituted form, with support from the Country Party. Peacock himself, we should recall, had convened the 1922 Conference and indicated in advance his support for its principal conclusion; 84

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80. Ibid., 1923-4, vol. 164, p. 3.
81. Ibid., pp. 16, 301, 307.
82. Ibid., p. 805.
83. Ibid., vol. 166, pp. 2574, 2977.
84. See above, p. 188.
and had also been prepared to declare publicly his view that any shortage of skilled labour was due to employers rather than the labour laws. 85

During the 1923-24 recess, Peacock succeeded Lawson as Premier; but when Parliament resumed late in April, he clearly felt that his Government had a very uncertain future. Early in May, on being asked again when the promised apprenticeship measure would be introduced, he declined to give any date, saying that he did not know how long the session would last. 86 A fortnight later, his Government had been defeated, and Parliament was first prorogued and then dissolved.

A general election in June resulted in a very complex position in which Labour, under George Prendergast, was able to form a short-lived Government. In that ministry, John Lemmon held the Labour and Public Instruction portfolios; and in one of the few early sessions of the new Parliament he introduced an Apprenticeship Bill. It was read a first time on 2 September, 87 but had not been proceeded with before Prendergast's ministry lost the confidence of the House in November.

A new ministry was sworn in, with the Country Party leader, John Allan, as Premier and Peacock again as Minister of Labour.

85. Argus, 17 October 1923.
In July of the next year, 1925, Peacock at last introduced his Apprenticeship Bill. When its second reading was moved in August, Lemmon accused Peacock of stealing the Labour Party's Bill of 1924 (which had not been printed), but was rebuffed by Peacock with the countercharge that Lemmon, too, had found a copy of a Bill when he had got into office.

In every essential, the Bill embodied the scheme recommended in 1922. It proposed to establish an Apprenticeship Commission of ten members: a President; one representative from each of the Education Department, the technical schools, and the Department of Labour; and three representatives each from the Victorian Chamber of Manufactures and the Trades Hall Council. The Commission was to have power to constitute central trade committees, and on their advice and after hearing other interested parties, to declare trades to be apprenticeship trades subject to the Commission's regulations. These regulations could deal with such matters as the definition of trades; the preliminary education to be required of applicants for apprenticeship; the course of training, including technical classes and workshop experience, which apprentices would pursue; examination and certification; registration of apprentices and limitation of numbers; wages; leave and time off for classes; and the employment of improvers. The Commission would also adjudicate in any dispute between employer and apprentice.

89. 'A Bill to amend the Law relating to Apprenticeship and for other purposes', Vic. Legis. Ass., Bills Introduced, 1925. This membership was identical with that proposed in the 1922 Report, except that the organisations of employers and employees had not been named there.
In the second reading debate, the two principal speakers in support of the Bill were Peacock and Lemmon, from opposite sides of the House. Peacock for the most part relied on the arguments of the 1922 Report, but after explaining briefly the main provisions of the Bill, he stated what he termed some "basic considerations" which suggest that he regarded the measure as one directed towards social justice and national improvement, rather than industrial efficiency in the narrow sense of competitive private enterprise. "Technical training," he said,

imparts address in the practice of a craft, and has to do with the development of character, intelligence and personality that are the real bases of creative industry. The education of the employee makes him a more valuable social unit. When a man applies superior intelligence to his craft he relieves it of some of its mechanical drudgery. The apprentice is not only entitled to a sound systematic training in his own interests, but should also have it in the public interest...The State being interested, its rights and interests have to be declared.... workshop training and other workshop conditions will have to be so organized as to offer a suitable field for the development of a body of skilled workers whose physical, mental, and moral qualities will assure the public welfare.

Lemmon hopefully urged the service which a skilled workforce could provide in achieving "the progress we ought to make", but he too spoke mainly in terms of social justice and welfare. Australian youths, he declared, had a moral right to be trained as well as youths in any other country; and the health of the community would be improved by providing such training, for there was hardly a single artisan in Melbourne's main jail.

91. Ibid., p. 355.
92. Ibid., p. 1045.
To these reasons Frank Groves, who had sat with Lemmon on the 1922 Conference, added that because of the looseness of existing arrangements the State had not received "benefit in proportion to the outlay" on technical education. 93

The Chamber of Manufactures had circulated a report criticising many of the provisions of the Bill. 94 The proposed Commission, it objected, was too large and likely to be biased, and should have had advisory rather than regulatory functions; the central trade committees could be omitted and their work performed by the wages boards, as recommended in 1913; the conditions for apprentices would impose an unbearable load on employers; the employment of unindentured apprentices and improvers should not be restricted; Victorian manufacturers would be placed at a disadvantage in competition with their interstate and overseas rivals; and in any case the Federal Arbitration Court could override the proposed Commission to the inevitable detriment of employers who were, in the words of the member who put the manufacturers' case, already "banished about from the Arbitration Court to a Wages Board". 95 In one exasperated and revealing sentence the report complained that "There is too much Commission and too little of the employer in the whole business." And in terms of concern which were by

93. Ibid., p. 1067; see also an Age editorial, 11 September 1925, which took up the same point; and a confirmatory comment by the Principal of the Gordon Technical College, Argus, 17 September 1925.


95. Ibid., p. 1054.
now familiar, it concluded that "the burden of educating the apprentices...is to be borne solely by the employers, and it is to be feared that if [the Bill] became law, apprenticeship would be discouraged and the training of skilled men would be thwarted."

At the committee stage, some of these criticisms resulted in amendments. The membership of the Commission was reduced from ten to seven, by excluding the representatives of the Education Department, the technical schools and the Department of Labour;\textsuperscript{96} and time off for school during working hours was limited to four hours a week.\textsuperscript{97} Objections to other clauses were raised but were for the most part withdrawn on assurances from Peacock.\textsuperscript{98} On one vital clause, that affecting the employment of improvers, conservative opinion tended one way and Labour opinion the other, so that in the upshot the clause remained unamended.\textsuperscript{99} The clause proposed to prohibit the employment of new improvers in any trade which was under consideration by the Commission or which it had already declared to be an apprenticeship trade, except with the Commission's approval and under its terms and conditions,

> Provided that the Commission after consultation with any central trade committee may exempt from the provisions of this section any improver or any class or classes of improvers in any apprenticeship trade aforesaid whose employment is not, in the opinion of the Commission, of such a nature as will permit or require him or them to become a skilled craftsman or skilled craftsmen.

\textsuperscript{96} Ibid., vol. 170, pp. 2049-53. It was objected that these members, having no financial responsibility for the Commission's decisions, might tend to side with the union representatives.

\textsuperscript{97} Ibid., p. 2060.

\textsuperscript{98} E.g. ibid., pp. 2057-75, passim.

\textsuperscript{99} Ibid., pp. 2076-9.
The Bill passed the Lower House on 19 November 1925, in an atmosphere of compromise and conciliation.\(^1\) When it was introduced in the Council a week later, an adjournment was immediately secured "to allow employers particularly to deal with the measure, and make representations".\(^2\) Once debate was resumed in earnest on 9 December, it was clear that employers had indeed made their representations and had found their spokesmen. One honourable member, who two years earlier had applauded the announcement of an impending apprenticeship measure with the remark that the question had been "scandalously neglected for years",\(^3\) now complained that "Every plank a board" was the Government's policy. He argued that the Bill was unnecessary because many trades "suitable to apprenticeship" were already working under adequate Arbitration Court awards or negotiated agreements; that the co-existence of the Federal Court and the wages boards made the proposed Commission a superfluous and dangerous nuisance, since employers would "never know where they are" and might be driven away from Victoria; and that, as few all-round men were needed under modern conditions, to prohibit improvers would "entail a big tax" on industry. "As to employees," he admitted, "I am not in a position to speak; but as to the employers..."\(^4\) To hear him speak, one of his fellows remarked admiringly, "one would have thought that he was a captain of industry."\(^5\)

1. Ibid., pp. 2228-30.
2. Ibid., p. 2271.
5. Ibid., p. 2825.
Other honourable members - one with a family interest in
tanning and leather goods, and another a manufacturers' agent
with interests in the steel industry - supported him; then a
third, associated with textile manufacture, moved to postpone
the Bill for six months. Referring to the clause which would
have empowered the Commission to adjudicate between an
apprentice and his employer, he objected hotly:

I think honourable members will readily perceive what
sort of chaos that would introduce into a large factory
if the Commission decided in favour of the apprentice.
To what state would the discipline of that establishment
drift in twelve months' time?6

Clearly, conservative employers would not be saddled with
responsibilities, nor yoked to the cart of industrial training,
unless they could see their clear advantage. When one of the
few members to speak for the Bill pointed out that in Queensland,
where an Apprenticeship Act had been passed the year before, both
employers and employees worked amicably to turn out competent
tradesmen, an interjector jeeringly asked "How do they employ
them when they are turned out?"7 The motion to defer the
measure was passed by eighteen votes to ten.

Thus the 1925 Bill was laid aside. The Employers'
Federation had "sounded the death knell".8 But the departed
soul did not rest in peace.

6. Ibid., p. 2831.
7. Ibid., p. 2835.
8. Ibid., p. 2837. The charge was made by one of the members
who supported the Bill; it was later repeated by Peacock,
Argus, 10 April 1926.
Chapter VIII

APPRENTICESHIP ACT, 1927

The Allan-Peacock ministry, which relied on Nationalist and Country Party support, remained somewhat unsteadily in office until early in 1927. Some of those who propped it up did so only to secure an electoral redistribution, which the Labour Party later claimed had handicapped it by almost 100,000 votes.¹ At the triennial election on 9 April 1927, despite the redistribution, both the Nationalist and the Country parties lost seats, mainly to Country Progressive and independent candidates who had shown no fondness for the previous ministry. Whereas the Nationalist-Country Party coalition had usually been able to count 35 heads out of 65 in the Lower House of the old Parliament, in the new it could count only 29. After some delay, during which the possibility of a united anti-Labour government was first canvassed and then abandoned, the Allan-Peacock ministry resigned, and a new ministry was formed under the Labour leader, E.J. Hogan. John Lemmon again became Minister of Labour and Minister of Public Instruction.

Soon after the new Parliament met, Lemmon introduced an Apprenticeship Bill which, apart from its more concise wording and neater arrangement, differed very little from the Bill which the Legislative Assembly had sent to the Council in 1925.² The proposed Apprenticeship Commission had, however,

¹ Argus, 11 April 1927.
² 'A Bill to amend the Law relating to Apprenticeship and for other purposes', Vic. Legis. Ass., Bills Introduced, 1927.
been reduced from seven members to five by reducing from three to two the representatives of both employers and employees - a suggestion made earlier by the Chamber of Manufactures.\(^3\) The second reading of the Bill was moved on 6 September 1927; by 8 November, after only slight amendment and scant opposition, it had passed all stages in the Assembly, and again the concurrence of the Council was desired.

In that plush chamber, although the measure was at first characterised as "an academic one" which would subject industry to "extraordinary experiments", it was conceded that it might possibly be "emasculated to make it a common-sense measure".\(^4\) The Bill was referred to a Select Committee on whose recommendation, three weeks later, it was passed by the Council with certain amendments. Back in the Lower House, on the next day, those amendments were accepted in globo; and five days later, on 21 December, with the seal of vice-regal assent, the Bill became the Apprenticeship Act of 1927. Less than five months had elapsed since its introduction.

Thirty-one years earlier, the Factories Act of 1896 had first altered conditions of apprenticeship in Victoria. Twenty years earlier, at the Apprenticeship Conference of 1907, the principles of the new legislation had been formulated. Two further conferences and four unsuccessful attempts at legislation


had preceded the present statute. How, after so much delay, had it now come to pass? What, indeed, had happened?

During its passage through Parliament, the Bill had again been presented as a measure designed to produce three sorts of benefits. First, it would assist industrial development; second, it would have desirable social consequences; and finally, it would secure the effective use of technical education. None of these alleged prospective benefits, however, went uncontested.

"Skilled tradesmanship," John Lemmon claimed in his second reading speech, "has a very important bearing on the output of our manufactories."⁵ And the Leader of the Opposition in the Assembly, although he had dutifully voiced the objections of the Chamber of Manufactures in 1925, now agreed that the Bill was necessary to secure proper training and allowed that "only in that way can our manufacturers hope to succeed".⁶ In an excess of sanguine fancy another member declared himself satisfied that if a proper system of apprenticeship were introduced, Victoria's young artisans would be "capable of inventing machinery which will surpass even the great inventions of the older nations of the world".⁷

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5. Ibid., vol. 173, p. 1071.
7. Ibid., p. 1443.
But those in the Council who looked closely at the Bill with suspicious or malignant eyes, fixed their scrutiny on clause 31, which would have allowed the Apprenticeship Commission to exclude improvers from skilled trades so that all those entering them would receive the benefits of full training. This clause seemed to some "a camouflage, in the interests of the unions". The exclusion of improvers, it was objected, would result in increased costs which, although they might be passed on to the purchaser, and might be covered in local markets by tariff protection, would handicap Victorian manufacturers in competition for overseas markets. The improvers clause was, one member said, "the most dangerous provision in the Bill". Not only would it increase costs but it would do so unnecessarily. "Are we going to take lads from school," he asked, "and make them skilled mechanics in trades where they are not wanted?" The Select Committee of Council heard the same point of view from employers whom it consulted. The works manager of a large engineering firm assured the Committee that apprentices were not needed and that employers preferred to absorb unskilled labour; there was, he said, a risk of producing "too many craftsmen, and not enough skilled operatives to manipulate the labour-saving machinery that would come with industrial progress". The chairman of directors and general manager of Victoria's largest agricultural machinery

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8. Ibid., p. 2787.
9. Ibid., pp. 1438, 2777, 2780, 2785.
10. Ibid., p. 2778.
plant told the Select Committee that 103 apprentices out of 2,000 employees was sufficient to ensure his future need for skilled men, and the clause therefore would "seriously affect progressive factories where labour-saving machines of the most modern types necessitated the employment of unskilled labour". And even after the Act had passed, the iron and steel section of the Chamber of Manufactures warned the newly appointed President of the Apprenticeship Commission that it was "alarming to know that for lots of machines that can be efficently operated after a few months' training the Government is going to give us a set of highly trained men".

Moved by such arguments, in particular, the Council had killed the 1925 Bill. Now, in 1927, it found a way of "emasculating" the offending clause. As presented to the Council, the clause was virtually identical with that in the 1925 Bill, of which we have already quoted in full the portion which the Council now amended. It changed the emphasis, from a proviso that the Commission might exempt certain improvers, to a bald direction that "This subsection shall not apply to any improver...whose employment is not of such a nature as will permit or require him...to become a skilled craftsman..." In doing so, it deliberately omitted any reference to "the opinion of the Commission", with the result that, in any proceedings under the clause, the nature of the employment,

13. See above, p. 218.
and not merely the Commission's decision, would have to be proved. 14 There was added, as an additional safeguard, a further provision that no proceedings should be taken under the section

unless the Commission, after notifying such person [the offending employer]...and after considering any representations...whether by or on behalf of such person, or by or on behalf of any other person or body of persons claiming to be interested in the matter, recommends to the Minister that such proceedings be taken.15

It had also been pointed out in the Council that there would be "considerable danger" in allowing the Commission, despite its expertise, to decide which trades should be apprenticeship trades, since this was a much disputed matter. 16 An amendment was now included to provide that Parliament might require any proclamation by the Commission to be amended, varied or revoked.17 In this way the lines of influence were kept open.

Having drawn the teeth of the Bill, the Council congratulated itself on having found a way to deal with measures "of a sectional nature" which, it graciously conceded, had "always some groundwork in them, and some reason why they are submitted".18 How apt was an observation in the official

15. Ibid., p. 3592.
17. Ibid., vol. 175, p. 3594.
18. Ibid., p. 3601.
organ of the Victorian Employers' Federation for that year: "Either from motives of indifference, plain ignorance, or frank refusal to accept responsibility, the Opposition in the Lower House has leaned entirely on the Upper House throughout the session, and forced the Council to do much of the work which obviously should have been done by those elected as non-Labour candidates to seats in the Legislative Assembly." 19

Although the hope of improving industrial efficiency may have contributed to the introduction and wide acceptance of an apprenticeship measure, it could scarcely be said that the passage of the Apprenticeship Act was due to any widespread pressing need for skilled labour. In fact it is interesting to observe - although it could not be construed as evidence for this view - that in each of the three years in the twenties when apprenticeship legislation was initiated, the Chief Inspector of Factories reported a generally adequate supply of skilled men. In 1924, both skilled and unskilled were "plentiful"; in 1925 the "demand...was not equal to the supply"; and in 1927 even skilled workers, when put off, found jobs scarce. 20 What, then, was the essential nature of the Apprenticeship Act?

"A matter of this kind," John Latham had said, "...is educational rather than industrial. A boy should be regarded

as a student rather than a producer."\textsuperscript{21} In part he seems to have had in mind an education of character: "A craftsman respects himself; he has his livelihood at his fingers' ends. Not for him the lazy leaning habit; he wouldn't care if every verandah in Bourke-street was of the cantilever variety."\textsuperscript{22} With this point the Leader of the Opposition agreed: "The discipline that they undergo makes them better citizens."\textsuperscript{23} And in the Council the same sentiment was heard: "Our boys who attend technical schools are kept off the streets...That, alone, is worth a great deal to the State."\textsuperscript{24}

The Bill was educational, too, in a much more specific sense, since it sought to strengthen the links between industrial training and the technical schools. The Apprenticeship Commission would be able to prescribe attendance at courses, as well as the scope of workshop training; and it would be able to define acceptable standards of preparatory education. This educational function of the Bill was seen by many as its most important \textit{raison d'etre}.

Between 1920 and 1927, enrolments in junior technical schools had more than doubled.\textsuperscript{25} Increasingly, children transferred to the junior schools at the age of 12 to get two

\begin{itemize}
\item \textsuperscript{22} Ibid., p. 1072.
\item \textsuperscript{23} Ibid., vol. 174, p. 1435.
\item \textsuperscript{24} Ibid., p. 2783.
\item \textsuperscript{25} The figures may be found in the annual reports of the Minister of Public Instruction in Vic. P.P.
\end{itemize}
years of some sort of secondary education within the compulsory period, rather than at 13 with a clear vocational ambition. Donald Clark, the Chief Inspector, complained that this tendency put improper strains on the schools, which could not find staff for these young beginners, especially in general subjects, and also led to "an apparently inflated, but not real increase in the cost of technical education". He wished to preserve the junior technical schools for a specialised, capable, vocationally oriented group, rather than see them become an alternative form of general post-primary school for those who couldn't hope to succeed in professions.

The junior schools had proved an effective feeder to the senior technical schools, although the latter still drew most of their students from other sources. But there remained, in the senior schools, in trade courses particularly, a problem of 'wastage' to which attention was increasingly directed. From figures quoted in Parliament and in the reports of the Chief Inspector of Technical Schools, it is clear that many trade students did not complete a full course. This problem in the senior schools tended to be lumped together with the fact by no means all of the pupils from the junior schools went on to senior technical courses. Critics

27. Ibid., 1927-28, pp. 24-5.
30. Of those who did, however, more completed their courses than did students from other sources; see ibid., pp. 28-9.
looked at the total expenditure on technical education, which rose from £192,000 in 1920-21 to £347,000 in 1926-27, and asked whether the State was getting "the true value of technical education". Some even spoke of "the rank failure of technical schools".

The Apprenticeship Bill was seen as a means of ensuring articulation within the system and of compelling students to complete their courses. One Parliamentarian, who had been for some years a prominent member of the Council of the Caulfield Technical School, went as far as to suggest that "If this Bill is not enacted, it is a question whether serious consideration should not be given to spending no more money on technical education."

The importance of the Bill in this respect was not, however, regarded in the same light from all sides. Union opinion was strongly in favour of compelling attendance, as far as possible in the employers' time, in the interests of apprentices themselves, who, if they had not had the breadth of training provided by the schools, might find themselves, if they lost their employment, unable to fill vacancies which occurred in other sections of the trade.

32. Ibid., p. 2775.
34. Ibid., vol. 174, p. 1444.
35. Ibid., p. 1723.
employers, on the other hand, believed that there was "no necessity for some of the instruction given in these schools", and that the remedy for the wastage lay in making the work of the schools of greater value to students in the occupations they intended to enter. 36  They did not push these objections too far, however, since in general it was at least cheaper to have the State provide schools than to have the whole cost of training borne by employers. They concentrated these shots on the time-off provisions of the Bill. Since they considered that a full course of training would benefit the employee rather than his employer, they sought to have time off for technical instruction, which had already been limited to four hours a week, further confined to the first two years of an apprenticeship course. 37 Even after the proclamation of the Act, such rumblings continued: in the printing trade, for example, it was said to be "not fair for employers to have to pay for time for apprentices to receive instruction in English, writing and similar subjects, instead of receiving the special training required for the trade to which they are apprenticed." 38

To the administrators of State education, the Bill was a happy circumstance. On the evening after its passage, Frank Tate, the Director of Education, responding to a toast at the

36. Ibid., pp. 2777-8, 2781-2.
37. Ibid., vol. 175, pp. 3598-9.
annual dinner of the Technical Instructors' Society, declared that he "could not imagine anything more valuable".\(^{39}\) Probably he saw it as securing one part of the structure of post-primary education, so that attention could be focussed on other parts - general continuation classes, for example, as advocated by the Council of Public Education.\(^{40}\) Donald Clark, Chief Inspector of Technical Schools, though he had consistently preferred incentives through licensing to compulsion by legislation, admitted that the operation of the Act should have a dominant and stabilising effect on industrial education.\(^{41}\)

An educationist was likely to be chosen to head the proposed Apprenticeship Commission.\(^{42}\) To industrial interests, Clark, although he had always wished his schools to be "technical" rather than merely "practical",\(^{43}\) was preferable to the generalists of the Education Department. The Select Committee of the Council in 1927 recommended an amendment to the qualifications required of the President of the Commission, so that he "should not be selected from the general education branch, but from the technical side of the Department".\(^{44}\)

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42. This probability was greater after the Departmental and technical school representatives were omitted from the proposed Commission in 1925.


(It also recommended that the Act be administered within the Department of Labour rather than the Department of Education, on the ground that the former had greater practical knowledge of industry.45) The wish of the Committee was satisfied: the first President of the Commission was E.P. Eltham, who had been Clark's assistant in the Technical Schools Branch and who later succeeded him as Chief Inspector.

One particular problem associated with the linking of trade training and technical schools deserves special mention because it sidelines a confusion which bedevilled apprenticeship proposals for many years. We have seen that the Commonwealth Arbitration Court had made a number of awards in which it had allowed apprentices time off to attend technical schools.46 The intention of these awards was sometimes frustrated by lack of co-ordination between the Court and the State authorities which provided technical schools. In his dissenting report after the 1922 Conference, Donald Clark had written:

The Federal Arbitration Court allowed boys in the engineering trade one half-day per week off if they wished to attend Technical Schools. Unfortunately, neither the Education Department nor the schools were consulted and, in several instances, it was not possible to make any provision for the boys who attended.47

From another point of view it could be said that "The State owns the schools, but the Commonwealth Arbitration Court

45. Ibid., p. 3592.
46. See above, p. 180. For examples of subsequent similar awards, see those for boilermakers (C.A.R., vol. 20 (1924), p. 828) and moulders (ibid., pp. 922-3).
provides whether apprentices shall have time off to attend them or not." Apprenticeship Bills in the twenties were designed to ensure co-ordination between a State Apprenticeship Commission and the State Education Department - and in fact this co-ordination proved fruitful - but the shadow of the Commonwealth Court hung over this and many other aspects of apprenticeship proposals.

Employers continually complained that they found themselves confused and confounded between Arbitration Court and State wages board determinations. In view of this difficulty they were opposed to the establishment of a third tribunal regulating apprenticeship conditions. We have already seen how the conflict between State and Federal decisions was dealt with before the war of 1914-18. In the Boot Factories Case in 1910, the High Court had ruled that Commonwealth and State decisions were not necessarily inconsistent - and, therefore, that the State law was not necessarily overruled provided that it was possible to conform to both. There remained, however, the problem of overlapping and the possibility that a State scheme might be wrecked by Federal intervention. Confronting this difficulty in 1922, the Apprenticeship Conference had recommended that the State should


49. For example, the 1925 Bill, clause 16(3), provided that central committees must consult with the schools before making educational recommendations to the Commission.


51. C.L.R., vol. 10, pp. 266-341.
make representations to the Commonwealth Government in order that the Federal Arbitration Act may be amended so as to provide that where in any trade a scheme of apprenticeship has been approved by the proposed Commission, such scheme shall be accepted by the Federal Arbitration Court for the purpose of apprenticeship of such trades in the State of Victoria. 52

The fears of employers were not easily allayed. Generally, given the latent strength of the Federal Court, they wished by the twenties to see it buttressed until it became the sole industrial tribunal. 53 Until that single tribunal was achieved, and as long as the rule in the Boot Factories Case obtained, they believed that "the employee would have the benefit of the bargain on each occasion". 54 In its report on the 1925 Apprenticeship Bill, the Victorian Chamber of Manufactures had complained that, even where - as in New South Wales - State apprenticeship regulations existed, the Federal Court had not been prepared to completely exempt from the relevant parts of its award those employers who were also bound by State regulations. 55

In an important decision in 1926, in Cowburn's Case, 56 the Full Bench of the High Court altered the test of inconsistency which had been adopted in 1910. In the words of Justice


53. See, for example, the remarks of an employers' advocate before the Arbitration Court, Age, 5 September 1925; and an article by the President of the Victorian Employers' Federation, Employers' Monthly Review, vol. 24 no. 3 (March 1927), p. 29.


Isaacs's judgement, "If...a competent legislature expressly or impliedly evinces its intention to cover the whole field, that is a conclusive test of inconsistency where another legislature assumes to enter to any extent upon the same field." In other words, it could now be argued that if the Federal Court awarded certain conditions in regard to apprenticeship and these could be construed as part of its intention to cover the field in exercising its arbitral function, then any State law inconsistent with that award would be inoperable in as far as it applied to parties bound by the Federal Court's award.

During the passage of the 1927 Bill, the implications of this decision were sometimes exaggerated: "If the State industrial law is consistent with the Commonwealth award there is no necessity for the State law, and if it is inconsistent with the Commonwealth award it will not operate - so where are we?" But there remained a genuine concern about the viability of determinations by the proposed Apprenticeship Commission, and a better reason than before for suggesting that it would now be rendered unnecessary. On the first point, although recognising that the Commission's wage-fixing powers might be exercised on sufferance, the Lower House seemed generally to accept Lemmon's assurance that the Federal Court "would be only too glad to avail itself of our regulations, and to make them part and parcel of any award affecting

57. Ibid., p. 222.
apprenticeship".  

(At one stage, in an attempt to ensure that the Bill would not be inconsistent with Federal awards, Lemmon and the ministry fell severely out of favour with their own supporters when they relied on Opposition votes to secure an amendment of the maximum term of apprenticeship from five years to six because some Federal awards had included a six-year term.)

On the second point, the alleged redundancy of legislation, there was some puffing and blowing, but no insistence. The chief industrial officer of the Chamber of Manufactures told the Council's Select Committee that employers would not put up with "humbugging duplication"; but he acknowledged, too, that the apprenticeship field left for the State to cover was in his opinion so small as to be "not worth legislating for". The point had lost much of its former bite; and in any case, as we have seen, a way had been found to blunt the sharpest features of the Bill.

What, indeed, had happened? Out of a concern for social and industrial justice, the State had begun to dabble in apprenticeship in 1896. As the problems of vocational training under modern conditions became clearer, a plan was

60. Vic. Parl. Deb. 1927, vol. 174, pp. 1732-44 and 2381-93. A special meeting was called at the Trades Hall Council - 
Argus, 25 October 1927.
61. Argus, 8 December 1927.
then devised for co-ordinating both industry and education in a new partnership with the state. Adoption of that plan was delayed, however, by the inadequacy of educational facilities; and by a continuing conflict between the needs of individuals, desiring social and economic freedom, and the needs of industrial organisations, which would employ them as functionaries in production. An impetus towards decision was given by tribunals concerned more with social justice than efficient production, and by a scheme designed for the rehabilitation of men rather than the rehabilitation of industry. The technical school system developed the capacity to run in double harness with apprenticeship; while the concern of the state, in the interests of the community at large, began gradually to dominate the sectional concerns of industrial disputants. As long as the regulation of industrial training remained unco-ordinated, the capacity of the schools was not fully exploited; and the state, having developed its schools in the hope of curing present evils as well as preventing them in the future, found itself embarrassed by a costly, promising, but apparently unrewarding facility. In the circumstances, it was convenient to enforce the planned partnership between education and industry, and to plead in its favour the ultimate benefit to both industry and society. The opponents of this partnership were no more convinced than before, but they now had less to fear. At bottom, the 1927 Act was designed to remedy not an immediate deficiency of skilled workmen but a supposedly deficient return from technical education. It was at once strongly prospective, and twenty years too late.
Whether it was necessary is difficult to decide. Except in a few 'hand' trades, and a few which were rapidly developing (such as the automotive and electrical trades), there was probably no purely technical need for all recruits to develop the range of skills envisaged by the sponsors of the Act. By a different decision, and under different conditions of employment and re-employment, the cost of that training to the community - in the provision of technical education and the price of goods and services - might have been spent on continued education which gave greater emphasis to industrial man as a political and social being as well as a producer. But the 1927 Act represented a decision in favour of an education that was supposed to yield some return on investment.

Whether that return was made, and in what form, is a matter for further investigation. Were skilled workers, for example, underemployed in the following decade - even when at work? Did they have significantly greater mobility or security because of their skill? Did they provide a base from which industrial initiatives developed?
Appendix 1

FORM OF INDENTURE

Prescribed in the Boot Factories Case, 1910
(C.A.R., vol. 4, pp. 30-1)

This indenture of agreement made the day of 19
between of (hereinafter called the employer)
of the 1st part, and of (hereinafter called the
apprentice) of the 2nd part, and of Father of
the apprentice (and hereinafter called the father) of the 3rd part
Witnesseth.

1. The apprentice of his own free will and with the consent
of the Father hereby binds himself to serve the employer as his
apprentice as hereinafter mentioned for the term of years
from this date.

2. The master covenants with the father and the apprentice,
and with each of them separately—

(a) That he will accept the apprentice as his apprentice
for the said term of years, and during the
term will instruct the apprentice or cause him to
be instructed in the functions or processes
of and will furnish the apprentice with
all materials and facilities available for learning.

(b) That he will pay to the apprentice weekly during the
said term the wages prescribed by the award of the
Commonwealth Court of Conciliation and Arbitration,
dated, the 1910.
3. The father covenants with the employer -

(a) That the apprentice shall truly and faithfully during the term serve the employer as his apprentice as aforesaid, and shall diligently attend to the business, and at all times willingly obey the lawful commands of the employer, and shall not absent himself from the employer's service without the leave of the employer, or in accordance with law.

(b) That in case the apprentice be at any time during the term wilfully disobedient to the commands of the employer, or be habitually slothful or negligent, or otherwise grossly misbehave himself towards the employer, the employer may discharge the apprentice from his service.

(c) That the employer may deduct from time to time of the wages to be paid to the apprentice such sums as may be reasonable for any loss of time occasioned by the absence of the apprentice from his employment for any cause other than the acts, defaults, or commands of the employer or as the results of statutory enactment.
Appendix 2

EXTRACT

from the

ENGINEERS' AWARD, 1921

(C.A.R., vol. 15, pp. 334-5)

APPRENTICES

2. (a) Except as provided in sub-clause (g) the minimum rates of wages to be paid by any respondent to apprentices shall be as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Per week</th>
</tr>
</thead>
<tbody>
<tr>
<td>First year</td>
<td>17 s. 6 d.</td>
</tr>
<tr>
<td>Second year</td>
<td>25 0</td>
</tr>
<tr>
<td>Third year</td>
<td>40 0</td>
</tr>
<tr>
<td>Fourth year</td>
<td>60 0</td>
</tr>
<tr>
<td>Fifth year</td>
<td>70 0</td>
</tr>
</tbody>
</table>

But to apprentices in patternmaking 2s. 6d. per week more each year.

(b) But for any overtime the minimum rate shall be equal to that which would be payable for that time to journeymen in the trade which the apprentice is learning.

(c) Apprentices may be taken for a period not exceeding five years for any one or more of the following trades:

- Patternmaker, coppersmith, blacksmith, brass finisher,
- brass moulders, brass coremaker, fitter, electrical fitter, turner, motor mechanic, plumber, roll-turner.

(d) The number of apprentices that may be taken by any respondent for any of the said trades shall not exceed one for every three journeymen employed by him in the trade and one for
any surplus of journeymen over three or its multiple.

But this limitation of apprentices may be altered in the case of any particular respondent with the written consent of the claimant or of the appropriate Board of Reference.

The number of journeymen employed in the trade at any time shall be treated as being the average number employed regularly for the preceding six months (that is to say) the integer which is nearest to that average.

Any employer who works as a tradesman in his own undertaking may be counted as if he were a journeyman employed in the trade at which he works.

(e) Lads may be taken on probation for a period not exceeding three months before being apprenticed but they shall be counted as apprentices in reckoning the number of apprentices and the period of probation shall be treated as part of the term of apprenticeship.

(f) Each apprentice shall be permitted by his employer to absent himself during ordinary working hours for four hours every week for the purpose of attending a suitable technical school or other school approved by the claimant or by the appropriate Board of Reference. Or if there be no such technical or other school approved as aforesaid then to pursue a technical course with a correspondence school approved as aforesaid.

If the apprentice produce a certificate from the school showing that he has given satisfactory attention to the work of the school for a quarter or other terms then for that term there shall be no deduction from his pay for the time of absence and the school fees shall be paid by the employer (unless paid by the State Government).
(g) Notwithstanding the premises any employee under 21 years in the employment of a respondent on the 1st January, 1921, on terms permitted by the appropriate State laws shall be deemed to be an apprentice if either (a) he has been bound before that date for a period not exceeding six years or if (b) within two months after the date of the award he become bound as an apprentice under a suitable indenture for five years apprenticeship binding the employer in either case (a) or (b) to teach the employee one of the hereinbefore mentioned trades in or in connexion with which the employee has been working. And the period of his working in or in connexion with that trade before the date of the award shall be treated as part of the period of apprenticeship. And the minimum rate to be paid to him from time to time shall not be less than the minimum rate prescribed by or under the appropriate State laws.
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