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Liquor, temperance and legislation: The origins of six o'clock closing in Victoria during WWI

Liquor legislation in Victoria has always been a lively area of the law and it was particularly the case during the late nineteenth and early twentieth centuries. Long before the start of the First World War, various groups promoting abstinence from alcohol had brought pressure to bear on the Victorian Parliament. Numerous temperance organisations, churches and social reformers waged tireless campaigns against alcohol consumption, having some success but never achieving a total prohibition on alcohol at federal or state level in Australia.¹ Over the years, a number of state parliamentarians were also prominent in the temperance debates. In 1915, the Parliament legislated to change the closing times of Victorian hotels from 11.30pm to 9.30pm, and then to the earlier closing time of 6pm in 1916. The six o'clock closing time was made permanent after the war in 1919 and it remained that way in Victoria for 50 years, until 1966.

Early liquor legislation and temperance interests

The control of liquor licences and trading hours in Victoria has been an issue of enduring concern to the Parliament. Since separation from New South Wales in 1851, Victoria has amended, reviewed and rewritten its liquor laws many times. Trading hours were an area of interest as early as 1854, when an Act was passed to impose licence fees of £100 and to end Sunday trading (with the exception of sales to hotel lodgers) in Victoria. Ten years later, the *Wines, Beer and Spirits Sale Act 1864* introduced a wide range of licence types and allowed publicans to trade from 6am until midnight,² effectively deregulating the licensing laws in Victoria.³ The power to grant and transfer licences was then held by justices of the peace.⁴

Temperance organisations appeared in Australia in the 1830s, initially with the aim of moderating excessive alcohol consumption in society. By the turn of the century the temperance groups generally campaigned for total abstinence from all

alcoholic beverages.⁵ Over a period of many years, temperance interests sought to influence Victorian liquor laws, with mixed success. One of the earliest temperance groups established in Melbourne was the Total Abstinence Society, founded in 1842. The Society embarked on its work for 'the prevention and cure of intemperance',⁶ with 'ceaseless activity' in its promotion of the cause of national sobriety.⁷

The Temperance League of Victoria was established in 1857 by the 'fervent believer in temperance' and Victorian Member of Parliament for East Bourke, Richard Heales. Mr Heales had been active in the Total Abstinence Society and later travelled overseas, returning to find that the burgeoning drinking culture of the Victorian gold fields was in the ascendancy. The rapid influx of gold-seekers to Victoria dramatically increased beer and spirit consumption; drinking peaked along with the economy.⁸ Mr Heales set up the Temperance League to co-ordinate the work of the existing temperance societies and went to the rescue of Temperance Hall in Russell Street, which

he had helped to build and was experiencing financial troubles.⁹ When Mr Heales died at the age of 42 in 1864, *The Argus* newspaper noted the passing of one of the 'most zealous and industrious' of public men.¹⁰



Richard Heales (Image: Parliament of Victoria)

A Victorian Royal Commission in 1867 reported on the operation of the 1864 Wines Act, finding that the Act had 'operated most perniciously' and that the regulation of the liquor trade needed to be improved.¹¹ The Commission's recommendations were translated into amending legislation in 1870. The 1870 Act (*The Wines Beer and Spirits Sale Statute 1864 Amendment Act 1870*) disallowed several types of licence, including night and grocers' licences, but still permitted the sale of alcohol between 6am and midnight. It also allowed for the possible restriction of licences by considering objections (from Councils on behalf of ratepayers and other licensees) which could cause new licence applications to be refused.¹² During the same period, the organised temperance movement in Victoria began to grow large enough to exert some influence on the public debate over liquor.¹³

Local option and the temperance resurgence

In the early 1870s, several Members of Parliament promoted 'Permissive' Bills, most notably James Casey (the Member for Mandurang) and George Higinbotham (the Member for East Bourke Burroughs and later Chief Justice of Victoria). The Bills were based on the British model of local option arrangements, which gave ratepayers the chance to close neighbourhood licensed premises by way of a majority vote.¹⁴ At a Permissive Bill Association meeting in June 1873, it was noted that two previous attempts to pass the legislation had not fared well in the Victorian Legislative Council, but that Mr Casey would sponsor the Bill again. Association President, Mr Higinbotham,

said it was for the people 'to say whether or not intoxicating drinks should be sold in their districts' and the legislature should enable that to happen.¹⁵ Two Permissive Liquors Sale Bills were introduced by Mr Casey in the Legislative Assembly in 1873; the first was eventually withdrawn and the second was to be considered further in committee but the order lapsed in November that year.¹⁶

The tightening of licensing conditions did continue with the *Licensing Act 1876*, which required any new licences to be approved by the majority of municipal ratepayers in a licensing district.¹⁷ The 1876 Act responded to the interests of both the temperance movement and the publicans (represented by the Licensed Victuallers' Association) who had organised a joint conference in 1874. As an editorial in *The Age* newspaper noted, the two groups had some major points of agreement with more restrictive legislation: the teetotallers hoped to reduce drunkenness and the publicans were anxious to keep the liquor trade 'in as few hands as possible'.¹⁸ Opportunities to buy alcohol were certainly plentiful. In 1878, with a total population of just under 880,000 people,¹⁹ Victoria 'boasted 4,320 hotels, 334 licensed grocers, 113 wine saloons, 500 spirit merchants and 104 brewers.'²⁰

An international temperance conference, claimed to be the first in Australia, was held in Melbourne in 1880.²¹ The Victorian Alliance group was formed the following year to co-ordinate and progress temperance objectives. Its inaugural meeting was attended by several Members of the Victorian Parliament. James Munro, at that time the Member for Carlton, chaired the meeting and Alfred Deakin, the Member for West Bourke (and future Prime Minister of Australia), moved a resolution stating that 'the traffic in intoxicating liquors for consumption as beverages is detrimental to the best interests of society, and retards its progress, physically, morally, and religiously.'²² Not all members of the Alliance were total abstainers but the majority pledged to give up all alcohol as they vigorously pursued their goal of local option legislation.²³

The economic boom years of the 1880s saw the opening of temperance hotels, or 'coffee palaces', where travellers could stay without being tempted by alcohol.²⁴ Mr Munro was prominent among the coffee palace developers and he was involved with a number of temperance establishments, notably the Federal, the Victoria and The Grand (renamed the Windsor Hotel in

1920). He was also a member of 'every notable temperance organisation' active in Melbourne at the time.²⁵ Mr Munro's many speculative business dealings were somewhat profitable during the boom but ran aground during the financial crisis of the early 1890s,²⁶ which coincided with his term as Premier.

Temperance groups sprang up all over Victoria and numerous churches took a prominent role in the promotion of abstinence. A number of religious denominations, particularly the Methodists, Congregationalists, Baptists and Quakers, were actively involved in the movement.²⁷ The Blue Ribbon movement, also known as 'gospel temperance',²⁸ formalised its presence in Victoria in 1883. Based on an organisation in the United States, the movement issued blue ribbons to those who took the pledge and committed to being 'thorough and total' abstainers.²⁹ A lead children's temperance organisation, the Victorian Band of Hope Union, was set up in Melbourne in 1884 to coordinate the efforts of existing groups based in church Sunday schools, and to build their membership.³⁰ Friendly societies such as the Independent Order of Rechabites and the Independent Order of Good Templars were also strongly in favour of the temperance cause.³¹

Women's involvement

Women became heavily involved in the temperance issue, at first by contributing to the women's committees of existing temperance groups and later through their own organisations.³² In January 1885, *The Age* newspaper remarked that a temperance meeting of an 'unusually interesting character' was to be held in the Temperance Hall. It was considered unusual because the platform was to be occupied, and the meeting conducted, entirely 'by ladies'.³³ A report after the event said that the women were appearing in public because 'their fellow women were the greatest sufferers' from the evils of strong drink. They further commented that the speakers' anecdotes were more effective as they came from women's personal experiences of dealing with the miseries caused by overindulgence in alcohol.³⁴

The Victorian branch of the United States-based Women's Christian Temperance Union (WCTU) held its first conference in 1887, seeking to engage women with the principle of total abstinence.³⁵ The WCTU declared its badge to be a 'bow of pure white ribbon' and, in addition to the

temperance cause, it aimed to campaign for the extermination of the opium and tobacco trades, as well as gambling.³⁶ Local temperance groups held regular meetings and were further motivated by international guest lecturers who toured Australia. Temperance organisations also proved to be very supportive of women's suffrage, anticipating the advantages for the temperance movement if women gained the vote (achieved in Victoria in 1908).³⁷

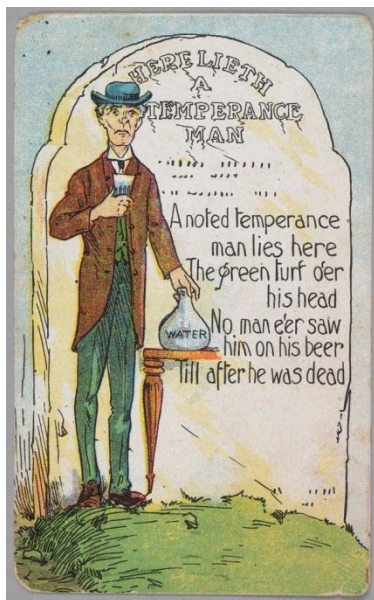


Medal - Womens Christian Temperance Union, circa 1890
Photographer: Rodney Start (Image: Museum Victoria)

Temperance advocates experienced a measure of success for their local option campaign with Parliament's introduction of the *Licensing Act 1885*. During the course of debate on the 1885 Bill, several petitions were presented to Parliament. The largest was a petition in favour of the proposed local option legislation, signed by 44,501 women and presented in the Legislative Assembly by Alfred Deakin on 8 September 1885. It was reported that Mr Deakin staggered under the weight of the 'gigantic scroll nearly as large as a cart-wheel', which was one-third of a mile long.³⁸ The petition had been organised by the women's committee of the Victorian Alliance and it had travelled all over Victoria in the previous 12 months, gathering the signatures of women over 16 years of age.³⁹ The petitioners regarded the 'traffic in intoxicating liquors' in the colony as the source of 'manifold evils to society at large'.⁴⁰

The 1885 Act prohibited liquor trading after 11.30pm, a provision which remained in operation for 30 years. It curbed the granting of liquor licences by introducing a complex system of local option polls, allowing municipal ratepayers, within designated districts, the right to vote to close surplus licensed premises (calculated against a statutory limit based on population).⁴¹ District licensing courts were set up and compensation was payable to the owners and licensees of any hotels that were closed. Licence fees under the

new Act were to be charged on a graduated scale, from £15 to £50, depending on the value of the licensed premises.⁴² In the following years, two government inquiries examined the negative aspects of alcohol and the trade itself, reviewing the treatment of 'habitual drunkards' and the conduct of hotels. The findings of both inquiries bolstered the temperance cause.⁴³



Postcard, circa 1906 (Image: State Library of Victoria)

The liquor industry actively lobbied for amendments to a proposed licensing Bill introduced in 1906 and won some concessions, including the postponement of the local option provisions until 1917 (later delayed to 1920, when Camberwell and Nunawading were the only districts that voted to close all their hotels and became 'dry' areas).⁴⁴ The *Licensing Act 1906* established the Licences Reduction Board, with powers to reduce the number of hotels in the licensing districts and award compensation from a new fund. From 1907 to 1916, the Board closed 1,054 Victorian hotels for a compensation amount of £540,851.⁴⁵ Although the Board was undeniably the 'most effective hotel-killing machine',⁴⁶ there were also economic and industry pressures that made a number of the closures desirable.⁴⁷

Trading hours under pressure

Well before shop trading hours were standardised in Victoria in 1905, the temperance movement had been calling for earlier closing hours for hotels. Hotel closing times had been fixed at 11.30pm by the Parliament in 1885. In 1901, a WCTU representative complained in a newspaper column that the liquor trade was 'allowed to continue its business up to a late hour'.⁴⁸ Six o'clock became the general closing time for

metropolitan shops in Melbourne, effective from early March 1906.⁴⁹ However, it was not until 1911 that the six o'clock hotel closing movement made a more concerted effort to press its case with the Victorian Parliament.⁵⁰

Methodist reformer and lay preacher, William Judkins, fought against many 'social evils' (including gambling, racing, drinking and dancing) and he had campaigned vigorously for local option in 1906.⁵¹ In 1911, he led the Institute of Social Service and Reform Bureau into another battle, working towards standardising hotel and wine shop hours to match those of ordinary businesses.⁵² He was part of a large temperance deputation that met with the Premier, John Murray, in February 1911. Premier Murray was quoted as saying that there was no reason why hotels should be allowed to stay open after shops were closed and that a 'wave of public opinion' was needed to sweep such evils away.⁵³ Despite the Premier's support, there were no substantial changes made at the time.

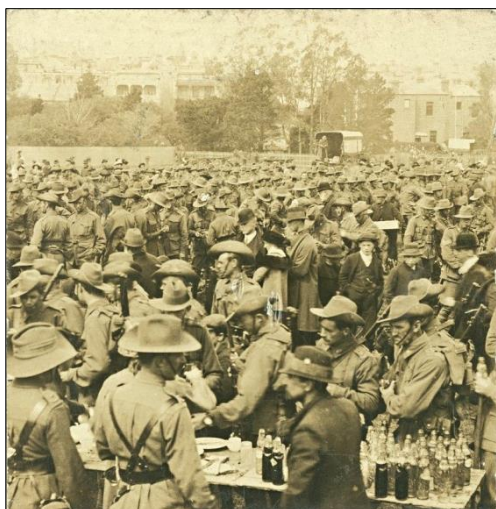
Other temperance organisations continued to work towards their common goal in the lead up to World War One. Resolutions were carried at WCTU branch meetings in 1911 regarding the 'desirability of bringing the hours of hotels into line with those of other trades' and local Rechabite groups were of the same opinion.⁵⁴ The WCTU gathered signatures for another petition in favour of earlier closing hours for hotels.⁵⁵ The resulting petition was presented to Parliament by the Water Supply Minister, William Hutchinson, in July 1914. The petition carried 51,670 signatures and was thought to be the largest petition ever presented to the Parliament.⁵⁶ It was then only a matter of weeks until the start of the war.

Wartime measures and patriotic abstinence

From the outbreak of the First World War in August 1914, newly enlisted Victorian soldiers were stationed at the Broadmeadows training camp. There they found that a 'wet' canteen (as opposed to a 'dry', or teetotal, canteen) had been established, supplying beer and Australian wine. *The Argus* newspaper reported that the decision to run a wet canteen had 'won the enthusiasm of the men' and the 'undisguised appreciation of many of the senior officers'.⁵⁷ However, by early October, the Minister for Defence, Senator George Pearce, announced that wet canteens would cease to exist after the departure of the

First Expeditionary Force.⁵⁸ *The Age* newspaper protested that there had been minimal problems related to alcohol, noting only 'four cases of intemperance in three weeks' during hot weather.⁵⁹

Temperance groups tried to press the liquor issue during the Victorian state election campaign in late 1914. The state president of the WCTU, Cecilia Downing, used her speech at a WCTU convention in October to say that the 'liquor question should be dealt with', particularly when the 'money spent on drink could equip several additional contingents'.⁶⁰ Mrs Downing thought the approaching state election should be used for 'ventilating social reform matters', with the ballot box being an effective way to 'fight the drink foe'.⁶¹



The Parade of the Australian Expeditionary Force – lunch time at Royal Park, Melbourne, Victoria, 1914

Photographer: George Rose (Image: State Library of Victoria)

The Victorian Alliance, under the direction of its president, Samuel Mauger (briefly the state Member for Footscray before becoming a federal Member), issued circulars to all Members of the Legislative Assembly. The circular asked Members whether they would stand firm to continue the local option provisions of the Licensing Act.⁶² The election resulted in the return of the Liberal administration, headed by Premier Sir Alexander Peacock, who had promised not to interfere with the licensing law.⁶³ In early 1915, the Brighton branch of the WCTU urged all patriotic citizens to help the Empire by working towards shorter hours for the sale of liquor until the end of the war.⁶⁴

On 17 February 1915, a large deputation of temperance representatives met with Premier Peacock at the Treasury offices, led by the Member for Bendigo West, David Smith. The group urged the Premier to act on earlier closing

hours for hotels in the interests of the troops. Samuel Mauger said that 'public opinion was ripe for the change', with 'helplessly drunk' soldiers having been found that morning in Swanston Street.⁶⁵ The Premier replied that Cabinet was aware of the matter and that they would do all that the law allowed. The Premier thought that only a small percentage of the troops had misbehaved and that much of the drink-related trouble with soldiers was due to the abolition of the wet canteens. Nevertheless, he made an undertaking to give the deputation's request careful consideration, in consultation with the police and the federal Minister for Defence.⁶⁶

Events outside Victoria impacted on the public debate about alcohol, adding fuel to the temperance arguments. It was reported that the Czar of Russia had abolished the sale of vodka, foregoing over £90 million in revenue, and that the number of states declaring prohibition in the United States of America had grown.⁶⁷ King George V banned all wines, beers and spirits from the Royal Household in April 1915.⁶⁸ In doing so, the King followed the lead of the Chancellor of the Exchequer, Lloyd George, who had declared that the three enemies of Great Britain and the Allies were Germany, Austria and drink.⁶⁹ Keen observers noted that the King's example of abstinence (and that of Lord Kitchener) was quickly echoed by many in Australia, including the Governor-General and several state Governors.⁷⁰ Pressure for change was also increased by the result of the South Australian referendum on hotel closing hours, which produced a clear majority vote for six o'clock closing.⁷¹

Reviewing the proposed legislative program for the new Parliament, *The Age* noted that the new Government had no licensing Bills listed, but that the combined weight of public opinion, representations from delegations, resolutions from public meetings and the result of the vote in South Australia were likely to make it reconsider.⁷² A deputation of women, representing several organisations, met with the Premier on 30 April 1915. They presented him with a petition signed by 1,278 leaders of city business firms, urging legislation for the earlier closing of hotels. Premier Peacock committed to raise the issue in Cabinet.⁷³ A large public meeting was held at the Town Hall on 3 May 1915, chaired by the Archbishop of Melbourne, Dr Lowther Clarke, to address the drink problem. After a number of speakers, a motion for the earlier closing of hotels during the war was put to the

vote, with those in favour winning a narrow majority.⁷⁴

Closing hours referendum?

By 18 May 1915, the Government had determined to act. In response to a question about public houses asked by James Rouget, the Member for Evelyn, the Premier said the Chief Secretary would introduce a Bill to provide 'for a curtailment of the hours of trading during the war'. He added that the Government did not intend to take the question of earlier closing to a referendum.⁷⁵ The Intoxicating Liquor (Temporary Restriction) Bill 1915 was introduced the next day, with a proposal to change hotel opening times from 6am to 9am, and the closing times from 11.30pm to 9.30pm.

Chief Secretary John Murray (the Member for Warrnambool) said that the Government had introduced the Bill due to the 'demand ... made by public opinion', by the people who were neither the 'extreme teetotal party' nor the 'licensed victuallers of the trade'. He acknowledged that the liquor traders would have to make sacrifices and that the legislation did not go as far as the temperance cause would like.⁷⁶ The Bill was debated at length and, despite a show of protest by the Member for East Melbourne, Alfred Farthing (who asserted that the teetotal party had 'unfairly seized on the tense feeling caused by the war' to achieve their aims),⁷⁷ it eventually passed and came into force on 6 July 1915.

The Government's moderate approach to limiting hotel closing hours did not last very long. Events in other states moved relatively quickly; a six o'clock referendum achieved a majority vote in Tasmania in late March 1916.⁷⁸ By early April, it was reported that the Victorian State Cabinet had discussed the possibility of a referendum.⁷⁹ A Council of Churches deputation made a presentation to Premier Peacock on 12 April 1916, advancing the case for a referendum on early closing.⁸⁰ Within a week, a 300-strong liquor trade deputation had also made its argument to the Premier against earlier closing hours, contending that a referendum should not be decided in favour of early closing unless it had at least a 'three-fifths majority'.⁸¹ On 30 May, a meeting of the Victorian Alliance resolved that its branches should form themselves into six o'clock closing leagues with the central council leading the movement.⁸²

On 6 June 1916, the Victorian State Cabinet announced its decision to hold a referendum in October on the issue of hotel closing hours.⁸³ Within a matter of days, the early closing referendum held in New South Wales resulted in a 62 per cent vote in favour of six o'clock closing.⁸⁴ The battle lines for a Victorian referendum campaign were drawn. Mr Mauger of the Victorian Alliance vowed to 'fight fairly and above board', certain that temperance advocates were supported by 'all the forces of righteousness, the leaders of science, and chief exponents of education'.⁸⁵ Mr Farthing described the six o'clock closing agitation as a 'wave of Puritanism sweeping across Australia', saying that the social reformers of the movement had 'reached the stage of hysteria'.⁸⁶ James Farrer, the Member for Barwon, expressed his disapproval of the referendum, remarking that Parliament should accept responsibility for the matter.⁸⁷

Premier Peacock introduced the Liquor Referendum Bill on 9 August 1916 and moved the second reading on 23 August. Just before the Premier spoke, Mr Farthing presented a petition with 135,000 signatures, requesting that there be no further restriction of the trading hours of liquor bars.⁸⁸ The Premier proceeded with his speech, stating that there was a strong popular demand for the liquor referendum and the community recognised the importance of restricting trading hours during war time. The Premier said that 'over-indulgence in alcohol' militated against 'the efficiency of the citizen'.⁸⁹ When James Menzies, the Member for Lowan, asked whether the parliamentary bar might be an exception to early closing, the Premier replied that it was 'a matter for consideration by the Refreshment Room Committee'.⁹⁰ A lengthy debate on the broader questions of the referendum ensued.⁹¹

'Temporary' six o'clock closing begins

On 5 September 1916, however, the Premier announced that the Liquor Referendum Bill would be postponed due to the federal government's announcement that a national conscription referendum was to be held on 28 October. Australian casualty figures had climbed on the Western Front and recruiting numbers were too low to adequately supply reinforcements.⁹² Premier Peacock thought it would be 'quite out of place' for the liquor question to be considered alongside the conscription issue, which must take

priority during 'the greatest war the world has ever seen'.⁹³ The Victorian government instead chose a more direct course of action. The next day the Premier gave notice that a new Bill was to be introduced, providing for six o'clock closing for all hotels and clubs throughout Victoria. The new provisions were intended to last until the completion of the session of Parliament following the end of the war.⁹⁴

On the eve of the new regime, the final 9.30pm closing time was marked at city hotels by 'much hilarity', with young men at one pub joining hands to sing 'Auld Lang Syne' before being pushed out into the street by the licensee.⁹⁵ The *Intoxicating Liquor (Temporary Restriction) Act 1916* commenced operation on 25 October 1916. At the end of October, a large crowd gathered at the Temperance Hall to celebrate the victory for six o'clock closing and the 'good effect' it was already having on the community. Victorian Alliance President, Mr Mauger, stressed that 'the trench the Temperance party had now won must never be yielded to the enemy again'.⁹⁶

The Argus newspaper assessed Melbourne's drinking habits in November 1916, deciding that the quantity of 'liquor consumed by the excessive drinker has not been diminished' and, by 'speeding up' their intake, 'inebriates' still managed to get their customary drinking done in the available hours. They also found a proliferation of 'sly grog shops' around the city and suburbs.⁹⁷ Billiard rooms and temperance bars, which were allowed to stay open later than 6pm, were thought to conduct illicit sales of alcohol.⁹⁸ Women had written to the Police Commissioner complaining that their husbands had suddenly become billiards enthusiasts after six o'clock closing began.⁹⁹ By the following January, *The Age* newspaper reported that police had made 87 prosecutions for licensing offences since the start of six o'clock closing.¹⁰⁰

In December 1916, Parliament passed a major Bill that substantially changed the Victorian licensing law. The *Licensing Act 1916* constituted the Licences Reduction Board as the Licensing Court of Victoria, with its duties greatly extended to cover the full gamut of granting, renewing and cancelling licences and assessing fees and compensation. Victoria was divided into 217 licensing districts with each one overseen by a licensing inspector. A new system of percentage licence fees was introduced, varying according to the volume of liquor business conducted. The Act regulated the conditions under which liquor could

be served with meals on licensed premises, increased the penalties for violating the liquor laws, and provided for the registration of barmaids.¹⁰¹ Much to the dismay of the temperance organisations, local option voting was postponed until after the war, prompting them to launch a campaign for complete national prohibition under a new organisation: the Australian Alliance Prohibition Council.¹⁰²

In January 1918, the federal Senate agreed to a motion to appoint a Select Committee to inquire into the effects of intoxicating liquor on departing and returning soldiers, but its final report was not tabled until shortly after the war had ended.¹⁰³ Temperance groups kept the liquor issue alive in the public arena. On 21 May 1918, a 'Strength of Empire' movement was launched at a meeting at the Melbourne Town Hall, following the lead of similar organisations overseas, with their objectives being 'prohibition and purity'.¹⁰⁴ William Edgar, the Member for East Yarra, chaired the meeting and the Member for Boroondara, Edmund Greenwood, was prominent among the other church and temperance society speakers. Mr Greenwood said the movement stood for federal war-time prohibition and permanent state prohibition (as well as effective measures to deal with venereal diseases).¹⁰⁵



Band of Hope convention, Fitzroy 1922
Photographer: F. Foxcroft (Image: State Library of Victoria)

Six o'clock closing continues for decades

The Victorian Premier, Harry Lawson, delivered a policy speech at Castlemaine in June 1918 that would have encouraged, if not completely satisfied, the temperance campaigners. He said the government intended to ensure that six o'clock closing was enforced and made permanent, with extra measures to ensure that the illicit sale of alcohol was stopped.¹⁰⁶

Accordingly, one year after Armistice Day, the Licensing Bill was introduced into the Legislative Assembly in November 1919. Chief Secretary Major Matthew Baird (Member for Ballarat West), confirmed that the Bill was to make permanent the previously temporary war-time restrictions on the sale of liquor.

Major Baird said that six o'clock closing would be 'in the interests of the community as a whole' and could no longer be regarded as a measure taken against soldiers. The new law was to apply to liquor bars, temperance bars and billiard rooms.¹⁰⁷ Luke Clough, the Member for Bendigo East, questioned whether early closing had so far achieved its aims, quoting statistics from the *Victorian Year Book* to show that the output of beer from the breweries had increased along with the phenomenon of home drinking.¹⁰⁸ William Beckett, the Member for Melbourne North in the Legislative Council, argued against making six o'clock closing permanent, saying that the 'usual wouser crowd are never satisfied while the mass of the people are having any enjoyment.'¹⁰⁹

After a lengthy and wide-ranging debate through both houses, the Bill received Royal Assent on 19 December 1919. Hotel hours in Victoria were fixed from 9am to 6pm, restrictions on Sunday trading and during prohibited hours were increased and licensed premises had to be kept locked while closed.¹¹⁰ Six o'clock closing was to remain in place in Victoria for another 50 years.

Moves towards liberalisation of licensing laws

Tasmania legislated to change its hotel closing times back to ten o'clock in 1937 and New South Wales did the same in 1955, following the Maxwell Royal Commission.¹¹¹ However, Victoria's early closing hours endured and the 'six o'clock swill' later became shorthand for the frenzied drinking habits which had become entrenched since 1916.¹¹² It was said that early closing laws made Australian drinking 'thoroughly uncivilised', with the majority of beer drinking taking place in jostling crowds during the after work rush hour between five and six o'clock each evening.¹¹³

Following the first Victorian local option vote conducted in 1920, which created two 'dry' areas, only two more rounds of local option voting took place (in 1930 and 1938). The provision for further local option polls was removed from the Act in 1946, in the wake of a 1944 Royal Commission with limited terms of reference.¹¹⁴ In March 1950,

an *Age* newspaper editorial demanded action, stating that real liquor reform could no longer be shirked, with 'mass drinking and swilling' producing 'a disgusting, sordid spectacle'.¹¹⁵

After the privations of the Depression, the Second World War and reconstruction, the 1950s ushered in a period of growing economic prosperity.¹¹⁶ The influence of the temperance movement had declined and attitudes towards alcohol had become a little more relaxed. In Melbourne the shift in attitude was assisted by a post-war surge in European migrants who opened new styles of cafes and coffee bars.¹¹⁷ The *Licensing (Amendment) Act 1953* removed restrictions on the number of liquor licences and created a single licensing district for the entire state. The permits that had allowed drinking with meals until 8pm were extended until 10pm, with limited hours on Sundays and public holidays. Provisions were also made for rules regarding sanitation, hygiene, ventilation and fire prevention in licensed premises.¹¹⁸ The government was still 'pro-restriction' regarding the sale of alcohol but began to focus on the task of 'civilising Victorians' drinking habits'.¹¹⁹

When Melbourne was selected as the host city for the 1956 Olympic Games, one former Member of Parliament was reported to have said that it was 'an international plot to alter the Licensing Act'.¹²⁰ John Hipworth, the Member for Swan Hill, thought that Victoria's antiquated liquor laws needed to be modernised so that the state did not 'become the laughing stock of the world' when the Olympic Games were held in Melbourne.¹²¹ However, the referendum held in March 1956 to extend hotel hours until ten o'clock was defeated, with only six of Victoria's 66 electorates voting in favour of ten o'clock closing.¹²² Victorian Premier Henry Bolte favoured the liberalisation of licensing laws but had to bide his time and work behind the scenes to remove the Liberal Party's requirement for a referendum on the issue.¹²³

In 1960, the chair of the Victorian Licensing Court, Judge Archibald Fraser, embarked on an overseas trip to gather intelligence on the operation of hotels, cafes and restaurants in the United States and Europe, to see how they compared with Victoria. When Judge Fraser returned, he summed up Australia's drinking habits as being unique – 'unique in the sense that they are deplorable'.¹²⁴ In Europe he had noted the leisurely attitude towards drinking in restaurants and street cafes, as well as the absence of clock watching. His recommendations included three licence types:

the victualler's (hotelkeeper's) licence and new tavern and restaurant licences. He also proposed ten o'clock closing, but action on most of his recommendations was deferred.¹²⁵

Phillips Royal Commission and the end of the six o'clock swill

In October 1963, the Victorian Government issued Letters Patent for a Royal Commission to inquire into the sale, supply, consumption and disposal of liquor in Victoria. The wide ranging inquiry was chaired by Mr Philip Phillips QC and the report was tabled in 1965.¹²⁶ As well as conducting hearings, the Royal Commission took the unusual step of staging an elaborate dinner party to prove the wisdom of the unhurried consumption of alcohol with food.¹²⁷

The Inquiry also succeeded in changing the mind of Reverend John Westerman, who was secretary of the Victorian Temperance Alliance and represented a number of churches at the Commission.¹²⁸ Reverend Westerman retreated from his advocacy of six o'clock closing, telling the Commission that he agreed with changes to hotel hours if the consequences were neutral in effect but increased human freedom.¹²⁹



Arthur Rylah (Image: Parliament of Victoria)

In the second reading speech for the Licensing Bill 1965, Chief Secretary Arthur Rylah (the Member for Kew) praised the Royal Commission for its thorough investigation into every aspect of intoxicating liquor and described the current Licensing Act as 'archaic and obsolete'.¹³⁰ The 1965 Bill was not intended to deal with the full range of the Royal Commission recommendations, which were to be addressed by later legislation. When it was passed in December, the *Licensing Act 1965* introduced theatre and cabaret licences and it finally extended the opening hours of hotels in Victoria to 10pm. Ten o'clock closing came into force on 1 February 1966. Blood alcohol testing

(with a 0.05 limit) was introduced at the same time by the *Motor Car (Driving Offence) Act 1965*, which has been described as a compromise measure 'satisfying both the liberals and the wowsers'.¹³¹

Despite predictions of mayhem and disorder arising from the start of ten o'clock closing, the response in Melbourne was fairly subdued. It was reported that city hotels were quiet whereas suburban hotels did a lively trade, especially those that provided entertainment and offered more facilities than basic stand-up bars.¹³² Five months later, an annual report for the Victorian Licensing Court noted that the novelty of ten o'clock closing had worn off after the first week and the changed hours had not created any problems for police.¹³³ South Australia was the last state to abolish six o'clock closing in 1967, when new legislation allowed the longest hotel opening hours (9am to 10pm) in Australia.¹³⁴

As well as ending six o'clock closing, the recommendations of the Phillips Royal Commission also laid the foundations for a major rewrite of Victoria's licensing laws. The Liquor Control Bill was introduced by Mr Rylah in April 1968, who stated that beer drinking should be 'free of the old emotional prejudices that the consumption of liquor is of itself a social evil'.¹³⁵ In the following years, Victoria's liquor laws continued to evolve, undergoing major reviews (notably by Dr John Nieuwenhuysen in 1986) and further reform. Hotel trading to midnight and beyond became possible from the 1980s and 1990s,¹³⁶ presenting new challenges. Licensing issues will no doubt continue to generate a great deal of debate. Nevertheless, in the one hundred years since the end of six o'clock closing, Victoria has developed a unique and vibrant bar culture; a far cry from 'drinking against the clock' during the six o'clock swill.

Author

Debra Reeves, Research & Loans Officer
Parliamentary Library & Information Service,
Department of Parliamentary Services
Parliament House, Spring St, East Melbourne
Telephone: (03) 9651 8640
Email: research@parliament.vic.gov.au

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