

THE JUVENILE STREET TRADER AND THE STATE.
THE PROBLEM OF THE WAIFS AND STRAYS.

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[Read Friday, 28th April, 1911.]

It is, I think, a proof of the more human and humane trend of the investigations of the Statistical and Social Enquiry Society of Ireland that during the last few years several papers have been read before it on the relation of the State to its future citizens. Mr. Shannon Millin read a paper in February, 1909, on "The Duty of the State towards the Pauper Children of Ireland;" this was followed in April, 1910, by a paper on "The Children's Act and the Oldham League," by Mr. Charles Dawson, and so recently as January of this year Lord Justice Cherry chose as the subject of his Presidential Address the subject of "Juvenile Crime, and its Prevention." To-night, I venture to call your attention to another aspect of the relation of the citizens of to-day to the citizens of to-morrow, and to ask you to consider the future of those who, though not officially pauper children, are in danger of becoming pauper adults, and the prospects of those who are not criminals at present, but whose feet are on the first steps of that road which ends in so many cases in a life of crime. Although this problem of the Juvenile Street Traders has not before this been brought under the consideration of this Society, it has received a considerable amount of public attention in other places in the past ten years.

In 1901 an Inter-Departmental Commission was appointed by the then Home Secretary (the Right Hon. Chas. T. Ritchie), which examined witnesses in various cities in England, and issued a large volume of evidence, and a Report. In 1902 a Commission was appointed by the Lord Lieutenant to conduct a similar enquiry in Ireland. In 1903 the Employment of Children Act (3 Edward VII., cap. 45) was passed. In 1908 an Inter-Departmental Committee was appointed by the President of the Board of Education to report on the subject of partial exemption of school children from compulsory school attendance, which issued a Report in 1909, containing valuable information on certain aspects of this problem. In the same year the Children's Act, 1908 (8 Edward VII., cap. 67) was passed. This was followed in 1909 by the Home Office Committee to enquire into the

operation of the Employment of Children Act, 1903, which issued a Majority Report in April, and a Minority Report in May, 1910. In November, 1910, the Education (Choice of Employment) Act, 1910, was passed. In the same month Mr. Stanley Owen Buckmaster, K.C., issued his Report to the Home Secretary on the Bye-Laws made by the London County Council on 29th January, 1910, under the Employment of Children Act, 1903, and the objections thereto, and finally in March, 1911, the Earl of Shaftesbury introduced a Bill into the House of Lords to amend the Employment of Children Act, 1903. If in the multitude of Commissions there is wisdom, and in the cloud of witnesses there is knowledge, this pressing social problem ought to be nearer a satisfactory solution than some of us dare to hope.

Before I deal with the Employment of Children Act, 1903, which, with certain other Acts to which reference will be made, defines the present attitude of the State to the Juvenile Street Trader, may I be permitted to refer to the history of the legislation on this subject, as I deem it to be of importance that at the outset we should realise the growth of public opinion which indicates the gradual but ever increasing appreciation of the fact that there is a problem to be solved, and that its solution is a matter of urgent national importance.

It is curious to find that the recognition by the State of the necessity of regulating the conditions of juvenile street trading is quite of modern growth, and this is not the less remarkable because the State was not forgetful of its duty to legislate for the protection of children engaged in other occupations. Prior to the organization of labour in factories, various provisions are to be found scattered through the Statute Book for the protection of apprentices. When the Factory system developed on a large scale towards the close of the 18th Century, resulting in the employment of gangs of pauper children apprenticed and lodged in close proximity to these factories, where they worked for excessive hours, and under extremely insanitary conditions, the Legislature stepped in, and in a long series of Factory Acts beginning so far back as 1802, and continuing up to 1901, enacted various regulations limiting the hours and defining the conditions of juvenile employment in factories. Until 1889, however, there was no Act of general application restricting or in any way regulating the employment of children in street trading.

While the State seemed unmindful of its obligations to the Children, various municipalities had awakened to their responsibilities in this direction. To the City of Liverpool the children are indebted for the initiation of those regulations, which with certain changes and modifications form

the basis of all subsequent legislative effort on the subject. In 1897 the condition of street trading in Liverpool was such as to induce the Liverpool Watch Committee to appoint a Sub-Committee to consider the question of children trading in the streets. Even thus early in the history of this problem, this Committee very clearly stated the evils of juvenile street trading, which subsequent experience has only too fully confirmed. The Sub-Committee drew up a series of recommendations, which with certain modifications embodies the principle upon which the legislation and regulation of street trading has since proceeded, and which received legislative sanction in the Liverpool Corporation Act, 1898, section 31 of which provided that as regards children trading in the streets (child being defined as a boy under the age of 14, and a girl under the age of 16), the Corporation might make regulations as to the conditions upon which licences should be granted and revoked.

Acting on the powers contained in the Act, the Corporation of Liverpool framed a series of regulations which have been the model for nearly all those now in operation in various cities. In 1900 Bradford, Harrogate, Preston, Oldham, Scarborough, and Southport, and in 1901, Manchester, Bolton, Bury, and Lowestoft promoted Bills containing similar clauses.

The first general Act which contained any restriction on street trading by children was the Prevention of Cruelty to Children Act, 1889 (52 & 53 Vict., c. 44), section 3 of which imposed certain penalties on any person who caused any child being a boy under the age of 14, or being a girl under the age of 16, to be in any street for the purpose of begging, or getting alms, whether under the pretence of singing, playing, performing, or offering anything for sale or otherwise, or, who caused any child under the ages mentioned to be in any street or in any publichouse for the purpose of singing, playing, or performing for profit, or offering anything for sale between 10 p.m. and 5 a.m.; or caused any child under the age of 10 years to be at any time in any street or in any publichouse or any premises licensed for public entertainments, or in any circus or other place of amusement to which the public are admitted by payment, for the purpose of singing, playing, or performing for profit, or offering anything for sale. The penalties imposed by this section were directed against any parent or other person in *loco parentis*, but did not apply to the juvenile street trader personally.

This Act was repealed by the Prevention of Cruelty to Children Act, 1894, which, however, practically re-enacted this section, but enlarged the time in which the trading is prohibited so as to preclude trading earlier than 6 a.m. or later than 9 p.m.

In the year 1901, a Home Office Committee was appointed

—“To enquire into the question of the Employment of Children during School-age, and to report what alterations are desirable in the laws relating to child labour and school attendance, and in the administration of those laws.”

This Committee issued their Report in November, 1901, and they unanimously recommended as regards the regulation of street trading by children that a system of licensing individual children should be established, but that the granting of such licence should be regulated by general rules; that the gaps which might be left by local bye-laws should be filled up by a general prohibition of night labour by children and of labour manifestly injurious to health.

As regards Ireland, with which we are of course more particularly concerned, a Viceregal Commission was appointed in the following year (March, 1902) to hold a similar enquiry as to street trading in large centres of population in Ireland. A large amount of very interesting information was collected as regards the conditions of juvenile street trading in Dublin, Cork, Belfast, and Londonderry, and the Committee made their report in June, 1902, which recommended as regards street trading by boys, that power should be given to the local authorities similar to those conferred on the Liverpool Corporation by the Liverpool Corporation Act, 1894, to issue licences authorizing children to trade in the streets, but the Committee added :—“We think it desirable, however, that street trading should be discouraged as far as possible, and with that view we suggest that if it be proved to the satisfaction of the Council that the applicants' parents or guardians are not in circumstances requiring the child or young person to trade in the streets, or that the money earned by him in so doing is likely to be spent by them in drink, the Council should refuse the licence, subject to the right of an Appeal to a Court of Summary Jurisdiction.” As regards street trading by girls, the Committee stated that while they would gladly have recommended the absolute prohibition of girls trading in the streets, they felt that exceptional cases might arise where possible hardship might follow upon total prohibition, and they, therefore, suggested that power should be retained of licensing girls between the ages of 11 and 16, but that all such cases should be investigated with the greatest care, and that it should be made more difficult for a girl than for a boy to be a street trader in the future.

The Committee recommended that in determining the grant of such licences the Council should be guided by certain general considerations which were very fully and carefully specified in their report as to the age at which and the conditions on which licences might be granted. As these were subsequently embodied in the “Employment of Children Act, 1903,” I need not refer to them in detail. There were,

however, certain suggestions contained in this Report, which have not received legislative sanction that, I do not think should be lost sight of. These recommendations were:—

- (e) In the case of a child having no home, or no proper home, the Council may require as a condition of licence to trade being granted, that he or she reside in lodgings approved by the Council, provided always that no child shall be required to live in lodgings which are not under the control of a person of the same religious belief as the child.

The Committee suggested that the Councils should be empowered to apply money out of the rates towards providing clothes, and, if necessary, homes or lodging houses for street trading children.

- (b) That no licensed boy, who is not exempt from school attendance, nor any licensed girl, shall be in any street for the purpose of trading after 7 p.m. between the 1st October and the 31st March.

- (k) That every licensed child, under 14 years of age, shall, unless holding a certificate of exemption issued by the School Attendance Committee, attend school, as required by the Irish Education Act, 1892; and shall, unless he can show a reasonable excuse, produce to an authorised officer of the Council, on the 30th June, 30th September, 31st December, and 31st March in each year, a certificate of having so attended to be issued by the head teacher of the public elementary school attended by the child.

The Committee devoted much attention to the difficulty which arises whenever the question of juvenile street trading is concerned connected with the education and training of the juvenile trader, and the Report called attention to the large number of children, street traders as well as others, who were not upon the roll of any school, and also as to the irregular attendance of many who were upon the rolls, and the Committee recommended the establishment of Day Industrial Schools in the large centres of population coupled with the enactment of a statutory provision for Ireland similar to that contained in section 6, sub-section 2 of the Elementary Education Act, 1900, increasing the maximum penalty for breach of a Compulsory Attendance Order from five shillings to one pound, and that section 4 of the Irish Education Act, 1892, should be amended in this respect.

The Committee also reported that one of the principal difficulties to be met in the case of children engaged in selling newspapers in the street was the difficulty of securing that they were decently and sufficiently clothed; that they regarded this as an essential condition of the licence, but that they could not close their eyes to the fact that the poverty of the child

which rendered it a proper subject for a licence might also render it extremely difficult to comply with the condition. It is further pointed out that the Police Aided Clothing Society in Dublin had done much to provide clothes for the juvenile street trader, but that the resources of the Society were limited, and the Committee recommended that the Councils should be invested with statutory powers to supply or help to supply clothes out of the rates.

Most of the recommendations of the two Committees are embodied in the Employment of Children Act, 1903, but as regards the suggestions of the Irish Committee, the recommendations that Day Industrial Schools should be established in large centres of population ; that the Councils should be empowered to apply money out of the rates towards providing clothes, and if necessary, homes or lodgings for street trading children ; that a penalty should be imposed on pawnbrokers receiving pledges from persons apparently under the age of 16 ; that the maximum penalty for breach of attendance Order under section 4 of the Irish Education Act of 1892 shall be increased from Five Shillings to One Pound ; that a Children's Court apart from the Police Courts for the disposal of cases of children brought up for breaches of bye-laws or other offences should be created, have not been dealt with, and still share the fate of many a well-considered recommendation of a Royal or Departmental Commission.

I may be permitted to refer at some length to the Employment of Children Act, 1903, and the bye-laws made pursuant to it, as they now regulate the conditions of juvenile street trading in England, Ireland and Scotland.

Section 2 of the Act deals with the regulations of street trading, and enacts as follows:—

2. Any local authority may make bye-laws with respect to street trading by persons under the age of 16, and may by such bye-laws—

- (a) Prohibit such street trading, except subject to such conditions as to age, sex, or otherwise, as may be specified in the bye-law, or subject to the holding of a licence to trade to be granted by the local authority ; (b) regulate the conditions on which such licences may be granted, suspended, and revoked ; (c) determine the days and hours during which, and the places at which, such street trading may be carried on ; (d) require such street traders to wear badges ; (e) regulate generally the conduct of such street traders.

Provided as follows:—

1. The grant of a licence or the right to trade shall not be made subject to any conditions having reference to the poverty or general bad character of the person applying for a licence or claiming to trade.

2. The local authority, in making bye-laws under this section, shall have special regard to the desirability of preventing the employment of girls under 16 in streets or public places.

Section 3, sub-section 1, provides that a child shall not be employed between the hours of 9 in the evening, and 6 in the morning, subject to the provision that the local authority may by bye-law vary these hours whether generally or on any specific occasion, and sub-section 2 provides that a child under the age of 11 shall not be employed in street trading.

Section 4 provides for the bye-laws made under the Act being subject to confirmation by the Secretary of State after due notice and publication, and after such local enquiries as he may consider necessary, and after consideration of such objections as may be addressed to him by persons affected, or likely to be affected, by the proposed bye-laws.

Section 5 enacts the penalties under the Act which prescribe that if any person employs a child or other person under the age of 16 in contravention of the Act, or of any bye-law, he shall be liable to a fine not exceeding Forty Shillings, or, in case of a second or subsequent offence, not exceeding £5.

If any parent or guardian of a child or other person under the age of 16 has conduced to the commission of the alleged offence by wilful default, or by habitually neglecting to exercise due care, such person shall be liable to the like fine.

If any person under the age of 16 contravenes the provisions of any bye-law as to street trading made under this Act, he shall be liable to a fine not exceeding Twenty Shillings, and in case of a second or subsequent offence, if a child, to be sent to an industrial school, and, if not a child, to a fine not exceeding £5.

Sub-section 4 of this section 5 provides that in lieu of ordering a child to be sent under this section to an industrial school, a Court of summary jurisdiction may order the child to be taken out of the charge or control of the person who actually has the charge or control of the child, and to be committed to the charge and control of some fit person who is willing to undertake the same until such child reaches the age of 16 years. And the provisions of sections 7 and 8 of the Prevention of Cruelty to Children Act, 1894, shall, with the necessary modifications, apply to any order for the disposal of a child made under this sub-section.

One of the earliest local authorities to adopt the provisions of the Act which came into force on the 1st January, 1904, was the Corporation of Dublin, and I may be permitted to quote practically in full, the bye-laws framed by the Corporation in pursuance of this Act to regulate street trading by persons under the age of 16 in the County and Borough of Dublin as an example of the rules which have been, with

slight variations and alterations, adopted by most of the local authorities in England and Ireland :—

1. No person actually or apparently under the age of 16 shall trade in the streets unless while holding a licence in accordance with these bye-laws.
2. No licence shall be granted to any person under 11 years of age.
3. A licence to engage in street trading shall not be refused by the Council to any person between the ages of 11 and 16 applying for it, except on the ground that the applicant is, by reason of physical or mental deficiency, unfit to trade in the streets, or that he has not his parents' or guardians' consent to his being so employed, if such persons are fit persons and have suitable homes.
4. In case of a boy or girl seeking or holding a licence having no home, or no proper home, the Corporation shall be empowered to require, as a condition of a licence to trade being granted, that he or she reside in lodgings approved of by the Corporation ; provided always that no such boy or girl shall be required to live in lodgings which are under the control of a person of different religious belief.

This regulation has been entirely ignored, and no attempt has been made to provide lodginghouses, or to inspect those to which the juvenile street traders habitually resort.

5. Licences shall be granted to the 31st December next following, and thereafter from year to year on application.

This regulation was never enforced—once a juvenile street trader takes out his badge it is not required to be returned.

6. Every licence-holder shall receive a badge. These badges will be of two sorts, distinguishing licence-holders exempt and not exempt from school attendance.
7. No charge shall be made either for the licence or the badge. A deposit of 6*d.* shall be left on the issue of a badge, which will be refunded upon its return. The Corporation may, however, forego this deposit when they consider the circumstances of the licence-holder make it desirable.
8. Any licence may be suspended or revoked by the Public Health Committee, in consequence of (a) conviction of the holder summarily or upon indictment for any offence ; (b) its being used as a cloak for begging, immorality, imposition, or other improper purpose ; (c) failure to notify the Committee within one week of any change in the holder's place of residence ; or (d) any breach of the conditions upon which it is issued.

(c) (Which requires the juvenile street trader to notify his or her change of address) is not enforced.

9. The following are the conditions upon which licences will be issued, viz. :—

- (a) No girl actually or apparently under the age of 16 years shall trade in the streets after 7 p.m. between the 1st October and the 31st of March, or after 8 p.m. between the 1st April and 30th September.
- (b) No boy licence-holder shall be in any street for the purpose of trading after 8 p.m. between the 1st October and the 31st March, or after 9 p.m. between the 1st April and 30th September.
- (c) No licence-holder shall trade in the streets unless decently and sufficiently clothed.
- (d) No licence-holder shall trade at any time unless wearing his or her badge in the appointed way.
- (e) No licence-holder shall in any way alter, deface, lend, sell, pawn, transfer, or otherwise dispose of his or her badge.
- (f) Every licence-holder shall, if and when required by the Corporation or the Public Health Committee so to do, deliver up his or her badge at the Sanitary Office, 17, Castle-street, or other suitable place to be appointed by the Corporation, and named in the licence, when ceasing to trade for the night, and shall apply at such office or place for the same before he or she shall resume trading in the streets.

This regulation has never been enforced.

- (g) No licence-holder shall, for the purpose of trading, enter any premises licensed for the sale of any intoxicating liquor, or premises licensed, according to law, for public entertainment.
- (h) No licence-holder trading in any street, shall obstruct any passenger, or annoy such passenger by importunity.
- (i) No licence-holder shall while trading be assisted by any unlicensed person under the age of 16 years.
- (j) Every licence-holder shall obey the orders of any constable given for the purpose of preventing the obstruction or annoyance of the public.

- (k) No licence-holder, unless exempt from school attendance shall trade in the streets during school hours.
- (l) Every licence-holder under 14 years of age, shall unless he can show a reasonable excuse, produce to an authorized officer of the Council, on the 30th June, 30th September, 31st December, and 31st March in each year, a certificate of having attended a school, as required by the Irish Education Act, 1892, such certificate to be signed by the head teacher of the Public Elementary School attended by such person.

These provisions (k) and (l) have been completely ignored.

- (m) No licence-holder shall trade or attempt to trade in any street wherein prostitutes or thieves reside.

- (n) No licence-holder shall beg in any street.

10. These bye-laws shall come into force on the 1st day of January, 1905, and from and after such date no person under the age of 16 years shall trade in the streets unless provided with a licence, in accordance with these bye-laws, and subject to the provisions contained in such licence these bye-laws and the Employment of Children Act, 1903, respectively.

The local authorities in many cases were tardy in adopting the provisions of the Act, and as regards Ireland, the only cities in which the provisions of the Act are now in force are Dublin and Belfast. Limerick, Londonderry, and Galway have not availed of their powers. Cork and Waterford having adopted the Act have ceased to enforce it.

The provisions of the Act, and the bye-laws framed thereunder have now been sufficiently long in force to enable an opinion to be formed as to the effect of the Act, and I believe I am correct in stating that the general opinion of Local Authorities highly approves of the Act so far as it goes. I have taken the trouble to communicate with nearly every local authority in England, Ireland and Scotland, and in almost every case the opinions I have elicited afford striking evidence of the approval with which the Act and regulations are regarded by those municipalities which have adopted them.

On the other hand, a considerable body of public opinion strongly puts forward the view that the experience of the working of the Act shows that it has not remedied those evils which it was intended to cope with, that the hours during which trading is permitted are too long, that the recognition of the right to trading operates injuriously to the children's school work, that the age of 16 at which girls are

permitted to trade is too early, and that the safeguards provided by the Act and in the bye-laws requiring school attendance, proper clothing, physical fitness for trading, suitable housing, &c., are not adequately enforced by the local authorities, and that in many cases—and some of these large and populous towns—the local authority has not put the Act in force, or framed bye-laws at all.

In December, 1909, another Home Office Committee was appointed to enquire—"Into the operation of the Employment of Children Act, 1903, and to consider whether any and what further legislative regulation or restriction is required in respect of street trading and other employments dealt with in that Act."

This enquiry, unlike the previous one, did not confine its operations to England, and the presence on the Committee of the Hon. Walter Guinness, M.P., and Mr. Hugh Law, M.P., may be taken as a proof that the interests of Ireland in this enquiry would not be overlooked. The Committee, as a matter of fact, took evidence not only in London, Manchester, Edinburgh, Glasgow, Birmingham, and Liverpool, but also in Dublin and Belfast, and several witnesses gave valuable evidence as to the condition of street trading in this country.

Sir Frederic Cullinan, C.B., who acted as Chairman of the Viceregal Committee on the Employment of Children during School Age, of 1902, gave some very remarkable evidence as to the demoralising effects of street trading on boys in Dublin.

He stated that the favourable expectations formed of the bye-law system had been what he described as a "melancholy failure" in Dublin, and pointed out that the bye-law of the Dublin Corporation which recommended that street traders in Dublin who had no home should, as a condition of their obtaining a licence, be housed to the satisfaction of the local authorities, had been disregarded. He suggested that the enforcement of the bye-laws should in all cases be entrusted to the School Attendance Committee; that the number of School Attendance Officers should, if necessary, be increased, and that they should be required to act as superintendents for the purpose of enforcing the bye-laws as well as securing the attendance of the children at School; that the number of police constables employed in enforcing the bye-laws in Dublin should be increased; and that the ordinary constables on duty in the streets should, as he put it, "not continue to be blind to the infringement of the bye-laws which come daily under the notice of any observant person walking through the streets."

The Committee appointed to report on the Employment of Children Act, 1903, differed in their conclusions, and

the Majority Report was presented on the 30th April and the Minority Report on the 2nd May, 1910.

Dealing with the ordinary forms of juvenile street trading, the Majority of the Committee sum up their conclusions, based on the experience of some years' working of the Act of 1903, by stating that the effect of street trading upon the character of those who engage in it is only too frequently disastrous; that the youthful street-trader is exposed to many of the worst of moral risks; and that he associates with and acquires the habits of the frequenters of the kerbstone and the gutter, and that it tends to create a dislike or inability for more regular employment. The child finds that for a few years money is easily earned without discipline or special skill, and the occupation is one which sharpens the wits without developing the intelligence. It leads to nothing permanent, and in no way helps those who engage in it to a future career; and they affirm that large numbers of those who were once street traders drift into vagrancy and crime. On the physical side, the evidence, though not entirely unanimous, emphasises the obvious danger to health arising when children, and especially young girls, often very inadequately clothed, are exposed for long periods to inclement weather. As regards the economic position and future of those engaged in street trading, the Committee point out that in the case of both boys and girls, the effect of this occupation on future prospects cannot be anything but thoroughly bad, except, possibly, in casual and exceptional cases. They state that many boys who sell while at school manage to obtain other work upon becoming fourteen, but for those who remain in the street, the tendency is to develop into loafers and corner boys.

The Majority declare that the difficulties of the situation have not been met by the existing law and the machinery set up for its enforcement, and they recommend the complete statutory prohibition of street trading either by boys or girls up to a specific age, and that in the case of boys they place this age at 17, which would give an interval of three or four years after the ordinary time of leaving an Elementary School to find suitable employment. So far as girls are concerned, the Committee declare that the arguments in favour of prohibiting trading increase rather than diminish in force as the age of the trader advances. They have been forced to the conclusion that street trading by girls is entirely indefensible, and that no system of regulation is sufficient to rid the employment of its risks and objections, while they have not been able to discover any particulars of hardship having resulted in any of those towns in which bye-laws prohibited trading by children or restricted the ages during which trading was permitted. They consider that the age of prohibition should be higher for girls than for boys;

and while they feel that it should not in any event be less than 18, they would be willing to see it fixed as high as 21.

The Majority, therefore, recommend that street trading by boys be wholly prohibited by Statute up to the age of 17, and by girls up to the age of 18, and that the administration of the Act be transferred to the Education authority.

The Minority of the Committee differ from this Report, as they do not approve the recommendation that street trading should be universally prohibited in the case of boys up to the age of 17 on the ground of the difficulty which might be experienced in finding other employment, causing great hardship in some cases, and in others leading to employment under conditions at least as undesirable and less subject to control, and often to a life of vagrancy and crime. The Minority contend that in the eight cities where the present conditions were investigated, it was found that in Manchester, Liverpool, and Birmingham where vigorous use of their powers under the Act, or corresponding powers under local Acts, had been made by the local authorities, the application of the Act had been successful, and benefit had resulted; and that in the other cities—London, Edinburgh, Glasgow, Dublin, and Belfast, its failure was due to maladministration or neglect.

The Minority Report, however, confesses that—"All the evils attending street trading have not been got rid of by a system of regulation. Nothing, we fully agree, can make such forms of street trading as newspaper hawking in the streets other than an undesirable occupation for a boy during the critical years from 14 to 16, or even later," but it lays stress upon the necessity for the provision of other means of employment for the juvenile street trader, and declares that there is a very considerable body of evidence to the effect that in many cases the earnings of those who trade in the streets are necessary for the support of the home.

The Minority, therefore, propose that further powers should be given to Local Authorities for dealing with street trading as carried on by boys, which should include a power to prohibit street trading up to the age of 18, when other suitable forms of employment are available, and where a local organisation has been established for assisting parents in finding suitable forms of employment for their children; and in other cases, power to revise or withdraw a licence where the local authority is satisfied that the trading is not being carried on for any beneficial purpose; also a power to make it a condition of a licence for boys over 14 that they should attend Technical or Continuation Schools while holding the licence. They also recommend that in the case of children of school age the grant of a licence should be conditional upon the production of a certificate of satisfactory attendance at school; and they call attention to the importance of

providing Industrial training for boys of this class, both while attending school and after, if any substantial improvement is to be effected in their condition ; and, further, the Report recommends that the licensing system should be extended to the districts of all Urban authorities under the Act, and that such local authorities should be required to appoint a sufficient number of specially selected officers for the enforcement of the Act, both in regard to street trading and generally ; and, finally, that general street trading in cities and large towns should be prohibited for girls up to 18.

Although the Majority and Minority Reports have aroused much interest and discussion, no legislative action resulted until last month, when the Earl of Shaftesbury introduced into the House of Lords a Bill for the purpose of amending the Act of 1903. The Bill proposes to repeal Section 2 of the Act of 1903, which conferred powers on the local authority to make bye-laws with respect to street trading, and in lieu to impose an absolute Statutory prohibition on all street trading by boys under the age of 17 years or girls under the age of 18 years, and it proposes to substitute the Board of Education for the Secretary of State as the controlling authority, and provides further that Section 5, sub-sec. 3, of the principal Act should be amended by providing that "any person under the age of 16 contravening the provisions of any bye-law as to street trading may be sent to a certified Reformatory School." The Bill was read a second time in the House of Lords on the 15th March, with the approval of the Government, subject to amendment in Committee, and with the assent of both parties.

I think I am justified in expressing the hope that when the Legislature undertakes the duty of considering this question it will deal with the problem in a more thorough manner than is attempted by the amending Bill, which does not appear to me to meet all the difficulties of this very complicated problem. It cannot be too clearly recognised that the problem of the juvenile street trader is not an isolated one—that it cannot be put into a water-tight compartment, but that it is very intimately bound up with economic and trade questions on the one hand and with our educational system on the other. I cannot but think that it would be desirable, instead of attempting to amend or patch up the Act of 1903, that the entire position of the State with regard to juvenile street traders should be again carefully considered in the light of the evidence now so fully obtained, and that a comprehensive measure dealing with the entire subject should be formulated.

Having now dealt with the history of the legislation on this subject up to the present moment, may I be permitted to say a few words as to the direction which it is to be desired that legislation should take in any future attempt to solve the problem of the juvenile street trader.

There are two alternative proposals now put forward by the Majority and Minority Reports. The Minority Report in effect suggests the retention of the present licensing system for boy street traders—it agrees with the recommendation of the Majority Report as to the exclusion of girls under the age of 18 years—subject to certain limitation where the local authority determines that there is sufficient employment for boys as to render recourse to street trading unnecessary. If the opinion expressed in the Minority Report should ultimately find acceptance, and the present licensing system be given a new lease of life, I venture to hope that the licensing authority, which in Dublin is the Public Health Committee, will insist on certain conditions which must be regarded as essential to the efficient working of the Act. The indiscriminate issuing of badges is to be deprecated in the strongest degree. It is true that the policy of the Employment of Children Act, 1903, was to recognise or admit no distinction between the children of the deserving and the well-conducted, and the children of the thriftless and the vicious; and questionable as this policy may be thought to be, undoubtedly the State is now committed to it. But the Act also contemplated that no child who was physically or mentally unfitted for so arduous and injurious an occupation should be permitted to enter upon it. No effort, however, is made by the licensing authority, by medical examination or otherwise, to satisfy itself that those who apply for licences may without injury to their health or without danger to their physical development be granted the right to trade. On the contrary, the evidence shows that the child of 11 years inverts the order contemplated by Parliament, and taking the law into his own hands becomes a street trader first, and if, and only when, he falls into the hands of the police, he does take out a street trader's badge which the Public Health Department is practically powerless to refuse him, and which is granted to him free of expense.

Again, suppose our unfettered street trader, regularised for selling by his badge, breaks every one of those regulations which the Public Health Department still retain in force, who is to check his career of juvenile lawlessness?—One Inspector, whose range extends from the North Wall to the Phoenix Park on the north side of our city, and another Inspector, who surveys the street trader of the southern area from Baggot-street Bridge to the Ultima Thule of James's Gate; while the entire Metropolitan Police Force looks on with a detached air of complete irresponsibility.

Surely the time has now come when supervision of the children of our streets should be recognised as the duty of the Dublin Metropolitan Police Force as a whole—the responsibility of every constable on his own particular beat—instead of the sole responsibility of only two easily recognised

and familiar inspectors. But the efficient administration of the Act demands more than this; it demands that the overlapping authorities of the Dublin Police Force, the Public Health Committee, and the School Attendance Committees should be co-ordinated and arranged to work with mutual helpfulness. Surely this small amount of co-operation for the best of objects ought not to be beyond the powers of organization of these three Irish bodies. Again, the Act very clearly contemplated that children of school age, that is, under 14 years, should only be permitted to trade, not only during hours which would admit of their regular attendance at school, but, moreover, only if such school attendance had been regular and satisfactory. The municipal regulations framed under the Act, recognising this policy, provide that every street trader under 14 shall produce on four specified dates in each year a certificate of regular attendance at school. This most important provision to secure that the child, if the poverty of his parents and the circumstances of the family rendered it necessary that he should engage in street trading, shall not be wholly deprived of some chance of education, has been persistently ignored. If the existing licensing system is to be retained, it is a matter of the most urgent necessity that the educational provisions of the Act should be actively and systematically put in force. To make these provisions really effective it is essential that the Irish Education Act of 1892 should be amended by increasing the penalty capable of being imposed on parents under Section 4, from five shillings to a pound, and by other amendments framed to enforce a more regular and constant attendance and to remedy the existing defect that no prosecutions can be taken until one half of the school year has drawn to a close. Finally, it is quite clear that the effective administration of the Act cannot be hoped for until the establishment of a Children's Court, administered by a Children's Magistrate, appointed for and confined to that duty, and holding his Court in some place quite apart from the contaminating influences of the Police Courts. These are the minimum of the conditions essential to make the present licensing system effective, and to prevent all the worst effects which results from juvenile street trading occurring in this City.

The alternative system embodied in Earl Shaftesbury's Bill admittedly follows the line of most resistance. I am, however, in accord with the Bishop of Southwark, who, when discussing Lord Shaftesbury's Bill in the House of Lords, on the 15th March, said that the Bill "had fixed upon the most urgent chapter of the most urgent part of the case for legislation of this kind. Surely this was one of the cases where they ought not to follow the line of least resistance, which was that the boy must earn the money where he could.

The line of most resistance which ought to be followed was to arrange partly by public authority and partly by voluntary action that more ways should be open to him."

On an examination of all the evidence, I feel that it is impossible to resist the opinion expressed in the Majority Report that juvenile street trading is fraught with the most injurious results to the moral, the physical, the educational and the economic welfare of all who undertake it; and that any advantages which the child may derive from this employment wholly fail to compensate him directly or indirectly in the present or in the future, for so injurious a means of livelihood. Moreover, it cannot be too clearly recognised that, although in certain cases the earnings of the street trader may be needed for the support of the family, in the vast majority of cases this excuse is entirely wanting; and it has been proved by witness after witness that the juvenile street trader is only too often the victim of idle, drunken, and vicious parents, who extort all his earnings until a time arrives when the growing boy or girl, demoralised and discontented, breaks with the parents, and, throwing over all home ties, takes to a life of unrestrained independence and license. To prevent this condition of things, absolute prohibition is the only remedy.

If, then, the Legislature closes the market place of the streets to the juvenile street trader, what compensation—what alternative—should it offer in exchange. For my own part I should wish to see the Compulsory School Attendance Act amended in the direction of prolonging the period of compulsory school attendance beyond the age of 14 years, and, if possible, up to the age of 16 years, both for boys and girls. I feel that our educational system in these countries will never be wholly satisfactory until it is recognised that the most receptive and educationally fruitful period of the lives of the boys and girls of the future are those years between the ages of 13 and 16, and that our system of education should carry all children up to sixteen years of age, providing them, where necessary, with free meals, and in the later periods of their school careers with well devised manual and technical training side by side with an improved literary education.

The Children's Act of 1908 has, by Section 77, provided for the establishment of Day Industrial Schools in which industrial training, elementary education, and one or more meals a day, but not lodging, may be provided, and Section 80 provides that there shall be paid out of money provided by Parliament towards the custody, industrial training, elementary education, and meals of children sent to a day industrial school, such sums, on such conditions, as the Secretary of State, with the approval of the Treasury, may recommend. The Estates and Finance Committee in their

Report to the Dublin Corporation, dated 28th February, 1911, have recommended that the Council should agree to make a contribution of 2s. per head per week in respect of children received into certified Day Industrial Schools up to a limit of 100, provided that, in addition, a Treasury Grant of 1s. per child per week is also obtained. As this contribution, supplemented by the Treasury Grant, would provide an income of £700 a year, it is to be hoped that a suitable Day Industrial School will be established in Dublin at an early date, though I believe a doubt has been expressed in well informed quarters that the sum provided will be adequate for the purpose required.

The Labour Exchange Act of 1908 established bureaux for the registration of workers and the collection and dissemination of information as to the conditions of employment, and the demand for workmen in different centres. As this vast and complicated scheme gradually became systematised, attention was turned to the need of including boy labour in the operations of the exchanges. This phase of the work of the bureaux is not completely organized in the Labour Exchanges yet, and, as regards Ireland, they have only been at work since April, 1910. Already, however, the results have proved most satisfactory and encouraging, as the following return shows—

Boys.

Dublin.	Number of Vacancies notified.	Number of Vacancies filled.
1910—		
March	21	10
April	58	20
May	38	23
June	56	48
July	40	21
August	20	14
September	54	24
October	45	37
November	42	35
December	17	15
1911—		
January	75	32
February	38	30

The results as regards Belfast are as follows :—

Belfast.	Number of Vacancies notified.	Number of Vacancies filled.
1910—		
March	4 ..	3
April	9 ..	7
May	15 ..	17
June	33 ..	29
July	38 ..	16
August	36 ..	20
September	55 ..	42
October	45 ..	27
November	36 ..	24
December	26 ..	19
1911—		
January	39 ..	20
February	22 ..	8

These figures as to situations obtained for boys under 16 years do not give any indication of the class from which the boy is drawn, or whether he was engaged in any occupation as a street trader or otherwise. The Superintendent of the Labour Exchanges makes no enquiry on this point, and the Dublin official could not give me any information as to whether these boys for whom employment had been found came from the ranks of street traders or not. I think, however, that the figures are significant as showing that if street trading were prohibited up to 16 years of age there are then open for boys other avenues of occupation in legitimate industries, and facilities afforded by the State which will enable them to obtain such employment. There is every reason to hope that the system will be made more efficient and of greater public usefulness as experience indicates where it can be most effectively applied.