

Mental Deficiency Act 1920, Tasmania

1920 – 1963

URL: http://www.austlii.edu.au/au/legis/tas/num_act/tmda192011gyn50255/

Details

The Mental Deficiency Act 1920 established the State Psychological Clinic which diagnosed mental deficiency, now known as intellectual disability. The Act also established the Mental Deficiency Board which oversaw the management of children and adults classified as mentally deficient by the Clinic. The Act was influenced by the eugenics movement and based on similar legislation passed in the United Kingdom in 1913.

Edmund Morris Miller, the Professor of Philosophy and Psychology at the University of Tasmania, and an adherent of eugenics, was the main driving force behind the Act.

The Act specified four categories of mental deficiency. They were:

- ‘Idiots’ who were considered to be ‘so deeply defective in mind’ that they could not protect themselves from the ordinary dangers of life.
- ‘Imbeciles’ who had some capacity to care for themselves but as adults would not be able to look after their affairs and as children could not be taught to do so.
- ‘Feeble-minded’ who required ‘care, supervision, and control for their own protection or the protection of others’. Such children could not benefit from school.
- ‘Moral imbeciles’ who showed ‘some permanent mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect’.

Moral imbecile was a term used to describe a person with an intellectual disability who apparently had criminal tendencies that could not be deterred by punishment. Section 5 of the 1920 *Mental Deficiency Act* defines this term as:

persons who from an early age display some permanent mental defect coupled with strong vicious or criminal propensities on which punishment has little or no deterrent effect.

Officials detained some sexually active young unmarried women under this category.

Adults or children classified under the Act could be sent to an institution or placed in the care of a guardian.

Adults might include a single woman giving birth to a child while receiving an income from the state.

The Director of Education was obliged to notify the Chairman of the Mental Deficiency Board of any children suspected of having a ‘mental deficiency’.

The Act made provision for special Homes to be established where children with a diagnosis of mental deficiency could be trained to lead useful and happy lives.

Mentally subnormal was a term often applied to children who could be classified as mentally deficient under the 1920 *Mental Deficiency Act*. However, the act does not use this word.

More info

Chronology

- **Mental Deficiency Act 1920, Tasmania (1920 – 1963)**
 - Mental Health Act 1963, Tasmania (1963 - 1999)
 - Mental Health Act 1996, Tasmania (1996 - 2014)
 - Mental Health Act 2013, Tasmania (2014 - current)

Related Entries

Related Glossary Terms

- [Eugenics \(1890s - 1950s\)](#)

Related Organisations

- [Magdalen Home \(1893 - 1974\)](#)

Some girls and women were admitted to the Magdalen Home under the *Mental Deficiency Act*.
- [Elim Maternity Hospital \(1897 - c. 1973\)](#)
- [Mental Deficiency Board \(1922 - 1964\)](#)
- [State Psychological Clinic \(1922 - 1964\)](#)
- [Royal Derwent Hospital \(1968 - 2000\)](#)

The terms of the Mental Deficiency Act underlay the establishment of Alonnah Ward at the Royal Derwent Hospital.
- [St John's Park \(1936 - 1994\)](#)

A number of children and adults living at St John's Park were detained there under the *Mental Deficiency Act*.
- [New Town Rest Home \(1934 - 1936\)](#)

Children and adults diagnosed with intellectual disabilities living at the New Town Rest Home were detained there under the *Mental Deficiency Act*.

Related Archival Series

- [Patients Case Files, Mental Deficiency Board \(1922 - 1964\)](#)
- [Case Files of Mental Defectives Placed under Guardianship \(1947 - 1974\)](#)
- [Correspondence Files-About Patients, Guardianship Board \(1960 - 1969\)](#)
- [Case Files of Persons Examined \(1922 - 1978\)](#)
- [Cards of Patients Examined by the State Psychological Clinic \(1920 - 1960\)](#)
- [Files of Persons Examined Under Sections 7, 8, 23, 24, 26, 27 of the Mental Deficiency Act 1920, State Psychological Clinic \(1920 - 1960\)](#)

Related Legislation

- [Criminal Code Act 1924, Tasmania \(1924 - 1934\)](#)

Resources

- Parry, Naomi, ['Such a longing': black and white children in welfare in New South Wales and Tasmania, 1880-1940](#), 2007
- Evans, Caroline and Parry, Naomi, *Vessels of Progressivism? Tasmanian State Girls and Eugenics, 1900-1940*, Australian Historical Studies, 2001
- Rodwell, Grant, ['If the feeble-minded are to be preserved': special education and eugenics in Tasmania, 1900-1930](#), Issues in educational research, 1998
- Select Committee, ['The mental deficiency bill, 1920:' report of Select Committee with minutes of proceedings and evidence](#), 1920

- Evans, Caroline, [*Idealists, Pragmatists and 'Simple-Minded' Scamps: The Tasmanian Mental Deficiency Board and State 'Care' in the 1920s*](#), Australian Historical Studies, 2017
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You can view this page online by visiting <https://www.findandconnect.gov.au/entity/mental-deficiency-act/>