

# Health Act 1898, Western Australia

1898 – 1911

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## Details

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The Health Act 1898 (62 Vict. No.24) was the first comprehensive piece of legislation to regulate public health matters in Western Australia. In Part 7, the Act contained a number of elements that were relevant to children in out of home care: 'Infant Life Protection'. Alice Mitchell, the famous Baby Farmer, was in breach of this section when the infant Ethel Booth was found to have died in her home. The conviction of Mary Burton for the manslaughter of baby William Kennedy in 1888 and growing public awareness of the practice and cruelties of baby farming throughout the world had stimulated the inclusion of infant life protection in the new Act. Anyone who 'took in' infants (children under 2 years of age) for more than 24 hours had to be registered and had to register the names and other details of the children in their 'care'. The Health Act 1898 was repealed by the Health Act 1911 (62 Vict. No.24).

The Health Act 1898 also:

- Required a register of houses where infants would be nursed 'for profit' to be kept by a Local Board (s100)
- Gave the Local Board the power to refuse to register a house for that purpose (s102) or to strike a registered house from the register (s105)
- Gave the Local Board the authority to inspect the register (s103)
- Described the processes that were to follow regarding the death of an infant in a registered house (s106)
- Outlined the penalties that would apply if any certificates were forged (s104)
- Outlined the punishments that would be given for offences against Part 7 of this Act

Relatives of infants and certain institutions were exempted from this legislation, as were institutions that were established for the 'protection or care' of infants or children (such as orphanages or poor houses).

## More info

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### Chronology

- **Health Act 1898, Western Australia (1898 – 1911)**
  - Health Act 1911, Western Australia (1911 - current)

### Related Entries

#### Related Glossary Terms

- [Baby Farming \(c. 1867 - c. 1910\)](#)

The infant life protection provisions of the Health Act 1898 sought to regulate the practice of looking after other people's babies for profit.

- [Infant Life Protection \(1890s - 1960s\)](#)

The Health Act 1898 was the first infant life protection legislation in Western Australia.

#### **Related Legislation**

- [State Children Act 1907, Western Australia \(1907 - 1948\)](#)

The Infant Life Protection elements of the Health Act 1898 were repealed by the State Children Act 1907, which became the principal Act for the care and protection of children in Western Australia.

Date: 1907 -

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