CABINET 29 (38).

Meeting of the Cabinet to be held at No. 10, Downing Street, S.W.1., on WEDNESDAY, 22nd JUNE, 1938, at 11.0 a.m.

AGENDA.

1. FOREIGN AFFAIRS.

2. CORPORAL PUNISHMENT.
   Joint Memorandum by the Home Secretary and the Secretary of State for Scotland.
   C.P. 142 (38) - circulated herewith.

3. PROVISION OF FACILITIES FOR SPORT IN THE CIVIL SERVICE.
   Memorandum by the Minister of Health.
   C.P. 135 (38) - circulated herewith.

4. RELAY SERVICES AND WIRE BROADCASTING.
   (Reference Cabinet 32 (36) Conclusion 4)
   Memorandum by the Postmaster General.
   C.P. 132 (38) - already circulated.

5. ADVERTISEMENT BROADCASTING.
   (Reference Cabinet 34 (36) Conclusion 13)
   Memorandum by the Postmaster General.
   C.P. 133 (38) - already circulated.

6. CONCLUSIONS OF HOME AFFAIRS COMMITTEE.
   11th Conclusions (38) of Committee of Home Affairs -
   to be circulated.

MILK (EXTENSION AND AMENDMENT) BILL.
   (Reference Cabinet 28 (38) Conclusion 12)
   Memorandum by the Minister of Agriculture and Fisheries covering draft Bill.
   H.A. 81 (38) - to be circulated.

(Signed) M.P.A. HANKEY.

Secretary to the Cabinet.

2, Whitehall Gardens, S.W.1.,
17th June, 1938.
CONCLUSIONS of a Meeting of the Cabinet held
at 10 Downing Street, S.W.1., on WEDNESDAY,
the 22nd June, 1938, at 11.0 a.m.

PRESENT:

The Right Hon. Neville Chamberlain, M.P.,
Prime Minister.

The Right Hon. Sir John Simon, G.C.S.I.,
G.C.V.O., O.S.E., K.C., M.P.,
Chancellor of the Exchequer.

The Right Hon. Sir John Simon, G.C.S.I.,
G.C.V.O., O.S.E., K.C., M.P.,
Chancellor of the Exchequer.

The Right Hon. Lord Maugham,
Lord Chancellor.

The Right Hon. The Viscount Halifax, K.G.,
G.C.S.I., G.C.I.E., Secretary
of State for Foreign Affairs.

The Right Hon. Lord Stanley, M.C., M.P.,
Secretary of State for
Dominion Affairs.

The Right Hon. Malcolm MacDonald, M.P.,
Secretary of State for the
Colonies.

The Right Hon. L. Hore-Belisha, M.P.,
Secretary of State for War.

The Right Hon. John Colville, M.P.,
Secretary of State for Scotland.

The Right Hon. W.S. Morrison, M.C., K.C., M.P.,
Minister of Agriculture and
Fisheries.

The Right Hon. Walter Elliot, M.C., M.P.,
Minister of Health.

The Right Hon. E.L. Burgin, M.P.,
Minister of Transport.

THE FOLLOWING WERE ALSO PRESENT:

Sir Walter J. Womersley, M.P.,
Assistant Postmaster General.


1. The Prime Minister informed the Cabinet that the First Lord of the Admiralty was absent in attendance on the King with the Fleet at Portland.
2. The Prime Minister informed the Cabinet that he had been in communication with the Lord Mayor of London, who had now decided that for the Dinner he was giving to the Cabinet on the following day, evening dress with decorations should be worn. The Lord Mayor had told him that members of the Cabinet would not be detained very late. The dinner itself would take about an hour and a quarter, after which there would be chamber music for twenty minutes. The Lord Mayor hoped that any members of the Cabinet who could do so would stay a little longer after that for purposes of conversation.
ATTENDANCE
OF MINISTERS
AT DIVISIONS.

(Previous
Reference:
Cabinet 28
(36), Con-
clusion 1.)

3. The Prime Minister said that on the previous
Friday the Division on the Supply Vote of the Ministry
of Transport had not been very favourable to the
Government, namely, 117 to 95. Next Friday the Vote
for the Ministry of Labour was to be taken, and he
hoped that all Ministers of the Crown would be present,
if possible, and that if for any reason this was
impossible they would obtain a "pair".

(NOTE BY THE SECRETARY: It is usual, in cases
such as the above, for Cabinet Ministers
to communicate the Prime Minister's
wishes to their Under-Secretaries.)
ITALY.

Relations with.

FRANCO-ITALIAN

Agreement until a Franco-Italian Agreement was brought about. He was, however, doing his best in Rome to bring about a renewal of Franco-Italian conversations. Unfortunately the latest telegrams from Rome went to show that he was not likely to be successful in this.

He had also made it clear to Italy that the Prime Minister's condition about a "settlement of the Spanish question" must be maintained. His efforts to enlist Italy's support in urging an armistice on General Franco had met with a complete check at the hands of Count Ciano. He had not yet received Signor Mussolini's considered reply, but Count Ciano had spoken in a manner so emphatic as to make it fairly clear that he must have known the Duce's mind.

SPAIN.

Proposed Armistice.

Previous Reference: Cabinet 28 (38), Conclusion 3.

FR 32 (39)
SPAIN.

5. The Secretary of State for Foreign Affairs reported that agreement had been reached in substance on the British scheme for the withdrawal of "volunteers" in Spain except for the question of finance. It was hoped to get that point settled at a Meeting of the Non-Intervention Committee on Friday next, the 24th Instant. The British, French, German and Italian Governments were ready to pay their respective shares of the cost, but the Russian Soviet representative was making difficulties. He thought it possible that if Soviet Russia refused to co-operate, the four Governments might agree to share the whole cost, including the Russian Soviet share. When the financial question was settled the main Non-Intervention Committee would have to give their approval and the scheme would then be submitted to both sides in the conflict. The Earl of Plymouth anticipated more difficulty on this with the Barcelona Government than with General Franco. The Secretary of State, however, entered a *caveat* against too much optimism on this question, as there were many difficulties still to be overcome.
6. The Secretary of State for Foreign Affairs reported that on the previous day the French Ambassador had called upon him and had told him that the Spanish (Barcelona) Government were so annoyed at the indiscriminate bombing carried out by General Franco's forces that they were contemplating reprisals — e.g., against towns in Northern Italy. The French Government was very disturbed about this and had asked if we could help to stop this insensate idea. He had already instructed the British diplomatic representative with the Barcelona Government to try and dissuade them from taking action, especially now that progress was being made on the Non-Intervention Committee.

In addition, he had seen Sir Walter Citrine, and had given instructions that the Belgian Government, whose Prime Minister happened to be a Socialist, should be notified of the French Government's news.

The Secretary of State then informed his colleagues that, owing to the lukewarm attitude of the United States of America, the Swedish Government were rather inclined to run out of the International Commission to verify the facts of bombing in Spain. He hoped, however, that they would be willing to join in the plan if a Belgian, Dutch or Swiss representative could be added in place of the United States member.
CENTRAL EUROPE.  

Czechoslovakia.

(Previous Reference: Cabinet 38 (33), Conclusion 2.)

FR.30/342.

7. The Secretary of State for Foreign Affairs reported that conversations were proceeding between the Government of Czechoslovakia and the representatives of the Sudeten-Deutsch. The Prime Minister of Czechoslovakia had, on the 18th June, informed the British Minister that his Government intended in any case to introduce the Government's concessions and reforms by July 12th, when Parliament would meet. Meanwhile he had received rather less reassuring impressions from a secret source to the effect that Dr. Benes was holding back and that Dr. Hodza was rather disappointed with the President's attitude, so he intended to keep on putting pressure on Dr. Benes. The Secretary of State proposed to see the Czechoslovak Minister the same day and to tell him that these reports had reached him.

As he had already informed the Cabinet Committee on Foreign Policy, in case the conversations broke down he proposed to have a wise British subject available to slip off quickly to Central Europe to try and get the parties together again.

The Secretary of State also gave a short account of a conversation between Mr Conwell Evans, the Secretary of the Anglo-German Fellowship, and Herr von Ribbentrop, in which the former had tried to get the idea to the German Foreign Minister that even if the conversations between the Czechoslovak Government and Herr Henlein did not succeed, efforts should be made to continue by negotiation. Mr Conwell Evans had also said that Herr von Ribbentrop had asked him why the United Kingdom were so bent on whipping up the war mind in Europe. Mr Conwell Evans had replied that we were in search of "Gleichberechtigung" since Germany had increased her armaments beyond ours.
On the question of Czechoslovakia calling up troops, the Foreign Secretary reported that the demilitarisation of the Class called up on May 21st was now practically completed. The Czechoslovak Government were believed to be considering the extension of the present military service from two to three years, but this would require legislation, which could not be introduced until the Chamber met, namely, about the middle of July.
The Cabinet had before them a Joint Memorandum by the Home Secretary and the Secretary of State for Scotland (C.P.-142 (38)) stating that the Report of the Departmental Committee on Corporal Punishment (Cmd. 5684), presented to Parliament on the 17th March last, contained the following unanimous conclusions:

(i) That for children brought before Juvenile Courts corporal punishment is an ineffective method;

(ii) That as regards adults corporal punishment cannot be defended as a penalty for offenders who can be dealt with by imprisonment;

(iii) That it is only for gross violence against their custodians by persons who are already serving sentences of imprisonment that resort to this other method of punishment is justifiable.

The authors of the Memorandum were satisfied that the great body of enlightened public opinion endorsed the above recommendations, and accordingly advised the Cabinet to accept them and to authorise the preparation of legislation for the purpose of giving effect to them. They suggested that the provisions of such legislation should be included in the Criminal Justice Bill, where they would fall into proper perspective in a wider measure of penal reform, rather than in a Bill confined to the question of corporal punishment, which would concentrate attention on one controversial aspect.

The Home Secretary made a statement bringing out the main points in the Memorandum.

The Secretary of State for Scotland expressed agreement with the Home Secretary. In Scotland the abolition of corporal punishment would involve a greater renunciation than in England, as it was used more freely there, more especially in the case of juveniles. From the point of view of Scottish experience, however, the recommendations were wise.
bearing in mind the numbers of juveniles who were brought back to the Courts notwithstanding the infliction of corporal punishment for an earlier offence. He agreed in the abolition of corporal punishment both for juveniles and adults. So far as the use of corporal punishment as a penalty in prisons was concerned, the only prison where the powers existed today was Peterhead, and he would like to have the powers extended to other prisons.

Some doubts were expressed as to whether the abolition of corporal punishment would be acceptable to public opinion, and it was recalled that two years ago a Private Bill on the subject had been rejected, largely owing to opposition from the Government's supporters. Moreover, it seemed probable that the House of Lords might still be hostile.

A suggestion was made also that public opinion held that this punishment should be retained as a deterrent to sexual offences against young girls.

The Prime Minister pointed out that there were two rejection of the Private new factors since the Bill. First, the Report of the authoritative Committee now before the Cabinet, and, second, the "Mayfair case" in which corporal punishment had been inflicted on certain young men convicted of crime, and which had led to a wave of disgust throughout the country.

The President of the Board of Education, as Leader of the House of Lords, thought it probable that the House of Lords would take the same line as on the previous occasion. They would differentiate between punishment by the Courts and at school. The argument would be used that schoolmasters who stood in the place of the parents, should have the right to administer corporal punishment.
The Cabinet agreed —

(a) To approve the recommendations of the Home Secretary (C.P.-142 (38)) in favour of accepting the Report of the Departmental Committee on Corporal Punishment (Cmd. 5684):

(b) That the provisions of the necessary legislation should be included in the Criminal Justice Bill:

(c) That the Home Secretary should do his best to hold the position without making any announcement in Parliament until the Criminal Justice Bill was ready.
9. The Cabinet had before them a Memorandum by the Minister of Health (C.P.-135 (38)) pointing out that so far as the Civil Service was concerned the whole cost of any facilities for sport and recreation was met by the employees, and that the position of Parliament as a large employer of labour compared unfavourably with that of the better employers generally. The Civil Service Sports Council, a voluntary organisation of Civil Servants, had succeeded with great difficulty in making grounds available at certain centres. Even so, the facilities were inadequate, and the financial position was such that unless the whole movement could be put on a firmer footing it would have to be wound up. In these circumstances the Minister proposed, with the concurrence of the Prime Minister and the Chancellor of the Exchequer, that for the time being an annual grant of £80,000 should be made in respect of sport and recreational facilities in the Civil Service, and asked authority to make a statement in the House of Commons at Question time. He added that the money would be borne on the Ministry of Health Vote, and a Supplementary Estimate would be necessary.

After some discussion the Cabinet agreed:

(a) To approve the proposal of the Minister of Health that an annual grant of £80,000 should be made for sport and recreational facilities in the Civil Service;

(b) That the Chancellor of the Exchequer and the Minister of Health should look into the question of the legal powers under which this action could be taken, and as to which Minister ought to make the announcement in Parliament.
The Assistant Postmaster General entered at this point.

10. The Cabinet had before them a Memorandum by the Postmaster-General (C.P.-132 (38)) relating to the operation of Relay Services and Wire Broadcasting. After describing the developments that had taken place since the Government's decision on this subject (Cmd. 5207 of June, 1936, item 16) that the existing system of licensing private relay exchanges should be extended for three years (up to 31st December, 1939), during which time "the Post Office should undertake technical research and practical experimental work in distributing broadcast programmes by wire" (e.g., over the electricity supply network, over telephone subscribers' wires, and over a separate wire-network similar to those used by the existing Relay Companies), the Postmaster-General desired a decision by the Cabinet on the following points:

(a) Whether in the circumstances which have now developed -- and having regard to the Government's intentions concerning wireless broadcasting in time of war -- the Post Office should undertake a commercial trial of wire broadcasting:

(b) If so, whether such a trial might be undertaken, if need be, at a town where the Council has a Labour majority;

(c) Whether the existing system of licensing Company-owned Relay Services should be extended for a further period of years -- say to the 31st December, 1942.

If the Government was not prepared to authorise a trial such as was referred to in (a), and considered that the question of taking over the operation of the Relay Services should not be further pursued, the question arose --

(d) Whether the Government is prepared to consider the provision by the Post Office of a carrier frequency service to telephone subscribers.

At the request of the Prime Minister, the Assistant Postmaster General informed the Cabinet that the Postmaster General, who had had a serious illness, was making steady and sure progress and might be back before the Parliamentary Recess. He had had an opportunity to
discuss the matter with the Postmaster General. On question (a) above, the Postmaster General's view was that the Government should first decide whether, if the experiment was successful, it intended to adopt the Ullswater Committee's recommendation that the Post Office should take over the ownership and operation of relay exchanges. On this question, the Postmaster General inclined to the view that, if it was decided to maintain wireless broadcasting in time of war, the case for the Post Office taking over the operation of relay exchanges was a weak one having regard to the political issues involved. If, on the other hand, it was decided to discontinue wireless broadcasting in time of war, the Postmaster General was much impressed by the importance of having a really efficient system of wire broadcasting immediately available, and would be prepared to meet the political objections in the national interest.

On question (b), the Postmaster General recognised that there were political objections to selecting a town with a Labour Council for an experiment, but would be prepared to face these objections in the national interest.

On question (c), the Postmaster General agreed that if there was any possibility of the Post Office taking over the operation of the relay exchanges, the existing licensing system should be extended, as suggested, to the 31st December, 1942.

On question (d), the Postmaster General was inclined to favour having an experimental service by means of carrier frequency to telephone subscribers if the question of taking over the operation of the relay services was not to be further pursued.
The Chancellor of the Exchequer pointed out that the difficulty was that broadcasting in time of war would provide enemy aircraft with the means of verifying their position — acting virtually as a direction finder. He recalled, for example, that the airship R.101 had been receiving messages every few minutes during its final voyage which ended in disaster. The argument in favour of some relay system was that we ought to have an alternative method of sending messages to the civil population over wires. The difficulty, however, was that at the present time the number of wires available for the purpose was extremely limited. If some alternative method to wireless broadcast was to be established, an immense amount of work would have to be done on it.

The Assistant Postmaster General pointed out that the proposed Southampton experiment would cost £200,000 which bore out what the Chancellor of the Exchequer had said.

The Prime Minister pointed out that the question turned to a considerable extent on the aspects of national defence and whether, in time of war, an alternative to wireless broadcasting was necessary. If it should turn out that this was the case, it would dispose of the argument that the establishment of a service by the State involved Socialism. He thought, therefore, the question should go, in the first instance, to the Committee of Imperial Defence. The Assistant Postmaster General should be included on any Sub-Committee that might be set up.

The Secretary of State for Foreign Affairs said that he had received observations from his Department which seemed to indicate that this question was rather closely bound up with the next item on the Agenda Paper and that it might be advisable for the two subjects to be dealt with by the same body (but see conclusions on following item).
The Cabinet agreed:

(a) That the memorandum by the Postmaster General (C.P. 132 (38)) relating to the operation of Relay Services and Wire Broadcasting should be referred, in the first instance, to the Committee of Imperial Defence in order to ascertain to what extent it was safe to utilise wireless broadcasting in time of war, or whether, from the point of view of national defence, it was necessary or desirable to establish some form of wire relay service;

(b) That the Minister for Co-ordination of Defence should be responsible for settling the most convenient form of inquiry taking into account the Prime Minister's undertaking that the Postmaster General should be represented by the Assistant Postmaster General;

(c) That the Committee of Imperial Defence should be asked to report as soon as possible and, in any event, before the Parliamentary Recess.
ll. The Cabinet had before them a Memorandum by the Postmaster-General (O.P.-133 (38)) reviewing comprehensively developments that had taken place on the subject of Advertisement Broadcasting since the Cabinet's decision (referred to in the margin) that "sponsored" items should not be included in the broadcasting service. At the end of his Memorandum the Postmaster-General summed up as follows the policy he recommended the Cabinet to approve:—

(a) That the practice of excluding advertisements from the broadcasting service in this country should for the present be maintained:

(b) That the scheme submitted by Mr Boothby, M.P., and any similar proposals which necessitate the approval of H.M. Government of the practice of broadcasting advertisements in English from foreign stations, should be rejected:

(c) That a suitable opportunity should be taken to make a public statement that the Government is opposed to the broadcasting of advertisements in English from Continental stations, and that if and when a sponsored broadcasting service is conceived to be in the public interest the British Broadcasting Corporation will be requested to undertake such a service.

In reply to the Prime Minister, the Assistant Postmaster General stated that the term "Sponsored Programmes" signified programmes by advertisers who had paid for the use of a broadcast service.

The Secretary of State for Air demurred to the following sentence at the end of (c) above:—

"and that if and when a sponsored broadcasting service is conceived to be in the public interest the British Broadcasting Corporation will be requested to undertake such a service."

The Chancellor of the Exchequer also demurred to so definite a statement. The Government's line ought to be that if it was necessary to produce such a service, they could do it.
The Secretary of State for Foreign Affairs said that the broad assumptions made by experts in his office were that it was impossible for the British Government effectively to control what was launched in English from foreign stations and that the 1933 convention had turned out a dead letter. In those circumstances, his advisers felt that it would be valuable to have in existence a station abroad which could be controlled by the British Government and which would be very useful for putting out their point of view in strained relations. They had urged that the strategic importance of this aspect of the question should be examined. That was why, in discussing the previous item, he had suggested that the two questions were linked together. He did not know whether this question also would be appropriate to the Committee of Imperial Defence.

The Assistant Postmaster General said that the Postmaster General had hoped to have a Cabinet Committee on the subject.

The Prime Minister said that the best plan would be to treat the previous item as recorded in the Cabinet conclusion thereon and to send the Report now under consideration to the Cabinet Committee on Overseas Broadcasting. In view of the preoccupations of Sir Kingsley Wood with his new office, he proposed to appoint the Minister for Coordination of Defence as Chairman—Sir Kingsley Wood remaining a member.

The Cabinet agreed:

That the Postmaster General's memorandum on Sponsored Programmes (C.P. 133 (38)) should be referred for consideration by the Cabinet Committee on Overseas Broadcasting, which should be reconstituted as follows:
The Minister for Co-ordination of Defence (Chairman),
The Lord Privy Seal,
The Secretary of State for Air, and
A representative (Cabinet Minister or Under-
Secretary) of the Treasury, Foreign
Office, Dominions Office, India Office,
Colonial Office and Post Office.

(The Assistant Postmaster General withdrew at this
point.)
12. The Cabinet had under consideration a Joint Memorandum by the Minister of Agriculture and Fisheries and the Secretary of State for Scotland (H.A.-21 (38)) covering the draft Milk (Extension and Amendment) Bill, among the principal objects of which was the extension for 12 months of the period for Exchequer payments both in connection with milk sold or used for manufacture and with schemes for increasing the demand for milk: together with the following recommendation of the Committee of Home Affairs thereon (H.A.C. 11th Conclusions (38)):

"To recommend the Cabinet to authorise the introduction forthwith in the House of Commons, with a view to its passage into law before the Summer Recess, of the Milk (Extension and Amendment) Bill in the form of the draft annexed to H.A.-21 (38), subject to the deletion of Clause 1 (2) and to any drafting or other minor alterations that may be found necessary or desirable."

The Cabinet agreed:

To approve the recommendation of the Committee of Home Affairs as set forth above.

2, Whitehall Gardens, S.W.1.

22nd June, 1938.