

I have spent many years of my life in that service, and have its interests very keenly at heart. . . I do not wish to argue the merits of the case, except to say that for any State body to accept entrants at second hand, unless laid down by Act of Parliament, is surely a rather unusual innovation in the compiling of the State Registers, and that any Register which takes such entrants is weakening its position in the eyes of the nursing profession and of the public. Therefore, I do beg of the Minister to reconsider the position which he has announced to the House.

MR. SPENCER: I want to lodge a protest against the absence from this House of a legal representative of the Government when we are dealing with an important question in which a legal issue is raised. I distinctly remember that, when we were dealing with this question upstairs, a very great deal of apprehension was expressed with regard to the Councils we are discussing to-night, and I am thoroughly convinced that, so far as the legal aspect of the question is concerned, the legal opinion which has been expressed by the Minister who is defending his action to-night, is an opinion that, to put it most mildly and moderately, can be questioned by this House. I had some previous experience with regard to opinion which has been given by the legal representative of His Majesty's Government when questions have been either before this House or Committee. May I give one instance to show how great is the difference between the legal opinion just laid down by the Minister and the actual practice; and, after all, the Minister gave his legal decision, and then said it could not be enforced! . . . I want to make this point, so far as the word "shall" is concerned. I understand the position of the Minister is this: that this word "shall" is purely an instruction—that is the intention of the word, an instruction that the English Council "shall" consult, and if they do not consult, when the Minister has done so and so, it does not invalidate anything that has been done by the Council. However he can place such an interpretation on the law passes the comprehension of the English lay mind.

I want to say just a word or two in regard to the position of nurses in this country and in Scotland. Nothing should be done in this House which will make it more difficult to interchange, or accept and recognise the validity of registration and the certificate on the other side of the border, or to encourage a system under which the nurses of this country may be registered, then perhaps go over into Scotland and find that their English registration is not accepted as valid. If we refuse to accept the humble petition we are setting up a state of affairs in which we are going to have, not only a dual authority, but a dual form of registration, in which on one side of the border it will, and on the other side it will not, be recognised. (Hon. Members: "Agreed.") Any system of that character, in my opinion, will be most detrimental to the nurses of the country.

MAJOR BARNETT: By leave of the House I should like to make one point in reply to the right hon.

Baronet. He says that Rule 9a deals, not with qualification, but with the conditions of admission to the Register. I agree, but according to Section 6 (3) of the Act the General Nursing Council for England and Wales must consult with the Scottish and Irish Councils before making Rules "with respect to the conditions of admission to the Register." My right hon. Friend says that 9a is "merely a machinery Rule." Surely the question of what evidence of nurses' qualifications shall be required is vital! There have been cases of nurses in this country with forged certificates who have carried on practice.

If the Scottish Council insists upon seeing certain certificates, or certified copies of them, is not that a material point of admission to the Register. The Scottish Council declines to accept hearsay evidence, and insists upon the production of the original training certificate, or at least a certified copy of such certificate. A majority of the English Council now, apparently, take a different view, and are satisfied with a declaration that the training certificate, or a certified copy of it, was produced at some earlier date to other people. How can there be reciprocity under such conditions? A nurse who failed to satisfy the prudent Rules imposed by the Scottish Council might come to England, register under the looser provisions of the English Council, and then claim to register in Scotland under the reciprocity Rule. I say the right hon. Gentleman's law is bad law, and Rule 9a is *ultra vires*. If my right hon. Friend does not see his way to drop these Rules I propose to take the opinion of the House.

Question put.

The House divided: Ayes, 49; Noes, 64.

AYES.

Adamson, Rt. Hon. William	Halls, Walter
Ammon, Charles George	Hartshorn, Vernon
Balfour, G. (Hampstead)	Hayday, Arthur
Barker, G. (Monmouth, Abertillery)	Herbert, Dennis (Hertford, Watford)
Barnes, Major H. (Newcastle, E.)	Hirst, G. H.
Bell, James (Lancaster, Ormskirk)	Hopkins, John W. W.
Bowyer, Captain G. W. E.	Jones, Morgan (Caerphilly)
Brown, J. (Ayr and Bute)	Lawson, John James
Carter, W. (Nottingham, Mansfield)	MacVeagh, Jeremiah
Davies, Evan (Ebbw Vale)	Molson, Major John Elsdale
Davies, Rhys John (Westhoughton)	Naylor, Thomas Ellis
Davies, Sir W. Howell (Bristol, S.)	O'Grady, Captain James
Edwards, C. (Monmouth, Bedwillyt)	Raffan, Peter Wilson
Elliot, Captain Walter E. (Lanark)	Richardson, R. (Houghton-le-Spring)
Erskine, James Malcolm Monteith	Rose, Frank H.
Gillis, William	Royce, William Stapleton
Griffiths, T. (Monmouth, Pontypool)	Shaw, William T. (Forfar)
Grundy, T. W.	Short, Alfred (Wednesbury)
Guest, J. (York, W. R., Hemsworth)	Sitch, Charles H.
	Smith, W. R. (Wellingborough)
	Spencer, George A.
	Strauss, Edward Anthony
	Sutton, John Edward
	Swan, J. E.
	Thomson, T. (Middlesbrough, West)
	Tillett, Benjamin

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