

'Such a longing': black and white children in welfare in New South Wales and Tasmania, 1880-1940

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‘SUCH A LONGING’

**BLACK AND WHITE CHILDREN IN
WELFARE IN NEW SOUTH WALES AND
TASMANIA, 1880-1940**

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PHD

AUGUST 2007

THE UNIVERSITY OF NEW SOUTH WALES		
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Title: 'Such a longing': Black and white children in welfare in New South Wales and Tasmania, 1880-1940		
<p align="center">Abstract 350 words maximum:</p> <p>When the Human Rights and Equal Opportunities Commission tabled <i>Bringing them home</i>, its report into the separation of indigenous children from their families, it was criticised for failing to consider Indigenous child welfare within the context of contemporary standards. Non-Indigenous people who had experienced out-of-home care also questioned why their stories were not recognised. This thesis addresses those concerns, examining the origins and history of the welfare systems of NSW and Tasmania between 1880 and 1940. Tasmania, which had no specific policies on race or Indigenous children, provides fruitful ground for comparison with NSW, which had separate welfare systems for children defined as Indigenous and non-Indigenous. This thesis draws on the records of these systems to examine the gaps between ideology and policy and practice.</p> <p>The development of welfare systems was uneven, but there are clear trends. In the years 1880 to 1940 non-Indigenous welfare systems placed their faith in boarding-out (fostering) as the most humane method of caring for neglected and destitute children, although institutions and juvenile apprenticeship were never supplanted by fostering. Concepts of child welfare shifted from charity to welfare; that is, from simple removal to social interventions that would assist children's reform. These included education, and techniques to enlist the support of the child's family in its reform. The numbers of non-Indigenous children taken into care were reduced by economic and environmental measures, such as payments to single mothers.</p> <p>The NSW Aborigines Protection Board dismissed boarding-out as an option for Indigenous children and applied older methods, of institutionalisation and apprenticeship, to children it removed from reserves. As non-Indigenous welfare systems in both states were refined, the Protection Board clung to its original methods. It focussed on older children, whilst allowing reserves to deteriorate, and reducing the rights of Aboriginal people. This cannot simply be explained by race, for Tasmania did not adopt the same response.</p> <p>This study shows that the policies of the Aborigines Protection Board were not consonant with wider standards in child welfare of the time. However, the common thread between Indigenous and non-Indigenous child removal was the longing of children and their families for each other.</p>		
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Signed:

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My special thanks go to my patient supervisor Anne O'Brien and my co-supervisor Grace Karskens in the School of History. Beverly Kingston and Jill Roe eased my path into this project, and Michael Roe and Michael Bennett of the University of Tasmania's History Department welcomed me back when I went there to research. I have survived on an Australian Postgraduate Award, and enjoyed an Eric Dark Varuna Fellowship.

John Ramsay, former Secretary of the Tasmanian Department of Health and Human Services, made records available, as did the NSW Department of Aboriginal Affairs. Link-Up (NSW), then headed by Barry Duroux, was supportive. Archives would be nothing without the guidance of archivists, so I am grateful to the staff of the Archives Office of Tasmania, especially Kim Pearce. At NSW State Records I must thank Fabian Lo Schiavo, Kirsten Thorpe, Melissa Donovan (also at the Mitchell) and Christine Yeats. The University of Sydney's Nursing Archives, the Sisters of the Good Shepherd and the Hobart Benevolent Society allowed me to use their records.

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Abbreviations Used

AAPA	Australian Aborigines Progressive Association (NSW)
ADB	Australian Dictionary of Biography
AOT	Archives Office of Tasmania
APA	Aborigines Protection Association (NSW)
APB	Aborigines Protection Board (NSW)
APNR	Association for Protection of Native Races (NSW)
AWB	Aborigines Welfare Board (NSW)
CLAN	Care Leavers Australia Network
CSD	Children of the State Department (Tasmania)
CSD(GC)	Chief Secretary's Department General Correspondence (Tasmania)
CWD	Child Welfare Department (NSW)
DoCS	Department of Community Services (NSW)
DPI	Department of Public Instruction (NSW)
HREOC	Human Rights & Equal Opportunities Commission (Commonwealth)
NCD	Neglected Children's Department (Tasmania)
NS	Non-State Records (Archives Office of Tasmania)
NTCI	New Town Charitable Institution (Tasmania)
SCRB	State Children's Relief Board (NSW)
SCRD	State Children's Relief Department (NSW)
SRNSW	State Records of New South Wales
SWD	Social Welfare Department (Tasmania)
UNSW	University of New South Wales
WCTU	Women's Christian Temperance Union

Maps



Figure 1: Map of Tasmania, showing key centres referenced in this thesis, including Cape Barren Island.



Figure 2: Map of key towns and Aboriginal stations and reserves in NSW.

A Note on Sources

I know many former clients of welfare systems are disturbed by my probing into welfare records, because they have told me so. But I have also tried to honour those who, in the absence of records or opportunity to research them, have been unable to find out about their past.

Throughout my project I have tried to respect the feelings and privacy of the individuals whose stories appear in these files. In this I have been guided by the UNSW Human Research Ethics Committee, and by the government departments who have given me permission to use their records – the Tasmanian Department of Health and Human Services and the NSW Department of Aboriginal Affairs.

I do not use the real names of wards or their families, with the occasional exception of people who appeared as witnesses before public inquiries or have given me consent to use their names. I have taken pains to protect the real identities of those whose records I have read, and when I have referred to Tasmanian records I have removed any identifying information. Names I have changed are marked in italics. No outsider should be able to recognise these individuals in my writing, although some may be able to recognise their younger selves, or their parents or grandparents. I hope this does not cause pain, and that the benefit of knowing something about the past practices, and why they evolved the way they did, outweighs any personal distress I have caused by writing about them.

Introduction

If these bodies of suffering and story can be connected, then the process of reconciliation between European and Aboriginal Australians ... might be advanced in ways that do not allow regression to an age that once we thought of as less enlightened than this.¹

This thesis began as a historical response to the controversy surrounding the 1997 Human Rights and Equal Opportunities Commission (HREOC) report, *Bringing them home*.² The result of concerted lobbying by Aboriginal groups, the report had been commissioned by a Labor Government whose Prime Minister, Paul Keating, had acknowledged in his 1992 Redfern Park address that 'we' – white Australians – 'took the children from their mothers'.³ *Bringing them home* underlined this admission, telling how between one in ten and one in three Aboriginal and Torres Strait Islander children had been forcibly removed from their families over the period 1910 to 1970, and outlining the destructive effects of the grief that reverberated through those families for generations.⁴ The report was buttressed by state government submissions and accounts from carers, adoptive and foster parents, policemen and officials, as well as historians, but the most moving evidence came from 535 submissions by Indigenous people – the stolen generations – who had experienced those systems.⁵ When *Bringing them home* was tabled in the Commonwealth Parliament their voices rang out in the public sphere.

Yet they were only heard by some. Before the report was tabled the government changed, and the Liberal Party Prime Minister, John Howard, condemned 'Black

-
- 1 P. Pierce, *The Country of Lost Children: An Australian Anxiety*, (Cambridge: Cambridge University Press, 1999), p. xiv.
 - 2 Human Rights and Equal Opportunity Commission, *Bringing them home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*, (Canberra: Commonwealth of Australia, 1997).
 - 3 L. Briskman, *The Black Grapevine: Aboriginal activism and the Stolen Generations*, (Sydney: 2003), pp. 101-107; N. Parry, '[Review] *The Black Grapevine: Aboriginal activism and the Stolen Generations*, Federation Press, Sydney, 2003', *Australian Aboriginal Studies*, 2, 2004; B. Attwood, '"Learning about the truth": the stolen generations narrative', in B. Attwood and F. Magowan, (ed.), *Telling Stories: Indigenous history and memory in Australia and New Zealand*, (Sydney: Allen & Unwin, 2001), pp. 201-203; P. Keating, 'Redfern Park, Australian Launch of the International Year for the World's Indigenous People', 1992. Apology Australia, www.apology.west.net.au/redfern.html, accessed 1.5.2003.
 - 4 HREOC, *Bringing them home*, pp. 36-37, pp. 151-246.
 - 5 The term was coined by Jay Read, and first used by Peter Read in the 1980s. P. Read, *The Stolen Generations: The Removal of Aboriginal Children in NSW 1883-1969*, (Sydney: NSW Ministry of Aboriginal Affairs Occasional Paper No. 1/ Aboriginal Children's Research Project, NSW Family and Children's Services Agency, 1981); P. Read, 'The Return of the Stolen Generation', *Journal of Australian Studies: Steal Away, Hide Away* 59, December, 1998. It entered common parlance after 1997 and was itself contested, as it implies removal by the state without consent. Attwood, '"Learning about the truth"', pp. 220-221.

Armband' views of history.⁶ He refused to act on the report's recommendation that he apologise to the stolen generations on behalf of the government. This refusal was met with creative protests ranging from rallies to signed 'Sorry Books' and the 'Sea of Hands', a moveable monument consisting of thousands of handprint stencils, each signed by a supporter of reconciliation between black and white. Mounted so they waved, these hands flowed over the lawns of Parliament House and Sydney Olympic Park in 2000. Although they flowed again over Redfern Park in 2002, ten years after Keating's speech, the year 2000 was the apogee of protest, because it was in that year the government informed a Senate inquiry that, because only one in ten Aboriginal children had been removed, there was no 'stolen generation'. Further:

The treatment of separated Aboriginal children was essentially lawful and benign in intent and also reflected wider values applying to children of that era, as recorded in other recent official reports concerning 'illegitimacy', adoption, child welfare and institutionalisation practices throughout much of the twentieth century.⁷

A few weeks later 200,000 people marched across the Sydney Harbour Bridge, as an aeroplane etched the word 'Sorry' on a chill blue sky, but their actions were met with stony indifference. Conservative commentators such as journalist Padraic P. McGuinness, various writers in *Quadrant*, Murdoch Press columnist Andrew Bolt and anthropologist Ron Brunton joined in, attacking HREOC's claim that Australian policies of child removal met the definitions of genocide adopted by the United Nations in 1948.⁸ Such criticisms were in turn countered by Robert Manne in his essay *In Denial*, and by a number of notable historians.⁹

6 See S. Macintyre & A. Clark, *The History Wars*, (Melbourne: Melbourne University Press, 2003). Margaret Simons places the debates over *Bringing them home* within the context of wider debates on Aboriginal knowledge and memory and native title that played out around the issue of the Hindmarsh Island Bridge in South Australia throughout the 1990s. M. Simons, *The Meeting of the Waters: The Hindmarsh Island Affair*, (Sydney: Hodder, 2003), pp. 440-442.

7 Federal Government Submission, *Senate Legal and Constitutional Committee, "Inquiry into the Stolen Generation"*, (Commonwealth: Senate of Australia, 2000), Executive Summary, p. ii.

8 Bolt's most notorious intervention was his authorship of an article on Aboriginal leader Lowitja O'Donoghue called 'I Wasn't Stolen', *Herald-Sun*, 23.2.2001, cited (as appearing in 2000), R. Manne, 'In Denial: the Stolen Generations and the Right', *The Australian Quarterly Essay*, 1, 2001, p. 1; R. Brunton, 'Betraying the Victims of the "Stolen Generation"', *Courier Mail*, 26.2. 1998; R. Brunton, 'Betraying the Victims: The "Stolen Generation" Report', *Institute of Public Affairs Backgrounder*, Volume 10, 1, 1998.

9 Manne, 'In Denial'; *Aboriginal History, Genocide Special Issue*, volume 25, 2001; R. Manne, 'Aboriginal Child Removal and the Question of Genocide, 1900-1940', in A. D. Moses (ed.), *Genocide and Settler Society*:

[Note continued following page]

Brunton's response to *Bringing them home*, called *Betraying the Victims*, made a more telling criticism: that the report had failed to corroborate oral statements with documentary evidence. His statement that the oral testimony gathered by HREOC may represent a case of false memory syndrome, or suggestibility, was inflammatory and distracted attention from his more measured and meaningful point that 'the whole sorry story of child removals' needs to be considered in its historical context, so as to distinguish between what was allowed by legislation and what actually occurred.¹⁰ Brunton agreed that forcible removal of children, or any legislation or programme which uses racial or ethnic status as the determinant of the way people are treated, is indefensible, but asserted HREOC had failed to compare 'like with like', and so had not established the difference between the experiences of Aboriginal and non-Aboriginal children in care systems.¹¹

HREOC had neither the resources nor the funding to attempt such a Herculean task. However, Manne's retort – that it was impossible to compare 'like with like' because the documents that would enable this do not exist – was unsatisfying.¹² It is certainly the case that little comparative work has been done, but there is surviving documentary evidence relating to both Indigenous and non-Indigenous children. As will be explained below, the NSW Aborigines Protection Board records have been well thumbed by historians. Margaret Barbalet used South Australian archives to write about non-Indigenous children in *Far From a Low Gutter Girl*, and Caroline Evans wrote her doctoral thesis, 'Protecting the Innocent', using the Tasmanian Social Welfare Department records of non-Indigenous children.¹³

Frontier violence and stolen Indigenous children in Australian history, (New York: Berghahn Books, 2004), pp. 217-243.

10 Brunton, 'Betraying the Victims', p. 6.

11 Brunton, 'Betraying the Victims', pp. 9-10.

12 Manne, 'In Denial', p. xx.

13 M. Barbalet, *Far From a Low Gutter Girl*, (Melbourne: Oxford University Press, 1983); C. Evans, 'State Girls: Their Lives as Apprentices', *Tasmanian Historical Research Association Papers and Proceedings*, 41, 2, 1994; C. Evans, 'Poor Wand'rers: Tasmanian Street Children and Social Policy in the 1890s', *Tasmanian Historical Studies*, 6, 1, 1996, pp. 60-74; C. Evans, 'Protecting the Innocent: Tasmania's Neglected Children, their Parents and State Care, 1890-1918,' Department of History, University of Tasmania, 1999; C. Evans, 'Excellent Women and Troublesome Children: State Foster Care in Tasmania, 1896-1918', *Labour History*, 83, November, 2002; C. Evans, 'Perceptions of Fatherhood in Tasmania's Neglected Children's Department, 1896-1918', *Tasmanian Historical Research Association Papers & Proceedings*, 50, 2, 2003, pp. 118-123

Comparative history is not only possible, it is essential, for since *Bringing them home* was tabled, other groups have claimed they were traumatised by their separation from their birth families. Thousands of unaccompanied children arrived in Australia through British Imperial migration schemes. They were the subjects of a 2001 Senate report called *Lost Innocents*.¹⁴ In Tasmania a group of relinquishing mothers, 'Origins', used the term 'stolen' to describe the pressures placed upon them to adopt their illegitimate babies out in the 1950s and 1960s.¹⁵ A group called Care-Leavers Australia Network (CLAN), led by Joanna Penglase and Leonie Sheedy, spearheaded a campaign to draw attention to the experiences of thousands of children who grew up in foster homes or institutions. The resulting Senate report, *Forgotten Australians*, completed the trilogy of government inquiries into the experience and effects of raising children in out-of-home care. All three reports were built on submissions and confirmed the commonalities between Indigenous and non-Indigenous experience.¹⁶ The British government has apologised for its role in child migration, but like the stolen generations, CLAN waits still for a satisfactory government response to *Forgotten Australians*.¹⁷

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- 14 A. Gill, *Orphans of the Empire: the shocking story of child migration to Australia*, (Sydney: Vintage, 1998); M. Creelman, 'A Surrogate Parent Approach to Child Emigration: the first Kingsley Fairbridge Farm School, 1912-1924', in P.E. Hetherington, (ed.), *Childhood and Society in Western Australia*, (Nedlands: University of Western Australia Press, 1988); G. Sherington, 'Child Abuse or Child Welfare? Child Migration from Britain to Australia in the Twentieth Century', 1999; Senate Community Affairs References Committee, *Lost Innocents: Righting the Record*, (Canberra: Parliament of the Commonwealth of Australia, 2001).
- 15 *Sunday Tasmanian*, 9.6.1996, p. 1; 'Stolen babies: call for action', 10.6.1996, p. 1; 'Stolen babies: mums hit back', *Mercury*, 5.9.1996, p. 1; 'Concern at study of stolen babies', *Sunday Tasmanian*, 9.2.1997, p. 11; 'Baby theft: Tasmanian mothers tricked on adoptions', 'Mums in stolen babies plea', *Sunday Tasmanian*, 10.5.1998, p. 2; 'Stolen babies pain still lingers: Tasmanian mothers campaign for an inquiry' *Sunday Examiner*, 21.6.1998, p. 3; 'Inquiry begins on Tasmania's stolen children', *The Examiner* 13.7.1999, p. 42; 'Mums turn up heat on forced adoption issue', *The Mercury* 17.3.1999, p. 23; 'Tears for her lost children', *Mercury*, 6.10.1999, p. 1; Tasmanian Adoption Joint House Select Committee – Appointment, *Hansard*, 22.4.1999, pp. 33-80; 'Young Mum's tragic years: Tassie MPs say sorry over forced adoptions', *Mercury*, 6.10.1999, p. 1. Vulnerable single mothers were often told such adoptions were 'for the best'. J. McCalman, *Sex and Suffering: Women's Health and a Women's Hospital, The Royal Women's Hospital 1856-1996*, (Melbourne: Melbourne University Press, 1998), p. 278.
- 16 Senate Community Affairs References Committee, *Lost Innocents*, p. 2; 'Forgotten Australians' is, I believe, Leonie Sheedy's phrase. Interview with L. Sheedy, 2002; Senate Community Affairs Reference Committee, *Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children*, (Canberra: Senate of Australia, 2004); Michael Pelly and AAP, 'Time for apology to children once swept under the carpet', *The Sydney Morning Herald*, 3.8.2004; R. Yallop, 'The children nobody loved', *The Australian*, 1.9.2005; J. Roberts, 'Scarred for life by the Sisters of little Mercy', and Editorial, 'Saying sorry will not help children now', *The Australian*, 1.9.2005.
- 17 G. Ryle & L. Prior, 'Democracy Denied: MPs are spending millions on inquiries that go nowhere', *The Sydney Morning Herald*, 20.6.2005. This was the front page. A sub headed article 'We were given hope, and got nothing', focussed on CLAN.

As Shurlee Swain has observed, political campaigns mounted by adult survivors for recognition of their stories, irrespective of race, have at their core the question, ‘Why did this happen to me?’¹⁸ So many survivors have said their experiences in these systems were miserable, and their lives afterwards were forever warped. Many question why they were put into care, and feel abandoned by their families. That is a feeling common to all people who experienced these systems – whether they are Indigenous or not. I hope this thesis goes at least some of the way towards answering the cry of one care leaver who said:

No one can find any records about me ... it seems now I will never have any context for this life changing action. Why is this? Why have I never been told as an adult why the government came and took us?¹⁹

This thesis compares ‘like with like’ to see if the treatment of Indigenous children truly reflected the ‘wider values’ of the era, and provides context to understand these life changing actions. It goes back to the origins of these systems and addresses those sceptical of the veracity of the memories of survivors of these systems by concentrating on the documentary record, to see how people experienced these systems in their time. Because a national study is beyond the scope of a single doctoral thesis, I have elected to juxtapose the experiences of Indigenous children with those of non-Indigenous children in the welfare systems of NSW and Tasmania. I began asking these questions in NSW, in Newtown, a few streets from the buildings that housed George Ardill’s Home of Hope Laundry and Lying-In Home, and was drawn back to my home state of Tasmania, where so many welfare buildings have been recycled from convict days, and where the Magdalene Home laundries were spoken of as the place bad girls were sent. As I began my research, my friend and colleague in child welfare history, Caroline Evans, bought a house in Landsdowne Crescent, West Hobart. It is near the site of Kennerley Boys Home, but had actually been the home of the Matron at the Salvation Army’s lying-in home Elim.

My studies have been based at UNSW, adjacent to the old Randwick Destitute Children’s Asylum, and when I returned to Sydney I lived next door to a Marrickville

18 S. Swain, ‘Child Rescue: the emigration of an idea’, in J. Lawrence & P. Starkey, (ed.), *Child welfare and social action in the nineteenth and twentieth centuries*, (Liverpool: Liverpool University Press, 2001), p. 101.

19 Submission 57, Senate Community Affairs Reference Committee, *Forgotten Australians*, p. 267.

nursing home that was once Lisgar, a Church of England home for domestic servants. I then moved to Katoomba, to a house above the Gully, where Katoomba's Aboriginal community settled in the post-contact era. It was the setting for a number of child removals. Much of the research was done in the Mitchell Library, which required me to travel through Central Station, the old site of the Benevolent Asylum, to St James. Walking through tunnels filled with the possessions of the homeless, I would emerge at Hyde Park Barracks, where colonial 'welfare' had been provided for convicts, migrant women and the aged. I would walk down Macquarie Street past the Parliament in which child welfare policies had been debated, to the precinct where the Protection Board, the Education Department and the State Children's Relief Board had conducted their business.

Comparing Tasmania and NSW is fruitful in many ways. Although the history of contact between indigenes and Europeans was more extreme in Tasmania, by the late 19th century the welfare systems of the two states were roughly the same, although Joan Brown, the pioneering historian of Tasmanian welfare, has noted they were arrived at by different routes.²⁰ The states share a convict past, but Tasmania's convict era was prolonged by its role as a destination for secondary transportation. When British funding was withdrawn Tasmania was left with a residue of aged and destitute convicts, ticket-of-leave holders and 'Imperial lunatics' – those driven insane by convict life.²¹ The convicts were 'a classic illustration' of English industrial middle class beliefs that poverty resulted from weakness, improvidence and vice, and this belief, set in a weak economy, restricted the development of voluntary networks to a few elite families.²² NSW, on the other hand, experienced rapid economic growth from the 1820s and was more attractive to commerce, industry and migrants. This growth, which augured badly for the social problems found in other New World cities, coupled with the determination of residents to avoid anything that smacked of a poor law, facilitated the development of

20 J. Brown, *"Poverty is Not a Crime": the development of social services in Tasmania 1803-1900*, (Hobart: Tasmanian Historical Research Association, 1972).

21 'A rather grand title for a pathetic group of men'. Brown, *Poverty is Not a Crime*, p. 89. The Hill sisters argued that Tasmania had been compelled to amend her laws to adopt a rational treatment of the offenders because she had been obliged to retain the convicts in her midst. R. & F. Hill, *What We Saw in Australia*, (London: Macmillan & Co, 1875), p. 418.

22 Brown, *Poverty is Not a Crime*, p. 75, pp. 83-86, p. 170; B. Dickey, *No Charity There: a short history of social welfare in Australia*, (Sydney: George Allen & Unwin, 1980 [1st edition]), p. 48.

philanthropic networks which administered government aid.²³ Finally, the persistent belief that Tasmania had no Aborigines meant it did not develop any racial policies, whereas NSW did.

Although the relationship between government and voluntary agencies is a theme of this thesis, it begins when the state began to fund centralised systems and legislative programmes from consolidated revenue. The NSW State Children's Relief Department was established in 1881. The Tasmanian Neglected Children's Department began in 1896, though it formalised a system that was founded in 1872. In 1883, the NSW Aborigines Protection Board was established to administer all matters relating to Aboriginal people. Although it developed at exactly the same time as the NSW government's child welfare system, the Protection Board had different powers and practices, and its presence in NSW meant that welfare provision for Aboriginal children in that state was conceived along separate lines from the rest. Consequently, this project is a study of three welfare systems in two states, that sets the unique policies of the Aborigines Protection Board alongside mainstream welfare practices, and against the absence of race policies in Tasmania.

This thesis expands the historiography of child removal by comparing these three systems using primary sources that reveal practice as well as policy. Historians have done extensive work in this field, but in discrete areas. In NSW, work on the surviving records of the Aborigines Protection Board began in 1981 with Peter Read's *The Stolen Children*.²⁴ Heather Goodall elaborated on Read's findings, establishing the links between child removal, loss of land and Aboriginal politics, as well as contributing to the historiography of domestic service.²⁵ In the late 1980s J.J. Fletcher drew out the

23 J.B. Hirst, 'Keeping Colonial History Colonial: The Hartz Thesis Revisited', *Australian Historical Studies*, 21, 82, April, 1984, pp. 87-89.

24 P. Read, 'A double headed coin: Protection and Assimilation in Yass 1900-1960', in B. Attwood & A. Markus, (ed.), *all that dirt*, (Canberra: History Project Incorporated, Research School of Social Sciences, ANU, 1982); "'A Rape of the Soul so Profound": some reflections on the dispersal policy in NSW', *Aboriginal History*, 7, 1, 1983; "'Breaking Up These Camps Entirely": The dispersal policy in Wiradjuri Country 1909-1929', *Aboriginal History*, 8, 1, 1984; *Down There With Me on the Cowra Mission: An oral history of Erambie Aboriginal Reserve, Cowra, New South Wales*, (Sydney: Pergamon Press, 1984); *"A Rape of the Soul so Profound": some reflections on the dispersal policy in NSW*, (Sydney: Allen & Unwin, 1996); 'The Return of the Stolen Generation'.

25 H. Goodall, 'Land in Aboriginal Politics in NSW 1919-1939', PhD Thesis, History, University of Sydney, 1982; "'Saving the Children": Gender and the Colonization of Aboriginal Children in NSW, 1788 to 1990', *Aboriginal Law Bulletin*, 2, 44, 1990; "'Assimilation Begins in the Home": the State and Aboriginal women's work as

[Note continued following page]

connections between education policy and child removal in *Clean, Clad and Courteous*.²⁶ Indigenous domestic service was explored through documents and oral history by Carla Hankins in the 1980s, by Inara Walden in the 1990s and, most recently, by Victoria Haskins, who examined the intersections between apprenticeship and her own family history.²⁷ That work sits alongside the national historiography of Aboriginal domestic service.²⁸ Coral Edwards, Wendy Brady, Peter Kabaila, Anna Cole and Diana Plater have researched the Cootamundra Girls Home.²⁹ Read and Edwards founded Link-Up, which has produced collections of memory such as *The Lost Children*, and, with Tikka Wilson, authored an influential submission to HREOC, published as *In the*

mothers in New South Wales, 1900s to 1960s', *Labour History*, 69, 1995; *Invasion to Embassy: Land in Aboriginal Politics in NSW, 1770-1972*, (Sydney: Allen & Unwin, 1996).

- 26 J.J. Fletcher, *Clean, Clad and Courteous, a History of Aboriginal Education in NSW*, (Carlton: J. Fletcher, 1989).
- 27 C. Hankins, 'The Missing Links: Cultural genocide through the abduction of female Aboriginal children from their families and their training for domestic service 1883-1969', M. A. thesis, History, UNSW, 1982; D. Marr & C. Hankins, 'The Servant Problem', *The National Times*, 9.1.1983; I. Walden, 'Aboriginal Women in Domestic Service in New South Wales, 1850-1969', B.A. Honours thesis, School of History, UNSW, 1991; I. Walden, "'That Was Slavery Days': Aboriginal Domestic Servants in New South Wales in the Twentieth Century", *Labour History*, 69, 1995; I. Walden, "'To Send Her To Service': Aboriginal Domestic Servants", *Aboriginal Law Bulletin*, 3, 76, 1995; V. Haskins, 'Skeletons In Our Closet: family histories, personal narratives and race relations history in Australia', *The Olive Pink Society Bulletin*, 1998; V. Haskins, "'Could you see to the return of my daughter?': Fathers and Daughters under the New South Wales Aborigines Protection Board Child Removal Policy", *Australian Historical Studies*, 34, 121, 2003; V. Haskins, "'A better chance"? - sexual abuse and the apprenticeship of Aboriginal girls under the NSW Aborigines Protection Board', *Aboriginal History*, 28, 2004; V. Haskins, "'A devotion I hope I may fully repay": Joan Kingsley-Strack', in A. Cole, V. Haskins & F. Paisley, (ed.), *Uncommon Ground: White women in Aboriginal History*, (Canberra: Aboriginal Studies Press, 2005); V. K. Haskins, *One Bright Spot*, (Houndmills: Palgrave Macmillan, 2005).
- 28 J. Huggins, "'Firing On in the Mind": Aboriginal Women Domestic Servants in the Inter-War Years', *Hecate*, 23, 2, 1987; J. Huggins, 'White Aprons, Black Hands: Aboriginal Women Domestic Servants in Queensland', *Labour History*, 69, 1995; see also M. Tonkinson, 'Sisterhood or Aboriginal Servitude?: Black Women and White Women on the Australian Frontier', *Aboriginal History*, 12, 1, 1988; F. Bartlett, 'Clean, white girls: assimilation and women's work', *Hecate*, 25, 1, 1999; A. Curthoys & C. Moore, 'Working for the White People: an Historiographic Essay on Aboriginal and Torres Strait Islander Labour', *Labour History: Aboriginal Workers*, 69, 69, 1995; J. Scott & R. Evans, 'The Moulding of Menials: The Making of the Aboriginal Female Domestic Servant in Early Twentieth Century Queensland', *Hecate*, 22, 2, 1996; See also J. Sabbioni, "'I hate working for white people": investigation of the effects of the White Australia Policy of 1901 on Aboriginal women', *Hecate*, 19, 2, 1993.
- 29 C. Edwards, 'Is the ward clean?' in B. Attwood & A. Markus, (ed.), *all that dirt*, (Canberra: History Project Incorporated, Research School of Social Sciences, ANU, 1982); W. Brady, "'We fought!': Aboriginal young women in The Cootamundra Home 1950-1969', M.A. thesis, Department of Education, University of Sydney, 1984; P. Kabaila, *Wiradjuri Places*, (Canberra: Black Mountain Projects, 1995); A. Cole, 'Unwitting Soldiers: the working life of Matron Hiscocks at the Cootamundra Girls Home, NSW', *Aboriginal History*, 27, 2003, 2003; A. Cole, "'Would have known it by the smell of it": Ella Hiscocks', in A. Cole, V. Haskins & F. Paisley, (ed.), *Uncommon Ground: White women in Aboriginal History*, (Canberra: Aboriginal Studies Press, 2005); D. Plater, 'Cootamundra Aboriginal Girls' Home', in D. Mellor & A. Haebich, (ed.), *Many Voices: Reflections on Indigenous child separation*, (Canberra: National Library of Australia, 2002).

*Best Interest of the Child?*³⁰ Carmel Bird and the National Library of Australia's Many Voices project have collated oral history since the inquiry.³¹ Bain Attwood and Christine Brett are amongst those who have complicated understandings of missionaries and Protection Board managers by presenting the perspectives of white people involved in these systems, and Anna Doukakis has evaluated NSW Parliamentary debates on Aboriginal issues.³² As Read wrote in 2002, so much work has been done, at least in NSW, that it might be possible to contemplate writing more subtle stories about the removal of Aboriginal children, if not for the fact that recent controversy shows the 'basic truth' about the stolen generations is still contested.³³

This contestation is confounding. Historians such as John Frow, Darren Foster and Denise Cuthbert have already matched personal memory with documentary evidence, though not for NSW.³⁴ The most recent work, a national study by Anna Haebich, *Broken Circles*, focused on the machinery and effects of the removal of Australian Aboriginal children, alluding to policies towards white children and the treatment of Indigenous children in other countries. Haebich begins her book with a statement that:

30 C. Edwards & P. Read, *The Lost Children*, (Moorebank: Doubleday, 1989). Link-Up (NSW) & T.J. Wilson, *In the Best Interest of the Child? Stolen children: Aboriginal Pain/White Shame*, (Canberra: Aboriginal History Monograph Series, 1997).

31 C. Bird, *The Stolen Children; their stories: extracts from the Report of the National Inquiry into the separation of Aboriginal and Torres Strait Islander Children from their Families*, (Milsons Point: Random House Australia Pty Ltd, 1998) and D. Mellor & A. Haebich, *Many Voices: Reflection on Indigenous child separation*, (Canberra: National Library of Australia, 2002).

32 Attwood usually works in Victoria, but has done oral history with the Burrage family, whose parents worked for the Aborigines Protection Board. B. Attwood, W. Burrage, A. Burrage, E. Stoke, *A Life Together, A Life Apart: A History of Relations between Europeans and Australians*, (Melbourne: Melbourne University Press, 1994); See also B. Attwood & D. Mellor, 'The Officers', in D. Mellor & A. Haebich, (ed.), *Many Voices: Reflections on experiences of Indigenous child separation*, (Canberra: National Library of Australia, 2002); C. Brett, "'We Have Grown to Love Her': The Aborigines Inland Mission, Aboriginal People and the New South Wales Aborigines Protection Board, 1905-1920', Pacific and Asian History, First Biennial Trans-Tasman Conference (Pacific and Asian History Division), Australian National University, 8-10.10.2004, http://rspas.anu.edu.au/pah/TransTasman/papers/Brett_Christine.pdf, accessed 1.2.2005; C. Brett Vickers, "'The mother of the home': Jennie Parsons Smith', in A. Cole, V. Haskins & F. Paisley, (ed.), *Uncommon Ground: White women in Aboriginal History*, (Canberra: Aboriginal Studies Press, 2005); A. Doukakis, 'Parliament, Parliamentarians and "Protection": Responsible Government and the Aboriginal People of New South Wales, 1856-1916', B.A. Honours thesis, Department of History, University of NSW, 2003; A. Doukakis, *The Aboriginal people, parliament and "protection" in New South Wales, 1856-1916*, (Annandale: The Federation Press, 2006).

33 P. Read, 'Clio or Janus? Historians and the Stolen Generations', *Australian Historical Studies*, 118, 2002.

34 J. Frow, 'A Politics of Stolen Time', *Australian Humanities Review*, February, 1998; D. J. Foster, 'She Called Her Coral Because It Was "a perfect pink day": the Neglecting of Coral Suzanne Dickerson', *Journal of Australian Studies: Steal Away, Hide Away* 59, December, 1998; D. Cuthbert, 'Holding the Baby: Questions Arising from Research into the Experiences of Non-Aboriginal Adoptive and Foster Mothers of Aboriginal Children', *Journal of Australian Studies: Steal Away, Hide Away* 59, December, 1998.

For non-Aboriginal families, bonds between parents and children have been considered sacrosanct and the experience of growing up within the circle of the family an inviolable right to be disrupted only through strictly controlled legal processes to protect 'the best interests' of the child. By contrast, Aboriginal families have been viewed as sites of physical and moral danger and neglect and the rights of parents and children to remain together denied.³⁵

It is true that Aboriginal families were viewed that way, but a number of white families were also, and they lost children too. As Swain has noted, it is also wise to be sceptical about the quality of care provided for non-Indigenous children.³⁶ My study reveals that even where controls over the removal of white children existed in law, authorities could and did find ways around them, and the experience of these systems was rather different from what was presented in the rhetorical literature of rescue. Nevertheless, there were far fewer controls in place for Indigenous children and little expectation that bonds between parents and children were worth preserving. A study of policy and practice affecting both white and black children is necessary to tease out those differences.

In Australia, child welfare history has generally focussed on white families, as has welfare history in general.³⁷ Brian Dickey began researching welfare history in the 1960s, producing his landmark national survey, *No Charity There* in the 1980s.³⁸ In the 1970s Michael Horsburgh examined the connections between the state and voluntary agencies such as the Benevolent Society and the Randwick Destitute Children's Asylum, and produced a critique of the assertions and beliefs underlying the boarding-

35 A. Haebich, *Broken Circles: Fragmenting Indigenous Families, 1800-2000*, (Fremantle: Fremantle Arts Centre Press, 2000), p. 13.

36 Swain, 'Child Rescue'.

37 For instance, there were no mentions of Aboriginal families in the essays collected in Sydney Labor History Group, *What Rough Beast? The State and Social Order in Australian History*, (Sydney: Allen & Unwin, 1982); C. Baldock & B. Cass, *Women, Social Welfare and the State*, (North Sydney: George Allen & Unwin, 1983); J. Roe (ed.), *Social Policy in Australia: Some perspectives, 1901-1975*, (Sydney: Cassell, 1976); K. Reiger, *The Disenchantment of the Home: Modernizing the Australian Family 1880-1940*, (Melbourne: Oxford University Press, 1985). Exceptions are J. Wilson, J. Thompson & A. McMahon (eds.), *The Australian Welfare State: Key Documents and Themes*, (South Melbourne: Macmillan Education Australia, 1996); S. Garton, *Out of Luck: poor Australians and social welfare*, (Sydney: Allen & Unwin, 1990); S. Atkinson & S. Swain, 'A Network of Support: mothering across the Koorie community in Victoria, Australia', *Women's History Review*, 8, 2, 1999; Swain, 'Child Rescue'. Comparative work exists in New Zealand, for example M. Tennant, 'Welfare interactions: Maori, government and the voluntary sector in New Zealand', *History Australia*, 2, 3, 2005 and B. Dalley, *Family Matters: Child Welfare in Twentieth-Century New Zealand*, (Auckland: Auckland University Press, 1998).

38 B. Dickey, 'The Establishment of Industrial Schools and Reformatories in New South Wales, 1850-1875', *Journal of the Royal Australian Historical Society*, 54, June, 2, 1968; 'Care for Deprived, Neglected and Delinquent Children in New South Wales, 1901-1915', *Journal of the Royal Australian Historical Society*, 63, December, 3, 1977; *No Charity There* [1st edition]; *No Charity There: a short history of social welfare in Australia*, (Melbourne: Thomas Nelson Australia, 1987).

out system that is still relevant.³⁹ Leonore Ritter compared boarding-out in South Australia and NSW from a policy perspective.⁴⁰ John Ramsland has written a number of works about child welfare and institutions, which outline the reforms enacted in the name of child-saving.⁴¹ Sabine Willis and Noeline Williamson contributed detailed studies of the Parramatta Girls' Industrial School.⁴² In 1988 Anne O'Brien situated government child welfare policies alongside the proliferation of private religious homes.⁴³ Peter Quinn has updated our understandings of Parramatta, and of the juvenile justice system.⁴⁴ The latest major Australian studies have been by Shurlee Swain and Dorothy Scott, Karen Twigg and Jill Barnard, and Joanna Penglase, whose moving exposé of out-of-home care concentrates on the post-World War II era and is unfortunately outside the scope of this thesis.⁴⁵ None of these works spends much time on Indigenous child welfare.

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- 39 M. Horsburgh, 'Child Care in New South Wales in 1870', *Australian Social Work*, 29, 1, March, 1976; 'The Randwick Asylum: Organizational Resistance to Social Change', *Australian Social Work*, 30, 1, March, 1976; 'Government Policy and the Benevolent Society', *Journal of the Royal Australian Historical Society*, 63, September, 2, 1977; 'Child Care in New South Wales in 1890', *Australian Social Work*, 30, 3, September, 1977; 'Subsidy and Control: Social Welfare Activities of the New South Wales Government, 1858-1910', *Journal of Australian Studies*, 64, 2, 1977; 'The Apprenticing of Dependent Children in New South Wales between 1850 and 1885', *Journal of Australian Studies*, 7, 1, 1980.
- 40 L. Ritter, 'Boarding-Out in New South Wales and South Australia: Adoption, adaptation or innovation?', *Journal of the Royal Australian Historical Society*, 64, September, 2, 1978.
- 41 J. Ramsland, 'The Development of Boarding-Out Systems in Australia: A Series of Welfare Experiments in Child Care 1860-1910', *Journal of the Royal Australian Historical Society*, 60, 3, 1974; 'An Anatomy of a Nineteenth Century Child-Saving Institution: The Randwick Asylum for Destitute Children', *Journal of the Royal Australian Historical Society*, 70, 3, 1984; '"A Place of Refuge from Dangerous Influences": Hobart Town Industrial School for Girls, 1862-1945', *Journal of the Royal Australian Historical Society*, 71, 3, 1985; *Children of the Back Lanes: Destitute and neglected children in Colonial New South Wales*, (Sydney: University of New South Wales Press, 1986).
- 42 S. Willis, 'Purified at Parramatta: the Industrial School for Girls', in J. Mackinolty & H. Radi, (eds.), *In Pursuit of Justice: Australian Women and the Law 1788-1979*, (Sydney: Hale & Iremonger, 1979); S. Willis, 'Made to be moral - at Parramatta Girls' School, 1898-1923', in J. Roe, (ed.), *Twentieth Century Sydney: Studies in urban and social history*, (Sydney: Hale & Iremonger & the Sydney History Group, 1980); N. Williamson, '"Hymns, Songs and Blackguard Verses": Life in the Industrial and Reformatory School for Girls in New South Wales, Part I, 1867 to 1887', *Journal of the Royal Australian Historical Society*, 67, March, 4, 1982; N. Williamson, 'Laundry Maids or Ladies? Life in the Industrial and Reformatory School for Girls in New South Wales, Part II, 1887 to 1901', *Journal of the Royal Australian Historical Society*, 68, 4, March, 1983.
- 43 A. O'Brien, *Poverty's Prison: the poor in NSW 1880-1914*, (Melbourne: Melbourne University Press, 1988).
- 44 P. Quinn, '"We ask for bread and are given stone": The Girls Industrial School, Parramatta, 1941-1961', *Journal of the Royal Australian Historical Society*, 75, 2, 1989; P.E. Quinn, 'Unenlightened efficiency: the administration of the juvenile correction system in New South Wales, 1905-1988', PhD, History, University of Sydney, 2004.
- 45 D. Scott & S. Swain, *Confronting Cruelty: Historical Perspectives on Child Protection in Australia*, (Melbourne: Melbourne University Press, 2002); J. Barnard & K. Twigg, *Holding on to Hope: A history of the founding agencies of McKillop Family Services 1854-1997*, (Melbourne: Australian Scholarly Publishing, 2004); J. Penglase, '"Orphans of the Living": The Home Children NSW 1939-1965', PhD thesis, Department of Sociology, Macquarie University, 1999; J. Penglase, *Orphans of the Living: Growing up in "care" in twentieth-century Australia*, (Fremantle: Fremantle Arts Centre Press, 2005).

In Tasmania, welfare history is a smaller field, similarly focussed on the non-Indigenous. The major work on child welfare is Caroline Evans' thesis 'Protecting the Innocent', which she has extended into articles on state children and apprentices, fatherhood, foster mothers and, with myself as co-author, on mental deficiency.⁴⁶ This builds on earlier work on feminism and child welfare reform by Vicki Pearce and Alison Alexander, Stefan Petrow's explorations of controls on street children, and educational histories by Derek Phillips and Michael Sprod.⁴⁷ Some work has been done on institutions, by John Ramsland, Daniel Smedley, Val Baxter and Anne Bartlett, with the most recent being Kim Pearce's (as yet unpublished) work on the Orphan School and New Town Charitable Institution.⁴⁸ Joan Brown's 1972 work *Poverty is Not a Crime* remains fundamental to Tasmanian welfare history, but concludes its survey in 1900.⁴⁹ There is little history relating to Indigenous Tasmanian child welfare before World War II. James Boyce's *God's Own Country* was commissioned by the Anglican Church as a means of acknowledging and redressing its role in the removal of Aboriginal children from their families.⁵⁰ In both *Bringing them home* and *Broken Circles* non-Indigenous child removal in Tasmania is depicted as something that occurred in the colonial period, and recommenced after 1935 when Indigenous children from Cape Barren Island were taken under the *Infants' Welfare Act*. This periodisation

46 C. Evans, 'Protecting the Innocent'; 'Poor Wand'ers'; 'State Girls'; 'Excellent Women and Troublesome Children'; 'Perceptions of Fatherhood in Tasmania's Neglected Children's Department'; C. Evans & N. Parry, 'Vessels of Progressivism? Tasmanian State Girls and Eugenics, 1900-1940', *Australian Historical Studies*, 117, 2, 2001.

47 V. Pearce, "'The Lowest Common Denominator': Children, State and Society, Tasmania 1896-1920", M.A. thesis, History, University of Tasmania, 1983; V. Pearce, "'A Few Viragos on a Stump': the Womanhood Suffrage Campaign in Tasmania 1880-1920", *Tasmanian Historical Research Association Papers and Proceedings*, 32, 4, 1985; A. Alexander, 'The Public Role of Women in Tasmania 1803-1914', PhD thesis, History, University of Tasmania, 1989; S. Petrow, 'Better Than The Streets: Juvenile Industrial Schools and Reformatories in Tasmania 1860-1896', unpublished, not dated; D. Phillips, 'The Care and Education of Hobart's Poor in the Mid-Nineteenth Century', *Tasmanian Historical Research Association Papers and Proceedings*, 30, 3, 1983; M. Sprod, 'Domestic Training in Tasmanian State Post-Primary Schools', *Tasmanian Historical Research Association Papers and Proceedings*, 41, 1, 1994; M. Sprod, "'The Old Education': Government Schools in Tasmania 1839-1904", *Tasmanian Historical Research Association Papers and Proceedings*, 31, 2, 1984.

48 J. Ramsland, "'A Place of Refuge from Dangerous Influences"; D. Smedley, 'A Northern Tasmanian Home for Boys', *Tasmanian Historical Research Association Papers and Proceedings*, 39, 1, 1992; V. J. Baxter, 'Magdalen Home Mount St Canice: the early years', M. Humanities thesis, Department of History, University of Tasmania, 1993; A. Bartlett, 'The Launceston Female Factory', *Tasmanian Historical Research Association Papers and Proceedings*, 41, 2, 1994; K. Pearce, 'Orphan School/St John's Park, Heritage Study', unpublished, not dated.

49 Brown, *Poverty is Not a Crime*.

50 J. Boyce, *God's Own Country? The Anglican Church and Tasmanian Aborigines*, (Hobart: Social Action and Research Centre, Anglicare Tasmania, 2001).

is reflected in the Tasmanian government's current compensation scheme for members of the stolen generation.⁵¹

The tendency to deal with Aboriginal welfare as a discrete issue is understandable, as it has been situated in the broader field of Aboriginal history. However, as awareness of the stolen generations and Indigenous issues has grown, historians have begun to thread accounts of Indigenous lives through their work. Jan Kociumbas' *Australian Childhood* acknowledges the toll of child removal on Indigenous families, although it focuses on the texture of non-Indigenous childhood.⁵² Penelope Hetherington's *Settlers, Servants and Slaves* is a most valuable comparison of the lives of white and Aboriginal child workers in Western Australia, but has separated policies towards Aboriginal children from those relative to non-Aboriginal 'paupers, bastards, delinquents and larrikins'.⁵³ There is no Australian counterpart to Bronwyn Dalley's *Family Matters*, which compares the lives of Pakeha and Maori boys and girls in New Zealand's welfare system.⁵⁴ The comparative work done thus far in NSW tends towards policy discussions. Richard Chisholm's useful 1985 study *Black Children, White Welfare* was intended to guide social workers in comparative policy.⁵⁵ My honours thesis, 'Shifting for Themselves', compared black experience with policies towards white children, and concentrated on girls.⁵⁶ Robert Van Krieken comes closest to integrating Aboriginal and non-Indigenous welfare policies in his 1991 *Children of the State*. He challenged social control theories of white welfare, using evidence that some white families consented to the removal of their children to argue that child removal ideology could be compatible

51 HREOC, *Bringing them home*, p. 91; Haebich, *Broken Circles*, pp. 122-126, pp. 179-181; Tasmanian Government advertisement, "'For Tasmanian Aborigines, it's finally time to move forward': Tasmania says sorry", *The Australian*, 20-21.1.2007, p. 13.

52 J. Kociumbas, *Australian Childhood: A History*, (Sydney: Allen & Unwin, 1997); J. Factor, '(Review) *Australian Childhood: A History*, J. Kociumbas 1997', *Journal of Australian Studies: Steal Away, Hide Away* 59, December, 1998; O'Brien states that Aboriginal experiences were different and deserve separate treatment. O'Brien, *Poverty's Prison*, p. 5; Ironically, Dickey's 1980 edition, written before Read's work was published, contains more references to the circumstances of Aboriginal people in Australian welfare than the 1987 text. Dickey, *No Charity There* [1st edition]; *No Charity There: a short history of social welfare in Australia*, (Melbourne: Thomas Nelson Australia, 1987).

53 P. Hetherington, *Settlers, Servants and Slaves: Aboriginal and European Children in the Nineteenth Century in Western Australia*, (Nedlands: University of Western Australia Press, 2002); V. Haskins, '(Review) *Settlers, Servants and Slaves* P. Hetherington 2002', *Lilith*, 12, 2003.

54 Dalley, *Family Matters*.

55 R. Chisholm, *Black Children, White Welfare? Aboriginal Child Welfare Law and Policy in New South Wales*, (Sydney: UNSW Social Welfare Research Centre, 1985).

56 N. Parry, "'Shifting for Themselves": the removal of Aboriginal girls in New South Wales and their placement into domestic service, 1909-1925', B.A. Honours thesis, School of History, Macquarie University, 1997.

with the aspirations of the working class, but said Aboriginal families were subjected to forcible removals on racial grounds.⁵⁷ However, I do not believe the divisions between black and white experiences were so clear. They deserve further exploration.

This thesis explores those divisions, in the context of major shifts in social support to the destitute. Between 1880 and 1940 charitable provision and philanthropy, and accompanying understandings of imposition and moral environmentalism, were edged out (though not replaced) by experiments in state provision, or welfare. As Stephen Garton points out, this was not a simple transition. The right to welfare was often qualified with conditions that betrayed older fears of imposture and pauperism. In child welfare, increased support was accompanied by greater policing and surveillance of families and children, although there was a real reduction in absolute destitution. This was the case for non-Indigenous and Indigenous children, but, just as change was uneven across the broader welfare system, so there were differences between NSW and Tasmania, and between black and white children in welfare.⁵⁸

The only way to understand the effects and rate of the changes in Indigenous and non-Indigenous child welfare is to venture beyond policy pronouncements into the archives of the systems. Record-keeping systems vary. As Lauren Marsh and Steve Kinnane have noted, they suit the needs and style of administration, leaving idiosyncratic (and subjective) assemblages of documents that are riddled with gaps and shadows.⁵⁹ As Antoinette Burton says, archives must be read against the grain, to see what was and wasn't there.⁶⁰ Gaps can also be created by contemporary processes. In Tasmania, thanks to the then Secretary of the Department of Health and Human Services, John Ramsay, I was able to read the Social Welfare Department archives. The Tasmanian bureaucrats filed almost everything they had about the children in their care, creating 3,000 case files between the 1890s and 1940, of which I read a random-sequenced

57 R. Van Krieken, *Children and the State: Social Control and the Formation of Australian Child Welfare*, (Sydney: Allen & Unwin, 1991).

58 S. Garton, 'Rights and Duties: Arguing charity and welfare 1880-1920', in M. Wearing & R. Berreen, (eds.), *Welfare and Social Policy in Australia: the distribution of advantage*, (Sydney: Harcourt Brace & Company, 1994), pp. 23-39.

59 L. Marsh & S. Kinnane, 'Ghost Files: the missing files of the Department of Indigenous Affairs Archives', in C. Choo & S. Hollbach (eds.), *History and Native Title: Studies in Western Australian History*, 23, 2003, pp. 111-114.

60 A. Burton, 'Archive Stories: Gender in the Making of Imperial and Colonial Histories', in P. Levine (ed.), *Gender and Empire*, (Oxford: Oxford University Press, 2004), pp. 280-293.

sample of one in ten, or 300. They were an unexpectedly rich source, filled with the voices of children and their families. The NSW Department of Aboriginal Affairs also granted access to their records, although their collection of material from the Aborigines Protection Board has been leached of details and voices by the forces of time, which have included deliberate destruction, as well as rot and fire. The NSW Department of Community Services, however, put up an impassable barrier, and denied me the opportunity to read the surviving records of the State Children's Relief and Child Welfare Departments, even though they have given access to other researchers in the recent past.⁶¹ I was able to view some items that were on open access in State Records, such as 19th century material and registers of institutions, which offer little more than names and dates, but was unable to read anything detailed from the 20th century.

Consequently, different sides to the story emerge from these records. Tasmanian authorities spent little time expounding on policy. Their annual reports were largely statistical, but their practice is revealed in their case files, which also contain letters from wards and family members. These case files tell of the lived experience of child welfare. It is not possible to read this deeply with the records available in NSW. The Aborigines Protection Board records consist of brief annual reports, which explain policy, and a few forms that provide thumbnail sketches of wards' lives. When read with the surviving Minutes of Board meetings, it is possible to gain a skeleton view of practice. For the mainstream child welfare services in NSW I was obliged to confine my attentions to the Department's positive depiction of itself in its annual reports to Parliament. While these particular reports are fine sources for the ideology underpinning policy, they provide little information about the reality of children's experience.

For a long time I was bothered by the disparity between what I could read in Tasmania compared with what was available in NSW. I wondered how to prevent the voices in the Tasmanian archive from swamping those of children in NSW. However, when the three

61 Quinn, "We ask for bread and are given stone"; Quinn, 'Unenlightened efficiency'; N. Hoskin, "A Warning to Hoodlums: 'Quite A Respectable Place'". Representations of the Upper Blue Mountains in the *Blue Mountains Mountaineer* and the *Blue Mountains Echo*, 1894-1914', B.A. Honours thesis, Department of History, University of Sydney, 2004, pp. 63-82; Michael Horsburgh wrote in 1976 that SCRD records had disappeared, but recent research suggests he was incorrect. M. Horsburgh, 'Child Care in New South Wales in 1870'. I applied (repeatedly) between 2002 and 2004, but was refused, despite the support of other agencies and having been granted permission to conduct my study by the UNSW Human Research Ethics Committee in 2002. The reason for refusal was never made clear.

systems are viewed together, they complement each other, filling the gaps in each other's accounts. Evidence of Tasmanian practice rounds out the evidence of policies in NSW, just as the experiences of Tasmanian children in care tell us a little of what life was like for NSW's state children, and the case files of Tasmanian indigenous children provide insight into the lives of Aboriginal children who were treated 'as white' in the welfare systems of NSW. For much of this thesis, Tasmania's records of children's experiences provide a means of testing the success of the ideology that it shared with NSW, and of evaluating the systems of the Aborigines Protection Board.

In both states, institutionalisation of neglected children began in the early 1800s, but as the century wore on, activists became interested in the international movement to replace large 'barrack-style' institutions with a more family-like form of care; the boarding-out system.⁶² The history of the groundswell for boarding-out forms the basis for Chapter 1, but it is important to note that boarding-out never supplanted older forms of welfare. Throughout this period state departments worked alongside and in collaboration with public and private agencies and institutions, including industrial schools, orphanages, training homes, rescue homes, convents, lying-in hospitals, laundries, reformatories and asylums, as well as organisations to promote temperance, baby health, child protection, social order, delinquency studies, mental and race hygiene. At the beginning of this study, around 30 per cent of non-Indigenous state children lived in training schools, reformatories, industrial schools, 'cottage homes' and religious institutions, and 25 per cent worked as 'apprentices'; the latter figure declined to around ten per cent by the end of the period covered.⁶³ Yet boarding-out was held to be the 'gold standard' for child welfare, and was applied to between 40 and 60 per cent of state children. Its efficacy was never tested or questioned. As Horsburgh has said, its implementation was 'an act of faith'.⁶⁴

Tasmanian Indigenous children were treated much the same as white children, although racism did shape their lives. Yet, as I shall explain, the faith in boarding-out did not

62 Swain, 'Child Rescue'; S. Tiffin, *In Whose Best Interest? Child Welfare Reform in the Progressive Era*, (Connecticut: Greenwood Press, 1982), pp. 61-87; M. B. Katz, *In the Shadow of the Poorhouse: A Social History of Welfare in America*, (New York: Basic Books Inc., 1986), pp. 103-107; C. Gish, 'Rescuing the "Waifs and Strays" of the City: the Western Emigration Program of the Children's Aid Society', *Journal of Social History*, 33, 1, 1999; Dalley, *Family Matters*.

63 Swain, 'Child Rescue', p. 110.

64 M. Horsburgh, 'Child Care in New South Wales in 1890', p. 21.

extend to the Aborigines Protection Board. It rarely boarded children. At a time when white welfare agencies were abandoning apprenticeship, the Board persisted with it, saying apprenticeship and institutionalisation were the solution to the poverty and destitution that were referred to as 'the Aboriginal problem'.⁶⁵ Proportionally more Indigenous children were institutionalised, but these places are the common thread between the experiences of black and white children. There is little to say that homes in Parramatta, Mittagong and Gosford, which were for children whose debility, mental state or behaviour made them problematic to the authorities, differed in quality from the Aboriginal institutions of Kinchela and Cootamundra. In any case, Aboriginal children experienced both kinds of homes.

As already noted, this study begins in 1880, when state child welfare departments and the Aborigines Protection Board were created, but it differs from the majority of studies of Australian and international child welfare history because it extends to the beginning of World War II.⁶⁶ As Jill Roe has written, social policy in the period from 1914 to 1939 had an irregular rhythm, and historians have depicted these as 'barren and disappointing years', years in which Australia's social laboratory was 'left behind'.⁶⁷ Robert Van Krieken has said it was as if 'all the really meaningful and dramatic things had been said and done' by turn-of-the-century child-saving reformers, and 'faceless bureaucrats' merely 'cranked the machinery' after 1915.⁶⁸

However, the inter-war years were especially important to child welfare. This was a period of local and international debate about support for 'necessitous' mothers, children's labour, legal status and protections, infant life, advice-giving to mothers and

65 Goodall, "Saving the Children", p. 8.

66 J. Ramsland, *Children of the Back Lanes* and Brown, *Poverty is Not a Crime*, stop in 1900. O'Brien, *Poverty's Prison*; E. J. Yeo, 'The Creation of "Motherhood" and Women's Responses in Britain and France, 1750-1914', *Women's History Review*, 8, 2, 1999; S. Michel & S. Koven, 'Womanly Duties: Maternalist Politics and the Origins of Welfare States in France, Germany, Great Britain, and the United States, 1880-1920', *The American Historical Review*, 95(4), 1990; Tiffin, *In Whose Best Interest?*; S. Garton, 'Rights and Duties'; M. Odem, 'Single Mothers, Delinquent Daughters, and the Juvenile Court in Early 20th Century Los Angeles', *Journal of Social History*, 25, 1, 1991; Odem, *Delinquent Daughters* stop circa World War I. The exceptions are Barbalet, *Far From a Low Gutter Girl*, Reiger, *Disenchantment of the Home*, and institutional histories such as Scott & Swain, *Confronting Cruelty*, and Barnard & Twigg, *Holding on to Hope*.

67 J. Roe, 'Left Behind? 1915-1939', in J. Roe, (ed.), *Social Policy in Australia: Some perspectives, 1901-1975*, (Sydney: Cassell, 1976), p. 105.

68 Dickey, *No Charity There* [1st edition], p. 154; Van Krieken, *Children and the State*, p. 110.

public health and sanitation.⁶⁹ The social reform movement of progressivism sought to alter the social environment, as well as enact changes that would prolong childhood, and children's dependency, through the channels of education, the law and the labour market.⁷⁰ The issues of mental deficiency and delinquency were of great concern, and discussion of them often revealed the influence of eugenics.⁷¹ These debates were accompanied by an expansion of specialised bureaucracies and professionalisation.⁷²

Changes in the non-Indigenous welfare systems of NSW and Tasmania had uneven effects. Some were discursive rather than real, and had little impact on the lives of children in care. In other instances continuities were greater than breaks with the past. Some changes, such as Tasmania's mental deficiency legislation, mattered a great deal, even if they were tempered by the resistance of bureaucrats and officers. Nevertheless, concepts of welfare in both NSW and Tasmanian changed: from the belief that the only

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- 69 S. Robertson, *Crimes Against Children: Sexual Violence and Legal Culture in New York City, 1880-1960*, (Chapel Hill: University of North Carolina Press, 2005); V.A. Zelizer, *Pricing the Priceless Child: the changing social value of children*, (New York: Basic Books Inc, 1985); A.W. Pisciotta, 'Treatment on Trial: The Rhetoric and Reality of the New York House of Refuge, 1857-1935', *American Journal of Legal History*, 29, 1985; L. Gordon, *Pitied But Not Entitled: Single mothers and the history of welfare 1890-1935*, (New York: The Free Press, 1994); S. Naude & M. Burman, 'Bearing a Bastard: the social consequences of illegitimacy in Cape Town, 1896-1939', *Journal of Southern African Studies*, 17, 3, September, 1991.
- 70 D.S. Tanenhaus, 'Growing Up Dependent: Family Preservation in Early Twentieth Century Chicago', *Law and History Review*, 19, 3, 2001, p. 560; P. Pascoe, *Relations of Rescue: the Search for Female Moral Authority in the American West, 1874-1939*, (New York: Oxford University Press, 1990); Tiffin, *In Whose Best Interest?*
- 71 M. Roe, *Nine Australian Progressives, Vitalism and Bourgeois Social Thought 1890-1960*, (St Lucia: University of Queensland Press, 1984); C. Bacchi, 'The Nature-Nurture Debate in Australia 1900-1914', *Australian Historical Studies*, 1980; R. L. Jones, 'The Master Potter and the Rejected Pots: Eugenic Legislation in Victoria, 1918-1939', *Australian Historical Studies*, 113, 2, 1999; S. Garton, 'Sound Minds and Healthy Bodies: Re-considering Eugenics in Australia, 1914-1940', *Australian Historical Studies*, 1994; R. Watts, 'Beyond Nature and Nurture: Eugenics in twentieth century Australian history', *Australian Journal of Politics and History*, 40, 3, 1994; S. Lemar, 'Locating Adelaide Eugenics: Venereal Diseases and the South Australian Branch of the British Science Guild 1911-1914', in R. Nile & D. Tallis, (eds.), *Construction Works: Journal of Australian Studies No 83*, (St Lucia: University of Queensland Press, 2004); A. Taylor Allen, 'Feminism and Eugenics in Germany and Britain, 1900-1940: A Comparative Perspective', *German Studies Review*, 23, 3, 2000; A. M. Stern, 'Responsible Mothers and Normal Children: eugenics, nationalism and welfare in post-revolutionary Mexico, 1920-1940', *Journal of Historical Sociology*, 12, 4, 1999; S. Klausen, '"For the Sake of the Race": Eugenic Discourses of Feeble-mindedness and Motherhood in the South', *Journal of Southern African Studies*, 23, 1, 1997; E. J. Larson, '"In The Finest, Most Womanly Way": Women in the Southern Eugenics Movement', *The American Journal of Legal History*, 39, 2, 1995; N. Hahn Rafter, *White Trash: The Eugenic Family Studies 1877-1919*, (Boston: Northeastern University Press, 1988).
- 72 M. Lewis, 'Some Infant Health Problems in Sydney, 1880-1939', *Journal of the Royal Australian Historical Society*, 68, June, 2, 1982; L. Bryder, 'Two Models of Infant Welfare in the First Half of the Twentieth Century: New Zealand and the USA', *Women's History Review*, 12, 4, 2003; J. Raftery, '"Mainly a Question of Motherhood": Professional Advice-giving and Infant Welfare', *Journal of Australian Studies*, 45, June, 1995; P.E. Hetherington (ed.), *Childhood and Society in Western Australia*, (Nedlands: University of Western Australia Press, 1988); S. Swain, '"I am Directed to Remind You of Your Duty to Your Family": public surveillance of mothering in Victoria, Australia, 1920-1940', *Women's History Review*, 8, 2, 1999; M. Peel, 'Charity, casework and the dramas of class in Melbourne, 1920-1940: "Feeling your position"', *History Australia*, 2, 3, 2005.

hope for the destitute or neglected child was ‘rescue’ from its circumstances (and family) to a hope the child could be guided within, and with the support of, that family. The crucial social intervention was the provision of financial support, in the form of family and child endowments, because it helped poor families avoid the welfare system altogether. However, until the very late 1930s, these ideals and reforms were not reflected in the systems set up to deal with Indigenous children in NSW.

This thesis is different from previous work as it gives equal weight to the history of Indigenous and non-Indigenous children. It shows how children’s care was shaped by factors such as the perception of their character, mentality or capacity for reform as well as their race and gender. Welfare bureaucracies and the personalities of key individuals within them influenced children’s lives in care. They were the ones who negotiated the legislation, devised systems to put it into practice and implemented policy changes as progressivism developed and bureaucracies and the professions grew. The thesis will explore the subtle questions of consent, surrender, coercion and forcible removal and will show the presence of a signature on a form does not necessarily indicate that the parent wished to give up their child. I have also tried to honour the voices of those caught within these layers of authority. The Tasmanian records, in particular, reveal what Mark Peel has called an ‘intricate choreography’ in which welfare clients ‘performed poverty’ to an audience of bureaucrats, and shows the articulations of gender and class described by Carolyn Steedman.⁷³ These voices connect us with those living at the time.

Because the ideology underpinning boarding-out was the same in NSW and Tasmania, the thesis begins with a chapter introducing that ideology and treating the two states together. However, the two states had different contexts, and the nature of the records varied markedly, so for the rest of the thesis I will deal with each state and each administration separately. The first part of the thesis follows and covers the period 1880–1915, when ‘rescue’ was the dominant motive of state welfare departments. Although boarding-out was formalised earlier in NSW, I have chosen to examine

73 M. Peel, *The lowest rung: voices of Australian poverty*, (Cambridge: Cambridge University Press, 2003), p. 26; Peel, ‘Charity, casework and the dramas of class in Melbourne’; C. Steedman, *Landscape for a Good Woman: A story of two lives*, (London: Virago Press, 1986), p. 7.

Tasmania first, as it provides the better evidence of the practice of welfare and the clearer sense of what those systems were actually like for children.

The second chapter, 'Devoted to Rescue Work', introduces the administration and practices of the Neglected Children's Department and reveals the gulf between legislation and practice. The Tasmanian system was the product of an array of competing concerns, worked out on the ground by the bureaucrats who had charge of it. The third chapter, 'Dear Sir, I am writing a straightforward letter', discusses some of the letters on the Tasmanian files. By exploring them as texts, this chapter shows how children and families saw themselves and what they felt. The dominant feeling is the desire of families to be reunited – 'Such a longing' to return home. This chapter crystallises one of the major themes of this study, which is that the feeling of being removed from family and loved ones was terrible, no matter your race. Chapter 4, 'This Dark Blood', shows how Aboriginality survived in Tasmania, and affected certain families who were taken into the child welfare system.

Then we turn to NSW. Chapter 5, 'An Act of Faith', examines the mechanics of state child removal in NSW and critically evaluates official reports of policy and practice, and legislative reforms. These provide a framework for understanding Chapter 6, 'Inculcating habits of industry', which contrasts the State Children's Relief Department with the Aborigines Protection Board and its peculiarly 19th century obsession with 'rescue'. Each of the chapters in Part I end at the brink of World War I.

Part II deals with the successes and failures of attempts to modernise the child welfare system in the inter-war years. It explains the growing disparity between the shared vision of bureaucrats in Tasmania and NSW and the approach of the Aborigines Protection Board. Once more, it deals with Tasmania first. Chapter 7, 'Misdirected and Misguided', explains how Tasmanian reformers and bureaucrats formed an alliance for change that elevated the status of the Department and assisted in the professionalisation of its staff. It considers the significance of mental deficiency legislation and the social changes that led to declines in the boarding out system and, particularly, apprenticeship. Chapter 8, 'No Shame in Being a Nigger', reveals that although the Tasmanian government avoided setting policy for the Cape Barren Islanders, racism affected the lives of Indigenous children in care. Then we return to NSW, where 'such a longing' remains a dominant theme. In Chapter 9, 'In Every Case Happy and Bright', I outline a

series of reviews of child welfare in NSW in the inter-war years that indicate a politically bipartisan shift in the conception of neglected children and needy parents. The frustration of commissioners at the slow rate of change and evidence of institutional abuse shows that many of the changes to NSW child welfare were rhetorical rather than actual; however, the introduction of endowment payments improved the lives of poor families and reduced the numbers of children coming into care. Chapter 10, 'Very close to slavery', explores the Aborigines Protection Board at the height of its powers and exposes the chasm between its practices and those of the Tasmanian Department and the NSW State Children's Relief and Child Welfare Departments. In particular, the Board's failure to inspect apprenticeship or employment placements, or even manage the reserves it controlled, resulted in abuses that would not have been tolerated for non-Indigenous children.

This thesis ends in 1940. New child welfare legislation was passed in Tasmania in 1935 and in NSW in 1939, and in 1941 the first universal payment to families, Commonwealth Child Endowment, was established, dramatically changing the methods of assistance for struggling families. As these changes occurred, the Aborigines Protection Board succumbed to a combination of progressive pressure and assimilationist fervour, and was reconstituted under a newly amended Act and renamed the Aborigines Welfare Board. The conclusion, 'My mother told me never to part with them', ties the threads together in the place I have lived while I wrote this thesis, Katoomba's Gully, which has its own history of child removal, and of longing.

PART I

CHAPTER 1

‘Artificial parental and filial love’: The Ideology of Rescue and Boarding Out¹

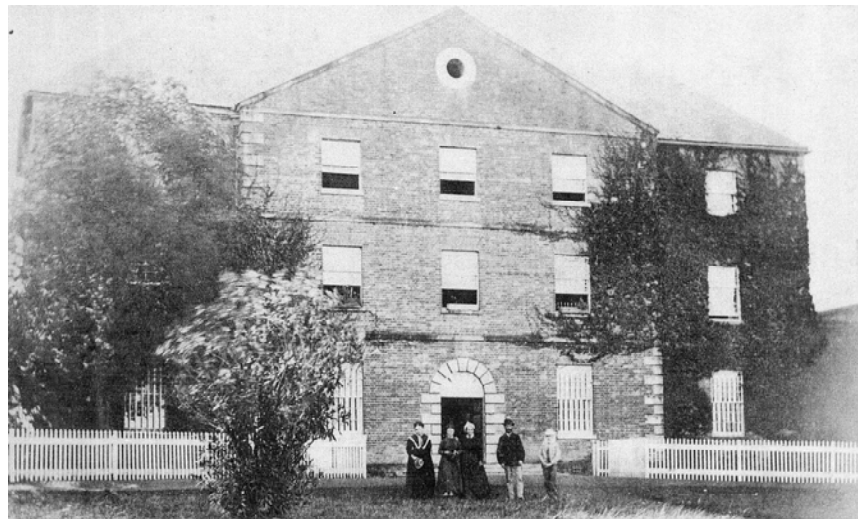
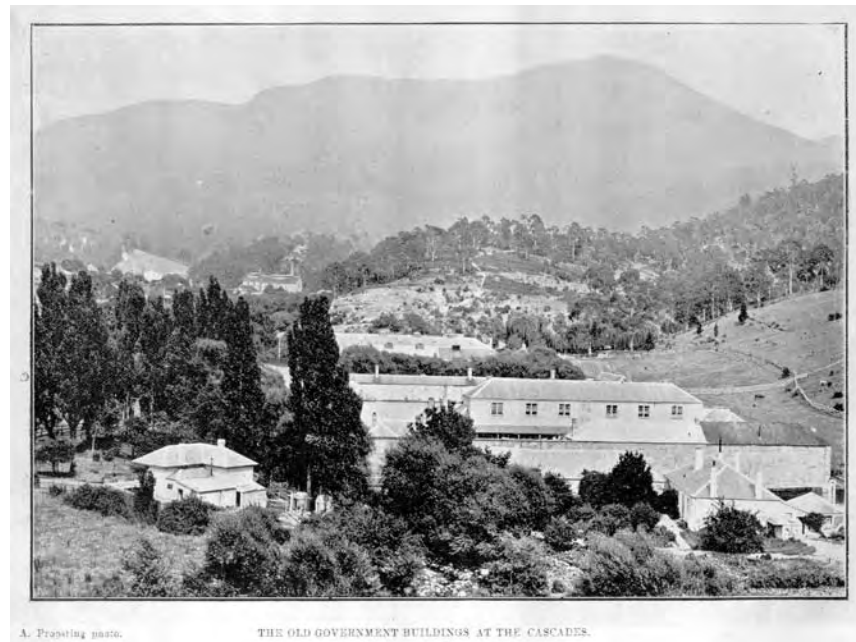


Figure 3: Older forms of welfare: (top) Old Government Buildings, Cascades, *Tasmanian Mail* 5.9.1903, AOT (bottom) and Female Orphan School, Parramatta, c. 1860, Mitchell Library.

1 State Children's Relief Department, Annual Report, 1886, p. 17.

Anxiety about neglected and delinquent children was a worldwide phenomenon, which accelerated in the middle to later 19th century. As historian Karen Swift says of Canada, the concept of child neglect arose during conditions of social and economic deprivation that increased the visibility of poor children. Middle class reformers were both sympathetic to, and frightened by, these young victims of poverty, and enacted legislation that concentrated on parental (and especially maternal) responsibility for child supervision, rather than on social causes.¹ Similar motivations fuelled reform movements in America's large cities.² As Susan Tiffin notes, the urgent urban problems of Boston, Chicago and New York led to greater interest in neglected children in the period 1890 to 1920, during which the ideals of middle class progressive reformers carried real weight but were derailed by the tensions between social justice and social order.³ British and Irish responses included the establishment of additional industrial schools and reformatories, children's homes, the development of fostering and child emigration schemes and the foundation of Societies for Prevention of Cruelty to Children. Responses in the US and Canada included rescue movements, such as the 'Home-Finding' western emigration movement of Charles Loring Brace and the Children's Aid Societies, and legal and other measures against child abuse.⁴ Interventions into family life included strategies of family break-up, children's courts (beginning in Illinois), and institutional methods, some devised by African-American voluntary agencies.⁵ As Hugh Cunningham notes, child welfare initiatives were not simply focused on controlling street children; they also contained elements of a romantic wish to preserve the childishness of children.⁶ This encouraged efforts to

1 K.J. Swift, 'An outrage to common decency: historical perspectives on child neglect', *Child Welfare*, 74, 1, 1995.

2 See Katz, *In the Shadow of the Poorhouse*, especially pp. 92-97.

3 Tiffin, *In Whose Best Interest?*, pp. 6-10.

4 H. Cunningham, *Children and childhood in western society since 1500*, (Harlow: Longman, 1995), pp. 146-151; Gish, 'The Western Emigration Program of the Children's Aid Society'; Tiffin, *In Whose Best Interest?*, pp. 88-91; Robertson, *Crimes Against Children*.

5 Pisciotta, 'Treatment on Trial'; R.G. Kunzel, *Fallen Women, Problem Girls: Unmarried mothers and the professionalization of social work 1890-1945*, (New Haven: Yale University Press, 1993); Alexander, *The "Girl Problem"*; M. Odem, 'Single Mothers, Delinquent Daughters, and the Juvenile Court in Early 20th Century Los Angeles'; Odem, *Delinquent Daughters*; L. Gordon, 'Black and White Visions of Welfare: Women's Welfare Activism, 1890-1945', *The Journal of American History*, 78, 2, 1991; W. Peebles-Wilkins, 'Janie Porter Barrett and the Virginia Industrial School for Colored Girls: Community response to the needs of African American Children', *Child Welfare*, 74, 1, 1995; A. M. Hornsby, "'The Boy Problem': North Carolina Race Men Groom the Next Generation, 1900-1930', *The Journal of Negro History*, 86, 3, 2001; For adoptions see P.M. Collmeyer, 'From "operation brown baby" to "opportunity": The placement of children of color at the Boys and Girls Aid Society of Oregon', *Child Welfare*, 74, 1, 1995.

6 Cunningham, *Children and childhood in western society since 1500*, p. 145.

provide children with family-like environments that would foster their humanity and self-reliance. Activists such as Florence and Rosamond Davenport Hill, who were English but would prove influential in Australia, preached boarding-out – foster care with a regular payment to the carer – to an international audience.⁷ Tiffin notes that in the US, boarding-out was accepted as the best method of caring for destitute children by 1900.⁸ However, the practice of boarding-out was by no means universal, and institutions remained an important aspect of care for neglected and destitute children.

In the years between 1810 and 1830, NSW and Tasmania adopted similar methods to care for destitute children. In Tasmania, among the legacies of convictism and economic difficulty were large numbers of children left without support. Destitute families received some charitable payments, termed outdoor relief, but convict boys were sent to Point Puer, and infants born to convict women stayed with their mothers in the abysmal Cascades Female Factory, or in ‘nurseries’ that had staggering infant mortality rates. If they survived to the age of two, children were sent to the King’s Orphan Asylum, which was entirely funded by the government and housed orphans, the children of convicts and Aboriginal children. This institution, which was founded in 1828 and moved to New Town in 1833, held up to 500 children in conditions that can only be described as cruel, providing minimal schooling until the children were apprenticed – often in exploitative arrangements situations.⁹

Although NSW was also originally a convict colony, the convict population there was diluted by a higher rate of immigration. Its economy also developed a stronger industrial base than Tasmania’s, and it benefited greatly from the 1850s gold rushes. As a result, there was much more voluntary and church provision of social services in NSW. The Orphan Schools at Parramatta were convict-era institutions that cared for approximately 250 children at a time.¹⁰ Voluntary activity also underpinned institutions such as the

7 Dickey, *No Charity There* [1st edition], p. 80.

8 Tiffin, *In Whose Best Interest?*, pp. 61-101.

9 Hobart resident Swarbreck Hall and *The Mercury* campaigned vigorously to highlight the abuse of Orphan Asylum apprentices. In one case an employer had died, but employer’s son – a civil servant – considered the apprentice to be part of his late mother’s property. He never paid her, hit her with a riding crop, boxed her ears, kicked her in the teeth and allowed his sister to run a hot iron down the girl’s arm. Other apprentices slept on rags and one girl was beaten so often that she committed suicide. Pearce, ‘Orphan School’. Brown describes how apprentices suffered abuses and assaults and were impregnated and infected with venereal diseases by their employers. Brown, *Poverty is Not a Crime*, pp. 140-143.

10 Hill & Hill, *What We Saw in Australia*, p. 333.

Female School of Industry on the Domain, which provided domestic training for girls, and an array of substantial institutions that received pound-for-pound subsidies from the government for the provision of social services to the destitute aged and young.¹¹ The colony's most important institution, and the one least dependent on government funding, was the Destitute Children's Society's Asylum at Randwick, which was established in 1856, and housed around 800 children.¹² The Benevolent Asylum, a *de facto* government agency, received government subsidies for its lying-in facilities and for the care it provided to infants and older children.¹³ While the voluntary Ragged School movement had established that it was possible to do the work of child-saving without taking children from their homes, most of the 1500 destitute children in state care in NSW in the 1870s lived in institutions that were financially supported by the government.¹⁴

There was a second tier of institutions: the industrial and reformatory schools. These had been established in both colonies in the mid-1860s. The NSW laws setting them up, passed in 1866, resulted from fears about larrikinism and 'pushes' of violent youth gangs that had been highlighted in the 1859 Select Committee on the Condition of the Working Classes. They allowed the state to establish industrial and reformatory schools.¹⁵ In Tasmania, the Acts were passed in 1867. They enabled voluntary organisations to establish designated institutions for such children, rather than

11 Hill & Hill, *What We Saw in Australia*, pp. 331-332; 'In the 1890s, the trend on the mainland was towards greater government involvement, in Tasmania to increased voluntary activity. The result was that the two systems began to meet in roughly the same balance, and this may have led to the assumption that they reached this position by the same routes. This was not so.' Brown, *Poverty is Not a Crime*, p. 170. Dickey, *No Charity There* [2nd edition], p. 27; M. Horsburgh, 'Subsidy and Control', 'Government Policy and the Benevolent Society'.

12 Dickey, *No Charity There* [1st edition], pp. 59-64; The creation of the Asylum was 'a ruling-class response' to fear about drunkenness and profligacy. Dickey, *No Charity There* [2nd edition], p. 44.

13 Dickey, *No Charity There* [2nd edition], pp. 14-17, pp. 32-35; M. Lewis, 'Hospitalization for Childbirth in Sydney, 1870-1939: The Modern Maternity Hospital and Improvement in the Health of Women', *Journal of the Royal Australian Historical Society*, 66, December, 3, 1980, p. 200. The lying-in facilities were the nucleus of the Royal Women's Hospital at Paddington.

14 Van Krieken, *Children and the State*, pp. 67-68; see Ramsland, *Children of the Back Lanes*; Hill & Hill, *What We Saw in Australia*, pp. 325-326; Dickey states that at the end of 1875 there were 1492 children living in Benevolent Asylum, the two Orphan Schools and the Randwick Asylum, almost all of whom were entirely supported by the government. B. Dickey, 'The Establishment of Industrial Schools and Reformatories in New South Wales, 1850-1875', p. 149.

15 O'Brien, *Poverty's Prison*, p. 145; See also Dickey, 'The Establishment of Industrial Schools and Reformatories in NSW'; Petrow, 'Better Than The Streets'.

mandating state funding as was the case in NSW.¹⁶ This was one of the few areas of state provision in Tasmania to be controlled by private interests, and the boards of management of these homes were comprised of members of just a few elite Protestant families.¹⁷ In both colonies, the industrial and reformatory schools Acts were part of the criminal justice system, but were also designed to take in 'neglected children', defined as those discovered begging, 'found wandering' or living with 'reputed thieves', or without 'proper guardianship' or any abode or visible means of subsistence, or those whose parents surrendered them as 'uncontrollable'.¹⁸ The introduction of boarding-out did not affect these institutions and in both states they functioned, with only minimal changes in the standard of accommodation, until the very end of the 20th century.

However, as noted, there was a significant international movement towards boarding-out, and it was mirrored in Australia, occurring simultaneously in a number of states. The activist Catherine Helen Spence promoted South Australia, which she called the 'Central State of the Commonwealth', as the only state with a functioning centralised welfare system and the first to adopt boarding-out.¹⁹ This is partly true. Her co-worker, Miss C.E. Clark, had attempted to introduce boarding-out in 1866, but the government established Magill Industrial School instead. In 1872 Clark and Spence formed the Boarding Out Society and secured the right to board out 'the overflow' from Magill.²⁰

However, Tasmania began boarding out children early in the same year, and so vies for recognition as the pioneer of the system.²¹ Boarding-out began there after two Royal

16 Evans, 'Protecting the Innocent', p. 10; John Ramsland links Mary Carpenter's child-saving and the British voluntary principle with this act. Ramsland, 'Hobart Town Industrial School for Girls', p. 210.

17 The Mathers, the Crouches and the Saliers, with former Premier Alfred Kennerley, Dr E. Sydney Hall and Isaac Sherwin; Brown, *Poverty is Not a Crime*, p. 86, p. 170. The Benevolent Societies used the principle of aid subject to inquiry established by Charity Organization Societies. Brown, *Poverty is Not a Crime*, p. 77. Beaudoin's study of French voluntarism highlights the fact that activist elites were in a position to welcome and encourage co-operation with the state in charitable enterprises. S.M. Beaudoin, "'Without belonging to public service": charities, the state, and civil society in Third Republic Bordeaux, 1870-1914', *Journal of Social History*, 31, 3, 1998.

18 NSW, Industrial Schools Act 1866, 30 Vic No. 2; NSW, Reformatory Schools Act 1866, 30 Vic No. 4; Tasmania, Industrial Schools Act 1867, 31 Victoriae No. 37; Tasmania, Training Schools Act 1867, 31 Victoriae No. 36.

19 C.H. Spence, *State Children in Australia: A History of Boarding Out and its Developments*, (Adelaide: 1907), pp. 5-7.

20 C.E. Clark, 'The Boarding-Out Society', in *ibid.*, pp. 14-19; Dickey, *No Charity There* [2nd edition], pp. 59-60.

21 J. Ramsland, 'The Development of Boarding-Out Systems in Australia', p. 188; Clark, 'The Boarding-Out Society', p. 17. In the first edition of *No Charity There* Dickey states that Tasmania was the earliest proponent and practitioner of boarding out in Australia, having begun doing so in 1867. Dickey, *No Charity There* [1st edition], pp. 80-81. In the second edition Dickey revised that view, stating Miss Clark began promoting boarding out in Adelaide in 1866. Dickey, *No Charity There* [2nd edition], pp. 59-60. The Hill sisters reported that

[Note continued following page]

Commissions into charitable provision, in 1867 and 1871, exposed serious flaws in the Orphan Asylum and considered English and Scottish concepts of fostering as an alternative to asylum-based care for children.²² The Tasmanian government set aside its earlier reservations about outdoor relief and established a Charitable Grants Department to centralise charity and welfare provision in a single state department, under the leadership of the Administrator of Charitable Grants.²³

That person was William Tarleton. He provided outdoor relief to families to keep their children out of the Asylum, and used the licence given to him by the 1871 commission to trial boarding-out. He removed children from the Asylum, placed them in private homes and paid a small allowance for their keep.²⁴ In 1873 Florence and Rosamond Davenport Hill, two English campaigners for boarding-out, noted the beneficial effects of the scheme.²⁵ Over the next decade Tarleton used his relieving officers and voluntary lady visitors to conduct inquiries, place children, inspect homes and arrange apprenticeships for older children, eventually formalising his system into a Central Committee for Boarding Out Destitute Children, made up of volunteers who decided on and inspected children's placements. By 1879 the Queen's Orphan Asylum had been emptied and was closed.²⁶ Boarding-out was by then a government activity which was embedded in the bureaucracy, though essentially run by volunteers.

In NSW pressure for change was generated by Sydney's elite charitable networks. Florence and Rosamond Hill also toured NSW and South Australia, and provided 'the doctrinal tools' necessary to mount a case for change to influential individuals like Justice W.C. Windeyer, whose family hosted the sisters. In NSW, the Hills noted the cleanliness and order of the Orphan Schools, but were highly critical of Randwick Asylum. Windeyer, in his 1873–1874 NSW Royal Commission into Public Charities, condemned Randwick and recommended that boarding-out be instituted.²⁷ In Adelaide

Victorian industrial and reformatory schools were boarding children out in 1875. Hill & Hill, *What We Saw in Australia*, pp. 404-405.

22 Brown, *Poverty is Not a Crime*, p. 143.

23 Hill & Hill, *What We Saw in Australia*, p. 420; Brown, *Poverty is Not a Crime*, p. 105; Dickey, *No Charity There* [1st edition], p. 49.

24 Brown, *Poverty is Not a Crime*, p. 146; Dickey, *No Charity There* [1st edition], p. 60.

25 Hill & Hill, *What We Saw in Australia*, pp. 421-422. The Hill sisters noted that boarding out was fully established by 1874.

26 Pearce, 'Orphan School'; Dickey, *No Charity There* [1st edition], p. 81; Brown, *Poverty is Not a Crime*, p. 145.

27 Hill & Hill, *What We Saw in Australia*, pp. 307-308.

the sisters had visited Congregational minister and boarding-out activist Reverend James Jefferis, who then moved to Sydney's Pitt Street Congregational Church. The Jefferises became acquainted with the Windeyer family, and with Dr Andrew Garran, editor of the *Sydney Morning Herald*.²⁸ It was a formidable coming together of influence in the press and the pulpit.²⁹

From this group a Society of Ladies for Boarding-out Destitute Children developed, and in 1879, with the approval of Premier Sir Henry Parkes and the co-operation of the president of the Benevolent Asylum, Dr Arthur Renwick, they 'experimented' by withdrawing children from the Asylum and boarding them in country homes.³⁰ These ladies counted amongst their number Mrs Mary Windeyer, Mrs Arthur Renwick and Lady (Marian) Allen, whose good works on the committees of the Royal Alexandra Hospital for Sick Children, the Benevolent Asylum, the Sydney Female Refuge Society, the Young Women's Christian Association and the Sydney Servants' Home were funded by her husband's businesses, which ironically included the slum tenancies endured by many of her charity cases.³¹ As Judith Godden has written, great confidence was placed in the ability of 'ladies' to efficiently administer schemes to deliver charity and aid to children.³² However, although historians like Kociumbas have seen such feminine influence as an expression of a prevailing maternalist ideology, the scheme very quickly became an arm of government.³³ Within a short period of time, it was dominated by Dr Arthur Renwick, an MP and President of the Benevolent Society, who had long experience administering charity to women and children, having overseen improvements to their accommodation at the Benevolent Asylum and introduced a

28 Dickey, *No Charity There* [2nd edition], pp. 59-61; M. Horsburgh, 'The Randwick Asylum', p. 21.

29 The shift to boarding-out would later be described as occurring because of 'a very common consent in the Press and the public'. NSW, State Children's Relief Department (SCRD), Annual Report, 1882, p. 3.

30 SCRD Annual Report, 1882, p. 3; Rathbone argues that the Benevolent Society would have preferred to provide government assistance to families to keep children with them, but Renwick's co-operation suggests this objection was overcome. R. W. Rathbone, *A Very Present Help: the history of the Benevolent Society of NSW*, (Sydney: Benevolent Society of NSW/State Library of NSW Press, 1994), p. 81.

31 J. Godden, "'The Work for Them, and the Glory for Us!'" Sydney Women's Philanthropy, 1880-1910', in R. Kennedy, (ed.), *Australian Welfare History*, (Melbourne: Macmillan, 1982), pp. 85-86; Over the years Mrs Renwick held memberships of the Young Women's Christian Association, the Bush Missionary Society, the National Council of Women, the Sydney Ladies' Sanitary Association, the Australian Trained Nurses Association and the Women's Suffrage League of New South Wales. M. Rutledge, 'Renwick, Sir Arthur (1837-1908)', Volume 6, *Australian Dictionary of Biography*, p. 21.

32 Godden, "'The Work for Them, and the Glory for Us!'".

33 Kociumbas, *Australian Childhood*, pp. 91-106.

lying-in home there.³⁴ His control of the organisation underscores the fact that although women were integral to the development of the boarding-out system, men held the real power.³⁵

In 1881 the State Children's Relief Act was passed. Brian Dickey writes that it was embraced by the Parliament, despite suspicion it would increase pauperism and imposition on charity, because of 'a genuine confidence that community relationships would be strengthened by widespread participation in the new welfare practices'.³⁶ The fact that boarding-out was cheaper than asylum-based care was constantly drawn to the attention of politicians in annual reports.³⁷ The State Children's Relief Board was headed by Renwick and consisted of members of the city's social elite, who, recommended by their churches, embodied the city's philanthropic networks. However, the government also created a Department, headed by a Boarding Out Officer, to administer the scheme. This was markedly different from what happened in Tasmania, where the administration of child welfare was located in a single body headed by a government official. Another point of contrast was that NSW authorities were not given any power to commit children to care until 1896, but could only gather those who had already been taken into asylums, whereas Tarleton had the authority to prevent children from being institutionalised at all.

Despite these differences, in the late colonial period the two administrations shared an ideology of family reconstitution – that is, the replacement of destitute children's own, problematic, families with new bonds that were considered more wholesome. It required the existence and co-operation of the respectable (and economically secure) working classes, for they were the agents of children's reform.³⁸ Here it is useful to foreground

34 'Renwick, Sir Arthur', *ADB*. Renwick was president of the Medical Board, the British Medical Association, examiner at Sydney University, and honorary physician at the Sydney Infirmary and Dispensary, the Australian Union Benefit Society, the Deaf Dumb and Blind Institution, the Carrington Centennial Hospital for Convalescents, the Hospital for Sick Children and Thirlmere Home for Consumptives. He became president of the Sydney Infirmary and the Benevolent Society, before entering Parliament.

35 An observation made by Barbalet, *Far From a Low Gutter Girl*, p. 197.

36 Dickey, *No Charity There* [2nd edition], pp. 61-62.

37 Within a year however he had to admit that the cost was likely to be greater, as foster parents could not make do. He argued 'it would be better to spend a few pounds extra per annum in creating good and useful men and women, who will add to the national credit and prosperity, than to train up more cheaply useless members of the community who would, eventually ... relapse into pauperdom or come back upon the State in a still more objectionable form.' *SCRD Annual Report*, 1883, p. 19.

38 Van Krieken, *Children and the State*, p. 75.

Renwick's annual reports because, as Dickey says, they provide the fullest doctrinal explication of boarding-out in Australian history.³⁹ As Michael Horsburgh has noted, they were, like the reports studied by E.S.L. Govan and Margaret Barbalet, a public relations exercise intended to emphasise the importance of the Board's 'rescue functions'.⁴⁰ Nevertheless, they indicate the societal values Renwick wished to invoke, not least of which was the contemporary liberal valorisation of the 'respectable' family.⁴¹

Renwick shared Miss Clark's views that asylums perpetuated poverty. Although he thought life in a barrack was 'better care than none', he said the dull regularity of institutional discipline would undermine self-reliance and lead to 'relapses into pauperdom, or descent into gross vice'. Renwick also believed institutions were lacking in emotion, and their care was far inferior to the 'familial correcting love which grieves because it must chastise'.⁴² He believed proper preparation for community life could only be effected in the family circle, where 'there are vicissitudes to encounter, privations and punishments to face; but there are also the joys of companionship, and the jealous affection of parents, who guide and fondle, compensates for much hardship'.⁴³ The foster family was not just intended to supply a new physical setting; it was also to reconstitute the child's emotional bonds.

Underpinning this belief in the power of the 'good' family was the assumption that poverty and vice were bred in 'bad' families. Renwick, addressing parliamentarians in his annual reports, talked up boarding-out by using the figure of the orphan or abandoned child. He constantly referred to state children as those 'actually or practically rendered orphans', even though his Department's own figures showed most children in

39 Dickey, *No Charity There* [2nd edition], p. 63.

40 Horsburgh, 'Child Care in NSW in 1890', p. 27; As Barbalet notes, such reports concentrated on encouraging examples and sentimental stories, rather than difficulties, as they were 'planned to sell the program.' E.S.L. Govan, 'A community program of foster home care: NSW 1881', *Social Service Review*, 19(3) 1951, p. 375, cited Barbalet, *Far From a Low Gutter Girl*, p. 193.

41 Kociumbas, *Australian Childhood*, pp. 91-112; J. Docker, 'Can the Centre Hold?: Conceptions of the state, 1890-1925', in Sydney Labour History Group, *What Rough Beast?: The State and Social Order in Australian History*, (Sydney: George Allen & Unwin, 1982); Garton, 'Rights and Duties'; R. Humphreys, *Poor Relief and Charity 1869-1945: The London Charity Organization Society*, (Basingstoke: Palgrave, 2001).

42 SCRD Annual Report, 1882, p. 5.

43 SCRD Annual Report, 1882, p. 4.

state care had at least one parent.⁴⁴ He may have been endeavouring to justify the expense of caring for state children – orphans were indubitably the ‘deserving poor’ – but orphans also provided a mythical, idealised image of a child, free of the complications of the lives of actual poor children. Renwick’s rhetorical orphan was both blameless and without parents whose rights might be trampled, or who could be considered to be imposing upon the state. Renwick stated that these ‘Children of the State’ were ‘children whom the State must father’, ‘virtually *in loco parentis*’, although in truth the state had no such power.⁴⁵ He thought the state should intervene to ensure that proper values – propriety, thrift, industry, modesty and sobriety – were inculcated in the child wherever parents had failed to impart them. The goal of ‘rescue’ was to supply ‘artificial parental and filial love’ through a foster parent, such love being ‘nearly as genuine, and quite as practically useful as the love between two parents and children united by the ties of nature’.⁴⁶ Twenty years later the Aborigines Protection Board would use the same imagery of the orphan to call for the powers to remove children from their parents, but rather than placing those children in new families where they would experience ‘filial love’, the Board fitted them for lives as servants, in institutions or domestic apprenticeship.

Renwick’s ideas of rescue were not simply about the rescue and redemption of the child. Boarding-out redeemed society, by correcting the child’s defective upbringing and by offering the community the opportunity to bestow benevolence on the child. Although the state bore the cost of the child’s maintenance, the scheme depended on ‘chosen members of the community’ taking ‘a full share of the responsibility of success’. Lady visitors, clergy and schoolteachers were all to be enlisted in the work of perpetual local oversight, and it was assumed that the broader community would also be vigilant. The most important representative of that community was the foster mother, whose work and love was benevolence itself. Renwick assuaged fears that state children might be exploited by those who wanted them for their labour by stressing that the key to the success of boarding-out was the careful judgment of homes and the principle that

44 SCRD Annual Report, 1882, p. 5; Horsburgh, ‘Child Care in NSW in 1890’, pp. 26-27.

45 SCRD Annual Report, 1883, p. 4, p. 7.

46 SCRD Annual Report, 1886, p. 17.

‘the child is not a servant more than the children of the house are servants’.⁴⁷ However, he said, children were not to be ‘coddled’, but properly instructed in household work, so as to be qualified to ‘go out into the world and fight the battle of life with credit to themselves and advantage to the commonwealth’.⁴⁸ As children reached a ‘useful age’ this training was extended to apprenticeship, as a means of ensuring that children defrayed the costs of their keep by entering the paid workforce. Thus boys were to be apprenticed to households or farms and girls were to be apprenticed as domestic servants. Such work was seen as an extension of the supervision and personal attention inherent in the boarding-out system.

This then was the ideology underpinning child welfare schemes in the 1880s and 1890s. Although expressed differently in each state, there was a core belief that boarding-out was the best method for rescue and redemption of the poor and neglected child, and, through it, society. It was an ideology that sought to train poor children to spheres of usefulness, but within the family environment. Perpetual oversight and inspection were integral and essential to the success of the scheme. These were the ‘wider values’ against which we must test the policies of the Aborigines Protection Board.

47 SCRD Annual Report, 1882, pp. 6-7.

48 Ritter, 'Boarding Out in New South Wales and South Australia', p. 126.

CHAPTER 2

‘Devoted to Rescue Work’: Tasmanian Child Welfare, 1880–1914¹



Figure 4: Two primary sites of Tasmanian child welfare delivery: St John's Park Church and Orphanage, c. 1872, and Kennerley Boys' Home, circa 1880s, courtesy AOT.

1 Used by the Secretary of the Tasmanian Neglected Children's Department to describe the work performed by a long-serving foster mother. Archives Office of Tasmania, Chief Secretary's Department Correspondence, CSD(GC)22/137/25/10.

This chapter traces the history of Tasmania's Neglected Children's Department between 1896 and 1915. It begins with the introduction of legislation in 1896, in a depressed economy and a climate of activism around street children, and builds on Caroline Evans' work to chart the development of the administration of the Department. During this period the NCD was hamstrung by penury, and by the fact that the relevant laws were intended to control children, rather than alleviate poverty or protect them from abuse. Financial difficulty shaped children's committal and care, as did the personalities and moral and social values of the Department's secretary and inspectors.

Tasmania's Charitable Grants Department had begun boarding-out in the 1870s but a parallel, and equally important, development was the industrial and reformatory schools, which were administered by private boards of management. These took children from the courts and police, or accepted children voluntarily placed by destitute parents.¹ They included Hobart Girls' Industrial School, founded prior to the Act in 1864, Kennerley Boys' Home Industrial School in West Hobart (1867), Cascades Reformatory (1869-1879), Launceston Girls' Home (1874) and Launceston Girls' Industrial School (1877). In the early 1880s the Hobart Girls' Training School opened in an old prison at Anglesea Barracks and the Boys' Training School opened in the old Female Factory penal complex at Cascades.² With the exception of the Boys' Training School, which averaged 50 to 60 inmates, each of the institutions housed 20 to 30 youths aged mostly aged between nine and 14.

The Catholic Church countered the Protestantism of existing institutions for children and 'fallen' women by opening the substantial St Joseph's Orphanage in Hobart, which housed 50 children, in 1879 and, in 1893, the architecturally imposing Magdalene Home in Sandy Bay, where up to 200 'fallen' women and girls lived as wards and penitents under the care of the Sisters of the Good Shepherd.³ The latter was funded by a bequest from an Irish migrant priest, Father William John Dunne, but survived on the proceeds of its inmate-operated commercial laundry and, to a lesser extent, its farm. It was the only institution that did not accept government subsidies or charge fees to

1 Ramsland, 'Hobart Town Industrial School for Girls', pp. 208-210.

2 Brown, *Poverty is Not a Crime*, pp. 96-97. The Hill sisters excused the use of Cascades for the Boys' Training School – 'Tasmania is now a poor Colony, and it was very tempting to utilise a building ready to hand rather than incur the expense of renting or erecting a new one.' Hill & Hill, *What We Saw in Australia*, p. 419.

3 Brown, *Poverty is Not a Crime*, pp. 138, 152; Baxter, 'Magdalen Home'.

parents who voluntarily committed their children. The other institutions also relied on children's labour in agricultural and laundry enterprises, but operated on the understanding that the government would step in to fill any shortfalls. As Brown notes, voluntary agencies and government services were inextricably entangled.⁴

So by 1890 Tasmania had a functioning, publicly funded boarding-out system and a network of industrial and reformatory schools, mostly administered by volunteers and supported with public money. However, social pressures were focussing the gaze of social reformers on children. The Van Diemen's Land Bank collapsed in 1891, triggering a depression that lasted throughout the 1890s. In this time of labour activism, poverty and fears of social disorder, ragged children were all too visible on the streets of Hobart.⁵ There the key reform group was the Women's Christian Temperance Union (WCTU), whose socially elite membership attributed social ills to alcohol. They wanted legislative reform and women's suffrage, to reinforce their authority within the home, and advocated 'organised motherhood' as a means of exerting control over children.⁶ They believed the solution to children's poverty was to remove them from their problematic families. As one activist said:

[In] the wretched homes from which these poor waifs come ... drunkenness and impurity reign, [and] instead of these poor children being shielded by their parents, they are in many cases driven to sin.⁷

The WCTU was a powerful social force, and in August 1895 the Tasmanian government responded to its campaign with a 'rather inept' Bill.⁸ It was intended to protect children against cruelty and ill treatment, but the WCTU fretted that it did not protect children's morals. One ally of the WCTU was Sara Gill, who edited the liberal newspaper *Tasmanian News*, which had drawn attention to the behaviour of street children. As the Bill was being debated in Parliament, Gill used the *News* to press for further reform. Turning a blind eye to the fact that the paper employed girls as night vendors, Gill linked street vending with teenage prostitution and white slavery, and

4 Brown, *Poverty is Not a Crime*, p. 95, p. 137.

5 Evans, 'Protecting the Innocent', pp. 32-33.

6 Pearce, "A Few Viragos on a Stump"; Evans, 'Protecting the Innocent', pp. 37-45.

7 Annie Blair, cited Evans, 'Protecting the Innocent', p. 46.

8 Brown, *Poverty is Not a Crime*, p. 165. The legislation was inspired, in part, by Britain's *Children's Charter* of 1894. Evans, 'Protecting the Innocent', p. 9 nn.

claimed little girls were being debauched by ‘prosperous Hobartians’.⁹ On the other side of the political divide, the labour newspaper, *Clipper*, agreed street vice was a major problem in Hobart, although it viewed the cause as economic inequality.¹⁰

The WCTU campaign soon assumed the dimensions of moral panic, a feature of calls for child-saving legislation in Australian and international cities.¹¹ As Dorothy Scott and Shurlee Swain argue, such panics were a form of boosterism:

The dismay with which the ‘discovery’ of a new social problem was greeted was always tinged with pride that here was another way in which the colonial city was mirroring its British models. The ‘discovery’ of a new social problem ‘at home’ often set off a search for its equivalent in Australia in order that the local cities not be left behind.¹²

Alison Alexander also argues voluntary activity in Tasmania copied British models, and was frequently initiated by recent arrivals.¹³ Certainly there was little unanimity on the issue of street children. No case for reform was argued in Launceston, and the newspaper that served Hobart’s elites, *The Mercury*, asserted there was less drunkenness and vice in Hobart than in Melbourne and expressed concern that the WCTU’s measures would violate the home and reduce the civil rights of parents and children.¹⁴

Nevertheless, the WCTU and Sara Gill pressed the case for reform in large public meetings that were galvanised by influential speakers such as Emily Dobson, the wife of former Premier Henry Dobson, and Maud Montgomery, wife of the Anglican Archbishop. The Attorney General, Andrew Inglis Clark, responded by converting Victoria’s 1890 *Neglected Children’s Act* into a second Bill.¹⁵ Parliament passed the first, the *Prevention of Cruelty to and Better Protection of Children Act*, in September

9 Evans, ‘Protecting the Innocent’, pp. 49-51; Pearce, “A Few Viragos on a Stump”, pp. 157-158.

10 In the *Clipper’s* analysis, parliament collaborated with greedy employers in the acquisition of wealth, and set up a ‘stuffed image’ called ‘Thrift or Self-Help’. The solution was a proper male wage and industrial training for children. *Clipper*, 2.3.1895; 28.9.1895; 25.11.1895, cited Evans, ‘Protecting the Innocent’, pp. 51-52; Pearce, “A Few Viragos on a Stump”, pp. 157-158.

11 Swain, ‘Child Rescue’.

12 Scott & Swain, *Confronting Cruelty*, p 15; ‘These were narratives of darkness and light, evil and innocence, danger and rescue which placed colonial dramas within an international context.’ Swain, ‘Child Rescue’, pp. 103-104.

13 Alexander, ‘Public Role of Women’, p. 286.

14 *The Mercury*, 27.9.1895, cited Evans, ‘Protecting the Innocent’, p. 53.

15 ‘Protecting the Innocent’, p. 54.

1895, but Clark's Bill lapsed for want of time.¹⁶ The new Attorney General, Free Trader F.W. Piesse, then shifted the debate slightly by declaring his intention to protect the state from the expense of street children's criminality and pauperism. He reworked Clark's Bill into the *Youthful Offenders, Destitute and Neglected Children Act*, which passed in 1896.¹⁷ It relied on the definitions of neglect promulgated in the 1867 Acts, which had been aimed at uncontrollable and criminal children, and enabled police and citizens to apprehend those found wandering, begging, soliciting or lacking visible means of support and take them before a court for committal to state care. It attacked the labour of children by barring them from undertaking casual employment after 7 p.m.¹⁸ It also targeted juvenile prostitutes, mandating that any girl found soliciting men, or in a brothel, or living with a prostitute (even if the prostitute was her own mother) be sent to a training school.¹⁹

The Neglected Children's Department

The new legislation established a specialised bureaucracy for state children, the Neglected Children's Department (NCD), which was situated within the Charitable Grants Department, and commenced operation in March 1897. The Administrator of Charitable Grants assumed the duties of Secretary, and the new Department took over control of boarding-out. At the behest of the Premier, the Central Committee was dissolved, to 'place it beyond doubt' that the control of state children was vested in the Secretary. This meant that although lady visitors remained active, the men of the civil service assumed control of boarding-out.²⁰

The first Secretary was George Richardson, who left to become Police Commissioner in 1898. He was replaced by his protégé, deputy and fellow Freemason, Mr Frederick R. Seager, a public servant of some 30 years experience. Seager was to serve as Secretary

16 Tasmania, Prevention of Cruelty and Protection of Children Act 1895, 59 Victoriae No. 10.

17 The Victorian legislation is described as dualistic by Scott & Swain, *Confronting Cruelty*, pp. 5-6; F.W. Piesse drafted the legislation and his remarks were quoted in *The Mercury*, 19.8.1896, cited Evans, 'Protecting the Innocent', p. 55.

18 Sprod, "'The Old Education'", p. 31.

19 Tasmania, Neglected Children Act 1896, 60 Victoria No. 24; Evans, 'Protecting the Innocent', p. 56.

20 CSD(GC)22/13/62/98.

until his retirement in 1911.²¹ Seager lived and worked at the New Town Charitable Institution at St John's Park in New Town. This was a complex of buildings surrounding the old Orphan Asylum, which was now serving as a charitable depot and invalid hospital. It also included the Boys' Training School, which had relocated from Cascades in 1896. The Park, as it was known, was Tasmania's primary site for the provision of indoor relief (asylum-based care) and the central distribution point for outdoor relief. (It still houses welfare services, though today's outdoor relief is family day care and 'meals on wheels'.) In Seager's time, the poor arrived there, alone or assisted by police, at all hours of the day and night, so and his wife and children were immersed in the business of providing for the city's most destitute.²² One of Seager's sons, Charles, followed his father into the Charitable Grants Department in 1900 after Seager told his superiors he felt it was his duty to recommend someone so 'very competent for the appointment and peculiarly adapted for the service required', irrespective of the criticism he might himself face for such a recommendation.²³ Charles soon became an integral part of the Department's administration, and rose to Administrator of Charitable Grants himself, a position he held until his own retirement in 1941. Charles resembled his father, even sharing the same style of handwriting, and continued Frederick's traditions, which means the Seagers set the tone for child welfare for almost 50 years.

21 Seager had begun his career as a junior clerk in the Education Department, where Richardson worked for 27 years. Both men were members and had served as secretary of the Pacific Lodge of Freemasons. Evans, 'Protecting the Innocent', p. 97.

22 *Mrs David* of Buckland, 80 miles from Hobart, was one. The Police Constable had gone to her bush hut to deliver poor relief, and found her paralysed and starving, with three helpless children. He hired a horse and coach for the family and drove through the night to reach New Town, but the woman died the next day. SWD 1/0454; Mrs Seager was a member of the National Council of Women, but an otherwise shadowy figure. 'Protecting the Innocent', p. 93.

23 CSD(GC)22/36/115/00; In 1914 the Secretary of the Neglected Children's Department, then D'Arcy Addison, said that Charles had a 'marked capacity' for the work of the Department and had considerably lightened the load of the Department's responsibilities. NCD Annual Report, 1914, p. 42, cited 'Protecting the Innocent', p. 98.

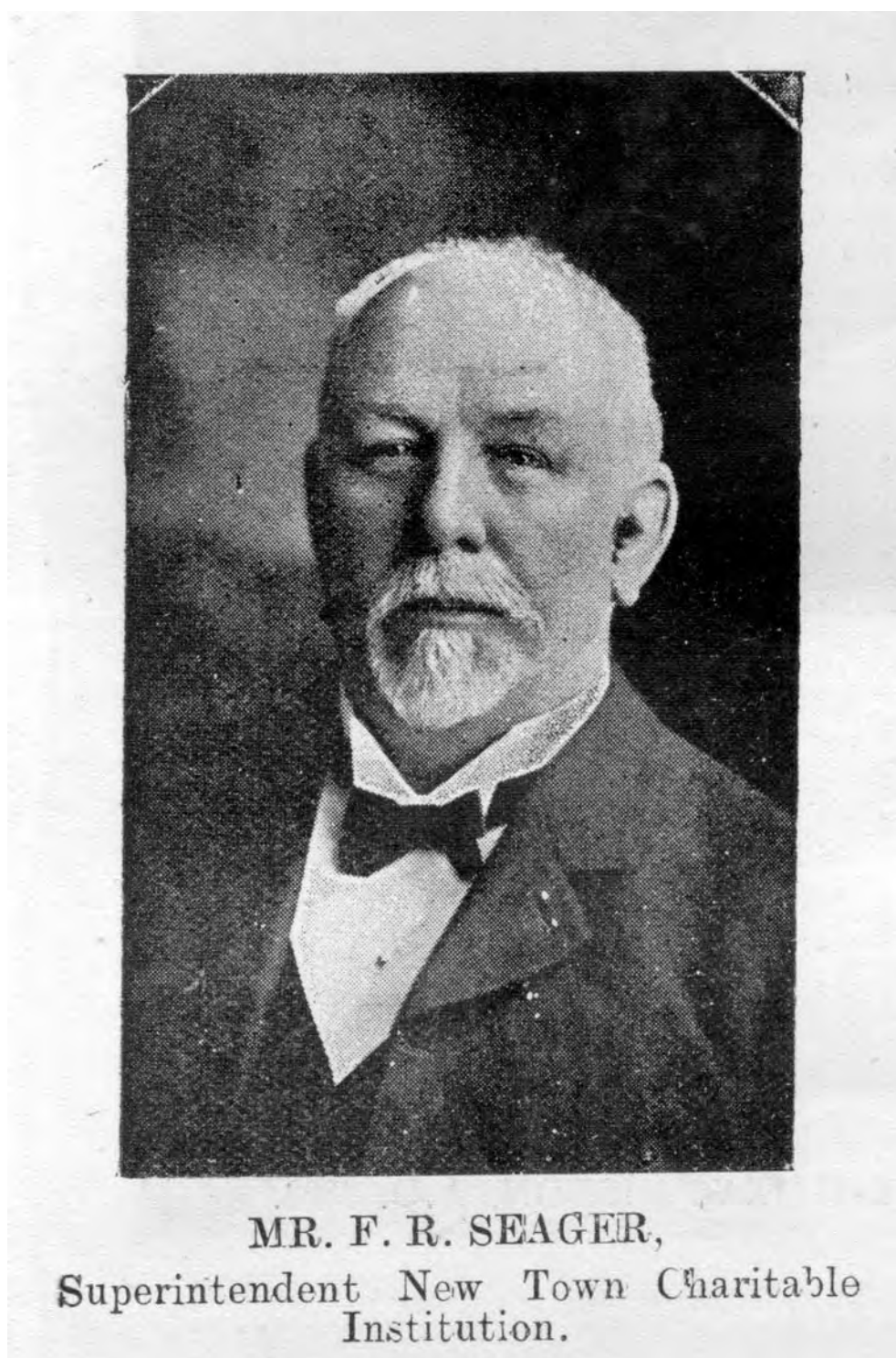


Figure 5: Mr. F.R. Seager, *Tasmanian Mail* 23.2.1904, Archives Office of Tasmania.

Although the reformers who had propelled the Neglected Children's Act had focussed on curbing children's potential for crime and immorality, Seager saw himself as engaged in rescue work.²⁴ He took the ideal of perpetual oversight to heart, taking a close personal interest in children and visiting each boarded-out child in its foster home, unannounced, at least twice a year.²⁵ He also conducted extensive correspondence with magistrates about children's committal and placements, and with wards and their families.²⁶ He found this overwhelming, often complaining to his superiors that even with two clerks and the help of depot invalids, he was overburdened with clerical work.²⁷ However, this kind of hands-on engagement with the wards and families meant that although Seager occupied a superior social position, he was personally acquainted with the circumstances and foster families of each child. This practice of personal oversight and correspondence was continued by all subsequent Secretaries, and became characteristic of the delivery of child welfare in Tasmania.

The NCD also pioneered new methods of public administration. Tasmanian governments, built on convictism, had always kept registers of subject populations, and during the 19th century they had tracked institutional inmates with card indexes and registers. But the methods of delivering social support began to change during this time. The Hobart Benevolent Society had followed the lead of the Charity Organization Societies of London, Melbourne and the United States and adopted casework methods of welfare delivery.²⁸ Although the NCD never spelled out its methods or inspirations, it borrowed these techniques and created a separate file for each child. These files, which number more than 3,000, are the basis for this study.

24 CSD(GC)22/82/25/05; Seager told the Chief Secretary in 1910 that he and the foster mothers who boarded children were 'long devoted to rescue work.' CSD(GC)22/137/25/10; S. Swain, 'Selina Sutherland: child rescuer', in M. Lake & F. Kelly, (ed.), *Double Time: Women in Victoria - 150 years*, Penguin, 1985); Swain, 'Child Rescue'.

25 For example, see reports of inspections in CSD(GC)22/102/25/07; CSD(GC)22/114/24/08.

26 Evans, 'Protecting the Innocent', p. 91.

27 CSD(GC)22/110/115/2/07, cited Evans, 'Protecting the Innocent', p. 99.

28 Brown, *Poverty is Not a Crime*, p. 77; Evans, 'Protecting the Innocent', pp. 39-40. The international context for casework development is provided by Humphreys, *Poor Relief and Charity*; Kunzel, *Fallen Women, Problem Girls*; K. Tice, *Tales of Wayward Girls and Immoral Women: Case Records and the Professionalization of Social Work*, (Urbana: University of Illinois Press, 1998); D.J. Walkowitz, *Working With Class: Social workers and the politics of middle-class identity*, (Chapel Hill: University of North Carolina Press, 1999). See also Peel, 'Charity, casework and the dramas of class in Melbourne'; R. Kennedy, *Charity Warfare: The Charity Organisation Society in Colonial Melbourne*, (Melbourne: Hyland House, 1985) for the Melbourne Charity Organization Society.

Because Seager was busy administering charitable grants and answering the needs of government, he delegated much of the day-to-day work to his inspector, Mr James Pearce. Pearce monitored the town's charity cases, distributed outdoor relief, visited the sick, inspected boarded-out children and, with the police, apprehended destitute children. A man of working-class origins with an intimate understanding of Hobart, Pearce knew which local women could fit another child in at short notice, who needed the extra cash a boarded-out child could bring, who was willing and able to nurse a delicate baby and who was longing to adopt a waif for company. Every week he would visit all the foster homes in Hobart, which was no mean feat given there were 130 children boarded out in the city by 1901.²⁹ He reported directly to Seager, writing long-winded memos in which he detailed his own brand of personal oversight. He styled himself as a practical and pragmatic officer, willing to go out at night to chastise unruly children and give apprentices a good talking to, or, as was common, deliver a few strokes of the cane.³⁰

He did not like overt displays of emotion, as instanced by an occasion when he was called to Battery Point to remove a misbehaving apprentice. The girl, *Ethel Wickham*, 'screamed something frightful' and the employer, *Mrs Honora Stansfield*, immediately changed her mind. Both women then began crying and pleading, and Pearce told Seager they made such 'a pretty scene' that he fled.³¹ Though always deferential to Seager, he addressed him in a tone indicative of a shared perspective. Indeed, Seager praised Pearce for working to 'elevate the social position of state children wherever possible'.³² Mrs Pearce also shouldered some of the burden of her husband's position. She boarded children herself, both temporarily and for fees, and adopted two of them – although, like many foster parents who adopted wards, she only did so on condition she be released from any requirement to pay apprentices.³³ For the Seagers and the Pearces, child welfare was an intimate family business.

29 Tasmania, Neglected Children's Department, Annual Report, 1901, p. 15. No statistics were provided for the number of boarded out homes.

30 Corporal punishment was a feature of children's welfare, but must be judged through the prism of the values of the time. M.J. Maguire & S.O. Cinneide, "A Good Beating Never Hurt Anyone": the punishment and abuse of children in twentieth century Ireland', *Journal of Social History*, 38, 3, 2005.

31 Archives Office of Tasmania, Social Welfare Department correspondence, SWD1, 1896-1935, SWD1/0053.

32 CSD(GC)22/114/25/08.

33 SWD 1/0455; 1/0086.

The ladies who had exercised oversight over boarding out were soon on the outer. In the Department's first year Richardson had decided Inspecting Officers had better control over foster mothers, so he appointed Mr William Welsh to oversee the 30 or so children boarded in Launceston and displaced the lady visitors.³⁴ Indeed, Pearce had lobbied against the ladies, telling Seager that foster mothers preferred his practical reason to the meddling idealism of the upper middle class ladies. Pearce said the lady visitors were inclined to arrive in groups of four, which was frightening and embarrassing for foster mothers, who were women of modest means. One offended foster mother had told him, 'the insults from the Visitors was more than she could stand and she would not humble to them'.³⁵

The lady visitors' own memos to Seager give the impression that they were tactless and held unreasonable expectations about what foster mothers could provide. In these disputes Seager usually took the side of the foster mother, as occurred when the ladies rebuked *Mrs Melville* for putting two boys to sleep in the same room. *Mrs Melville* had begun fostering in Tarleton's time and was incensed by the imputation that she was flouting the Department's standards. Seager vigorously defended her to the ladies, pointing out that *Mrs Melville* had fostered for 30 years and was devoted to children's welfare. Seager also stopped the ladies from visiting a headmaster's wife who resented their visits.³⁶ Hobart's visiting committee faded away, but the Launceston committee resigned in a huff in 1911, after the ladies discovered the Department intended to professionalise its female involvement by appointing an inspecting nurse.³⁷ Seager, Pearce and Welsh were thus the primary agents of supervision over boarded out children and they evolved their own system, based on their judgements of children, families and local conditions. When nurses joined the Department, they worked within the system that was already in place.

34 CSD(GC)22/13/62/98.

35 SWD 1/0759-0762.

36 CSD(GC)22/114/25/08.

37 CSD(GC)22/146/25/11. Inspector Welsh had antagonised the ladies the previous year by removing a child from a foster home without consulting them. CSD(GC)22/137/25/1910.

Mechanisms of committal and guardianship in the Neglected Children's Department

The 1895 law provided for the punishment of those who offended against children, but it was rarely used.³⁸ When parents and guardians were convicted of violence or sexual abuse against children, it was their imprisonment, rather than the abuse itself, that was the trigger for the committal of their children to care. The 1896 Act was the law under which nearly all children were committed to the Department's care.³⁹ It was a straightforward mechanism. Policeman, council wardens and officers of the NCD did not need a warrant to apprehend children and take them before a judge, magistrate or justice of the peace. The legal officer would then decide if the child was neglected, and whether the child should be committed to a training or industrial school, or to the Department. Children could also be brought directly to the Secretary, who could use his discretion to assess neglect, take children into care and determine where they should be placed. Parents were not allowed to surrender their children, unless they stated that the child was 'uncontrollable', in which case it was expected he or she be sent to an industrial school. In these cases, the parent was expected to pay maintenance fees.

Committal meant children were placed under the guardianship of the Secretary until they reached the age of 20. He could direct them to be boarded out, apprenticed, detained in an industrial or training school or placed in the custody of any suitable person. He was guardian of their estates and had the power to visit them at will, order their apprehension if they absconded, and regulate their contact with members of their own family or friends. The court or the Secretary could order parents to pay maintenance, and the Secretary, who had the power to enforce such payments, was diligent at this task. Although the term was not used in Tasmania, the Secretary was truly *in loco parentis* over state wards. The only exception was if the child was placed in an industrial or training school, in which case his powers were ceded to the governors of the school. The Secretary had no power to withdraw children from institutions, which is a marked contrast to NSW, where the State Children's Relief Board had been created

38 Evans, 'Protecting the Innocent', Abstract, p. 188, p. 257.

39 The Act may have been used to prosecute and jail abusive adults, but their dependents were committed under the 1896 Act. For instance *Mary Phelan's* stepmother was jailed on charges of cruelty to the girl. *Mary's* father then surrendered the girl to the Neglected Children's Department, SWD 1/0118. Children whose fathers had committed incest were committed on the basis that their father was undergoing imprisonment, as was the case with *Rose Condell's* siblings, SWD 1/0800.

to extract children from institutions. It is important to stress, whether by omission or a desire to ensure permanent removal of troubled children, the Act did not provide any framework for a child's release.

The case files and annual reports show the Act, which had been drawn up in response to a campaign about the specific issues of street children and child prostitution, did not match the reality of Tasmanian social conditions or meet the needs of poor children.⁴⁰ Images of teenage prostitutes had galvanised social reformers, but the children's committal forms rarely mentioned prostitution. A few children were removed because their mothers were suspected of being prostitutes, but the only child who could be considered a prostitute was a disturbed 7-year-old called *Maria Kennedy*, who was arrested when she offered a boy threepence for the pleasure of watching her take up her clothes and use 'filthy expressions'. Even so, she was only committed because her widowed and overworked mother admitted she could not supervise or control the child.⁴¹ It seems clear that the Act targeted a social problem that barely existed. In fact, in the first ten years of the Department's operations, 'neglect' – that is, poverty or the absence of one or both parents – was cited as the reason for a child's removal in around 80 per cent of cases.

The lack of specific provisions to target destitution frustrated the Department in its attempts to help poor children.⁴² One of the first cases considered by the Department was that of *Mrs Lloyd*, a respectable but impoverished washerwoman whose paltry earnings of 8s 10d per week were barely enough to keep herself, let alone her twin girls and her baby. She felt obliged to surrender the twins, but wanted to keep the baby and take her to work. However, the Hobart Bench refused to declare the twins neglected. It said *Mrs Lloyd* should surrender them to the Girls' Industrial School and pay 2s 6d per week for their keep. The Benevolent Society approached Secretary Richardson, who could see that *Mrs Lloyd* could not possibly afford to pay maintenance. Richardson tried to find a way to board the girls out, suggesting to the Solicitor General that he could

40 Evans, 'Protecting the Innocent', p. 13.

41 St Joseph's Orphanage balked at taking the child, so she was sent to the New Town Charitable Institution, where the Matron complained 'she keeps the place in an uproar'. A medical doctor declared *Maria* of unsound mind, 'wild untamed, like one brought up in the back woods', and she was sent to a New Norfolk Mental Hospital. SWD 1/0091.

42 Evans, 'Protecting the Innocent', pp. 100-101.

fabricate charges of street trading after sundown against them, but he was sternly admonished for his creativity. The Department had to stand by until *Mrs Lloyd* suffered a complete physical breakdown, and then it was obliged to take the baby as well as the twins.⁴³ After this case the Department allowed poor and struggling parents to declare their children were uncontrollable.⁴⁴

The Department preferred not to take all the children from a poor family, if the parents were considered respectable. Seager occasionally paid widowed mothers whose characters he assessed as impeccable half the fostering allowance so they could care for their own children, but this was rare.⁴⁵ Women were more generally assisted via Charitable Grants payments of rent and food, and relieved of some of their children to ease the load. In the case of *Mrs Steele*, a struggling widow with four children, the Department offered to relieve her of her baby and toddler so she could work. She elected to keep the baby and send out the oldest three, and the Department agreed, rationalising that this would protect the virtue of the oldest girl.⁴⁶ Such measured decisions resulted from a blend of belief in the virtue of family bonds and a desire to prevent able-bodied parents from imposing upon the state. Of course, they also saved money.

The development of the Department's policies and methods was framed by money, or the lack of it.⁴⁷ By the end of its first year, its budget virtually collapsed, largely due to demand from marginal rural townships which were struggling through the depression. Municipal wardens, who doubled as police magistrates, were responsible for generating this demand. As magistrates they sent constables to investigate destitution, and as wardens they administered a small sum, voted by the Parliament, for poor relief.⁴⁸ Their vote could rarely support a whole family for any length of time, so warden magistrates reduced the strain on their relief budget by bringing poor children before their own

43 SWD 1/0025.

44 Evans, 'Protecting the Innocent', pp. 104-106.

45 SWD 1/0183-0186, cited Evans, 'Protecting the Innocent', p. 221.

46 SWD 1/0061.

47 Evans, 'Protecting the Innocent', pp. 100-101.

48 Police inspected the sorts of situations that brought children into contact with welfare authorities but were working class themselves. Joanne Klein has studied police records from English cities and found that policemen subscribed to working class values about matrimony, drank, failed to support their children, and lived in irregular and adulterous marriages. J. Klein, 'Irregular Marriages: Unorthodox Working-Class Domestic Life in Liverpool, Birmingham, and Manchester, 1900-1939', *Journal of Family History*, 30, 2, April, 2005.

courts and sending them to Hobart. In this way they also rid themselves of young petty criminals.⁴⁹ This practice became so prevalent that in 1898 the Premier warned wardens to confine committals to 'cases of actual necessity', lest he repeal the Act.⁵⁰ Yet, as with *Mrs Lloyd*, it could be difficult to establish 'actual necessity'. In 1906 the magistrates at Latrobe complained that a number of large families were crowded into two-roomed huts in a 'half-clothed condition' and that children were dying in the squalor, but could not be removed unless the children were criminal or the parents consented. In Tasmania's remote rural hamlets such stories were not just narratives of poverty; they were indicators of rural decay that invoked the spectres of isolation and inbreeding. Seager sympathised:

I have heard of many others, perhaps not quite so destitute, some but a few miles out of Hobart, where children seldom or ever see a stranger, and when they are approached fly out of sight like wild people.⁵¹

Seager stressed that the financial condition of the state had left the NCD crippled by lack of funds, and the state could not afford to take all deserving children. However, he confided he had found a way around the Act's limitations, which was to use 'a very liberal interpretation' of the Act to declare that deprived children were 'not under proper control.'⁵² The Department's committal forms show many such instances of 'liberal interpretation', such as stating that children had been 'found wandering', even if they were with their parents or were too young to walk.⁵³

49 When Mr Richardson objected to the Glamorgan Council's efforts to commit six children from the same family the Glamorgan warden responded; 'The small sum allotted to Glamorgan will not ... enable us to relieve the *Wellman* family to the extent of 5s per week ... even that sum would afford very scanty relief ... you state *inter alia* that if our funds are not sufficient the Government might be 'prepared to supplement the district allowance': our past experience does not warrant our relying on that remote chance.' SWD 1/0075. *Myrtle Grey* was removed because of neglect but the Sorell magistrate resisted the Department's attempts to return her to her mother on the basis that the girl had once stolen a sheep. SWD 1/0069-0070. The same magistrate described the *Kelly* children as 'perfect pests' and refused to allow the Department to send them back to their mother and father. SWD1/0017-0018, 0034-0036, 0040. Also discussed by Evans, 'Protecting the Innocent', pp. 100-101.

50 CSD(GC)22/13/62/98.

51 Seager also recounted a story of a Scottsdale clergyman who showed some young men an image of the crucifixion. The men asked 'who were the blokes on the trees, so very uncultured were they.' CSD(GC)22/92/25/06.

52 CSD(GC)22/92/25/06.

53 SWD 1/0068. The *Balfour* children were aged one and three when their father was gaoled and their mother and aunt taken to the Launceston Contagious Diseases Hospital, but despite the Act providing a clear case for the children's committal on the grounds the parents were institutionalised, Clause II was used.

Communities often insisted police take legal proceedings to remove destitute children from their midst. The residents of a small town on the north coast complained about the *Stride* children, whose mother had been hospitalised for 25 weeks – ‘people here is tired of supporting them’, they said.⁵⁴ *Susan* and *Reuben Polson* were removed from Geeveston when the family contracted typhoid. Townspeople burned their hut down, shopkeepers denied them credit and no one would rent them another property. The police thought such bright children deserved a chance ‘away from such influences’.⁵⁵ Third parties such as priests, ladies involved in charity work or Benevolent Society officials were active participants in child removals, instigating hearings and providing letters of support and character references for parents who sought (or had been prevailed upon) to surrender their children.⁵⁶

Truancy was also a police responsibility, which meant officers discovered conditions like those endured by *Susie Crawford* and her guardian, *Mrs Hicks*. *Susie* could not go to school because she had no clothes. The ‘house’ was just a kitchen and bedroom, the dishes were unwashed, all the dirt was swept under the sofa and the only food for the next four days was half a loaf of bread. The single bed the two shared was a mess of putrid feathers, ‘matted together through being constantly saturated with urine’, alive with insects and covered with a rotting blanket and some dirty bags. The young police officer noted in a memo that he had sent a clump of the feathers and bugs to the NCD’s office (no trace of them survives). *Susie* was removed.⁵⁷

Illegitimate children were vulnerable to removal, for it was ‘a general principle of law that an illegitimate child is a stranger to those who brought it into being’. Such children could not be legitimated by their mother’s marriage nor considered to have a stepfather – an illegitimate child had no father.⁵⁸ They had no right of inheritance from either parent, as illustrated by the case of the *Williams* children. Their mother had died, leaving a sufficiently large estate to enable their blind pensioner father to pay for private

54 SWD 1/0464-0467.

55 SWD 1/0112; SWD 1/0114.

56 *Mrs Bailey* had been deserted by her husband and needed to commit her daughters to Launceston Girls’ Industrial School. The Benevolent Society recommended her as ‘a most respectable woman [who] has been striving hard to maintain her children by going out working and now her health has failed her.’ SWD 1/0028-0029

57 SWD 1/1246.

58 This was the opinion expressed by the Crown Solicitor. SWD 1/1249.

boarding, but *Mrs Williams* had been married before, and had three older children. Her former husband argued in court that illegitimate children should not receive the same benefit as his legitimate children, and he was awarded her estate. The Department was dismayed, and asked *Mr Williams* to assist his former wife's younger children, but he refused. They were separated from their father and committed as 'found wandering and not having any home or settled place of abode or proper guardianship or any visible means of subsistence'.⁵⁹

The removals discussed thus far were forced, but one-tenth of the case files record that parents or guardians consented to the removal of their children. Illegitimacy was a factor in many committals, because single mothers struggled to earn enough to support themselves, but the Department was reluctant to take over the care of illegitimate babies, as it believed mothers should endure the consequences of their actions. One single mother, who had been told she would not receive help from the Department for her third illegitimate child, forced their hand by leaving it in a paddock, while others left them with a minder and disappeared.⁶⁰

Sometimes, as with the *Kelly* family of Sorell, consent was tacit. Seven of the *Kelly* children were committed to the Department in 1897, after their stepfather was gaoled, and the following year the magistrate sent along two older brothers for larceny. This family embodied the Premier's fears about magistrate wardens offloading difficult children, for their mother was well able to support them (having both property and income). When the stepfather was released, the Department asked the magistrate to report on whether the children could be returned. The magistrate said the children were 'perfect pests', who roamed the neighbourhood thieving chickens and lambs. *Mrs Kelly*, for her part, did not object to any of the removals, and later gave birth to four more children who were also removed without demur. When asked to collect one of her sons because his 'dirty habits' rendered him unacceptable to his foster mother, *Mrs Kelly* failed to do so for two years. In 1904, Inspector Pearce estimated the family had cost the state £593 for fostering alone and had been 'nothing but trouble' – sum equivalent to 20

59 SWD 1/0431-0434.

60 CSD(GC)22/82/25/05; Evans, 'Protecting the Innocent', pp. 210-230.

per cent of the Department's expenditure for that year.⁶¹ Yet *Mrs Kelly* would reclaim the children at adolescence, and worked alongside them in Hobart's Henry Jones IXL jam factory. Children like the *Kellys* and *Maria Kennedy* illustrate Van Krieken's argument that working class parents enlisted the support of the state to achieve their goals for their children and to control them.⁶² Undoubtedly, some used industrial schools as a temporary measure during crisis, or to meet an educational need, as noted by Grace Karskens and Charlotte Neff.⁶³

However, the *Kellys* were exceptional. We must be careful not to take the records that signify surrender at face value. The forms parents were asked to sign represent only the end point of a long drama, and no bureaucracy ever allowed space for parents to indicate whether surrender was willing, grudging or coerced. The behaviour of some parents showed their regrets. The *Stubbings* family moved suburbs to get away from neighbours who had complained to the police about the condition of their house. They managed, momentarily, to placate the authorities in Hobart, but the arrival of a new baby and visits from the Baby Health Nurse exposed their difficulties. *Mrs Stubbings* was presented with a committal form that she signed, saying 'it was a blessing to get rid of [them]'. However, she spent years following her four children, waiting at their schools, visiting their foster homes and trying to get them back.⁶⁴ Her remarks seem more likely to represent exhausted relief, or an attempt to save face in an appalling situation.

It also seems clear that parents and guardians consented to committals without understanding the implications. After committing her 11-year-old grandson in the court, *Mrs Anne Carrington* hired a solicitor to appeal the decision. He told the appeal court:

Mrs Carrington was in court when the Superintendent of Police asked that the boy be committed as a neglected child and when asked whether she consented, she began sobbing and said that she supposed she could not object – the Police Magistrate however asked her whether she consented or not and she cried piteously and said yes ... *Mrs Carrington* was greatly excited and now says she

61 SWD 1/0017, 0018, 0034, 0035, 0036, 0040; NCD Annual Report, 1905, p. 2.

62 Van Krieken, *Children and the State*.

63 G. Karskens, *The Rocks: Life in Early Sydney*, (Melbourne: Melbourne University Press, 1997); Van Krieken, *Children and the State*; C. Neff, 'The Education of Destitute Homeless Children in Nineteenth Century Ontario', *Journal of Family History*, 29, 1, January, 2004.

64 SWD 1/2905-2908.

did not realise what she was doing – she has been weeping over the result ever since.⁶⁵

The Department and other agencies also engineered consent, as can be seen in the case of the *Denison* family. In the winter of 1908 Mrs Francis Edwards, an activist in the local Society for Protection of Children, wrote to Mr Seager about two underweight illegitimate children, aged three and one, who were living with their mother (*Miss Denison*) and grandmother (*Mrs Denison*) in inner city Warwick Street. Inspector Pearce called and found the two women and two adults living in the house on a combined wage of just 15s per week, of which 5s was paid in rent. Pearce told Seager, ‘the house is a picture of comfortless destitution and dirt’, there was just one bed, shared by all, and the children had no clothes and were ‘perished with the cold’.

Mrs Edwards was not the only person who had interested herself in the family’s circumstances. Pearce reported:

Mrs Denison wanted to know what it all meant, said I am the fourth party that [has] visited her in the last week, some measuring up rooms, others bringing printed forms to be filled up.

The police were also involved. They suggested *Mrs Denison* could be paid a small allowance as a nursing home keeper, under the Infant Life Protection Act of 1907. Pearce rejected this idea, saying the home did not have ‘the necessary conveniences for the required comfort of these children’; he insisted the mother surrender the children, and apply her small wage to their maintenance.

Doing so would have cost the family the children and *Miss Denison*’s income, so the family held out. The authorities offered no financial support. Instead the *Denisons* were subjected to constant duress. Pearce called several times over the next month, trying to find ways to commit the children, even searching for signs of alcohol in the drinking glasses. The Police Commissioner sent officers to badger the neighbours about the after-hours behaviour of *Miss Denison*, in a fruitless attempt to establish the immorality of her lifestyle. However, the only stain on her reputation was the illegitimacy of her children. The family sank further into misery and *Miss Denison* lost her health and her job. The last policeman to visit observed the family were sleeping on straw, and

65 CSD(GC)22/82/25/05.

watched a hungry child trying to eat the potato peelings that fell from his mother's paring knife. Their plight distressed the officer, who wrote, 'they seem so cold'. That afternoon *Miss Denison* admitted she couldn't care for her children. It was, technically, surrender, but as the logs of police and department visits reveal, only under the most intense pressure. Their story shows that a signature on a piece of paper does no justice to the story of a child's committal, or to the parents' anguish.

Parents' rights

The Neglected Children's Act enabled the state to insert itself between the parents and their children, and stipulated that the Governor-in-Council was the only authority entitled to order children to be returned to their families. Seager could be suspicious of parents' motivations, particularly if they had left their children in care for a long time then tried to reclaim them as they reached 'a useful age'; he upbraided one mother for being 'devoid of paternal affection'.⁶⁶ Children also refused to return home if they felt their parents had taken little interest in them.⁶⁷ However, the Department simply could not afford to maintain children whose parents were in a position to have them. As the Act gave the Secretary the power to give children into the custody of 'a suitable person', Seager adopted a practice of returning children to their parents under 'licence'. Such judgements were highly subjective, and Seager weighed his Department's practical considerations and finances against moral concerns. Sometimes, if children had committed minor offences, parents were allowed to give an undertaking to supervise their children more closely than they had done in the past. Some children were so ill or antisocial that they could not be cared for in a foster home or institution, so were sent home, even if their mother had formerly been described as having a 'very bad' character. One of the most common reasons foster parents and employers gave for returning their charges was 'dirty habits', which included everything from eating in bed to incontinence, masturbation and precocious sexuality. Masturbation was viewed with abhorrence, and at least one adolescent state girl was circumcised to curb her habit. Children with 'dirty habits' were institutionalised, but a number were sent back to their

66 SWD 1/0020 and 0021.

67 SWD 1/0778.

mothers.⁶⁸ Some of these returns were a recognition that separation from loved ones had exacerbated the child's problems.⁶⁹

Mothers could sometimes regain control of their children if they could demonstrate a marked improvement in their circumstances and were prepared to be inspected by Pearce or the police. Single mothers could reform themselves by marrying a working man. Likewise, those who found good employment stood a reasonable chance of getting a positive answer to the question asked by *Mrs Birch*: '[I]f I can keep my child cannot I have him?'⁷⁰ However, most had little chance of redeeming themselves in Seager's eyes, despite the heartbreakingly clear desires of their children.

At the age of nine, *Susan Polson* received a visit from her mother *Ellen*, who lived near Geeveston. By the next day, *Ellen* had found her way, by foot and bus, to Geeveston, many miles to the south of Hobart. As Pearce said, 'such a longing appears to have come over her to see her mother that she could not resist the undertaking'. Seager was moved to ask if the girl could be returned home, but thought differently when he realised that *Ellen* had many illegitimate children. *Ellen* never stopped asking Seager, 'let me know when I cold git her'. In such cases, Seager's usual tactic was to remind the parent that the Department had full control over the child until she turned 20, and say it was not desirable to disturb the child from its 'comfortable' situation. In this case, the Department's memos record that *Ellen* was assessed as being 'a most unsuitable and undesirable person to have charge of [*Susan*]' and that she should be kept in the

68 The abhorrence of masturbation was such that in 1898 a stepmother sought to defend herself for ill-treating her stepdaughter by stating that the girl was 'addicted to masturbation.' SWD 1/0118. The Department wanted to send *Charles Kelly* home because he was 'painfully addicted to masturbation and exposing his person.' SWD 1/0039. In 1902 the Department found that 11-year old *Roseanne* was "dirty in her habits", and referred her to the Government Medical Officer, who sent her for an operation at the General Hospital. SWD 1/0477. Operation Books from the Hobart General Hospital show that in 1907 a fourteen-year-old girl was 'cured' (of a nameless condition) after her clitoris was amputated. Other young women had their labia excised and received (unspecified) surgery for "vaginal fixations." Archives Office of Tasmania, Health Department, Hobart General Hospital Operation Books 1906-1918, HSD 128. Such surgery was discussed in medical journals at this time. See J.A.G. Hamilton, 'Treatment of Nymphomania by Division of Branches of Internal Pudic and Inferior Pudendal Nerves', *The Australasian Medical Gazette*, XXII, 1903, pp. 205-206; G. Rodwell, 'Curing the Precocious Masturbator: Eugenics and Australian Early Childhood Education', *Journal of Australian Studies: Steal Away, Hide Away*, 59, 1998; Evans & Parry, 'Vessels of Progressivism'.

69 SWD 1/0438; One adoptive mother could not cope with her three year-old foster daughter's 'depraved' and 'horrible dirty habits'. As these were euphemisms for sexual behaviour the Department asked the Launceston General Hospital to ascertain whether she had been 'tampered with'. When Seager realised the mother meant the girl lacked bowel control he said a 'less neurotic woman would make a more satisfactory observer' and returned the child to the foster mother who had raised her from birth.

70 SWD 1/3348.

north of the state, 'out of harm's way'.⁷¹ 'Such a longing' could not overcome Seager's moral objections to *Miss Polson's* mode of living.

Fathers were rarely questioned about their morals if it was obvious they could support their children. Caroline Evans has recounted the case of a family of children she calls *Rigney*, who were returned to their father, despite the mothers' evident mental illness and her abuse of them, because the Department was sympathetic to the father's claims that he had the right to control his children.⁷² *Joyce Faraday's* father reclaimed his daughter, despite living with a woman, because he was a property owner.⁷³ *Mr Gregory* was able to frustrate his wife's attempts to contact her children after they separated.⁷⁴ In one or two cases the Department was even willing to accept an unmarried woman living in the house as a 'housekeeper', turning a blind eye to the moral danger, so that single fathers could retain their children. However, poor single fathers, who often survived on casual earnings and who had neither family nor housekeeper were prevailed upon to hand their children over and pay their maintenance.⁷⁵

Overall, it was more common for parents' requests to be thwarted than acceded to, and a number of parents caused intense irritation to foster mothers and the Department by demonstrating their feelings. *Joseph Balfour* had been in gaol when his children were committed in 1897, but four years later he waited at the school gate for his son and enticed the boy to go 'up the country' with the promise of a pony.⁷⁶ *Mrs Thomason* irritated her children's carers by 'loitering' around their foster homes and talking in a manner that would 'not improve them'.⁷⁷ *Mrs Silk*, who had a chaotic life with nine children from several *de facto* relationships, developed the habit of arriving at her children's foster home at dinnertime and demanding to be fed. She also snatched her children from the school gate and tried to catch the ferry to Melbourne.⁷⁸ *Mr Kirk*, whose children had been committed while he served a prison sentence, wrote a number

71 SWD 1/0114.

72 Evans, 'Perceptions of Fatherhood in Tasmania's Neglected Children's Department'.

73 SWD 1/1909.

74 SWD 1/2695.

75 Tanenhaus has examined the Chicago Children's Court and concluded that similar pressures there meant motherless children were committed to an 'institutional track' of care. Tanenhaus, 'Growing Up Dependent', p. 572.

76 SWD 1/0068.

77 SWD 1/1463.

78 SWD 1/2700-2703.

of threatening and abusive letters to the Department, complaining his daughter was allowed to attend public dances and alleging that she was being used as a farm drudge. The girl told the Department she was frightened, and with good reason, for one day her father and brother turned up drunk at her place of employment and tried to drag her away from the front gate. Although the men of the house saved her, *Kirk* threatened to shoot the girl if he could not have her back, so the Department moved her to a secret location.⁷⁹

How the system worked

Although boarding-out was the most favoured method of caring for state children, it always existed alongside institutions and apprenticeship. Overall, in the period 1897–1914, 38 per cent of children were boarded, 35 per cent lived in institutions and the remainder, one in four, worked in apprenticeships. Around 70 to 80 children a year were taken into care, although only 45 were removed in 1898 to 1900, after the Premier’s warning. The courts committed 60 per cent of children directly to the Department, sending the remainder to the industrial and training schools. The Department clearly preferred to practise boarding-out.⁸⁰ The average age of children at the time they were committed to care was a tender four years and five months; 67 per cent were younger than 12. The NCD’s figures on the reasons for committals are, however, fairly opaque. At least three-quarters were placed in the broad category of ‘neglected’, with the remainder guilty of larceny or acts of delinquency such as lighting fires or stone throwing. Though 60 per cent of boarded-out children were male, there was a perfect balance between the genders of state children in institutions. The Department placed just six per cent of the children it dealt with into apprenticeships, institutionalised ten per cent and fostered more than 80 per cent.

79 SWD 1/1438.

80 Brown, *Poverty is Not a Crime*, p. 165. Brown points out that in the period 1897-1900 only 18 children were committed directly to the Industrial Schools, with 65 to Training Schools and 213 to the Department. The Department boarded out 135 of these, sent 41 to training schools and sent 23 to industrial schools. The remainder went to service or were adopted.

Fostering

The NCD preferred to keep its foster children within easy reach of its official inspectors, so it placed them in the suburbs of Hobart and Launceston.⁸¹ Most foster homes were headed by a married woman and contained two to three foster children, though some had as many as four. The belief in the value of family bonds meant siblings were kept together wherever possible.⁸² Although there were exceptions, foster mothers were usually working class wives, and the Department checked that husbands and adult sons were gainfully employed. As Caroline Evans has pointed out, Pearce and Seager valued good food, good clothes and regular baths, typified in the homes of long-serving foster mothers like *Mrs Ellen Montague*, considered a first class foster mother. She was married to a storeman, lived in a good street in Battery Point and had five comfortably furnished rooms, good bedding and plenty of bedsteads. Her child was noted to be 'the cleanest and best dressed child' at his school.⁸³ *Miss Darcy* kept house for her single brother, while teaching at a convent school in a good part of South Hobart. Her nephew and his wife, who lived in the same street, also fostered children and hired state apprentices.⁸⁴ For them, too, fostering was an intimate family business.

The Department valued other foster mothers for their special skills. *Mrs Webb* was given a deaf mute boy to board because her own children were deaf and dumb.⁸⁵ *Mrs Sarah Melville*, mentioned earlier, was skilled at home nursing, so she took in sickly children and apprentices. She described to Seager how she had cleared *Maggie Herbert's* head of what Pearce described as 'nothing but a moving mass of filth':

Maggie will be down tomorrow morning their is nothing alive in the Head plenty of neats I will giv her things to put on the hear to take them off it will be some time bifer they will all come off.⁸⁶

She was one of the few foster mothers unfazed by discharging ears, stomach disorders and babies who were on the brink of death.⁸⁷ *Jane Sloane*, who began fostering children

81 Evans, 'Excellent Women and Troublesome Children', p. 168.

82 After inspections of Launceston foster homes in 1910 Seager declared the state of the homes confirmed it was a 'most excellent system'. CSD(GC)22/137/25/10.

83 SWD 1/0107; Evans, 'Excellent Women and Troublesome Children', pp. 136-138.

84 SWD 1/0052-0053.

85 SWD 1/0105.

86 SWD 1/0460.

87 SWD 1/0061.

at the age of 57, owned a well-furnished six-room cottage in West Hobart, where she lived with her 70-year-old husband and adult son. The Department prized her firm hand, considered necessary to deal with the *Kelly* children, who Pearce said were ‘absolutely wild and ... grossly ignorant’.⁸⁸ *Mrs Tower* also had a firm hand, and her gracious weatherboard home, conveniently located across the road from the entrance to St John’s Park, accommodated a succession of unruly girls.⁸⁹

However, the Department was never able to attract enough carers. It was hard work and barely paid. The boarding-out allowance was fixed at a modest 5/6 per child and did not cover periods when the child was in hospital or visiting relatives.⁹⁰ Some foster mothers dropped children cold when they realised how little money was on offer. As one said, ‘on the scanty allowance I receive for the support of the *Baxter* children I find I am not able to do justice’.⁹¹ The Department therefore took a flexible approach to foster mothers’ work, permitting them to take in boarders, work outside the home and conduct day schools.⁹² As Caroline Evans has pointed out, they went out of their way to avoid causing offence to foster mothers, because they were hard to come by.⁹³ Pearce would overlook a home’s shortcomings if a prospective foster mother agreed to take on a difficult case, such as a group of siblings.⁹⁴ He was also prepared to defend them against serious allegations. When a school doctor reported that *Mrs Sloane*’s foster children were so thinly clad they were ‘blue with cold’, and were hungrily scouring the playground for crusts and scraps, Pearce turned the complaint back on the children, saying ‘the early neglect has made somewhat against them’, even though they had been with *Mrs Sloane* for five years. Seager overruled Pearce in this case.⁹⁵ In other cases it was slow to act, as with the *Paget* children, who were placed in care because their stepfather had viciously beaten their mother, then were beaten by their foster mother.

88 SWD 1/0034-0039.

89 SWD 1/0086; 1/1892; 1/1920; 1/2105-2110.

90 CSD(GC)22/155/25/12; When *Evelyn Burnett*’s foster child *Susan Polson* arrived with typhoid and had to be hospitalised the Department docked the allowance while the girl was away. Neither did they pay *Miss Burnett* for the cost of disinfecting her property. SWD 1/0114.

91 This foster mother was happy to keep the eldest boy, as he was useful to her. SWD 1/0462.

92 SWD 1/0455; *Miss Burnett*, who had a fine house in Landsdowne Crescent, kept a day school on the premises while she raised three foster children.

93 Seager could not bring himself to tell one foster mother that he was removing children because she had beaten them, instead making the excuse that she lacked sufficient room. SWD 1/0086. See Evans, ‘Excellent Women and Troublesome Children’, p. 139.

94 SWD 1/0137.

95 SWD 1/0431-0434; Evans, ‘Excellent Women and Troublesome Children’, pp. 139-141.

The *Paget* case only came to light because the children's godmother forced the Department to intervene.⁹⁶ Such abuses intensified the suffering of children who had already experienced much misery, and undermined the ideology of boarding-out.

One of the rewards foster parents received was the labour of boarded-out children. Seager felt foster parents needed to make children useful and train them in household duties such as sewing on buttons and mending their own clothes, 'as such items, of minor importance now, will probably in their future life stand them in good service'.⁹⁷ Work included involvement in family enterprises. The *Hall* family lived in a semi-rural area on the outskirts of Hobart, and built a farm and tea garden over three generations using the services of boarded out children, apprentices, and, later, child migrants.⁹⁸ As Evans has pointed out, the Department accepted that state children should do unpaid work, for child rearing in natural families was, in part, an economic exchange between parent and child. Foster families were no different, although foster parents were not allowed to hire children out.⁹⁹

However, although some arrangements were clearly utilitarian, not all foster parents saw children as a source of labour. *Mrs King*, a headmaster's wife, had raised two boys and wished to foster girls, and the Department was happy to oblige someone who could offer such a 'first class home'.¹⁰⁰ *Mr Hillman*, an office manager, asked for a boy from the Training School to provide company for his 9-year-old son, and was sent *Trevor Senior*, on the expectation that *Hillman* would pay for the boy to be schooled to the age of 13.¹⁰¹ Such requests affirmed the reformers' belief that the boarding-out system was underpinned by bonds of affection.

Seager clearly believed that was the case. In 1908 a Toronto activist for boarding-out asked the Chief Secretary about the Department's 'courageous experiment' at 'transplanting' neglected children into foster homes:

96 SWD 1/0083-0085.

97 CSD(GC)22/114/25/08.

98 SWD 1/0082 and 0096. Interview with Madeline Schofield, July 1999.

99 Evans, 'Excellent Women and Troublesome Children', p. 133, p. 140.

100 SWD 1/0111.

101 CSD(GC)22/73/25/04.

The money paid hardly seems sufficient to make caring for children a lucrative business, but one only to be undertaken by those who are personally fond of children in which case it would seem hard to have to give back a child after getting attached to it.

Seager replied that the foster mothers had no difficulty on this small allowance, and added:

It very frequently occurs that the foster parents become so attached to their cares that they promptly adopt them rather than part with them, and where poverty and other circumstances will not permit of the possibility of adoption, there are many pitiable scenes at the parting of the foster parent and the child.¹⁰²

Such bonds were strong. As one foster mother said: '[We] would not care to see her pass into other hands, as we have always cared and looked after her as one of our very own.'¹⁰³ The bonds were often reciprocal. When the Department tried to apprentice *William David* out he threatened to 'either drown himself or get away on one of the large steamers'. Pearce said the foster mother, *Mrs Arthur*, was aged and poor and 'not the woman she used to be for looking after a child', but, Pearce said, 'wherever he would be sent from her he would find his way back to her again', and Seager allowed the adoption to proceed.¹⁰⁴

Adoption of foster children was often a blend of emotional bonds and practical advantage. Foster parents were willing to keep their children on as apprentices, but invariably refused to pay them wages, and it became standard practice to release them from that requirement.¹⁰⁵ Yet a co-operative 14-year-old was a boon to any house, particularly if there were smaller children to care for and errands and housework to be done. Hannah Pearce and *Mrs Tower* both adopted foster children once they reached the age of apprenticeship and kept them working in their homes.¹⁰⁶ As the market for youth labour diversified, foster mothers frequently guided their 'adopted' children into careers

102 CSD(GC)22/114/25/08.

103 SWD 1/0445.

104 SWD 1/0454.

105 SWD 1/442.

106 SWD 1/0455; 1/0086.

that were more lucrative than domestic service, and were able to capitalise by charging the child board.¹⁰⁷

A second category of adoption was the placement of younger children without state payment.¹⁰⁸ Before adoption was formalised in 1920, adoptions were arranged between private individuals.¹⁰⁹ Pearce brokered some of these agreements, as he told Seager when describing his efforts to relieve a labouring man who had fallen on hard times:

I sent a woman to him last evening who wanted to adopt a little girl and would have taken one of his, but he would not give one of them up. I arrange for a great many children from time to time in this way by getting good homes for them under agreement of adoption instead of the children becoming a charge upon the State.¹¹⁰

Seager approved of these arrangements, as they saved the Department money:

Where the foster parent is attached to the child so much they wish to adopt, I much prefer their doing so than removing them to other services – the expenditure under Boarded-out children is so very much on the increase.¹¹¹

Relatives sometimes asked the Department to facilitate adoption so they could prevent parents from gaining access to the children.¹¹² Pearce was happy to comply, and used adoption strategically to shield children from relatives he considered disreputable or immoral. *Susan Polson*, a ‘nice looking affectionate child’, was adopted in this way, paying the double price of losing contact with her mother and being sent to a remote district that had no school, despite exhibiting ‘such a longing’ for home.¹¹³ Some parents who had allowed their children to be adopted were surprised to find their children would not be returned to them when they reached the age of 14, as boarded out children were. As one father put it, it was unfair that *Mrs Tower* got ‘all the comfort out of [my

107 A girl could earn three times as much in a week at a woollen mill than she could in domestic service. Others were apprenticed as milliners or tailors. See SWD 1/0456. Post-World War I cases include SWD 1/1660, 1/2688, 1/2891, 1/2900.

108 Evans, ‘Excellent Women and Troublesome Children’, p. 166-168.

109 In 1895, the mother of a three-year-old girl died in childbirth at a midwife’s house in Hobart. The dead woman carried a stack of unpaid bills and a letter reading ‘seeing an advertisement in this morning’s paper for a person to take charge of a little girl I would like a line from you with particulars. I have no family myself and you could depend upon the little girl getting the best of care as both my husband and self are very fond of children.’ SWD 1/0455.

110 CSD(GC)22/102/25/07.

111 SWD 1/442.

112 This occurred in 1898 (SWD 1/0008) and 1908 (SWD 1/0775).

113 SWD 1/0114.

daughter] & me none'.¹¹⁴ Adopted children suffered in other ways. They were never inspected, meaning they were not protected by the perpetual oversight of the boarding-out system. Neither did they gain much security: adoptive parents could return children at any time, even if their own parents had relinquished their rights.¹¹⁵ A number were thrown back on the state, as happened with *Susan* when her adoptive mother's marriage broke down.¹¹⁶

Apprentices

When wards turned 14 they were expected to enter formal apprenticeship in domestic situations. The Department allowed some children to take up trade apprenticeships, but domestic and farm apprenticeships were preferred until the mid-1930s.¹¹⁷ Apprenticeship enabled the Department to retain control over a child, but delegate responsibility for its supervision and care to the child's employer, on the condition that the employer provided proper accommodation and food. Apprentices effectively paid for themselves, by earning their own keep, but they were not entirely disadvantaged, as they earned pocket money and a weekly wage, paid on a sliding scale according to the child's age, that was placed in trust for them by the Department until they reached the age of 21. These wages formed a nest egg that helped wards get a start in life, or pay for other necessities such as false teeth, baby layettes, coats or bicycles.

Although the Department liked to board children in the city, it preferred to place apprentices in country districts where the isolation would, it was thought, save them from temptation and immorality. Their frequent objections were ignored. Community oversight was also weakened, as the Department delegated its inspection to police officers, who made only quarterly visits. Sometimes even this was impractical, for Tasmania's population was thinly spread, and children were placed in inaccessible places like the Bass Strait Islands.¹¹⁸ Apprentices were in high demand in the country because they provided cheap domestic and farm labour. *Henry Farnham* received an apprentice after he asked for an 'orphan girl' to help his wife and 18-year-old son, who

114 SWD 1/1920.

115 SWD 1/0462.

116 SWD 1/0114.

117 Boys took positions with tin plate manufacturers or dentistry; SWD 1/0456. Post-World War I cases include SWD 1/1660, 1/2688, 1/2891, 1/2900.

118 SWD 1/0135.

were ‘working like bees’. He wrote that he could not afford to pay a wage as it was a new property – ‘I am only a new beginner myself and shall have to struggle on, use judgement and be economical for a year or two’ – but said that the girl would ‘live and be as one of us’. His preference was for ‘an honest, industrious, willing and pleasant girl of passable appearance’.¹¹⁹

A few employers were willing to adopt the role of mentor or substitute parent. Others expressed impatience with the immaturity and vulnerability of state children, or sent them back because they were too small, and one asked the Department to pay *her* to keep an apprentice she considered was undersized.¹²⁰ *Mr Hall*, at Ridgeway, objected to paying *Leo Carney*’s wages on the basis that ‘so young a boy is not very useful’, until reminded by the Inspector that given the demand for boy labour, ‘50 other people [would] be glad to obtain the boy’s services [and his] interest must be considered’.¹²¹ Employers expected apprentices to be malleable. As one woman said, she preferred a boy straight from the home, as children were easier to manage when they had not been trained in ‘someone else’s ways’.¹²² Sometimes employers expressed foreboding about children’s backgrounds. *Peter Hean*’s employer said: ‘I know his people very well. His father was a Bad Egg. PS. Is there any way I am allowed to punish Him if he dos some wilfully wrong?’¹²³

The Department itself had doubts about whether some children could overcome their past. *Emma Bernard* was sent to work for the *Conroys*, who were lighthouse keepers on a Bass Strait Island, and neighbours complained that she was beaten and starved. They worried she would commit suicide, and said they could not tell what was really going on as the ‘houses are stone and *Mrs Conroy* shuts the door’. The constable found *Emma* was severely bruised on her shoulders and shins, but the local Justice of the Peace would not allow her to be removed and the employers insisted that Seager had told them *Emma* ‘was a bad girl and required keeping under’. Seager confirmed this, telling the constable:

119 SWD 1/0137.

120 One wrote to check that she was not expected to keep an apprentice who had ‘failings’ or became ‘delicate’.
SWD 1/0057; SWD 1/0033.

121 SWD 1/0082.

122 SWD 1/0113.

123 SWD 1/0066.

Bernard is a chronic thief and cunning in her ways, exceedingly obstinate and a strong perverter of the truth ... a thin miserable looking girl [she would make] anyone think she was ill fed ... I wish very much to keep her away from temptation until she is of mature age ... the island [is] the best place for her.¹²⁴

The constable took *Emma* into his own household, where he realised the girl was a 'kleptomaniac'; 'she takes things that are of no earthly use to her or anybody else and plants them in the ground'. Seager now said he understood that *Emma*'s 'thieving propensities' were a disease, and sent her to the Magdalene Home.¹²⁵

Emma suffered because Seager had formed a low opinion of her, but the Department was usually quicker to respond to allegations of abuse. When neighbours said *Lillian Russell* was 'knocked about' by her foster family she was removed immediately, as was a girl who was seen tending cows in the bush 'in a semi-naked state'.¹²⁶ Pearce found a new situation for the apprentice *Isaac Grace* when he reported that he was overworked and was being forced to pluck piles of two-days dead turkeys. In the second situation *Isaac* was given horse blankets for bedding, and the Department decided to let the boy return to his family.¹²⁷ These responses should not blind us to the fact that abuse heaped coals on the heads of children who had already dealt with much hardship.

Physical abuse was obvious, but it is much harder to read the extent of sexual abuse. The Department certainly acted promptly to censure girls who revealed their sexual desires, reprimanding those who flirted over the back fence with boys or stayed out at night. Such cases came to light because employers, who were constrained to look after the morals of their charges, complained to the Department if girls were hard to control. However, in the Department's early years it was confronted by three important cases that influenced its policies. The first case was a pregnancy that appears to have resulted from a consensual sexual relationship. *Jane Steele* was apprenticed in the same situation as her brother, who complained to Richardson that the family was 'pracktle killing' *Jane* with overwork. The employers then dismissed the girl, claiming she was 'over-familiar' with men labouring on the farm. When *Jane* arrived home, her mother found she was pregnant and condemned the Department for allowing the girl to 'bring trouble'

124 SWD 1/0135.

125 SWD 1/0135.

126 SWD 1/0477, 0111-0113.

127 SWD 1/0014.

then ‘palming her off’ on them. Clearly *Jane*’s family thought the Department should have exercised a protective role – the mother pointed out ‘she was supposed to be looked after’. The Department helped secure £50 for expenses from the father of the baby.¹²⁸

The second case was an incident of carnal knowledge, which occurred in the home of the employer, *Henry Farnham*, who lived to regret his request for a ‘willing and pleasant girl of passable appearance’. Returning home unexpectedly soon after 13-year-old *Elizabeth Cocker* began her apprenticeship, *Farnham* found the girl and his 19-year-old son on the couch before the fire with their ‘clothes all deranged’ and their ‘persons exposed’. Although the son left the household immediately, the *Farnhams* did not blame *Elizabeth*; they decided to keep her on as she was young, ‘only human’ and ‘as good as we can expect’ for a girl ‘from the home’. In return, the Department dissuaded the Attorney General from charging the son with carnal knowledge, arguing *Farnham* had reported the matter in good faith without realising the gravity of the charge.¹²⁹

The third case was that of *Ada Wright*, who was indentured by the Girls’ Reformatory as a general servant and dairymaid to a couple with three children. In 1899 she was sent packing by her employer, *Samuel Stubbings*, who told the Department she had caused trouble by ‘getting in bad company when she is sent to church’. The girl found her way home to her mother, who was outraged to discover that *Ada* was heavily pregnant. The mother wrote to Seager:

She as been put in a place of sirvis she is not out of the hands of the Hobart School yet and why is the girl let at large to bring her to disgrace I have not seen her this six years till now and the girl as come home to my place in the fambly way and I have not got any means to support her.

Ada told police *Mr Stubbings* had raped her repeatedly – in the bush, the stables, the house, the garden and her own bed – and had threatened to chain her up if she told anyone. When *Stubbings*’ wife noticed the pregnancy she whipped *Ada* and dumped her at the train station, without any money for the fare. *Stubbings* refused to admit responsibility and accused *Ada* of sleeping with neighbours and visiting men. He

128 SWD 1/0061.

129 SWD 1/0137.

subjected *Ada* to threats and promises, which led her to change her story so often the Department decided she was unreliable and sent her to Hope Cottage 'to save her from a life of prostitution'. However, this disaster led Seager to resolve to inspect situations more often, and the rarity of pregnancy indicates some success at protecting girls.¹³⁰

Of course apprentices didn't need to be sexually abused to feel unhappy. Many employers complained their apprentices were dirty, both about the house and in their person. In small houses, where employers and girls worked side by side in intimate spaces, the effect of unwashed clothing and body odours could be potent. Another point of conflict was menstruation. Foster mothers and employers were expected to monitor the regularity of girls' cycles, and teach girls how to wash and dry their menstrual rags discreetly. This necessarily involved interfering with the girls' privacy, an obligation that offended both parties.¹³¹ 'Dirty habits' were also a manifestation of deep problems of adjustment. *Jane Corby* still wet her bed at the age of 14, but the Department realised she was fearful and moved her to a happier situation.¹³² Sometimes dirtiness was a form of protest. *Connie Craig* was said to think herself 'above housework'. She taunted her employer by leaving soiled garments in her bed, refused to change her clothes (her employer wished her to change them at least once a week) and planted dirty saucepans out of sight.¹³³

Many apprentices expressed their discontent and their desire for self-determination by absconding. Sometimes this desire was recognised, but mostly it was not. When *Vera Cocker*'s employer realised the girl had written to Mr Pearce she boxed *Vera*'s ears and shut her in her bedroom without food. *Vera* ran away, but having run away from previous situations, was declared 'an habitual absconder' and sent to the Magdalene

130 SWD 1/0093.

131 See S. Murray, "'Keeping their secret safe": menstrual etiquette in Australia, 1900-1960', *Hecate*, 24, 1998 for a fuller explanation of the notions of menstruation and cleanliness, and the employer's role in supervision. That supervision was also a feature of institutions. Parramatta Girls' Industrial School kept a menstruation book, and a repressive regime of handing out sanitary pads, until the 1970s. Quinn, "'We ask for bread and are given stone'". The sexualised notions of 'dirt' and 'filth' held by 20th century social workers have been explored by Nell Musgrove, "'Filthy' Homes and 'Fast' Women: Welfare Agencies' Moral Surveillance in Post-Second World War Melbourne", in E. Harrick, R. Hogg, S. Supski (eds.), *Write/Up: Journal of Australian Studies* 80, (St Lucia: API Network & University of Queensland Press, 2004).

132 SWD 1/0057.

133 SWD 1/1249.

Home.¹³⁴ Girls also vented their frustration on the domestic items that defined their existence. *Sarah Lang* was deeply unhappy in her situation, complaining to Seager:

I cannot content myself here I am not very strong and my heart is getting weak I am worrying about myself ... my mistress as get very nasty to me lately and she as upset me very much.

Seager believed her, and asked Pearce to ascertain why the employer, *Mrs Perkins*, had not paid *Sarah* £5/3/6 in wages. *Mrs Perkins* claimed she had docked *Sarah*'s pay after the girl had smashed an entire dinner service, rifled the house, and 'insulted me and knocked me down and kicked me like a man'. *Sarah* admitted she had hit *Mrs Perkins* but said she had had a 'life of misery' for two years, rising at 5 a.m. and putting in 17-hour days. She admitted she had hit *Mrs Perkins*, and struck one of the sons because he had kicked her and called her 'a bloody barsted, a name which is not fit for a dog to be called'. The police took *Sarah*'s side, and the Department removed her and recovered her wages.¹³⁵

Sometimes a complaint revealed a complex situation. *Myrtle Humphreys* also complained of beatings and working long hours. Pearce visited, but the girl withdrew her allegations, saying she was only beaten 'when she deserved it', and 'then only a clip on the side of the head'. To Pearce, corporal punishment was entirely acceptable, so he saw no need for action, but the employer said *Myrtle* had 'fits', during which she smashed crockery and kitchen utensils and tore up her clothing and the bed and table linen. The 'fits' escalated, so *Myrtle* was moved to another employer. This was fortunate, for Pearce said the new employer had 'a mother's feeling' and realised *Myrtle* was nearly blind, had permanently and painfully swollen knees, and was barely fit to work at all.¹³⁶

Refractory behaviour did not always have a clear cause. When *Maggie Herbert* absconded in 1905, her employer said she was a 'mad freak, gone in the middle of the night'. It took another 11 situations before the Department found *Maggie* someone she could live with.¹³⁷ Some girls never settled into domestic service. *Edith Wickham* and

134 SWD 1/0140.

135 SWD 1/0439.

136 SWD 1/0069 and 0070.

137 SWD 1/0460.

her sister *Ethel*, who had ‘screamed something frightful’ at Pearce, had been educated by their foster mother *Miss Darcy*, a convent school teacher. *Edith* was then apprenticed to *Miss Darcy*’s nephew’s family, who found her ‘stupid’ and said she was dirty, would not wash or mend her clothes and refused to accept her allotted place in life – ‘she states that she was never intended for service and she will not go to service for anyone’. Nuns from the Magdalene Home saw *Edith* reading in the city library and recommended she be sent to the Magdalene Home. *Miss Darcy* assented, and, following a request from Pearce, finally persuaded *Ethel* to leave *Mrs Stansfield*’s and go to the convent. *Ethel* later went out to service but then absconded. The nuns gave the police a vivid description of her: ‘strong build. Dark red hair hanging down. Stubborn looking face.’¹³⁸

Institutions

It is essential to note that government systems were interdependent with the older forms of welfare provided by the industrial schools and reformatories. Throughout this period, 35 per cent of children in out-of-home care lived in institutions which had the same powers as the Secretary with respect to children’s custody, release and apprenticeship, and were empowered to issue corporal punishments. These were headed by committees of influential people who resisted boarding-out.¹³⁹ The Neglected Children’s Act protected their market share by stipulating that children convicted of crimes had to be sent to training schools. Parents who wished to surrender their children were obliged to commit them to an industrial school, and if they defaulted on maintenance payments, the institution was entitled to keep the child and ask the Department to pay the shortfall.¹⁴⁰ If the Department committed a child to an institution it had to pay the home five shillings a week, except in the case of the Magdalene Home, which charged no fees.¹⁴¹ On top of this, institutions received government grants in aid. They were accountable to government for their expenditure and conditions (one reason the Magdalene Home preferred independence), but were self-governing.

138 SWD 1/0052.

139 Brown, *Poverty is Not a Crime*, pp. 166-167; The New South Wales legislation was specifically aimed at closing down asylums, although private institutions continued to flourish there. Susan Tiffin notes that in America volatile debates between advocates of boarding out and the vested interests of institutions were eventually resolved in favour of the boarding out scheme. Tiffin, *In Whose Best Interest?*, p. 61.

140 Parents were not entitled to object to such transfers if the institution had maintained the child for two years.

141 Baxter, ‘Magdalen Home’.

As a result, the committees regularly asked the government to commit more state children to their care, because the state was a guaranteed payer. F.R. Seager resisted entreaties, insisting over a ten-year period that industrial schools fell ‘far short of the requirements of childhood’ and the boarding-out system was more effective.¹⁴² In 1907, when Kennerley Boys Home asked the state to top up its numbers, the Chief Health Officer, J.S.C. Elkington, visited. He said the accommodation, sleeping arrangements, sanitation, layout and supervision were defective and encouraged vices and homosexual urges. The Chief Secretary advised the home ‘the policy of the government is to adopt all measures tending to the welfare of children placed under their control and not to benefit Institutions’.¹⁴³

However, the state government could not have afforded to absorb institutionalised children into the boarding-out system, and did not want to. Although the Secretaries preferred boarding-out, some children were seen as unsuitable for boarding-out in family homes. The institutions offered a level of discipline and regularity that could rarely be achieved in a foster home, and which was considered particularly beneficial for refractory children. As the century progressed, classification of children, and the separation of the delinquent from those who were merely poor, became increasingly important. Sometimes institutions could take in entire families, when foster homes could not.¹⁴⁴ As Brown points out, the coexistence of institutions with boarding-out provided a way to meet the differing needs of individual children.¹⁴⁵

The homes and industrial and training schools offered a range of ‘training’ that provided only those skills thought necessary to turn children into industrious members of the lower working classes. The male institutions offered proper schooling, but both

142 CSD(GC)22/25/126/99. In 1909 Seager rebutted an appeal from the Ladies Committee of the Launceston Girls’ Industrial School for girls to spend two years there in ‘industrial domestic service training’. Seager told the Chief Secretary ‘in my opinion the Barrack or Industrial School system falls far short of the requirements of childhood’, and, cited Dr Barnardo, Mr J.J. Kelso, Superintendent of the Ontario Neglected and Dependent Children’s Office, and of governments of South Australia and New South Wales, Canada and Germany. CSD(GC)22/125/25/09.

143 CSD(GC)22/102/25/07. In 1901 the Boys Home at Landsdowne Crescent had said their daily average of 23 children meant they had around nine vacancies for state children. NCD Annual Report, 1901, p. 6.

144 The *Ward* sisters, aged 3, 5 and 8, were committed to the Launceston Girls’ Industrial School because they could stay together. SWD 1/0783-0784. Separations were more likely if there was a wide gap in children’s ages. *Rose Condell* was sent to Industrial School but separated from her baby sister, who she had been nursing since the girls’ father was convicted of raping an elder sister. CSD(GC)22/114/25/08.

145 Brown, *Poverty is Not a Crime*, p. 167.

Kennerley at Landsdowne Crescent and the Training School, which moved to New Town in 1896, were working farms, where boys learned horticulture, agriculture and animal husbandry. Farming was considered ‘an object lesson that the boys will not forget when they enter the battle of life’.¹⁴⁶ New Town, being larger, also provided opportunities for boys to learn carpentry, tailoring, bricklaying, blacksmithing, fencing, road making, and building.¹⁴⁷

Boys being readied for the ‘battle of life’ needed to know something of freedom, too, so at New Town a recreation and rewards system was established. This enabled boys to enjoy the more wholesome elements of Hobart’s popular culture, such as picnics on Mt Wellington, Regatta Day, football and cricket games, the 1901 Industrial Exhibition and British biograph demonstrations. The boys also attended events that celebrated British Imperial culture, such as parades of Imperial Troops, the departure of Tasmanian soldiers for the Boer War, and the landing of the Duke and Duchess of Cornwall and York.¹⁴⁸ By 1908 boys were allowed to visit their parents and friends, and enjoyed ‘liberty all day’ on their birthdays.¹⁴⁹

Girls were prepared for servitude, rather than freedom, and their education was often overlooked. The Girls’ Training School Reformatory, for girls aged between 12 and 18 who had criminal convictions, occupied an old gaol at the Anglesea Barracks in Hobart.¹⁵⁰ Girls did mostly washing and needlework and received just one hour’s education a week until, in 1902, the Director of Education ordered they get one hour’s lessons a day.¹⁵¹ Controversy over the accommodation at the reformatory led to its closure in 1908.¹⁵² A more successful institution was the Hobart Girls’ Industrial School, situated in a sandstone building in Davey Street. It housed around 44 girls who attended

146 NCD Annual Report, 1901, p. 11.

147 CSD(GC)22/5/102/97.

148 CSD(GC)22/5/102/97; NCD Annual Report, 1897-1901.

149 NCD Annual Report, 1907-8.

150 In 1900 one critic complained ‘it was altogether contrary to the principles of the reformation of young girls to keep them closely shut up within the prison-like walls of these premises.’ CSD(GC)22/40/291/00.

151 CSD(GC)22/61/203/02.

152 CSD(GC)22/73/25/04; CSC22/114/25/08.

school but were mostly occupied in needlework and washing. Girls concluded their stay in the home with a two-year period of apprenticeship under the Matron.¹⁵³

The institutions constantly lobbied for government funding, arguing they provided superior 'training' at a more economical cost than fostering.¹⁵⁴ Most of this lobbying had little success. As Inspector Welsh told the Launceston Girls Home in 1907, the Department was of the view that foster mothers did the work of fitting children for service. Welsh thought boarded-out children derived sufficient benefit from the cookery lessons offered in state schools, and girls who had been working in a dormitory would be lost in a domestic setting.¹⁵⁵ Ironically, the Attorney General refused to allow the Girls' Industrial School to send its charges to state schools, saying:

The introduction of a number of children living under such abnormal conditions amongst the scholars of the State School is an experiment too dangerous to the general interests of the [Education] Department to be undertaken.¹⁵⁶

In the 1890s, institutions diversified. The Magdalene Home was established, St Vincent de Paul and the City Mission began ministering to the poor, and the Salvation Army began 'rescue' and lying-in work.¹⁵⁷ The formidable Maud Montgomery, wife of the Anglican Archbishop, established the Home of Mercy, which was also known as Hope Cottage and the Diocesan Home of Mercy. It began at Cascades in 1898, in buildings adjacent to the Female Factory, but later moved to the New Town complex. It worked in conjunction with the Lock Hospital. It kept mothers and infants together for at least a year, as did the Anchorage Refuge Home.¹⁵⁸ It considered its 'proper work' was with prostitutes aged under 25: 'the more hardened of our sisters, who have never experienced the softening effects of motherhood', though it also collected girls from the Contagious Diseases Hospital. Initially the Department refused to pay such homes to

153 NCD Annual Report, 1897.

154 The Girls' Industrial School Committee said it provided superior 'training' at a more economical cost, NCD *Annual Report*, 1898, p. 10; St Joseph's Orphanage claimed it possessed 'superior advantages' as an industrial training school for girls', NCD Annual Report, 1899, p. 8.

155 CSD(GC)22/102/25/07.

156 CSD(GC)22/137/25/10; The Girls' Industrial School had been asking to send their girls to state schools since at least 1901; NCD Annual Report, 1901, p. 8.

157 See Belinda Sweeney for the impetus provided to Salvation Army rescue services by the arrival of Cornelia Booth in Melbourne. B. Sweeney, "A Woman Overboard!": The Salvation Army and "Fallen Women" in Melbourne, 1883-1900', *Lillith*, 14, 2005.

158 Alexander, 'Public Role of Women', p. 210.

look after children or their mothers.¹⁵⁹ However, Mrs Montgomery persuaded the Department that keeping babies in the home with their mothers ‘help[ed] to develop the better instinct of the girls’, made the place ‘less of an institution and more of a home’ and prevented women who lacked ‘moral instinct’ from ‘continually bringing imbecile and diseased children into the world to be in their turn a burden to the State for all their lives’. The government offered a pound-for-pound subsidy on annual subscriptions, thus bringing rescue and lying-in homes into the ambit of child welfare regulation.¹⁶⁰ As we shall see in Chapter 7, the Salvation Army’s lying-in homes were granted subsidies in the 1920s, and thereafter became integral to child welfare.

Developments in child welfare, 1900–1915

After the turn of the century, campaigns about street children waned, although some minor measures that kept children off the streets were introduced, such as Bands of Hope, established in 1892 to raise funds for convalescent homes, Boys’ Brigades, established in the late 1890s in both Hobart and Launceston, militaristic night drills, introduced in various parts of the state in 1911, and Girl Guides.¹⁶¹ Reformers redirected their interest to a new *cause célèbre*: the infant.

Child welfare departments, which were focussed on ‘rescue’ and individual rehabilitation, did not generate these initiatives, although they were supportive of them. Campaigns for the protection of infant life had begun spreading across the British Empire in the 1870s, in the wake of panic about baby-farming. They were often spearheaded by members of the British Medical Association, who transformed that panic into a desire to lessen the astonishing mortality of ex-nuptial infants.¹⁶² This

159 In 1897, the Salvation Army wanted to take over the Cascades for ‘every phase of social miseries’ including rescue work and a prison gate home. It offered to take charge of neglected children and infants for 5s, claiming ‘magnificent facilities for finding foster parents in all parts of the Colony’. The Department thought the proposal would be the same as a foundling home. CSD(GC)22/2/23/97. The Committee of the Diocesan Home of Mercy also asked for 5s week for infants, pointing out they saved the government the cost of institutionalising the mothers and boarding out the babies, and adopted a non-denominational approach, but were likewise refused. The organisation quantified its success rate as 54% for Contagious Diseases work and 55-60% for rescue and maternity cases. Interestingly, some of its success came from sending girls to interstate rescue homes, including Mr Ardill’s Home of Hope. Diocesan Home of Mercy *Annual Report*, 1894-1896, in CSD(GC)22/17/132/98.

160 CSD(GC)22/17/132/98.

161 Evans, ‘Protecting the Innocent’, pp. 58-59; Alexander, ‘Public Role of Women’, p. 197.

162 R.E. Homrighaus, ‘Wolves in Women’s Clothing: baby-farming and the *British Medical Journal*, 1860-1872’, *Journal of Family History*, 26, 3, July, 2001 details the campaign in the *British Medical Journal* – the premier
[Note continued following page]

mortality was the result of the lack of social support for single mothers who, facing financial and social disaster, were often obliged to place their babies out for nursing so they could work. In an age when the purity of milk could not be guaranteed and knowledge and resources for artificial feeding were limited, their babies stood little chance.¹⁶³ The desire to arrest the death rate meshed with the burgeoning nationalism of the colonies, which wanted to ensure the survival of white babies. These campaigns also accorded with a suite of progressive initiatives on public health – including pure milk supplies, urban housing and sanitation – which were instrumental in improving the wellbeing of poor families.¹⁶⁴

Women's organisations in Tasmania had been at the vanguard of such campaigns. They extended them into voluntary schemes for providing baby health clinics and maternal inspection and supervision, and demanded state support for their initiatives. The most influential groups were the Women's Christian Temperance Union and the Women's

organ of medical communication in the Commonwealth – against baby farming in the 1870s. Zelizer, *Pricing the Priceless Child*, p. 119 and pp. 173-177, includes baby farming in her analysis of the shifting value of children. In Australia, K. Laster, 'Frances Knorr: "She Killed Babies, Didn't She?"', in M. Lake & F. Kelly, (eds.), *Double Time: Women in Victoria 150 Years*, (Ringwood: Penguin, 1985) discusses the case of Victorian baby-farmer Frances Knorr and her execution. A family history of the Makins, who left small corpses dotted around Erskineville and Redfern, is C. Herben, *From Burren Street to the Gallows: the John and Sarah Makin Story*, (Fairy Meadow: C. Herben, 1997). Alison Alexander notes three women listed baby farming as their occupation in the Tasmanian census of 1881. Alexander, 'Public Role of Women', p. 110. The context of the Australian debates about baby farming and infanticide is discussed in J. Allen, 'Octavius Beale Reconsidered: Infanticide, babyfarming and abortion in NSW 1880-1939', in Sydney Labour History Group, *What Rough Beast?*, (Sydney: Allen & Unwin, 1982) and J. Allen, *Sex and Secrets: crimes involving Australian women since 1880*, (Melbourne: Oxford University Press, 1990), S. Swain & R. Howe, *Single Mothers and Their Children: Disposal, Punishment and Survival in Australia*, (Cambridge: Cambridge University Press, 1995); Evans, 'Excellent Women and Troublesome Children', p. 135.

163 By the end of the 19th century wet nursing was out of vogue but a range of nutritionally inadequate patented substitutes were widely available in Sydney and elsewhere. Babies were fed on heavy starchy foods, such as arrowroot and sago or 'tops and bottoms' (boiled grated flour). Condensed milk was used, often liberally diluted, while patent foods were expensive and deficient in vitamins, causing rickets and scurvy. 'Weanling diarrhoea', 'atrophy' and 'marasmus', caused by unsafe milk supplies and poor food, killed a large number of the children of major cities at this time. Lewis, 'Infant Health Problems in Sydney', pp. 67-69.

164 See Homrighaus, 'Wolves in Women's Clothing', and C. Summers, 'Intimate Colonialism: The Imperial Production of Reproduction in Uganda, 1907-1925', *Signs*, 16, 4, Summer, 1991. Burman & Naude, 'Bearing a Bastard', considers both British and Dutch South African attitudes. The New South Wales Royal Commission into the Decline of the Birth Rate was an Australian landmark in pro-natalism *New South Wales Royal Commission into the Decline of the Birth Rate and on the mortality of infants in New South Wales*, (Sydney: W.A. Gullick, Government Printer, 1904). See also Allen, 'Octavius Beale Reconsidered'; A. Davis, 'Infant Mortality and Child-saving: the campaign of Women's Organizations in Western Australia, 1900-1922', in P.E. Hetherington, (ed.), *Childhood and Society in Western Australia*, (Nedlands: University of Western Australia Press, 1988); B. Gandevia, *Tears Often Shed: child health and welfare in Australia from 1788*, (Sydney: Pergamon Press, 1978). See S. Petrow, *Sanatorium of the South? Public Health and Politics in Hobart and Launceston, 1875-1914*, (Hobart: Tasmanian Historical Research Association, 1995) for context on Tasmanian public health initiatives.

Sanitary Association, which had developed in the 1890s, and became the Women's Health Association early in the new century. In 1903, the year women got the vote in Tasmania, the Children's Protection Society was formed, with support from the indefatigable Emily Dobson and Frances Edwards. It was forceful in its efforts to monitor children, as the *Denison* family discovered. Other key bodies were the National Council of Women and the Australian Natives' Association. In 1909, a dynamic Queenslander called Edith Waterworth arrived in Hobart with her ophthalmologist husband, and galvanised welfare and political circles with an international feminist perspective, founding the influential Child Welfare Association.¹⁶⁵ These feminist groups covered the political spectrum, but they all believed women's place was in the domestic sphere – a sphere they politicised, in the name of women, and sought to supervise, in the name of children.¹⁶⁶

Concerns over infant life protection foreshadowed the progressivism of the post-war period. Infant life was a particular concern of another progressive immigrant, Tasmania's first Chief Health Officer, J.S.C. Elkington. A public health specialist, Elkington had been employed by the Tasmanian government in 1903 to quell the Launceston smallpox epidemic. In that year he introduced the Public Health Act, which was modelled on New Zealand legislation. It created a small Health Department to regulate food adulteration, hospitals, cemeteries, drainage, disease control and homes where infants were nursed. Under that Act it became compulsory for nursing home keepers to be inspected and licensed by the local council.¹⁶⁷

A minor adjustment to the child welfare legislation was made in 1905, when the 1896 legislation was amended to become the Youthful Offenders, Destitute and Neglected Children's (Amendment) Act.¹⁶⁸ This followed developments in mainland and

165 J. Waters, 'Waterworth, Edith Alice (1873 - 1957)', *Australian Dictionary of Biography*, Volume 12, pp. 392-393; Archives Office of Tasmania, Non-State Records, Album of newspaper cuttings by "Hypatia" (Mrs Edith Waterworth) from *The Daily Post*, 1911-1913, NS 1546/1 and NS 1546/2.

166 Pearce, "A Few Viragos on a Stump"; Evans, 'Protecting the Innocent', pp. 69-72; Marilyn Lake in *Getting Equal* argues strongly for consideration of the achievement of feminism in developing a 'maternalist' welfare state, but Tasmanian feminists could be punishing of women, and only protected women who conformed to their social values. See N. Parry, '[Review] M. Lake, *Getting Equal: the History of Australian Feminism*', *Labour History*, 84, May, 2003; See also Koven & Michel, 'Womanly Duties'.

167 Tasmania, The Public Health Act 1903, 3 Edward VII No. 37; Roe, *Nine Australian Progressives*, pp. 92-93.

168 Tasmania, Youthful Offenders, Destitute and Neglected Children's (Amendment) Act 1905, 5 Edward VII, No. 39.

international legislatures, by enabling the creation of Children's Courts in Tasmania. The practical application of the new law was the provision of separate space for children's cases to be heard, apart from the other business of the court, but it did not institute probation or any of the other systems that attended children's courts in NSW (explained in Chapter 5). Probation would only be introduced to Tasmania after the Children's Charter of 1918.

Infant life protection gained another boost in 1905, when a crusading Brisbane journalist, S. Kingsbury, wrote a series of sensationalist articles in the *Evening Observer*. Kingsbury alleged it was common practice in Australia for nursing home keepers to take lump sums as advance payment for a baby's maintenance, then starve it and say the child died of gastro-enteritis. In Kingsbury's view, state policies aided and abetted this 'established and lucrative institution' of 'slow murder'. Kingsbury singled out the Tasmanian Department for special mention. He lauded the personal oversight exercised by Seager, but condemned the Public Health Act because it only required nursing homes to be registered and inspected if they contained more than one baby or toddler. This, Kingsbury said, allowed women to kill babies one at a time.¹⁶⁹

These articles were clipped by the Chief Secretary, who asked Seager for his opinion. Seager replied he believed boarding-out was the superior option because it enabled inspection. He did not think the state should take over the care of babies whose mothers had defaulted on payments to the nursing home keeper, because he thought nursing home keepers took children with 'the view of making a profit' and should not cast their 'failure' on the state if their 'speculation' did not succeed.¹⁷⁰ Seager told the Chief Secretary it would be a 'decided advantage' to the state if all carers of illegitimate children in private boarding arrangements were forced to register their homes and submit to inspections.¹⁷¹

Elkington, who was influenced by New Zealand infant health and welfare specialist Dr Frederick Truby King, was still concerned at the high rate of infant mortality amongst illegitimate children in Hobart and Launceston and drafted a new Bill, which was

169 CSD(GC)22/86/99/05.

170 SWD 1/0438.

171 CSD(GC)22/86/99/05.

passed in 1907.¹⁷² Although Elkington had wanted nurses to do the work of inspection, that role, in the new Act, was given to police. It also tightened provisions on nursing for fees, mandating that any person who nursed any child under the age of five years for longer than 24 hours needed to be registered with police, and no individual could receive more than four weeks' advance payment of maintenance. Infant deaths were now subject to inquest. The Act also helped mothers claim maintenance and accouchement expenses from the child's father, if they could prove paternity.¹⁷³ However, the Act did not provide any system for relieving nursing home keepers of babies when the parents failed to maintain the child.¹⁷⁴ This was presumably intended to prevent the mother imposing on charity, but it also protected her natural relationship with her child, as the state could not take custody without her permission – a marked contrast with the Aborigines Protection Board's approach to child welfare.

Although Seager had been in a position to have some influence over infant life protection, he was soon struggling to hold that position. By 1907, Seager was in open conflict with Richardson, who now chaired the Public Service Board. When a clerk was removed from Seager's office, he protested, but was told to improve his efficiency. Seager retorted:

I challenge anyone truthfully to say that I am idle or extravagant and you sir, surely will understand the amount of energy, tact, thought and supervision it requires to keep so many engagements as I am entrusted with, in a workable and efficient state.¹⁷⁵

It was a compelling argument, and after a long public struggle over the appointment of a farm manager at the Boys' Training School, the Public Service Board decided Seager had the right to recommend and be consulted about appointments to his staff.¹⁷⁶ Although the Department's finances remained tight, Seager still desired to commit more children to care. After Catherine Helen Spence published *State Children in Australia*, which was about boarding-out, he told the Parliament he hoped the Department would:

172 CSD(GC)22/86/99/05: *The Mercury*, 5.9.1907, 19.8.1907.

173 Roe, *Nine Australian Progressives*, p. 96.

174 Tasmania, Infant Life Protection Act 1907, 7 Edward VII No. 51.

175 CSD(GC)22/110/115/2/07, cited Evans, 'Protecting the Innocent', p. 99.

176 Evans, 'Protecting the Innocent', pp. 99-110.

‘take the children of the poor people, feed and care for them and thus lay the foundation of their future strength and ability to be wage earners’.¹⁷⁷

With a mind to reform, Seager created a small committee of clergymen, public servants, doctors and members of the Children’s Protection Society, including Alicia O’Shea Peterson and Frances Edwards.¹⁷⁸ This committee recommended new definitions of neglect, based on the 1893 Children’s Protection Act of Ontario.¹⁷⁹ However, Seager’s control of the NCD ended with a 1911 public service restructure that moved the charitable departments into the office of H.E. Packer, the Under-Secretary. Packer assumed the role of Administrator of Charitable Grants and Seager, by then in his late fifties, was demoted to superintendent of the New Town Charitable Institution and Boys’ Training School. Evans believes the demotion indicates the government questioned Seager’s abilities.¹⁸⁰

Packer, as Administrator, was ‘incisive and vigorous’, and introduced Inspecting Nurses, an important step towards professionalising the inspection system and the catalyst for the resignation of the Launceston Ladies Committee.¹⁸¹ However, he did not achieve his goal of combining the inspection regimes of the NCD and Infant Life Protection within the Police Department. His tenure ended after just three years, with his premature death. His replacement was D’Arcy Addison, an unimaginative career bureaucrat who put the Department in a holding pattern. He maintained Seager’s traditions, and although he lobbied for infant life protection to be moved away from police and into the NCD, any reform was stalled by the outbreak of World War I.¹⁸²

In the years 1896 to 1915 the Neglected Children’s Department had established itself as the dominant force in Tasmania’s provision for destitute children. It was interdependent with the older institutions and inhibited by financial concerns, but had been able to develop policies and practices that cut through some of the constraints of legislation that

177 Launceston Girls Industrial School Annual Report 1907, CSD(GC)22/107/92/10/07, cited Evans, ‘Protecting the Innocent’, p. 104.

178 Evans, ‘Protecting the Innocent’, pp. 251-252.

179 Evans, ‘Protecting the Innocent’, pp. 105-106.

180 Evans, ‘Protecting the Innocent’, pp. 108-109.

181 CSD(GC)22/137/25/10; CSD(GC)22/146/25/11.

182 Evans, ‘Protecting the Innocent’, pp. 110-111.

was designed to control children, rather than help them out of poverty. Seager and Pearce developed a compassionate pragmatism that relied upon a very personal and subjective form of perpetual oversight. This is not to say that their application of the boarding-out system was always beneficent. The Department's work was shaped by a shortage of foster mothers. Apprentices were vulnerable, committals were contradictory, natural parents' rights were doubtful and there were continuing anomalies in institutions. This chapter has shown how parents were coerced into surrendering their children and revealed the harshness of children's experiences. The next chapter mines case files to read the longings of children and their families, and their responses to the oversight of the Department.

CHAPTER 3

‘Dear Sir, I am writing a straightforward letter ...’: The Voices of the Tasmanian Child Welfare System¹

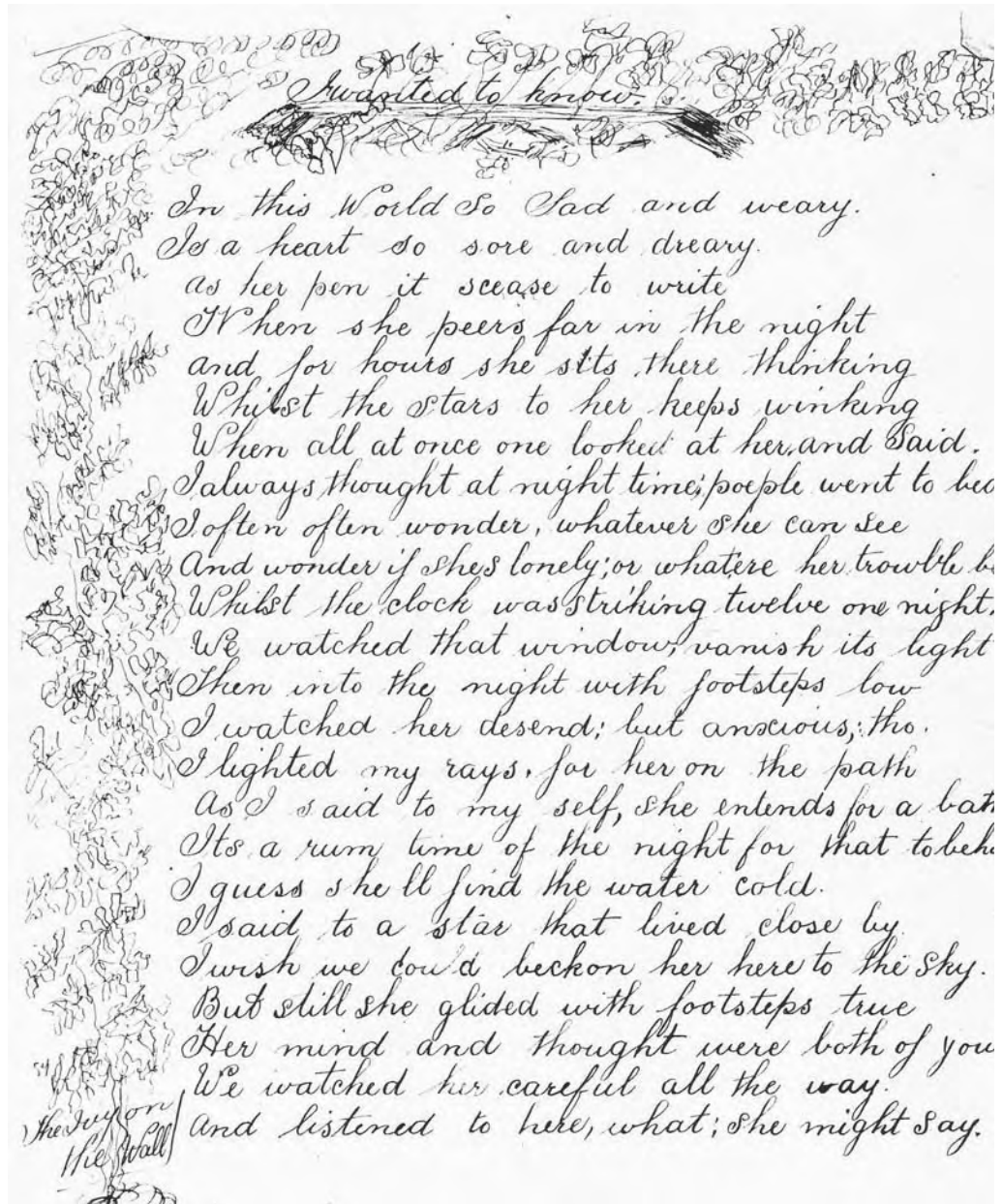


Figure 6: Letter from Edie Seale to the NCD, circa 1919, SWD1/1640.

¹ SWD 1/0486.

Although policies and practices may be traced through the records left by bureaucracies, it is harder to understand the experience of welfare, particularly when dealing with a distant period that has left few survivors. Historians such as Anne O'Brien and Janet McCalman are amongst those who have threaded the words of working class people through their histories, and Margaret Barbalet and Caroline Evans have used case records to shed light on life in welfare systems, and Evans has highlighted children's agency.¹ Yet Lynette Finch has written that working class people 'did not articulate themselves', but were described by middle class bureaucrats and welfare workers.² She and Jan Kociumbas see welfare as a middle class professional construction that is both malevolent and silencing.³ Recently, Christina Twomey has argued that deserted wives negotiated their position with colonial authorities.⁴ Mark Peel has also pointed out that case files are not simple artefacts of processes of control, but document the 'theatre of class', or the interaction between middle class social workers and their clients. While social workers 'patrolled the boundaries of class' and clients were constrained to demonstrate that they were 'feeling their position', there was dialogue between the two.⁵

This chapter analyses Tasmania's case files, which are filled with hundreds of letters from children and their families. These afford a deeper understanding of the 'theatre of class'. Letters are slender texts, just a few words on a page, but they are valuable texts, not least because they show things from the point of view of the subjects of these systems.⁶ Some of the letters discussed here were addressed to the Department. These were consciously made and deliberately crafted. They disrupt easy assumptions about power relationships, for their authors were desperate to articulate themselves, to test the limits of authority, challenge power, shape the ways they were seen and persuade the authorities to see their point of view. Letters written by children and parents to the

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- 1 Barbalet, *Far From a Low Gutter Girl*; Evans, 'Protecting the Innocent', p. 15; O'Brien, *Poverty's Prison*; J. McCalman, *Struggletown: Public and Private Life in Richmond, 1900-1965*, (Melbourne: Melbourne University Press, 1984). Van Krieken, *Children and the State*, draws on the records used by O'Brien.
 - 2 L. Finch, *The Classing Gaze: Sexuality, Class and Surveillance*, (Sydney: Allen & Unwin, 1993), p 14.
 - 3 Kociumbas, *Australian Childhood*; Factor, '(Review) *Australian Childhood*'.
 - 4 C. Twomey, *Deserted and Destitute: Motherhood, Wife Desertion and Colonial Welfare*, (Melbourne: Australian Scholarly Publishing, 2002), pp. xxii-xxiii.
 - 5 Peel, 'Charity, casework and the dramas of class in Melbourne'. Walkowitz, in *Working With Class*, uses case files to demonstrate how middle class welfare workers patrolled the boundaries of class. See also Musgrove, "Filthy Homes" and "Fast Women".
 - 6 S. Garton, *Medicine and Madness: A social history of insanity in New South Wales 1880-1940*, (Kensington: UNSW Press, 1988), p. 7.

secretaries of the Department show that the writers were self-aware, and active negotiators of their position.

The files also contain personal correspondence, between wards and their families and friends, which was confiscated and filed away by the Department and its agents. These private conversations, fixed in a sort of bureaucratic amber, remain as fresh and as poignant as when they were first written, and reveal the tactics family members used to survive 'such a longing'. Occasionally, wards handed their personal letters over to the Secretary to secure protection or support, surrendering their past to seal their future and leaving their illicit correspondence on their files.

These files capture and fix the emotions of their authors. All these letters provide a different perspective from material recently published in Australia, where a strong tradition of testimonial writing about the childhood of state wards has developed. Indigenous autobiography has flourished in recent years in this country. Margaret Tucker penned *If Everyone Cared* in the 1970s, and in the 1980s Sally Morgan alerted white Australians to the pervasiveness of Aboriginal child removal with *My Place*.⁷ Non-Indigenous authors have followed. Germaine Greer discovered her father's childhood as a state ward in Launceston in *Daddy We Hardly Knew You*.⁸ Art historian Bernard Smith's beautiful *The Boy Adeodatus* is a memoir of a generally happy life as a boarded-out child, while Noel Tovey's *Little Black Bastard* is at the opposite extreme of foster care.⁹ Best-selling memoirs by A.B. Facey and Jimmie Barker reveal the casual cruelty and hardship of rural life and 'apprenticeships' for both black and white children around the time of World War I.¹⁰ Works of lesser renown, developed through community life-writing courses, have told of life in Sydney's Lisgar and Burnside Homes, and in Western Australian Christian Brothers' homes.¹¹ Christina Stead

7 M. Tucker, *If Everyone Cared*, (Sydney: Ure Smith, 1977); S. Morgan, *My Place*, (Fremantle: Fremantle Arts Centre Press, 1987); See also R. Langford 'Ginibi', *Don't Take Your Love to Town*, (Ringwood: Penguin, 1988); D.E. Kartinyeri, *Kick the Tin*, (Melbourne: Spinifex Press, 2000).

8 G. Greer, *Daddy We Hardly Knew You*, (London: Hamish Hamilton, 1989).

9 B. Smith, *The Boy Adeodatus: the portrait of a lucky young bastard*, (Ringwood: Penguin, 1984); N. Tovey, *Little black bastard: a story of survival*, (Sydney: Hodder, 2004).

10 A.B. Facey, *A Fortunate Life*, (Melbourne: Penguin Books Australia Ltd, 1981); M. Thomas, *This is Jimmie Barker*, ABC Radio National, 2000; Jimmie Barker with Janet Matthews, *The Two Worlds of Jimmie Barker*, 1972 [1988].

11 W. Evans, *A Rejected Childhood*, (Hurstville: W. Evans, 2001); D. Neville, *Somebody's Child: a brief account of the life of Dorothy Seach at Burnside from 1928-1938*, (Sydney: The Advancement Centre, 1998); K. Shayler, [Note continued following page]

encouraged Laura Todd to write about the School of Industry at Petersham, and Merv Lilley has shown violence, sexual abuse and exploitation were also suffered by children within their birth families.¹²

Rosamund Dalziell has examined such testimonial literature, using shame as a framework. She defines shame as 'being seen, inappropriately, by the wrong people in the wrong condition'.¹³ The Tasmanian letters used in this thesis were not produced as autobiographical reflections on the past, and have not been mediated by editors or publishers. As Mark Peel has observed, albeit of a different genre, the narratives produced by those who rely on charity and services are produced on the run, but to secure support the narratives need to be consistent and told in 'the right way, speaking of sufferings they don't deserve, and of their fortitude and strength of character'.¹⁴ Surveillance and 'being seen' were intrinsic to the child welfare system, so Dalziell's analysis is useful. She argues the autobiographical self must both learn discourses about themselves, and resist them. State children and their parents did too.¹⁵ The authors of the letters on the Tasmanian files were, like the correspondent who penned the phrase 'far from a low gutter girl', self-aware and knew how they were seen.¹⁶ They understood the discourse about them, but were vitally interested in changing that discourse, in winning over the people who mattered and being seen the 'right' way.

Contraband letters

These were never intended to be seen by the Department or its representatives; they were clandestine letters from family, friends and lovers. Wards were not allowed to receive letters without departmental approval, and foster mothers, employers and

The Long Way Home: the Story of a Homes Kid, (Hazelbrook: J. Cave, 1999); I.A. Knight, *Out of Darkness: growing up with the Christian Brothers*, (South Fremantle, W.A: Fremantle Arts Centre Press, 1998).

12 L. Todd, *A Place Like Home: Growing Up in the School of Industry 1915-1922*, (Marrickville: Hale & Iremonger, 1987); H. Stewart, 'Christina Stead's Protegee', *The Sydney Morning Herald (Good Weekend)*, 24-25.10.1987; M. Lilley, *Gatton Man*, (Ringwood: McPhee Gribble, 1994). The title refers to Lilley's belief that his father raped and murdered the Murphy siblings at Gatton in the 1890s.

13 R. Dalziell, *Shameful Autobiographies: Shame in Contemporary Australian Autobiographies and Culture*, (Melbourne: Melbourne University Press, 1999), p. 7.

14 Peel, *The lowest rung*, p. 12; Stavenuiter notes a continuity (over time) in the self-image elderly women portrayed in their letters seeking admission to an Amsterdam almshouse. M. Stavenuiter, "'Younger People are Preferred": the self-images of elderly women represented in their letters to a Dutch almshouse, 1885-1940', *Journal of Family History*, 25, 2, April, 2000.

15 Dalziell, *Shameful Autobiographies*, p. 70.

16 Barbalet, *Far From a Low Gutter Girl*.

department staff frequently intercepted and read their mail. Many of these letters were never seen by the wards. They were filed away, along with others that had been confiscated. Aboriginal survivors told the *Bringing them home* inquiry that because they never received mail, they thought their parents didn't love them. Now some realise their letters had been intercepted. As John Frow has said: 'the refusal to pass on letters fosters the underlying lie: your parents don't love you, your parents are dead'.¹⁷ These letters capture the sentiments family members, friends and lovers wished to convey to each other, and reveal the strength of love's bonds.

Many parents of state wards tried to keep in touch with their children, although, as Caroline Evans points out, for many, letter-writing was an unfamiliar medium, a poor substitute for touch and the range of emotions, memories and traditions that parents and children developed in uninterrupted relationships.¹⁸ Yet letters mattered. *Mrs Birch* gave her children stamped addressed envelopes so they could write to her after they were committed.¹⁹ Parents who received no letters were traumatised. As *Mrs Doust* wrote:

It is awfull to think I can't hear how my children are getting on if I could get near that four eyed Seager I would pull his nose for him you don't pay [maintenance] for children when you can't get any word how they are.²⁰

The Department responded to some of these urgings by reminding children to write home, but they could not make them do so. Neither did the Department always consider it appropriate for parents and relatives to communicate with their children. Sometimes it feared letters would unsettle the children, and sometimes they may have been right. *Myrtle Humphrey's* mother, for instance, concocted stories that she was dying, that *Myrtle's* little sister had died and that the family had appointed a solicitor to get *Myrtle* out of the Home of Mercy. The Department told the mother, 'writing letters like this is likely to make the girl dissatisfied'.²¹ Another girl in the Home of Mercy was taught how to pull officials' heart-strings by her father, who said, 'write a pitiful and sensible

17 Frow, 'A Politics of Stolen Time'.

18 Evans, 'Protecting the Innocent', p. 211.

19 SWD 1/3347-3349.

20 SWD 1/2922-2926.

21 SWD 1/0069 and 0070.

letter to me and I will shew it to the head men'.²² Letters like these were filed away, out of the child's sight.

Friends and family who defied the Department's prohibition and wrote to a ward could be punished. *Walt* was threatened with a £20 fine for writing this letter to his 13-year-old girlfriend, who had been removed from a west coast mining town after her father's sudden death:

Tis hard to break the tender cord / When love has bound over hearts
Tis hard so hard to speak the words / We for a time must part
Dearest loved one you have left me / In that peasful home's embrace
But thy memory will be cherished / Till I see your loving face
Dearest *Rosie* you have left me / Thou doth dwell with others now
And a wreath of glory pricefull / Sparkles on your shining brow
Good and gentle was her loving / I will come and set you free
Wait a little dearest loved one / Soon I'll come and marry thee²³

Although the Department considered this an 'objectionable strain', *Walt* was an itinerant miner and labourer, and chose this poetry to express his hope that the virtuous love between him and his girl would survive their forced separation.²⁴ I could not trace them to find out if it did.

This sort of surveillance was repressive and heartless, and it is sad to think of the number of relationships deliberately disrupted by such judgements, even if we must remain cognisant of the girls' age. Birth families also could be dangerous sites. *Dottie Hooper* was taken from her home because her male relatives (including her father) were notorious for indecently assaulting young girls. Her employer intercepted letters from the girl's 'Uncle Lark' which read 'I am still on my own love and I will be glad to get some one darling but I want you dear, I would not have any other woman or girl only you love.' *Dottie* never received them.²⁵

The Department asked the police to prosecute the author of this accusatory letter, which was sent to *Isabella Roydon* but intercepted by the Launceston Girls' Home:

22 SWD 1/1009.

23 SWD 1/119.

24 It is possible that *Walt* bought and copied the poem.

25 SWD 1/3337.

Your mum encloses a clipping of your dear Uncle ... who used to kiss and mash you so much ... I am shure you will be sorry to hear of him in trouble ... when he had such a clean nice young thing like you to mash and roll on the bed ... we are all shure it will remind you of all your other sweethearts that you told the detective when you pute [your sister] and Mum away ... you must often think of me with all your other sweethearts such as M in the ferns and R in mum's bed and A down under the bridge and P in his hut and F in the bushes and D in the hay at Wynyard when you was 10 years old ... you can make up for lost time when you come home.

The enclosed clipping showed that her uncle was in gaol for the vicious assault of a woman. The Department ensured *Isabella* never received it, or a series of letters written by the uncle from jail. It also blocked apparently innocuous letters sent by *Isabella*'s mother.²⁶

The letters on *Clarice Clarke*'s file told a painful and dramatic story. She had been removed from her home after neighbours called police to stop the father's assaults. At the time *Clarice* said: '[my father] beats me because I won't allow him to have connection with me and do as he likes: he says that he should be allowed to do as he likes with his own'. She found good situations in Launceston, where she was considered a 'treasure', despite having a tendency to stay out too late at night. One day, when *Clarice* was 16, her employer returned home from church to find a suicide note:

Dear Mrs Collins,

Don't be surprised to here what I have done. But I think I will bring my life to and end the river is the best place fore me I will be out of every body's way and my own too. I will not bring any more worry on other poeple, and I won't have to worry any more my self. Know body will know who the Father of my child is and if I lived I was not going to tell them. So the best thing fore me to do is to go off the spring board at the First Basin. I will bring all troubles and worries to an end. I walked to the First Basin this afternoon intending to do some thing but their were people their and they would have stopped me. I will have my very best love to Pam and say goodbye to her fore me and all so Peter from *Clarice*.

At the bottom of the page she wrote, 'I have had a dog's life all along but no more for me the next world may be a better one I won't be tied up like a dog or watched where I go.' The police rushed to the First Basin, part of Launceston's precipitous Cataract Gorge, and found *Clarice* just in time. She was pregnant, and had a bundle of

26 SWD 1/1913.

possessions, which included letters. The letters showed that an acquaintance had offered *Clarice* an abortion, telling her the father 'don't want you any more', but *Clarice* had been unable to go through with the procedure. *Clarice* told the police she had not consented to intercourse, but she would not allow charges to be brought and said she was 'as much to blame as he was'.²⁷ The evidence of her ordeal was filed by the Department.

For many girls who were working as domestic apprentices, romance and sex became a site of conflict. Caroline Evans has shown girls often clashed with their employers over the question of suitors, and could end up in an institution like the Magdalene Home if they flouted the Department's standards of behaviour.²⁸ Yet girls fought hard for their flirtations and romances. At stake were not simply raw carnal urges. Desire and intimacy signify a physical choice as to who one takes for one's own, and sex was a poignant and powerful means of asserting one's identity, especially in a system that sought to control and reconstruct one's relationships and attachments.

The apprentices' letters are souvenirs of these desires. In 1902 one employer was horrified to discover that her teenage apprentice had written to a man, giving him precise directions to the house. The apprentice had invited him to meet her at her bedroom window at 10.30 p.m., advising him how to silence the dog and saying she 'would have her clothes all ready to get out and go away by the train'. The letter would never have been discovered if the girl had not asked her employer for a pen and a stamp to send it.²⁹

Tokens of love were even exchanged in institutions. *Edith Croft* had a long correspondence with Seager, described below, but did her dash in 1917, when she absconded from her apprenticeship and went to a coffee palace with a soldier. She spent the night with him and very nearly married him, except he was too drunk to go through with the ceremony. *Edith* was sent to the New Town Infirmary, where she met *Katie*

27 *Clarice's* 'friend' offered her an alternative method of dealing with her pregnancy; 'Just a line to see if you could come out to my shop .. [to] get that parcel you know what I mean Darling .. come out or it will be to late to do anything I saw [the father] and he told me you can go to (B) he don't want you anymore but don't take it to heart Darling I'll do my best so come out yet on a Mowbray train.' The Police could not prove the parcel had contained 'medicine' or an abortifacient, so were unable to prosecute *Clarice's* friend. SWD 1/2898.

28 C. Evans, 'State Girls: Their Lives as Apprentices'.

29 SWD 1/0426.

Kaiser and struck up a secret correspondence with the youths in the Boys' Home next door.³⁰ Even in the confined spaces and dormitories of New Town, boys and girls had opportunities to mix while doing the work of the institution and on social outings. The girls cultivated their admirers in letters, reminiscing about shared excursions to theatre shows, and longing glances. They swapped soap, postcards (which are still on the files) and riddles – 'what is lighter than a feather yet you cannot hold it ten minutes' (a breath) and 'what is that which touches one and unites two' (a ring). When *Edith* was punished by being placed in the lock up, *Katie* wrote to the boys to tell them 'she is a girl who will not be bounced'.³¹ The boys even managed to slip two roses into the collar of a dog they sent over to the girls. The flirtation escalated into innuendo, with comments like '*Elsie* says you saw more than [just] her sitting up in bed' and 'I would not mind you bathing me if you were not too rough.' *Katie* told one of the boys, 'though wall and fence Do us two part, I think of you from the depths of my heart'.

The wall and fence were becoming unbearable. *Edith* dreamed of getting a day pass so she could go 'straight to Mr Seager and tell him what I think of him'. *Katie* wrote to the boys to say: I got a change from bathing the old women I am down in the laundry now, *Edith* ask me to ask you to [say] ... we have both made up our minds to go ... if you don't [write] I will get a G.U.N. Resolver and shoot my brains out and if I can't do that I will take a dose of horse neck. I remain, yours for the present, *Katie*.

One of the boys wrote back, imploring the girls not to blow their brains out, and promising to leave with them. However, the girls had begun to worry they would be tumbled. *Katie* warned the boys:

Mind you both burn your letters that we send or we will be caught you will be getting called up for shortarm inspection and your pockets searched then you will ... been turned up and spanked on the B.T.M.

The boys apparently took no notice and kept the letters close, but *Katie* was right. The boys were caught out and the letters and keepsakes were confiscated, to be filed in *Edith's* folder. Both girls were sent to the Magdalene Home, but their illicit

30 These boys were classified mental defectives, and detained for some years after these events. CSD(GC)22/296/59/24.

31 SWD1/0786.

correspondence survives to remind us of the high spirits that can flourish within institutional walls.³²

Letters surrendered

On rare occasions the files contain letters that were never meant to be seen by the Department, but have been handed over, usually to enlist the Secretary's assistance. This occurred if the author was harassing a ward, or when a pregnant girl wished to supply details that would help the Department identify the putative father.³³ Although the letters themselves reveal nothing of the ward's relationship with the Department, the use of those letters does. The act of handing them over transferred the secret, and the burden of carrying it. It was a symbol of confession and penitence, portraying shame and the feeling of one's position, while implicating the guilty party. These letters show the wards placed some confidence in the Department, and through them we see the fullness of the Department's paternal role, as authority figure, protector and advocate.

In 1930, *Win Hillman* gave birth to a baby boy in the Salvation Army Home. She was no longer an apprentice and was living independently, but was 20, and therefore under wardship. *Win* was dependent on charity, so the Department asked her to reveal the father's identity so it could help her secure maintenance from him, and Charles Seager summoned the father to the office when the baby was three months old. He was a sailor on HMAS *Albatross*, and expressed surprise at the child's existence, saying he had paid *Win* £6 to get herself 'fixed up' (with an abortion), and that she had told him she was no longer pregnant. Otherwise, he said, he 'would have arranged matters easily'.

But *Win* had kept the sailor's letters, and they proved his lie. He had responded to the announcement of her pregnancy:

Well dear girl there is no doubt that things can't go on as they are any longer, and we have come to what is termed the showdown. No name ... you can think of is too bad for me ... as I have at last to confess that I am a married man [with children] ... You see when I met you I fell instantly in love with you and I simply didn't have the guts to tell you ... I have realised what an awful thing I have done to you in fact I have ruined your life and have made my own not worth living. It is

32 SWD 1/486.

33 One girl handed over letters which proved the father of her child had asked her to make false statements about the baby's parentage, SWD 1/1431.

rotten being tied up to someone you don't love, but the children cannot be neglected so one has to make the best of a bad job.

He extinguished any hopes she might have had for future support by telling her he was worried about his job – ‘trouble comes all at once as they say’ – and asked *Win* to get ‘fixed up in any way’, even though she was six months pregnant.

The sailor appeared to be attached to *Win*, as he kept writing, vowing ‘I love you more than ever I did.’ He even invited her to Melbourne for the Cup for a fortnight’s holiday in a furnished flat and wrote, ‘I am going to take you in my arms and I bury my face in your hair and have a good cry, for joy’ and, tantalisingly, ‘we can also discuss things over and come to a decision’. By November, *Win* was eight months pregnant, so she did not go to Melbourne, but her former beau continued to insist on his devotion:

I love you so much it hurts, and I have quietened down a lot now as I have so much responsibility and am really in love. I would give 20 years of my life to be married to you, but I suppose it is useless me hoping.

Win’s son was born later that month, and the sailor’s letters show he knew the baby’s name. But he did not pay *Win*’s medical or lying-in costs. She appears to have decided her best bet was to place her trust in the Department, and she handed over her letters. When the sailor sat in Seager’s office and denied knowledge of the baby’s birth, Seager took the bundle of letters out of his drawer. The sailor admitted paternity on the spot.³⁴

By handing over the letters, *Win* had enlisted the support of a patriarchal figure to gain money to pay for her expenses. But she also used them to promote a more positive view about herself. By his own words, the sailor was revealed to be a seducer, an adulterer and a liar, and this enabled *Win* to position herself as a woman wronged. It was a step towards reclaiming her respectability. Her son was adopted out and her ‘crimes’ were forgotten. The letters exonerated her.

‘Dear Sir, I am writing a straightforward letter ...’ – Official letters³⁵

A conspicuous feature of the Tasmanian bureaucracy was the manner in which the departmental secretaries corresponded with children. Children were encouraged to write

34 SWD 1/1661.

35 SWD 1/0486.

to the Department, and the secretaries and inspectors invariably replied. This responsiveness enabled the establishment of relationships of trust, and meant the Department's officers became important figures in the lives of state children. Parents who wrote to the Department also received replies to their queries about their children's health or requests for their return, although these were often short and matter-of-fact, particularly if the parents' letter was threatening or angry.

If children and parents made their case well, and depicted themselves in 'the right way', the secretaries were sometimes prepared to meet their demands. This often involved a show of honest accounting – expressions of shame, remorse, penitence, loss and grief. But parents and children rarely abased themselves. More often they articulated an alternative understanding. They portrayed themselves as reformed and respectable – as having 'turned over a new leaf', and able to 'stay straight'. They told the Department they had pride and faith in themselves, asserted their natural rights and asked for what they wanted, whether it was to return home, secure a new situation, or have a child returned to them.

This correspondence reveals the relationships that children and their parents were able to build with the Department. When Charles Seager was told *Lizzie Mason* had been rude to her employer, *Mrs Lynch*, he rebuked her gently:

I hope that you will do your best at all times in future and not cause me to have you sent again to Hobart.

Please write to me when you have time, and say if you intend to behave properly in future.

Lizzie faithfully promised to refrain from giving anxiety. A few weeks later she heard that her father had applied for her return, and wrote to the Department to say she did not want to go home. She wanted the Department to see she was trying to live as she said she would, and had rejected her family of origin:

A few months ago I told my father that I could not possibly be a good girl, if I was to live at home. And as I am happy where I am, I wish to remain as long as I can.

She also feared being molested by her brothers, and that her mother would put her to work in a Chinese laundry. Seager responded warmly:

I was very pleased to receive your letter yesterday, in which you informed me that you have no desire to return to your parents. I think you are very wise to have arrived at this decision ...

Trusting you will continue to be happy in your place of service.³⁶

The secretaries always had the upper hand in negotiations, and wanted children to defer to their employers and foster parents and patiently endure situations they found unsatisfactory. When secretaries wrote to children, they usually advised them how they might live up to the Department's expectations. Sometimes they wrote gently:

I was very sorry to hear ... that you are not improving as regards cleanliness with your work and also in your personal appearance. You know ... there is an old saying that 'cleanliness is akin to Godliness' and if a person is not clean it can usually be taken for granted that she is unsatisfactory in other directions.³⁷

At other times they issued rebukes, and children were expected to display contrition. In 1912 *Emma Humphrey* complained to Mr Packer that her employer made her wear trousers that 'cut down for drawers and a bag petticoat'. She was humiliated – 'everybody is talking about that. I have never been in such a bad home in all my life.' She wrote that she had composed her letter in secret – 'I have not time to write any more because they will soon be getting up. But please Mr Packer, don't tell them I write this letter, say you heard from a person.' Packer visited, but *Emma* was asked to write a new letter, saying '*Mrs Kingston* has treated me as her own daughter' and 'took me when I was almost destitute'.³⁸

Children knew the Department wanted them to be self-reliant and independent, and expressed those values to leverage their position. Before *Edith Croft* ran off with her soldier she had a long correspondence with Seager about whether she was to work in the city or country. She preferred to be independent, and complained that 'I hate to be looked after like a baby.' Seager threatened her with the 'distasteful' step of institutionalisation, and counselled:

36 SWD 1/1892.

37 SWD 1/2000.

38 SWD 1/0111.

It is no pleasure to me to keep you from your mother and it is only in your own interests ... in all probability you would regret having returned home if you saw the conditions of things there.³⁹

Connie Craig used the same tactic to request release from the New Town Infirmary. She said 'I am really ashamed of myself to think a young healthy girl as I am to be in here when I am able to earn my own living.' She was rewarded with a situation in the southern town of Franklin, but exhausted Seager's patience by complaining about it:

[If] you saw [this place] you wouldn't let me stay here a day ... there isn't hardly any conveniences, such as no bathroom [no furniture] I can't allow my things to be ruined because I'm only just making a start.

Seager told her she should keep the place as 'there are dozens of girls out of work here and people seem to be doing their own work now that times are so bad'.⁴⁰

Even though wards did not always get what they wanted from corresponding with the Department, the interchange meant relationships of trust were established. For a number of state children the Department was the only continuous entity in their lives, meaning it also became guardian of their histories. In 1929, for instance, *Daphne Bartels*, who had grown up and moved to Victoria, wrote to the Department, saying that her sister had told her their parents were dead: 'I would like to know for sure,' she wrote, 'as I don't believe they are.' She had other anxieties which she hoped the Department could resolve – 'I am supposed to be 20 [this year], but nobody will believe it and I have just been insured for life, and simply must have my right age ... I am absolutely begging you to find out the answers to these questions.'⁴¹ All such requests were answered properly, and to the full extent of the Department's knowledge, even in the 1960s and 1970s.⁴² This was no faceless bureaucracy.

Adelaide Shelley was another who wrote to the Department seeking information about her early years. In 1906 she asked Mr Seager to confirm her slight recollection of a little sister named *Gracey*. When Seager responded in the affirmative, *Adelaide* wrote back to say how pleased she was that she had a sister. She decided to place her confidence in the

39 SWD 1/0486.

40 SWD 1/1249.

41 SWD 1/1467-1470.

42 Haskins, *One Bright Spot*, notes the difficulties faced by former wards seeking information about their lives.

Secretary, and asked for more information about her origins, while disclosing an important truth about her employer's husband:

I look upon you as my best friend and trust you will keep this a secret what I have written. Would it do me any good to know my mother? I would like to know if she was a good woman for my sister's sake. I wish you would make my apprenticeship shorter as it is only a few months as I am tired of living here with [my employer's husband] ... I cannot stand [him] he has been very nasty ... I think it would be best not to send another girl where [he] is.

The underlining was Seager's, for he understood the hint, and sent the inquiring officer to investigate, and the employer returned home, which seems to have put an end to the difficulty.⁴³ The question of *Adelaide's* mother *Louisa* required more delicacy, for she was not a 'good woman'. As a teenaged single mother she had abandoned *Adelaide* in the Cascades Lying-In Home, and taken a job as a wet nurse, from which she was dismissed because, in the words of her erstwhile employer, she was 'a beast and not fit to be entrusted with the care of a child'. *Louisa* then turned to prostitution in the hotels and lodging houses of Hobart, before returning to Cascades, pregnant with 'a second burthen', *Adelaide's* half-sister. Mr Seager told *Adelaide* about her early years, without mentioning the more tawdry aspects of her mother's life, and gently said he could find no more records of *Louisa*. His courtesy was appreciated, for a few months later *Adelaide's* fiancée also wrote to Seager, stating that he wished to ask a delicate question. When I read this, my heart sank, thinking *Adelaide's* beau was concerned about her origins. But it turned out he wanted to know the date of her birthday.⁴⁴

Not all children were prepared to be so deferential to the Department. In the 1920s Ashley Boys' Home in Deloraine asked boys to account for their crimes and misdemeanours in writing, as part of their rehabilitation. Most went along with it, describing the deed and promising to do better in the future, in letters written on blue paper. *Albert Krueger* followed suit in his first blue letter:

43 *Adelaide* was employed on Robbins Island by the *Randalls* and was very fond of *Mrs Randall* and her daughter, but was left alone with the husband when *Mrs Randall* became ill and went to Launceston to convalesce. After *Adelaide's* letter to Seager the wife returned home and the problems stopped. *Mrs Randall* kept *Adelaide* on until she married, even arranging her trousseau, but the complaint seems to have caused a permanent rift in their relationship, and *Mrs Randall* continually complained about her servant. SWD 1/0474. Other girls were sent to the *Randall* house in subsequent years, despite *Adelaide's* complaint. SWD 1/0482; 0618; 0604-0605.

44 SWD 1/0474.

I am heartily sorry for the trouble I have caused the attendants and do not intend to abscond again ... I will go straight and be honest for the future Sir.

It seems the 16-year-old hoped the blue letter would be enough to secure his release so he could do what he wanted, which was go to work to support his mother and sisters. When release was not forthcoming he ran away again. In his second blue letter he abandoned the pretence of contrition:

I am absolutely sick of the place and I prefer jail any day ... I have a permanent job ... for £1 per week ... any time I don't want to stay at Ashley. That is all I have to say about it.

Krueger's only words to his superiors from then on were torrents of foul language. When he began smashing up cubicles and furniture he was moved to Her Majesty's Gaol.⁴⁵

Penitence and self-abasement were expected from children who had transgressed against departmental expectations. *Jessie Barber* was another who could not maintain a façade of repentance. The letter and reports on her file reveal she was a troubled girl, who had been committed to the Launceston Girls' Home for thieving. Sent to service, she was dismissed when she was caught with her skirts hitched up, astride her employers' young son, 'in the very act of ruining' the boy. *Jessie* was then sent to the New Town Charitable Institution where she got into trouble for corresponding with suitors, and was sent to the country to work. Her parents made repeated requests for her return, but the Department thought they wanted *Jessie* for her labour, as *Mrs Barber* was an invalid with 'a dead bone in the head'. *Jessie* was still under the Department's supervision at the age of 19, when she fell pregnant, left her employment and returned to her parents.

Until that point the letters on *Jessie's* files had been written about her, but now she began to correspond directly with the Department. First she confessed to Charles Seager that she had gotten herself 'in trouble', adopting a suitably rueful tone – 'I have had a rough spin which I reliase now that it is too late, I brought upon myself.' However, she retained her pride. She pointed out that she was making a good fist of mothering, having

45 SWD 1/2221.

saved enough for baby clothes, a perambulator and her accouchement expenses. She now wanted to live free from the Department's supervision, with her family:

It seems as though all the girls who have mothers and fathers are allowed to see them but me I am not being rude, Mr Seager, but it seems pretty hard when you have people not to be able to see them I ask you as a special favour to let me live at home now that I am here, it's enough to make you do anything when your taken away from your home time after time I would understand it if my people were no good but my father has good work.

Jessie was released from care and given a little money, but the Department retained the bulk of her fund, meaning she was obliged to ask the Inspecting Nurse for help when she needed money and the Department could keep a hold over her. Within weeks of the baby's birth *Jessie's* father had objected to having a fretful baby in the house, so *Jessie* put the baby out to nurse and found a position in a hotel. She was soon dismissed for 'arriving home at all hours of the night', and again turned to the Department. Seager took the opportunity to reprimand her:

When a girl is too free with men, it will soon become known, and she will have difficulty in securing employment in any decent home. I hope, for your own sake, you will mend your ways in future, and always lead a good life.

Jessie's problems were compounded by her baby's behaviour. Its foster mother complained it was cross and sleepless, and *Jessie's* mother refused to take it, saying 'the state has a right to take it and pay for it especially as *Jessie* was a state child'. The Department disagreed, and insisted *Jessie* keep working to support her baby. *Jessie* had no choice but to attempt to present a respectable appearance. She took a job caring for a frail elderly lady, and tried everything she could to convince the Department to release her funds. She highlighted her responsibility and her motherly ways by pointing out she paid the baby's board and passed her time making her baby's clothes. She attempted to show she was making the best of things:

I have quite a few ups and down but I am getting on very well here and intend to stay and I have made up my mind to go straight and I find I am a lot better off.

But the Department was unwilling to ignore the weight of *Jessie's* past behaviour and her family's lack of interest in supporting their daughter. Her funds were not released

until she was 21. As soon as they were, she stopped writing and disappeared from sight.⁴⁶

The parents of state wards often wrote indignant letters to protest the Department's intervention in their lives, using powerful imagery to convey their sense of loss and injustice. *Mrs Mason* wrote a long and passionate letter to Seager to ask for her daughter's return, presenting herself as the archetypal mother, and her child as an innocent, led astray by *Jessie Barber's* family of beggars:

She never stole one thing ... Why should my Dear little lamb be put on State when she as got a mother and a good Christian mother and father could not wish for better father ... [*Jessie Barber's*] mother can see hers where I cant see mine ... I reckon my self it is a talk of the town the way I was served with that child and when she had good parents.

Mrs Mason then wrote to the Police Commissioner, saying she thought it uncivilised to take a child from its mother and had gone to bed with the shock. She reiterated her claims in a third letter to the Chief Secretary, saying the committal was 'Devilish hard on a child of 11 years'. But the local police described the girl as a 'perfect nuisance', and Mr Seager issued his customary refusal letter: 'I am unable to recommend the discharge of your daughter to your care.' Despite another three letters, and a residents' petition, *Lizzie Mason* never returned home.

The mother who perhaps most poignantly expressed the longing and suffering of parents separated from their children was *Edie Seale*. In her letters she tells the story of her journey from optimistic daughter to disillusioned wife. Her husband was an alcoholic who came and went, each reconciliation causing another pregnancy, each abandonment driving her deeper into poverty and desperation. One by one she committed her children – a sad tale, but not extraordinary. What was unusual about *Edie* was how she expressed herself: her letters were in verse, and she wrote dozens of them. All are preserved on her children's files. They are not stylish, and their grammar and spelling is idiosyncratic, but they brim with suffering, pain, shame and courage – elements that *Edie* considered were 'the facts of a life'.

46 SWD 1/1893.

Edie wanted the Department, which stood between her and her children, to know her story; it is as if she thought the telling would bring absolution. In a nine-page poem called 'Her Natural Life', an intentional reference to the Marcus Clarke classic, she tells of her fall from a gay 18-year-old country girl to the bruised and battered wife of a wild drinker, who first left her husband in 1916, when she had three children. Her husband sold her property and livestock, as he was entitled to do under the laws of the time, and *Edie* was obliged to board out her eldest two children and work for their keep. Her shame was terrible: 'Neglected children printed before her eyes as her heart poured out in soundless cry.' Her description of the vigil over her children's beds on the night before she surrendered them is harrowing:

No time to sleep, she must now awake
However hard her heart did ake
... and she pressed them with all her might
that she could keep them yet for another night

Her husband returned in a soldier's uniform, and she allowed herself to love him again, bearing two more babies. Fiercely patriotic, she was devastated when he went AWOL from military service and the MPs harassed her as they tried to locate him. She returned to her father's house, but the Department refused to give her an allowance to care for her children while her husband was at large. Her poetic letters probably contributed to the doubts the Department expressed about *Edie*'s fitness to care for her children. In 1917 she relinquished the eldest of her three remaining children, and committed each of the babies when they reached the age of two – 'surrendered to the state, the fruits of a drunken father'. At that point *Edie* chose 'something to drown her strife, she would lead a fast and wayward life'.

Many of her poems at this time relate to her motherhood, and to the ongoing difficulties of being separated from the children, and hearing so little from them. She hoped her expressions of this anguish would bolster her requests for better access to her children. In 'A heart not made of stone' she wrote:

A mother so lonely and so sad
Could anything I wonder make her heart glad
Some of these days she'll go raving mad
And be put in a cell that's lined with pad
...
Referring the girl in the Launceston School

I'm her mother if I am a simple fool
I've written and written over and over again
And still I hear nothing just the same
There one thing that's an ever dread
I fear that [she] must be dead
I send money and paper and envelope to,
I know well it's not fault of you
...
There no body knows how my heart aches to day
For her children who is far away
And still she must bear it in tears and silence
But she would like to show it with fervour and violence.

Her emotions released, *Edie* returned to a humble, if conversational, tone: 'I hope you won't take any offence at this for there is no offence meant, but I would be glad to know if you are not busy, if anything is wrong with [my daughter].'

As *Edie*'s poetic letters develop, she conjures an omniscient narrator, 'The Star', who glides over the industrial school at New Town and reports *Edie*'s imaginings. To 'The Star', New Town resembles 'Port Arthur when the convicts were on chains', with a Superintendent who 'ought to have been a boss over poor old Rufus Dawers'. Her insights into the Department's staff are similarly colourful. *Edie* says they are hard – 'to look to them for sympathy stick your teeth through bone' – but Mr Paterson, the Inspector, 'he's not a bad old sport':

When he was a Policeman
He used to rouse us off the grass
We always knew him coming his button shinned like brass

Mr Seager is inscrutable and forbidding:

I'll get to another man
Good yes without a doubt
I know him for a lifetime, and never find him out
If you try to pounce him
He's as stubborn as a log
And rouse him off his beaten track he's as savage as a dog

Fully intending that her poems be read by their subjects, *Edie* signs off this poem in an apologetic tone: 'I hope you won't be vexed with this but you must take whatever come into my brain, good with the bad, and reverse it.'

Edie also takes us with her into the offices of the Department. 'Nearly but never' depicts a conversation with another parent in the waiting room:

Said an individual in an unmanly way to me
Are you waiting to see the Secritree
Isent it horrid having to wait
Have you any children on the State
...
She said I hate coming to this place
And I just detest Old Seagers face
... He questions you with this and that
And trys to pick something to grumble at
However, *Edie* aligns herself with the Department:
Why you detest the worst isent the wait
Its because Mr Seager talks too Straight (Here Here)
And for that I give him credit
If your character he has read it.

She then addresses Seager directly, communicating her appreciation of his wit and wisdom but asking him to see something else in her:

Of cause I see you having a laugh and gear
As your lips murmur we don't use soft soap here.
Im easy led they say an unsound mind
But Im not too cranky yet there'll find

By now it is obvious that *Edie's* state of mind was deteriorating as her miseries compounded. Her poetry becomes more florid, the margins of her letters filled with doodles of flowers, birds and strange signs, like the letter that begins this chapter. By the end of her poetic narrative *Edie* is a wretched figure, drinking in the hotels around

Hobart's wharves, lost to her children and pregnant to a man not her husband. 'The Star' becomes the primary narrative voice, and it guides *Edie* to her neighbour's well at midnight, to throw herself in.

Official reports on the children's files show *Edie* was hospitalised in the New Norfolk Mental Diseases Hospital after her suicide attempt. It was 1919, the year of the catastrophic influenza epidemic, and it felled many hospital inmates. *Edie* was stricken, and the baby she was carrying died. Despite this catastrophe, *Edie*'s desire for her children remains strong. Her poems are now addressed directly to them. In 'Sad Now Mad' she asked them:

Do you miss me and my rhymes / Which you received in olden times
That I composed when I were sad / This piece is now that I am mad
With trouble worry, and distressed / Drove me mentally depressed

She made sure she told her children that although losing them had brought her to the brink of suicide, her life was again becoming cheerful and bright, 'and news of my children is my delight'. (It is doubtful whether the children ever heard that from their mother, as these letters remain in the Archives Office.)

Edie's life was improving. By December 1919 she had recovered sufficiently to ask Mr Addison to locate the father of her dead baby: 'this man who is responsible for all this trouble, including my mental illness should not go scot free'. At this point in time 'The Star' disappears, and *Edie* abandons verse as a method of communication. It is impossible to know whether the doctors at the asylum insisted she adopt plain speech, or whether she chose a different form of self-representation as she recovered. But her letters became crisp, lucid and direct, the very model of sober, respectable communication.

Edie was considered cured, and was released in 1920. She remarried in 1921, setting up a new life on a farm. It took her some years to become established in her home and marriage, but as each of her children reached the age of apprenticeship she wrote to the Department to offer them homes. In one letter she listed the contents of her home, creating a manifest of her recovery and respectability:

Just adding these items might be of interest to you
My home Paid for

Comprising 4 room bunglo, brick chimneys
Dining room 20-15 furnished
New Lino square, large D-R table red cloths cover
(2 extra large easy chairs red plush Decroted [decorated] scenery
1 extra large easy covered [sofa] 1 bambo table
1 large sideboard with large bellvie [bevelled] mirror
6 oak dining chair, silverware, ornament
4 ft dado oak stand, hard wood tunged and grooved
double windows (used every day)
hearth rug

You see we always provide for winter and have in store
6 bag swede turnips, growing
1/2 acres King Edward potatoes and brockloes [broccoli]
crattoes [carrots], onions, milk, butter, cream
12 apples, 4 paers, bubbard [cupboard] full jam, honey,
eggs, poultry, 1 fat pig weighing about 200 lbs
for bacon so you see we are all right
2 bedrooms, bedroom suite new
New Lino, stained boards round edge
Three ply dado, all new
Kitchen Lino Square New
3 ply dado table dresser built in
cubards. 2 deck chair 6 kitchen chairs

She went on to list the contents of the bedrooms and described the outbuildings and planned extensions. It was a list that conveyed *Edie*'s prosperity, and communicated that she understood the virtues of fresh air, open windows, good food, thrift and cleanliness. Mr Seager recognised this and responded within two days. He said, 'I am very pleased to hear that you are getting along so well and hope that [your son] will be able to still further assist in the development of the property.'⁴⁷ By 1933, *Edie* had managed to gather all her children around her, at last.

Without *Edie*'s letters it would be easy to classify her as a working class woman who used the Department to achieve her aspirations for her children. After all, she boarded them voluntarily while she worked for their keep, and she reclaimed them after they reached working age. An outsider might say her story was simply that of a mother who used the state as child-care in a time of need. But her letters also tell the story of an

47 SWD 1/1640.

impoverished and depressed woman's inability to give her children what she and they most needed – herself. Her anguish shows that forms bearing a signature of consent to a child's removal are poor currency for understanding the pain inherent in that process. *Edie's* edgy triumph at becoming the sort of person who could be allowed to have her children back complicates assumptions that working class people were grateful for, or sanguine about, such interventions in their lives. While *Edie* was not resentful of the Department's role, we can appreciate what it meant to her to be told how well she was doing by Seager, and to know that she was being seen 'the right way'.

The letters tell wonderful stories, but they do more than add colour and authenticity to a historical account. The voices that emerge from the Tasmanian files demand a revision of assumptions about the nature of child removal and the hegemonic motives of bureaucrats. The letters show bureaucrats reinforced norms that poor people were, at least sometimes, willing to subscribe to. They also show just how hard life could be for some people. Bureaucrats could do little to change that, but they could be kindly, and although much of their behaviour was paternalistic and repressive, some was genuinely helpful. It is also obvious that state children (and their parents) were aware of power structures, and actively engaged with them. They subverted them where they could with secret correspondence that assuaged longing, or disrupted them by presenting alternative self-images. Shame offers one insight into these letters, but the other side of that coin was pride, and, as *Edie's* hard road back to respectability shows, courage. Importantly, that courage was recognised by the people who mattered. It is not a process we can read in the records of the NSW Aborigines Protection Board, or even in the State Children's Relief Department.

CHAPTER 4

‘This dark blood’: Indigenous Children in Tasmania’s Child Welfare System 1880–1914¹



Figure 7: Cape Barren Island children, circa 1905, Archives Office of Tasmania.

¹ SWD1/1913.

The history of the removal of Aboriginal children from their families in Tasmania between 1880 and 1915 has been only briefly considered. The two major works about the removal of Indigenous Tasmanian children from their families – *Bringing them home* and Anna Haebich's *Broken Circles* – both depict removals in Tasmania as occurring in two distinct phases.¹ As *Bringing them home* states:

The forcible removal of Indigenous children from their families occurred during two periods in Tasmania. The first commenced with the European occupation of Van Diemen's Land ... in 1803 and lasted until the middle of the nineteenth century. The second commenced in the 1930s with the forcible removal of Indigenous children from Cape Barren Island under general child welfare legislation and continues to the present.²

If this statement is extended to its logical conclusion, one might believe the years between 1850 and 1935 were free of child removal. Indeed, the Tasmanian government has offered compensation payments to members of the Stolen Generations, but stipulated the terms of eligibility as being taken between 1935 and 1975.³ The statement also implies that child removal only occurred amongst families from Cape Barren Island where, *Bringing them home* states, Indigenous families were effectively segregated from non-Indigenous people. Yet the files of the Neglected Children's Department speak of the presence of Aboriginal families. Amongst the 300 case files sampled for this project I found 14 Aboriginal children who were removed from their families between 1893 and 1931. Only four of them came from Cape Barren Island. This chapter is about the survival of Tasmanian Aboriginality in diverse places. It outlines how the Cape Barren Islanders defined themselves against the competing claims of Europeans to their land, and the decline in their social conditions and autonomy that would, in the 1920 and 1930s, precipitate child removal. It also details the cases of a number of children who were removed from Aboriginal families living on the Tasmanian mainland. The reason for their removal and their treatment by the Department was much the same as it was for other state children. However, their cases reveal an awareness of difference and show that concepts of race, though slippery, survived in Tasmania and affected the lives of Indigenous children in care.

1 Haebich, *Broken Circles*, pp. 122-126, pp. 179-181.

2 HREOC, *Bringing them home*, p. 91.

3 Tasmanian Government advertisement, "For Tasmanian Aborigines, it's finally time to move forward": Tasmania says sorry', Tasmanian Government advertisement, *The Australian*, 20-21.1.2007, p. 13.

The survival of Tasmanian Aboriginality

The removal of Tasmanian Aboriginal children from their families has a long history, beginning in 1804 when Reverend Robert Knopwood ‘adopted’ a child who had been orphaned in a mass killing at the brand new colony at Risdon Cove. As European settlement expanded and conflict between black and white intensified, more children were orphaned and taken into white homes, sometimes under dubious circumstances. By the 1820s, colonists attributed the growing aggression of the Tasmanian Aborigines to the abduction of children by whites, who put them to work as servants. In these years two dozen Aboriginal children were sent to the Orphan Asylum, their names marked in red in the registers but otherwise, according to historian Kim Pearce, treated the same as the white children who endured the asylum’s abusive regime. By 1835 they had all been removed to the wretched Aboriginal settlement at Flinders Island, though some returned to other Bass Strait islands. In 1853, the few survivors left on Flinders, childless and ill, were moved to Oyster Cove.⁴ One by one, over the next two decades, they died, leaving Truganini as the ‘last’ – on her death in 1876, the Tasmanian Aborigines were said to be extinct.

After Truganini’s death Tasmanians developed what Cassandra Pybus has termed ‘collective amnesia’ about Tasmania’s Aboriginal history. This was spurred by ‘a determination to define the original Tasmanians as not being’, and wipe away the awful bloodiness of the past.⁵ Some collectors did turn to old texts to gather shards of culture, though few were prepared to recognise that culture had continued.⁶ Yet the living were many. In the 1850s there were 13 families of known Aboriginality living in Bass Strait, including seven women who had grown up in tribal life. Their presence was ignored because, as one Lieutenant Governor said, those on the islands, who were fathered by sealers and other white men, ‘could not fairly be termed Aborigines’.⁷ While not

4 Pearce, ‘Orphan School’.

5 C. Pybus, *Community of Thieves*, (Port Melbourne: William Heinemann Australia, 1991), p. 178.

6 For example, C. Bonwick, *The Last of the Tasmanians: or, the Black War of Van Diemen's Land*, (Baltimore: Johnson Reprint Corporation, 1872 [1970]); J.E. Calder, ‘Some Account of the Wars of Extirpation, and Habits of the Native Tribes of Tasmania’, *Journal of the Anthropological Institute of Great Britain and Ireland*, 3, 1874; J.E. Calder, *Some Account of the Wars, Extirpation, Habits &c of the Native Tribes of Tasmania*, (Hobart: Henn & Co, 1875); C. Bonwick, *The Lost Tasmanian Race*, (London: Samson Low et al, 1884).

7 When the islanders wanted to employ a missionary-catechist, Lieutenant-Governor Denison refused to allow them to use funds that had been established to support the Aborigines at Oyster Cove. L. Ryan, *The Aboriginal Tasmanians*, (Sydney: Allen & Unwin, 1981), pp. 223-224.

universally held, for at this time the Anglican Archdiocese formally recognised the Aboriginality of the Bass Strait community, and identified them as objects for missionary activity, the view that the descendants of the first Tasmanians were not Aboriginal but 'half-caste' was a pervasive one.⁸ As Rachel Quillerat, born on Cape Barren Island in 1934, remembers: 'we weren't called Aborigines ... we were referred to as Islanders'.⁹

Throughout the 19th century official denials continued, even as the Islanders became a discrete community with their own traditions and economy. The sealers had quickly eradicated the seals, but Aboriginal women had shown them another source of income. This was the mutton-bird, known to Tasmanian Aborigines as the moonbird and to biologists as the short-tailed shearwater.¹⁰ Mutton-birds still migrate every year from Asia to their rookeries on the Bass Strait islands, where they nest in burrows in the long grass and are easily caught with an adventurous arm. In the 19th century they numbered in the tens of millions, and with the combination of Aboriginal knowledge and European technology, yielded feathers, eggs, meat and oil. These birds became the foundation of the Islanders' economy, lifestyle and culture. Every November entire families would take their belongings to a rookery, and build their huts and outbuildings for the harvest, which began on the last Saturday in March and continued until the very last day of April. This was a time of furious activity, but also of kinship and coming together, 'story telling, talking about the old days and the ghost yarns'. In this short season millions of juvenile birds would be captured, plucked, salted into barrels, boiled down for oil and sold.¹¹ The Islanders then lived for the rest of the year from the proceeds, gathering bush and seafoods and tending vegetable gardens. The women sang while they gathered tiny native shells from the beaches and rockpools, which they strung into elaborate necklaces in pearly shades of blue, green, mauve, white and black, using designs passed down from their mothers.¹² The survival of these traditions does

8 Boyce, *God's Own Country?*, pp. 50-51.

9 Rachel Quillerat in Department of Education Tasmania, *As I Remember: Recollections of Tasmanian Aboriginal People*, (Hobart: Department of Education, Tasmania, 2000), Biographies: 1, p. 17.

10 Tasmanian Department of Primary Industries Water and the Environment, 'Short-tailed Shearwater', 2004. <http://www.dpiwe.tas.gov.au/inter.nsf/WebPages/SJON-57374F?open>, accessed 1.12.2006

11 Winnie Everett in Department of Education Tasmania, *As I Remember*, Biographies: 2, pp. 4-5.

12 M. Mallett, *My Past - Their Future: Stories from Cape Barren Island*, (Sandy Bay: Blubberhead Press in association with Riawunna, Centre for Aboriginal Education, University of Tasmania, 2001), p. 6; Winnie Everett, *ibid.*, p. 3.

not mean the Islanders were uninterested in European education and religion – quite the contrary. The ‘big minded and earnest’ Aboriginal Christian leader, Mrs Lucy Beedon (1829–1886), spent decades teaching children in English, and raised funds to establish a permanent school.¹³

So Aboriginal and European traditions were blended on the islands, as they were on mainland Tasmania, where two remarkable Aboriginal women had raised large families with their white husbands. Dolly Dalrymple Johnson (1812–1864), the daughter of a sailor named George Briggs and Worrete-moete-yenner, was kin with many Islander families through her mother’s father, Mannalargenna. She was raised in the household of Dr Jacob Mountgarret, married a white man and settled at Latrobe in northwest Tasmania, where she raised 13 children.¹⁴ Fanny Cochrane Smith (1832–1905) was one of the few Aboriginal children born on Flinders Island. She endured much condescension from colonists and early anthropologists who said she was ‘half-caste’, even though her mother, Tanganatura, or Tangnarootoora, had lived with an Aboriginal man at the time of Fanny’s birth.¹⁵ As an adult, Fanny lived between Aboriginal and European cultures; her mother lived with her until her death in 1858, she was a friend to Truganini, wife of a white man and mother to 11 children. She prospered as a farmer at Nicholls Rivulet, not far from Oyster Cove, and donated funds to the Methodist Church, including land for a chapel that stands today, but still passed her traditions on to her children. The Tasmanian government recognised her status with an annuity and grant of 200 acres, awarded in 1884. She sang for the Nicholls Rivulet community and recorded songs in her own language for the Royal Society.¹⁶ Photographs of the recording sessions, on permanent display in the Tasmanian Museum and Art Gallery, show her in

13 F.R. Nixon, *The Cruise of the Beacon* (1857), cited in Boyce, *God's Own Country?*, p. 52, pp. 55-60; Ryan, 226.

14 I. McFarlane, 'Dalrymple, Dolly (c. 1808 - 1864)', *Australian Dictionary of Biography*, Supplement 1580-1880, p. 94.

15 J. Clark, 'Smith, Fanny Cochrane (1834 - 1905)', *Australian Dictionary of Biography*, Volume 11, p. 642; Longman reported in 1960 that Fanny Cochrane Smith said her father was 'Noona' and records that her mother, Tangnarootoora, or Sarah, lived with an Aboriginal man known as Eugene at the time Fanny was born; M.J. Longman, 'Songs of the Tasmanian Aborigines as Recorded by Mrs Fanny Cochrane Smith', *Papers and Proceedings of the Royal Society of Tasmania*, 94, 1960. Pybus says Fanny's father was Nicermenic, and that both Tanganatura and Nicermenic were brought in by George Augustus Robinson, Pybus, *Community of Thieves*, pp. 179-181. Haebich states that colonists believed Count Paul Strzelecki's theory that once Aboriginal women bore children to white men they could no longer fall pregnant to Aboriginal men. As Tanganatura had children to a white sealer, it was assumed her union with Nicermenic had no issue and that Fanny was the child of a white man. Haebich, *Broken Circles*, pp. 125-126.

16 Longman, 'Songs of the Tasmanian Aborigines as Recorded by Mrs Fanny Cochrane Smith', p. 85; Enid Dillon in Department of Education Tasmania, *As I Remember*, Biographies: 1, pp. 3-4.

a high-necked Edwardian gown, wearing shell necklaces. Her numerous descendants form the nucleus of a southern Tasmanian Aboriginal community.¹⁷

Aboriginality therefore survived in both the north and the south of mainland Tasmania, although, as *Bringing them home* says, ‘until the late 1960s Tasmanian governments resolutely insisted Tasmania did not have an Aboriginal population, just some “half-caste” people’.¹⁸ While the descendants of Dolly Dalrymple and Fanny Cochrane Smith, who presented outwardly as European Tasmanians, were disregarded, the Islanders, visibly Aboriginal and clearly attached to place, attracted increasing official attention.

Changes in the Furneaux community and protection ideals in Tasmania

In 1861, under the Waste Lands Act, the islands of the Furneaux Group were opened for leasing. The Government Surveyor recommended that certain key rookery islands be sold, because he considered it a waste that they were ‘occupied principally by mutton-birds’.¹⁹ In 1871 the Islanders protested against the alienation of the rookeries and petitioned the Tasmanian Governor for the reservation of an entire island. The government reluctantly provided two ten hectare leases on the western portion of Cape Barren Island, known thereafter as ‘the Corner’, and gazetted Chappell and Big Dog Islands as rookeries under the Game Preservation Act. While these reservations offered some protection to the birding industry, they fell short of providing what Ryan says the Aborigines wanted, which was ‘ownership of their land and exclusive rights to the rookeries by virtue of their Aboriginal descent’.²⁰

At the beginning of the 1870s, seven families settled on Cape Barren Island, at the Corner. The Anglican rector of Launceston, Marcus Brownrigg, began missionary activity and pressed the government to convert the island into a reserve, arguing that the church wished to provide guidance to a community it perceived as godless and in need

17 A group called the ‘Liapootah Community’ believe their ancestors hid from white settlers, but they have convinced few of their claims.

18 HREOC, *Bringing them home*, p. 29.

19 Furneaux Islands: Report upon the state of the islands, the condition and mode of living of half-castes, the existing methods of regulating the reserves, and suggesting lines for future administration, by Mr J.E.C. Lord, Commissioner of Police, 1908, p. 1.

20 Memo from Governor Du Cane to ministers, 14.8.1871, AOT CSD 7/45/833; *Tasmanian Government Gazette*, 30.4.1872; A.W. Burbury, ‘Report on the Condition of Half Castes at Cape Barren Island Reservation’, 25.9.1929, AOT CSD(GC)22/36/104/37; cited Ryan, *The Aboriginal Tasmanians*, p. 227.

of temperance.²¹ The Islanders did not necessarily agree with those goals, but desired a reserve, so joined Brownrigg in petitioning and letter writing. The Tasmanian government responded by removing a 6000-acre (2,500 hectare) portion on the western side of the island from the lease scheme, enabling its use by the Islanders.²² Cape Barren Island became known as 'the reserve', providing a buffer for the Islanders at a crucial time, for by 1883, 28 of the islands of the Furneaux Group had been leased or sold freehold, and just one lease was held by an Aboriginal person.²³

Boyce states the creation of the reserve was a 'pragmatic and relatively painless response to the Aboriginal campaign', that stopped well short of formal recognition.²⁴ The Anglican Church shared the government's view that the Tasmanian Aborigines had disappeared, yet thought the reserve could be used to overcome the 'moral weakness' and nomadic, savage instincts of the Islanders' ancestors and to encourage them to relinquish the pursuit of mutton-birds and till the soil.²⁵ It came closest to missionary activity during the tenure of Archbishop Henry Hutchinson Montgomery, from 1889 and 1901.²⁶ Montgomery was paternalistic and intolerant of Aboriginal autonomy. Perceiving the Islanders' desire for a teacher as an opportunity to establish a permanent presence on the island, Montgomery persuaded the Minister for Education to jointly fund the post, and the church appointed Edward Stephens to the role in 1890.

Stephens shared Montgomery's determination to Christianise the 'half-castes', and Ryan has likened his tenure to the system of reserve management being developed in Victoria and NSW. Like those who followed him, Stephens also served as clergyman, policeman, postman, shipping agent and coroner so embodied European law and authority. However, Boyce makes an important distinction between the reserve on Cape Barren Island and Australian mainland missions. Stephens was granted no particular authority under law and was confronted by the resistance of a (relatively) economically

21 Ryan, *The Aboriginal Tasmanians*, p. 229.

22 *Tasmanian Government Gazette*, 15.3.1881; Collis to Chairman of Board of Education, 1.8.1881, AOT CSD 13/6/168, cited Ryan, *The Aboriginal Tasmanians*, p. 229. Boyce, *God's Own Country?*, p. 66.

23 *God's Own Country?*, p. 63.

24 Boyce, *God's Own Country?*, p. 63.

25 *God's Own Country?*, pp. 66-67.

26 Montgomery was present when Fanny Cochrane Smith made her first recordings of Aboriginal songs in Hobart, along with the philanthropist J.J. Salier, and recorded how glad he was that the songs were permanently registered. Longman, 'Songs of the Tasmanian Aborigines as Recorded by Mrs Fanny Cochrane Smith', pp. 79-80.

independent community that had a tradition of political advocacy and a clear sense of its rights.²⁷ The Islanders initially welcomed Stephens, and asked Montgomery to help them protect the rookeries and secure land tenure, but soon realised Montgomery had a different agenda from theirs. Stephens was also a poor choice. An alcoholic with an erratic temper, he suffered a mental breakdown in 1897 and was replaced by his son, who was no more competent.²⁸ The Islanders' realisation of Montgomery's agenda caused a permanent loss of trust between the Aborigines and the Anglican Church.²⁹

They formed their own advocacy body, the Islander Association, which petitioned the Governor to secure mutton-birding and land tenure and attempted to establish a newspaper and health benefits organisation. They boycotted the school, saying that it was discriminatory to have a missionary-teacher, and spurned church services and official visits. Montgomery then complained to the government that the Aborigines were ungrateful malcontents, and asked the government to instil discipline via restrictions on the mutton-bird industry and an expanded police presence. He opposed the extension of the franchise to Islanders, telling the Police Commissioner that Aboriginal votes could be bought with grog.³⁰ As Montgomery's anger intensified, his assessment of the degree of Aboriginality of the Islanders changed:

It is very hard to remember that these people are not English in character. The more you know of them the less English and the more native they are in habits of work; they never can be judged as we should judge ourselves in respect of work and thrift. This means they must be strictly governed as an inferior race, and that reforms must be made gradually.³¹

Despite this, the Islanders gained the franchise. However, Montgomery's argument that an enhanced police presence would protect the Islanders' interests in the mutton-bird economy by enforcing licences did lead to additional police being provided.³²

When Montgomery left Tasmania in 1901 the interest of Anglicans in the issue declined. The government resumed leasing islands, causing the loss of more rookeries.³³

27 Boyce, *God's Own Country?*, p. 69.

28 *God's Own Country?*, p. 70.

29 *God's Own Country?*, p. 71.

30 *God's Own Country?*, pp. 72-73.

31 Lord, Furneaux Islands Report, p. 10; see Boyce, p. 73.

32 Boyce, *God's Own Country?*, p. 73.

33 *God's Own Country?*, pp. 74-75; Ryan, *The Aboriginal Tasmanians*, pp. 236-237.

Stephens left in 1905.³⁴ Yet both men left enduring legacies. The loss of trust between the Anglican Church and the Islanders hardened Islander resistance to white institutions; equally, it fostered a view amongst officials that Cape Barren Island was a ‘problem’ that needed to be fixed.³⁵ Local pressures on the Islanders were also increasing. In 1907 a municipal council was formed on Flinders Island, and it quickly became a lightning rod for divisions between Europeans and Aboriginal Islanders.³⁶ As Ryan explains, the 250 white residents of Flinders Island thought the 200 residents on the reserve were being ‘spoon fed’, and the Islanders complained they had not been consulted about the creation of the council and were not represented on it.³⁷ The government sent the Police Commissioner, J.E.C. Lord, to investigate conditions on the Furneaux Islands and make recommendations as to government action. His 1908 ‘Report Upon The State Of The Islands, The Condition And Mode Of Living Of Half-Castes, The Existing Methods Of Regulating The Reserves, And Suggested Lines For Future Administration’ provided a snapshot of the Islanders’ lifestyle, and was the first document to identify them as a group with a unique history and claim to residence in the Furneaux Group.³⁸

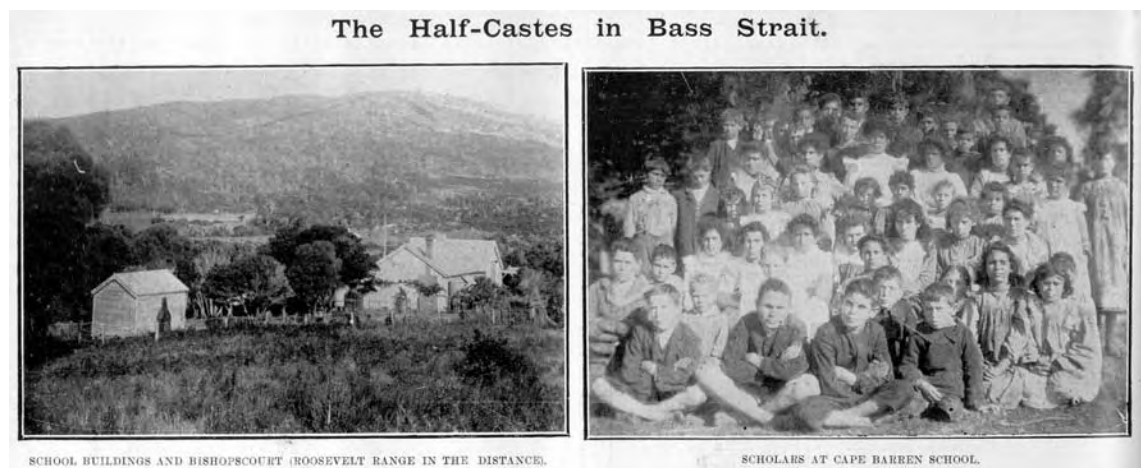


Figure 8: Cape Barren Island, around the time of Lord’s visit, showing the settlement at the Corner and the school, 1910, Archives Office of Tasmania.

34 Boyce, *God’s Own Country?*, p. 76.

35 *God’s Own Country?*, p. 74

36 Lord, *Furneaux Islands Report*, p. 5; Ryan, *The Aboriginal Tasmanians*, p. 239; Boyce, *God’s Own Country?*, p. 77.

37 Ryan, *The Aboriginal Tasmanians*, p. 239.

38 Lord, *Furneaux Islands Report*; Ryan, *The Aboriginal Tasmanians*, 240; Boyce, *God’s Own Country?*, p. 76.

Lord's report is worth considering at length, for it set the tone for government policy, such as it was, for decades. He did not confine his inquiries to white people, but formed his views from conversations with the Islanders, who had responded to his calls for meetings of 'half-castes only', and came prepared with lists of grievances and requests. Their demands included legislation to give them definite rights to the reserve, and assistance to protect reserve lands and bird populations from grazing and dogs, and to restrict spiritous liquors. They also informed Lord about their genealogy. Lord reported that four of the Islanders were the children of Tasmanian Aborigines, or 'full Tasmanian half-castes'.³⁹ On the reserve there were 26 'coloured' families, comprising 190 people, while another 60 people of Aboriginal descent lived elsewhere in the Furneaux Group. Most of these Islanders were, Lord said, the progeny of unions between Tasmanian Aboriginal women and sealer men, with some tracing descent through Maori seamen and Victorian Aborigines. Because these differing ancestries caused 'jealousy and dissension' between Islander families, particularly when land was at stake, Lord decided not to distinguish them by blood:

These people have been recognised and treated alike until now, and I believe when dealing with the matter they should all receive like consideration; indeed, whether from Victorian, Maori, or white; they have married and intermarried until it is certain that few, if any, are without Tasmanian blood. In dealing with the people it would be neither fair nor practicable to make distinction; even the whitest of them have the peculiarities, habits, and customs of those who show closer aboriginal strain.⁴⁰

He said all should be termed 'half-castes' – a term the Islanders used themselves. This recognition of the Islanders as a people whose claims rested on historical events, in light of the racial essentialism of approaches to Indigenous welfare on the mainland, was significant.

Lord's report is also valuable because it reveals how poor conditions were on Cape Barren Island. Lord wrote that 'poverty, dirt and thriftlessness are all apparent, and were

39 Lord, Furneaux Islands Report, pp. 7-8. Lord named the four people, who were all very elderly, but I will not, as family trees are a matter for individual Islanders.

40 Lord, Furneaux Islands Report, p. 8.

disease to occur there is material for an epidemic on a wholesale scale'.⁴¹ He said the reserve was 'a curse', 'a nest of laziness and discontent', for it was entirely unregulated, and any attempt by an individual Aborigine to fence or improve a portion of it was disputed by others. However, Lord held off blaming the Aborigines for the problem:

Had present conditions resulted from better arrangements I would say half-castes deserve to have this valuable property taken from them, but I do not think other conditions could reasonably have been expected.⁴²

A shortage of building materials meant the weatherboard dwellings on the island contained an average of seven people each, and the worst were unenclosed, badly ventilated and lit, and devoid of drainage or sanitation. Yet Lord said the Islanders were good carpenters who had recently repaired their school and church and built a hall with money they had raised themselves from subscriptions and concerts. He thought they should be supplied with building materials by the government. He abstained from making recommendations about land allocation, owing to the great diversity of views among the Islanders, but did recommend a system of subdivision be instituted.⁴³

Lord's report makes it clear the Islanders were adversely affected by the racism of white Islanders. He said local whites said 'very hard things' about the 'half-castes', such as 'they are improvident, lazy, wholly ungrateful, and crafty' and 'they prefer to loaf about the reserve rather than work. Thieve and quarrel amongst themselves.'⁴⁴ Lord said the notions of craftiness stemmed from the fact that Islanders survived during the off season on storekeeper credit, then borrowed more to buy provisions for the birding season. They used intricate schemes to keep debtors at bay and set some money aside for themselves, but the result was a vicious circle of indebtedness that impeded Aboriginal prosperity and was a bone of contention for whites. Lord said poor communications and transport also impeded economic development within the Furneaux Group, although it had potential for agriculture and as a 'tourist resort and sanatorium'. Consequently, at the time of Lord's visit, 90 per cent of the residents of the islands, whether Aboriginal or more recently arrived Europeans, were dependent on the mutton-birds for their

41 Lord, Furneaux Islands Report, p. 9.

42 Lord, Furneaux Islands Report, pp. 8-9.

43 Lord, Furneaux Islands Report, pp. 8-9.

44 Lord, Furneaux Islands Report, p. 10.

livelihoods.⁴⁵ Birding was a substantial industry by contemporary Tasmanian standards, but it was on the brink of collapse. Grazing threatened the rookeries, yet efficiencies and technological developments meant the annual take of birds had doubled to more than one million in just eight years, and the steady flow of European arrivals created further competition for land.⁴⁶ Lord recommended that birding should be kept sustainable by restricting it to *bona fide* long-term residents, which would naturally have advantaged the Islanders. He also advocated government assistance to write off storekeeper debts – implying he thought Aboriginal debt was a special case. Neither recommendation was implemented.

Lord agreed with Montgomery that regulation of the Islanders was necessary:

I think “strictly governed” is the keynote to-day. I do not believe them to be incapable of sustained work. I believe, with close supervision and instruction, they may be made a self-supporting community, notwithstanding difficulty will be experienced with much of the adult material.⁴⁷

But his idea of supervision was a depot, under control of an official who would take charge of the reserve and run a supply store. However, he stopped well short of advocating the permanent controls installed by the Aborigines Protection Board on their reserves in NSW.

Lord said little about Islander children. His own racism emerged when he mentioned three cases of white children who had been adopted into Aboriginal families. Whilst acknowledging that these children, aged between five and nine, were ‘well treated and in good health’, and the ‘authorities’ had consented to the adoptions, he stated that such arrangements were ‘very objectionable’.⁴⁸ Aside from this, Lord never proposed child removal as a solution to the Island’s problems as the NSW Aborigines Protection Board had for its reserves. Instead Lord was inspired by the way Islanders valued their school, which educated 43 regular pupils at a time when Flinders had no school. He decided ‘the whole half-caste problem’ could be solved by providing industrial instruction and

45 Some white leaseholders reckoned that birding paid them better than cattle – the leaseholders on Little Dog Island gathered 100,000 to 120,000 birds per year. Furneaux Islands, p. 2.

46 Lord, Furneaux Islands Report, p. 3. Lord said that 400,000 birds were eaten by Islanders, and more than 630,000 were sold.

47 Lord, Furneaux Islands Report, p. 10.

48 Lord, Furneaux Islands Report, p. 7.

education on the island, and that school attendance could be encouraged by rewarding children with mutton-bird licences, as 'all half-caste children bird'.⁴⁹ This emphasis on education and recognition of Aboriginal economic endeavours was very different from the policies of the NSW Protection Board.

Lord's report thus offered a way for the government to protect the Islanders' economy and way of life. However, pressures from white residents continued. In 1910 the Flinders Island Council complained to the Premier that the Cape Barren Island 'half-castes' were suffering chest complaints and insanity. The Government Medical Officer, Dr A.H. Clarke, launched an investigation, but his chief health officer, Dr Purdy, found the Islanders to be in good health. Purdy repudiated claims that the Islanders were inbred, saying they were equivalent in physique and stamina to the robust Maori communities of New Zealand, and were healthy enough to overcome diseases such as tuberculosis that were rumoured to be endemic on the island.⁵⁰

As a response to Lord's report the Cape Barren Island Reserve Act was passed in 1912. It formalised the reserve, and banned liquor there. It also followed Montgomery's recommendations, stipulating the reserve should be divided into three acre (1.2 hectare) 'homestead blocks' and 50 acre (20 hectare) 'agricultural blocks', both of which could only be claimed by Islanders. This arrangement was intended to promote regular sedentary habitation by obliging licensees to erect good quality dwellings and live in them for six months of every year. Those holding agricultural blocks had to fence them and use them for continuous horticulture or grazing. Aborigines were encouraged to settle off the islands by a provision that enabled Islanders to exchange their allotment on Cape Barren for 50 acres of Crown land elsewhere in Tasmania.

This Act effectively defined Tasmanian Aboriginality by including a schedule of named individuals who were entitled to apply for land licences, and whose descendants were entitled to inherit them. The schedule included 33 Cape Barren Island men, three 'half-

49 Lord, Furneaux Islands Report, p. 7.

50 Mr Knight, the schoolteacher, saw the voyage as an opportunity. In an embarrassing epistle that Dr Clarke forwarded to the Chief Secretary, Knight offered accommodation to Dr Clarke at a rate of 4/- per day, with shooting and fishing excursions at 'very modest cost'. Knight also described the fishing and advised which cartridges to bring to shoot swans, geese, ducks and quail. CSD(GC)22/144/176/10. Charles Stephens, son of the former schoolteacher, wrote to the Premier to say that he had buried 'many' tubercular patients and his sister had contracted tuberculosis from the 'half-castes'. CSD(GC)22/146/24/11.

caste' women and three white men whose wives were 'half-caste' reserve residents, along with another 11 men and three women who lived off the reserve. It also named six Islander men whose freehold titles were subsumed into the reserve. The population of potential claimants was capped by a clause stating that no woman married to a white man could claim a licence: this meant white men could not gain access to the reserve by marrying into Aboriginal families.⁵¹ The schedule in the Act underpins the genealogy of a significant proportion of those who claim Palawa heritage today, and forms the basis for recent successful land claims over the area.

Removals of Indigenous Tasmanian children before World War I

The government never made firm recommendations regarding Islander children, and they did not emerge in my sample until the 1930s. Lord's allusion to adoptions of white children on the Island indicates some departmental scrutiny over the area or, at the very least, police involvement in placements. There were no inquiries into Aboriginal children or families on the mainland. Yet five children were removed from mainland Aboriginal families between 1893 and 1915. They came from three separate branches of the same family, although 'the authorities' never mentioned race as the reason. They were all classified as abandoned, neglected, or guilty of larceny, just like thousands of white children in similar situations.⁵² But as their case studies show, their Aboriginality was noted, and it was voiced when the child exhibited problem behaviours. An understanding of race was always present in Tasmania, no matter how reluctantly it was expressed.

The earliest case study was the *Roydon* family, whose real name appears in the family trees of some Islanders, although it is not well known as an Aboriginal family name. The children came into the care of the Central Committee for Boarding Out Destitute Children in 1893. Their mother had died, leaving four children aged between six months and seven years, and like most working men, *Mr Roydon* was unable to attend to them while he worked. As his wages were just 12s per week, he could not afford to pay for domestic assistance. He tried to place his three older children in industrial schools, offering half his wage for their keep, but the boards of the schools refused to entertain

51 Tasmania, Cape Barren Island Reserve Act 1912, 3 George V No. 16.

52 SWD 1/1886.

the proposal. *Roydon* then managed to place the youngest child with friends, and boarded the other three, *Alice*, *John* and *Arthur*, in a private arrangement with a Hobart woman. He made an impossible promise to the woman – that he would give her 12s per week – and shortly afterwards shot through to join family members in a northern country town. The children were declared abandoned and sent to the Central Committee for Boarding Out Destitute Children.

When the Neglected Children's Department assumed the Central Committee's caseload it pursued *Roydon* for failing to maintain his children. The warrants issued by the Department to the police pointed out Charles' race:

They are a coloured family. Their father being a Black man and the mother white. *Arthur Roydon* is very fond of drink and a frequenter of public houses ... *Roydon* has a sister in Melbourne ... she is a woman of colour.

Despite this vivid description, the experience of the *Roydon* children was not dissimilar to that of other children who ended up in care in the 1890s. *Alice* spent some of her childhood with a maternal relative, until his financial situation deteriorated and she was taken into departmental care. She was then boarded in the same house as her brothers, and became a favourite of her foster mother, *Miss Moriarty*, who offered to adopt *Alice* rather than see her apprenticed. Seager asked Pearce to expedite the arrangement but *Miss Moriarty* balked when informed she would have to pay the girl's wages. *Alice* was then sent to service and nothing more was heard of her. *Mr Roydon* retained some control over his children. He wrote for *Arthur* when *Arthur* reached apprenticing age in 1903, saying the boy was useful to him, and found him a situation as a farm servant at Carrick.⁵³ *Arthur's* brother *David* was apprenticed to Hobart's Freemason's Hotel, although his indentures were cancelled when the Department learned the boy was working the bar, and he was later sent to the Training School.⁵⁴ Like most state children, the *Roydons* left state care and resumed private lives.

These children were just one branch of a large extended family, and a number of their relations were also taken into state care. Their cousin *Owen* was just 11 when he was sent from the northwestern town of Sassafras to New Town Boys' Training School in

⁵³ SWD 1/442.

⁵⁴ CSD(GC)22/73/25/04.

1914. He had stolen nearly £20 worth in goods and cash during a series of robberies, and the committal was stated to be at the ‘expressed wish’ of the boy’s mother, *Louisa Roydon*. *Owen*’s father, *Charles*, was Aboriginal, but the committal papers make no mention of this fact, simply recording both parents as being poor, and of good, steady character. Almost as soon as *Owen* arrived at New Town he was found to have early stage tuberculosis and was immediately sent home to his mother. He recovered but reoffended, so was returned to the Boys’ Training Home the following year. At the age of 14 he was sent to service. His letters provide an interesting insight into the shock experienced by children who left institutions to take up employment:

I wish to come back to the school again as soon as I possible can please, it is no good Sir at all I can see if I stay any longer it will mean trouble, and I think [I am] doing a wise thing by writing to you now. I have got 7 cows to milk night and morning and getting my tea at 9 o’clock at night. I was never used to that, why when I was at the school I was asleep by that time. I thought I was badly treated at the school.

Owen was so persistent in his complaints that the Department gave up on him and told his mother, ‘the Department has no inclination to have your son returned to the school’. He was released on condition he obtain suitable employment and conduct himself properly. *Mrs Roydon* assured the Department that she would work with police to ensure ‘he will not be found idling about the streets etc’, and *Owen* returned to live at home.⁵⁵ *Owen*’s behaviour clearly outweighed any desire on the Department’s behalf to separate him from his relatives, and his mother was able to convince the Department she was respectable enough to take him. His race was never mentioned in his case file.

While this branch of the family appears to have managed to convince the authorities of their essential respectability, other family members did not fare nearly as well. *Matthew Munro* was the nephew of *Owen Roydon*, being the son of *Owen*’s sister *Faye Munro*, and another grandson of *Charles Roydon*. *Faye* and her husband *Bert Munro*, would lose custody of four of their children between 1914 and 1920 – *Matthew*, *Reg*, *Arnold* and *Isabella* – and their stories are told in Chapter 8, but it is worth remarking here that the ladies committee of the Launceston Girls’ Home, which cared for *Isabella*, appeared

55 SWD 1/1232.

very aware of her background. They explained their failure to correct her behaviour in racial terms, saying:

She seemed as though whilst in the Home to be worth trying to hold on to but this dark blood from the Grandfather *Roydon* seems strong in *Isabella*.⁵⁶

Race was clearly noticed in Tasmania. Yet there is no sense in this period that the Tasmanian government intentionally gathered Aboriginal children. Nor did it seem interested in setting up systems of protection or control on Cape Barren Island, even when asked to do so by members of the white community. The Islanders were able to withstand such pressures, because they had the franchise, a tradition of activism, a foothold in their land and a functioning economy. Their difference was recognised, but was not seen to require purging. Their position was rather different from that of Aboriginal people on the mainland.

56 SWD 1/1914.

CHAPTER 5

‘An Act of Faith’: The NSW Child Welfare System, 1881–1914¹

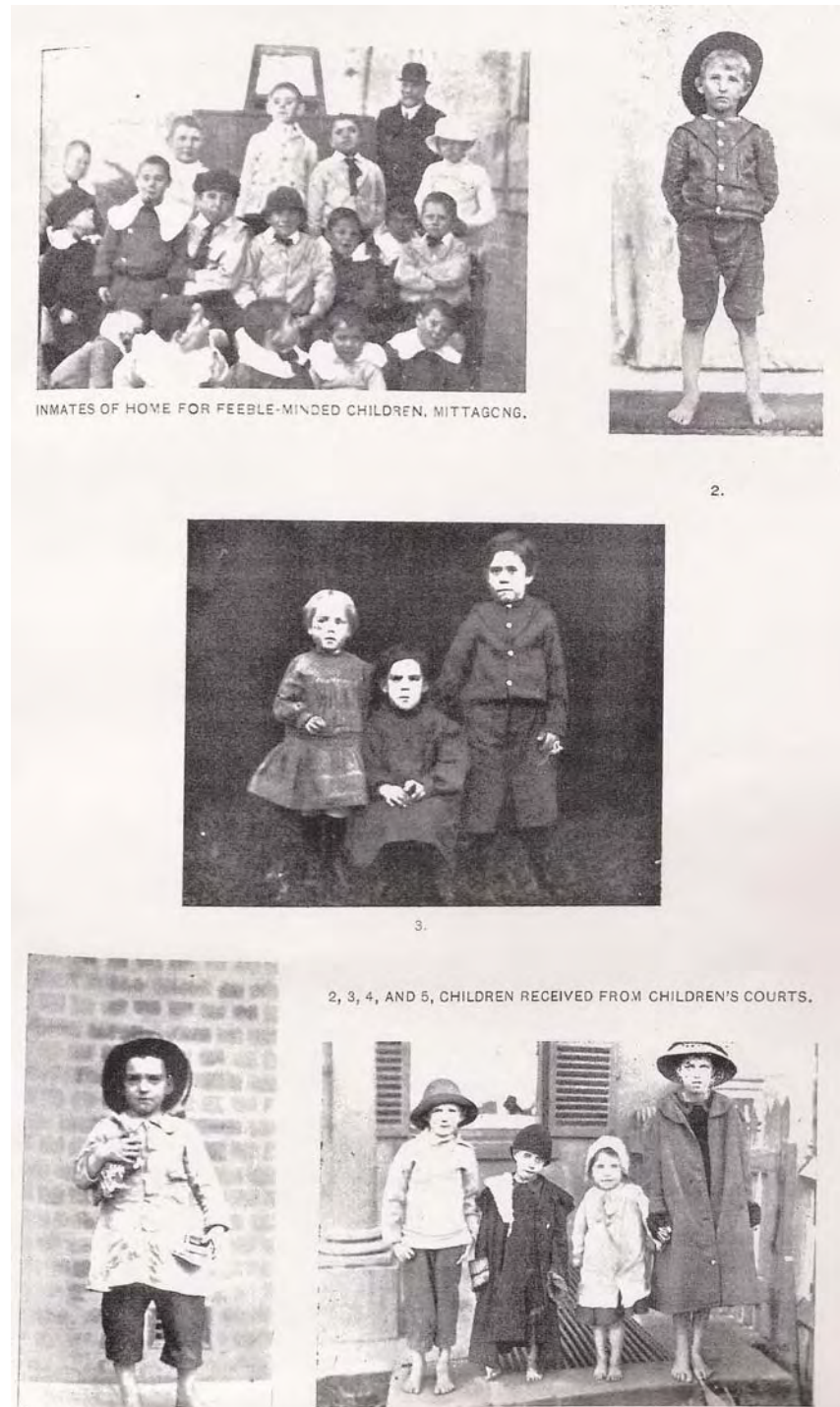


Figure 9: Images from the State Children's Relief Department's 1912 Annual Report.

¹ Horsburgh, 'Child Care in NSW in 1890', p. 21.

The first two presidents of the NSW State Children's Relief Board (SCRB), Dr Arthur Renwick and Dr Charles Mackellar, were pillars of Sydney's social and philanthropic elite. They were also skilled publicists, and needed to be, for boarding-out had a less certain place in the NSW ministry than in Tasmania. Their publicity shapes this chapter, because, as noted in the Introduction, this section of the thesis is constructed only from the State Children's Relief Department (SCRD) and Department of Public Instruction (DPI) annual reports, along with some registers lodged with State Records and one inquiry from Parramatta Girls' Industrial School. With the exception of that inquiry, such records do not facilitate assessment of the actual practices of SCRD officers, or the lived experience of the children in the system.

My inability to penetrate the fog of this particular bureaucracy may reflect a historical truth about child welfare practices in NSW. In 1977 Horsburgh observed the fostering programme in NSW was an experiment that was never evaluated but became standard because 'its virtues were part of the received wisdom – an act of faith'.¹ Yet even Renwick and Mackellar provided enough statistics to show that despite their belief in the necessity of replacing 'barracks' with a boarding-out system, dependent children continued to be institutionalised in NSW. This chapter is about the standards the SCRB set for itself and how well it lived up to them. It considers boarding-out, apprenticeship and institutionalisation, and traces the key legislative reforms of the period, not least of which were the payment of a portion of the boarding-out allowance to needy mothers and the introduction of children's courts and probation.

The formation of the State Children's Relief Department

NSW in 1881 was a community familiar with voluntary and church provision of social services. Child welfare was provided by several large institutions which operated on a pound-for-pound subsidy, such as the Sydney Benevolent Asylum, a voluntary society heavily subsidised by the government to provide lying-in facilities, and care for infants and older children, as well as destitute adults. The convict-era Orphan Schools at Parramatta, which each housed approximately 250 children, were financed by the

1 *Ibid.*

government but administered by church boards.² The most substantial institution, and the one least dependent on government subsidy, was the Destitute Children's Society's Asylum at Randwick, which housed around 800 children who were committed there by magistrates or voluntarily placed by parents for short and longer term stays.³ However, while institutions for destitute children in NSW relied on voluntary committees, the industrial and reformatory schools, which included the Nautical Training Ships *Sobraon* and *Vernon*, and the Shaftesbury and Biloela reformatories, were directly controlled by the state, either through the Department of Public Instruction or the Comptroller of Prisons.

The State Children's Relief Act of 1881 was a response to the campaign against barrack-style accommodation. It converted the Boarding Out Society into the State Children's Relief Board, which consisted of nine members, including activists Lady Allen, Mrs Jefferis, Mrs Mary Garran and Mrs Windeyer, and was presided over by Dr Renwick.⁴ It also created the State Children's Relief Department, which was led by a Boarding Out Officer, and was part of the charitable functions of the Chief Secretary's Department. Dickey has said the Act was a pioneering piece of legislation that centralised the administration of state children and paid for them from consolidated revenue.⁵ However, the new Act was much less interventionist than the later Victorian and Tasmanian Acts. The NSW law contained no definitions of what child neglect meant, but relied on those contained in the 1866 Industrial and Reformatory Schools Acts.⁶ Significantly, in light of Tasmanian legislation and the policies devised by the Aborigines Protection Board, it only applied to children under the age of 12. It did not give the SCRB any right to remove children directly, but confined its activities to

2 Dickey, *No Charity There* [2nd edition], pp. 14-17; 32-35; Lewis, 'Hospitalization for Childbirth in Sydney', p. 200; Hill & Hill, *What We Saw in Australia*, p. 333.

3 Dickey, *No Charity There* [1st edition], pp. 59-64; the creation of the Asylum was 'a ruling-class response' to fear about drunkenness and profligacy. Dickey, *No Charity There* [2nd edition], p. 44.

4 Horsburgh, 'Child Care in NSW in 1890', p. 22.

5 Dickey, *No Charity There* [2nd edition], p. 9.

6 C. Ludlow, *"For Their Own Good": A history of Albion Street Children's Court and Boys' Shelter*, (Sydney: Network of Community Activities, 1994), p. 5; S. Garton, 'Frederick William Neitenstein: Juvenile Reformatory and Prison Reform in New South Wales, 1878-1909', *Journal of the Royal Australian Historical Society*, 1989, pp. 52-53; NSW, State Children Relief Act 1881, 44 Vic No. 24; Many of the committals to Parramatta Industrial School for Girls in the late 19th century actually cited the Vagrancy Act and the girl's associations with prostitutes, thieves or camps of miners, Aborigines or Chinese. State Records NSW, Department of Community Services, Parramatta Girls Industrial School, Registers of Warrants Received 1867-1924, 5/3428.

collecting children who had already been committed to orphanages and depots.⁷ Neither did the Act give the SCRB control over all children, for industrial schools and reformatories remained under the exclusive control of the powerful DPI. As a result, the SCRB competed with other agencies, a fact which goes some way to explaining the unceasing propaganda of Renwick and his successors.

This is not to say that the Act or the SCRB were ineffectual. In 1883, the SCRB was given permission by the Attorney-General to take children from the Roman Catholic and Protestant orphanages, Ashfield Infants' Home and the Randwick Asylum, and board them out. Renwick initially concentrated on the orphanages, resolving that it was important to remove twice as many Protestants as Catholics, so that the boarding-out system would reflect the proportions of those faiths in the whole community.⁸ Renwick placed 683 children from the Benevolent Asylum in 1884.⁹ The only clear opposition to these methods came from the directors of the Randwick Asylum, who said that if forced to release children, it would prefer to return them to parents than to place them in permanent boarding arrangements.¹⁰ The government overcame the directors' objections by removing the subsidy paid for state children, and the population in the asylum fell from 900 to 300.¹¹ It survived, because of charitable subscriptions and voluntary placements, until 1916; its resilience indicated that it was valued by at least some charitable donors and by some poor families.¹² Randwick was, however, the last large institution, for within five years of the passage of the Act, the orphan schools had shut down and the Benevolent Asylum was reduced to a depot. A triumphant Renwick said this 'emptying of the barracks' meant state children had 'some fair chance of growing

7 Dickey, *No Charity There* [1st edition], p. 84.

8 SCRD Annual Report, 1884, p. 23.

9 SCRD Annual Report, 1884, p. 14; 104 from the Protestant Orphanage, 91 from the Catholic Orphanage, 44 from Ashfield Infants, 12 from Biloela (all under the age of 8), ten from *Vernon*, six from Glebe Charitable Hospital, four from the Coast Hospital and one from Shaftesbury Reformatory.

10 SCRD Annual Report, 1885, p. 23. The feud continued as numbers in the Asylum dropped, from 641 to 199 at the end of 1886, and the SCRD wanted to take a further 199. Renwick blamed the asylums for encouraging imposition. SCRD Annual Report, 1883, p. 21; SCRD Annual Report, 1883, p. 16.

11 SCRD Annual Report, 1887, p. 3; SCRD Annual Report, 1884, p. 20.

12 Horsburgh, 'The Randwick Asylum'; J. Ramsland, 'An Anatomy of a Nineteenth Century Child-Saving Institution: The Randwick Asylum for Destitute Children', *Journal of the Royal Australian Historical Society*, 70, 3, 1984. In the 1890s a number of institutions were opened by church and other groups, including Dalmar at Croydon and the St Vincent de Paul home at Westmead, but they never approached the scale of Randwick. O'Brien, *Poverty's Prison*, pp. 212-219.

up into intelligent men and women, and enjoying the same happiness and advantages as children of the respectable middle classes in their own homes'.¹³

Renwick was now in a position to assert his dominance within the discourse of child welfare. He stated that his work was charity, and was deserved by the 'orphaned and lone', indigent widows and illegitimate children. He had no sympathy for parents who used asylums like Randwick to provide respite in times of temporary crisis, and condemned the institutions for returning children to their families. He believed most parents only wanted their children back for their labour, and that the institutions' practice of allowing temporary admissions encouraged parents 'whose obligations have become irksome [and] have no compunction in shirking them on to the shoulders of the State'.¹⁴ His attitude towards parents was ambivalent. Under the Act parents did have the right to ask the Governor or Colonial Secretary to release their children, but Renwick deployed racially and morally suggestive images to campaign against that entitlement. In his annual reports he described children, presumably white, who had been released to their parents and found 'drunk among blacks in their camp near Gunnedah', or were abandoned to brothels or used by their parents for 'immoral purposes at the Chinese camp'.¹⁵

Parents were supposed to be allowed to visit their children once a quarter and were allowed to correspond with them if the SCRD considered they were fit to do so, but it is not at all clear that children were encouraged to maintain those relationships. On the whole, Renwick thought it was 'for the best' to sever a child's relationship with its natural parents, and let the child believe its guardian was its parent.¹⁶ Renwick saw boarding-out as an opportunity to permanently reconstitute a child's family. As

13 SCRD Annual Report, 1887, p. 3.

14 Horsburgh noted that in the period 1850-1880, 53% of children in the Orphan Schools and Randwick Asylum were returned to their families. M. Horsburgh, 'The Apprenticing of Dependent Children in New South Wales between 1850 and 1885', *Journal of Australian Studies*, 7, 1, 1980, p. 36; SCRD Annual Report, 1884, 1884, p. 20; SCRD Annual Report, 1884, p. 7. Renwick said parents would reclaim their children as soon as the Department had given them new clothes, and that foster parents would hand the children back when the clothes had worn out. This argument was tangled up with the SCRB's inability to claim maintenance. 'Any person who places a child in an Asylum or with the Board under an undertaking to pay for it has *legally* provided for it, although he may never pay a penny.' SCRD Annual Report, 1882, p. 17.

15 SCRD Annual Report, 1887, p. 11; SCRD Annual Report, 1885, p. 22.

16 SCRD Annual Report, 1882, p. 18; Renwick presented as positive the fact that a five year old called his guardian 'my mother', and referred to his natural mother as 'the woman who comes to see me.' SCRD Annual Report, 1886, p. 17.

Horsburgh observed in 1977, the weaknesses in the SCRB's committal system and its unwillingness to return children compromised the rights of natural parents and children.¹⁷

Boarding-out

Between 1881 and 1915, some 24,630 children were committed to the SCRD. Of these, 63 per cent were under the age of ten at the time they were committed.¹⁸ Their 'social antecedents' were tabulated to, as Horsburgh has noted, emphasise the SCRD's rescue function. Renwick reported 'the children of the unfortunate are largely in the minority compared with the children of the vicious and criminal', but his own reports show that the primary causes of committal were poverty and, in the vast majority of cases, the absence of at least one parent, owing to death, desertion or incarceration in a gaol or some other form of institution. Most of the children's families were headed by single women, as 86 per cent of children had no father in their life, but half the children had no mother.¹⁹ Moral charges, such as prostitution, brothel-keeping or drunkenness, were levied at single parents but, as Horsburgh records, poverty mattered most, for parents were not encouraged to give their children up if they could afford their keep.²⁰ These were Renwick's 'virtual orphans', ripe for rescue.

Race was mentioned in SCRB reports of children's social antecedents, but only rarely. In a dozen cases children were described as being removed from 'half-caste' mothers, and there was one 'native of the Islands' and one 'Indian'.²¹ NSW had a substantial Chinese population, concentrated in Sydney's Haymarket, Surry Hills and Alexandria, and in rural mining districts, so it is unsurprising to find that Chinese children were taken into state care. Occasionally the SCRD asked Mr Quong Tart, proprietor of the tearooms in the Queen Victoria Building, to help arrange their adoption into Chinese

17 Horsburgh, 'Child Care in NSW in 1890', p. 25.

18 SCRD Annual Report, 1915, p. 60.

19 Horsburgh, 'Child Care in NSW in 1890', pp. 25-27.

20 SCRD Annual Report, 1885, p. 25; SCRB Reports 1881-1891, cited Horsburgh, 'Child Care in NSW in 1890', pp. 26-27.

21 In 1899, eight children of a 'half-caste' Aboriginal mother were boarded out, after their white father died, and four other 'half-caste' mothers, including servants with illegitimate babies, had children in the system. SCRD Annual Report, 1899, p. 27.

families.²² However, it appears the SCRB found it difficult to board or adopt Chinese and Aboriginal children, and preferred to send them to Mittagong Cottage Homes (described in this chapter).²³

Mentions of race were more prevalent in institutions such as Parramatta Girls' Industrial School, where four per cent of girls were noted to be of Chinese or Aboriginal descent, or had been incarcerated for associating with those communities. The Parramatta records show that three times as many girls were committed for 'associating with' Chinese people as were committed for 'associating with' Aboriginal people, possibly reflecting the relative size of the Chinese and Aboriginal populations. Such committals, mostly at the behest of police, are indicative of racial and gender anxieties that were prevalent in Australia (and overseas); both Chinese and European people believed white women and girls who lived with Chinese people were involved in prostitution.²⁴

Like Tasmania, boys dominated the boarding-out system, but in NSW they also dominated institutional populations – a significant point of contrast with the Aborigines Protection Board. At Randwick, there was one girl for every 1.4 boys, at Ashfield, the Benevolent Asylum and the Catholic Orphanage there was one girl for every two boys, but at the Protestant Orphanage there was one girl for every nine boys. Renwick attributed this to the fact that girls, who could more easily find light situations as nurse-maids or child-minders, were taken into care less frequently and were easier to board out because of their 'greater usefulness in the household, and because women who wish

22 SCRD Annual Report, 1886, p. 28; At the time there was considerable discomfort about mixing races in adoption and fostering arrangements. Collmeyer, 'From "operation brown baby" to "opportunity"', describes a case in 1899 in Portland, Oregon, in which a white woman adopted her baby to a Chinese family. Authorities removed the child, despite the clear wishes of the child's mother, and the fact that the baby had lived with the Chinese family for two years.

23 SCRD Annual Report, 1891, p. 13; SCRD Annual Report, 1897, p. 12.

24 Kyle Emily Ciani has noted that Odem has connected anxieties about (Afro-American) race and gender with controls over white girls while Carolyn Strange has highlighted similar issues emerging around the Toronto Chinese community. See Odem, *Delinquent Daughters*, p. 81; C. Strange, *Toronto's Girl Problem: The Perils and Pleasures of the City, 1880-1930*, Toronto: University of Toronto Press, 1995, p. 155, p. 138, cited K.E. Ciani, "'Problem Girls': gendering criminal acts and delinquent behaviour', *Journal of Women's History*, 9, 3, 1997, p. 215; see also R. Ganter, 'Living an immoral life - "coloured" women and the paternalistic state', *Hecate*, 24, 1, 1998; S. Fitzgerald, *Red Tape Gold Scissors: The story of Sydney's Chinese*, (Sydney: State Library of NSW Press & City of Sydney, 1997), p. 90; Y. L. Poon, 'The two-way mirror: contemporary issues as seen through the eyes of the Chinese language press, 1901-1911', in S. Fitzgerald & G. Wotherspoon, (eds.), *Minorities: Cultural diversity in Sydney*, (Sydney: State Library of NSW Press in association with The Sydney History Group, 1995); Haskins describes committals of Aboriginal girls to Parramatta in *One Bright Spot*, p. 91.

for young companions prefer them of their own sex'.²⁵ It is also likely that the visibility of boys, particularly at a time of 'push' culture, led to a higher rate of committal. However, neither of these explanations accounts for the imbalance in the Infants' Home.

Once the SCRD became established, the sex imbalance in the boarding-out system settled to somewhere between 1.2 and 1.6 boys for every girl.²⁶ A large part of the reason for the easing of the imbalance was the realisation by dairy farmers and rural businesses that boarded boys were a good source of labour. Boy apprentices were also twice as popular as girl apprentices.²⁷ That children were valued for their labour accorded with the SCRB's aspiration for them to become members of the industrious working classes. Renwick also believed children would feel 'more thoroughly at home' with members of the skilled agrarian and working classes than they might with persons of higher social status, who were unable to perceive foster children as part of the household and thus would provide insufficient individual attention.²⁸ Just four per cent of state children lived in households headed by members of the professional middle classes, such as doctors, teachers, clergymen, bankers or solicitors.²⁹ Farmers (orchardists, graziers and dairy farmers) were preferred above all other professions, and by 1897, constituted 46 per cent of guardians. The next largest professional grouping was domestics (15 per cent), followed by labourers, miners, storekeepers, carpenters, boot-makers and railway employees.³⁰ This is another point of contrast with the Protection Board which placed its children in well-to-do homes, often on Sydney's lower north shore.

25 SCRD Annual Report, 1883, p. 25.

26 SCRD Annual Report, 1899, p. 2.

27 SCRD Annual Report, 1899, p. 2.

28 Renwick considered the homes used by the SCRD to be of a higher standard than in South Australia, as foster parents were of higher occupations and owned property. SCRD Annual Report, 1885. Barbalet states that Thomas Sadler Reed, chairman of the South Australian Destitute Board, agreed with Renwick, provoking 'some precise fury' from those who thought a 'bush home' with a family of the labouring classes was preferable to raising a state child in a style better than children of the same 'rank' whose parents were dutifully supporting them. Final Report of the Destitute Commission 1885, Part 2, Children under the Care of Government, *South Australian Parliamentary Papers*, 1885, vol 4, No. 228, p. LXIII, cited Barbalet, *Far From a Low Gutter Girl*, p. 194.

29 SCRD Annual Report, 1897, p. 5; SCRD Annual Report, 1885, p. 15.

30 SCRD Annual Report, 1886, p. 23.



Figure 10: Rural life was considered ideal, SCRD Annual Report 1915.

In the homes state children were sent to they were expected to work, and as was the case in Tasmania, their labour was compensation for the low boarding-out allowance.

Although Kociumbas has said there was a commercial motive to fostering, rates were deliberately set low so there was no opportunity for profit.³¹ The SCRB paid just 5s a week per child, with an extra 2s if the child was ill or disabled.³² Some foster mothers asked to nurse delicate children because of the extra allowance paid for that.³³ To 'discourage the mercenary', the SCRB paid the same rate for babies, and said foster homes should contain no more than two state children, although around 8% of foster homes contained 3-4 children and the 'family principle' of keeping siblings together meant some homes contained seven siblings.³⁴ Even the middle class Lady Visitors complained the rate was too little to feed and clothe a child, and teachers said foster carers got their 'pound of flesh' by treating children as drudges and sending them to school for the bare minimum of days.³⁵

A big difference between Tasmania and NSW was the latter's marked preference for rural placement. Many élites believed that rural life embodied natural values and boosted bodily health.³⁶ As Van Krieken notes, rural placement also distanced children from their previous social and moral environment.³⁷ Hoping children would gain skills in husbandry and agriculture, rather than simple 'earth-scratching, or wheat-growing', Renwick promoted the dairying districts of the South Coast and the 'excellent class' of homes in New England and the Blue Mountains.³⁸ Yet his reports show that his ideals were rarely met. The South Coast was a popular destination, but few children were sent to the Blue Mountains or New England. In fact, nearly half (44 per cent) the state

31 Kociumbas, *Australian Childhood*, p. 107.

32 SCRD Annual Report, 1882, p. 13.

33 One foster parent who had four boarded-out children suggested they had a healthy place by the seaside, and offered to take another 'delicate child under three years old'. SCRD Annual Report, 1884, p. 39.

34 SCRD Annual Report, 1885, p. 8; SCRD Annual Report, 1883, p. 26; In 1897, 82% of foster homes had 1-2 boarded out children. SCRD Annual Report, 1897, p. 9.

35 SCRD Annual Report, 1883, p. 30; SCRD Annual Report, 1882, p. 14.

36 Barbalet notes that 'a plain home on a South Australian farm' was considered to be the best option for state children. Barbalet, *Far From a Low Gutter Girl*, p. 196. In NSW, babies were sent to the country to be nursed, to shield them from city living and from baby-farming, which was seen as an urban problem. By the 1890s small sums of between six and ten shillings were paid to nursing mothers to prevent them depositing their babies in asylums. SCRD Annual Report, 1889, p. 6; 1894, p. 7. K. Murphy, "'Very Decidedly Decadent': Elite Responses to Modernity in the Royal Commission on the Decline of the Birth Rate in New South Wales", *Australian Historical Studies*, 36, 126, 2005. Renwick gave numerous examples of boys overcoming petty crime and 'wandering habits' after a stint in the interior or on the coast. SCRD Annual Report, 1886, pp. 22-23.

37 Van Krieken, *Children and the State*, p. 78.

38 SCRD Annual Report, 1886, pp. 29-31; SCRD Annual Report, 1897, p. 5. One Lady Visitor described the South Coast as a place where 'the people are kind and homely, the climate is superb, the work is congenial to youth, and everything in the farming life is taught' and churches and schools were plentiful. SCRD Annual Report, 1884, pp. 28-29.

children were placed within 20 kilometres of the Sydney central business district, in the congested inner-city suburbs of Leichhardt, Newtown, North Sydney, Waterloo, Surry Hills and Paddington, and in semi-rural areas such as Liverpool, Eastwood, Windsor, Richmond, Camden, Blacktown and Penrith. Those who were sent to rural districts were fanned out along the train lines, and clustered in large towns such as Goulburn, or the Hunter Valley coal mining towns of Newcastle and Maitland.³⁹

The concentration of children in cities and along transport routes reflects the needs of the NSW Boarding-Out Officer, who was expected to visit children ‘as often as practicable’, but had just three assistants.⁴⁰ To cover the vast distances of NSW the SCRB relied on denominational networks of lady visitors, who visited children quarterly and checked their appearance, clothing, behaviours, bedding and attendance at day school, church, and Sunday school, but these waned in frequency as time went on.⁴¹ By the 1890s, most children received two to three visits from a paid inspector each year, on top of the quarterly visits of the ladies.⁴² Children placed in small towns were contacted only by correspondence.⁴³ Renwick considered volunteers were essential to perpetual oversight, but this was a far cry from the weekly attendance of Inspector Pearce in Hobart. It is impossible to judge how assiduous inspection was, for the annual reports only tabulate the number of inspections, never how many times inspectors found fault with the home conditions.

Renwick was optimistic about the system, and presented foster parents as being happy with the children they received and ‘kind and fully alive to their responsibilities’. Children who had to be moved were usually held responsible for the change. Of the 32 children transferred between foster homes in 1883, 13 were removed on the basis of ‘faults with children’, and eight for ‘interference of parents with guardians’. Only two were removed owing to unsatisfactory treatment by foster parents, and one was moved owing to the guardian’s (unspecified) ‘misconduct’. Fines for the mistreatment of

39 SCRD Annual Report, 1897, p. 6.

40 E.S.L. Govan, ‘A community program of foster home care: NSW 1881’, *Social Service Review*, 19, 3, 1951, cited Horsburgh, ‘Child Care in NSW in 1890’, p. 29.

41 SCRD Annual Report, 1882, pp. 12-13.

42 SCRD Annual Report, 1897, p. 9.

43 Govan, *ibid.*, cited Horsburgh, ‘Child Care in NSW in 1890’, p. 29.

children were rare.⁴⁴ Renwick said the children removed for ‘really serious misconduct’ exhibited faults of a ‘venial nature’ and ‘uncleanly habits, the result of want of proper early training and motherly care’.⁴⁵ However, he said no children had misbehaved so badly that they needed to be returned to the asylum, and this proved that:

[t]hese waifs who have, for the most part, either been gathered from the streets or been without parents from infancy – or worse still, had parents of very bad character – can, with the exercise of a little trouble and forbearance and judicious kindness, be made amenable to proper parental control.⁴⁶

But as the Tasmanian case studies show, this might equally have been proof of the SCRD’s unwillingness to move unhappy children, or its desire to mollify unhappy foster parents.

Despite the weaknesses of the inspection system, Renwick portrayed the SCRB as accountable, drawing on those who participated in the system to endorse it. In 1883 his Boarding-out Officer, Sydney Maxted, asked foster parents to candidly report what they thought of the ‘practical effect’ of the scheme. Renwick appended the replies to the 1883 and 1884 annual reports, saying, ‘guardians might naturally be expected to say the children had improved under their care’, but ‘the unanimity of the replies’ bore ‘the stamp of truth’.⁴⁷ The extracts used in the reports were selected by an experienced propagandist, so must be taken with a grain of salt, but they do reveal the expectations the board and foster parents held about children’s behaviour. The foster parents were struck by the poor condition of their new charges, describing them as arriving from depots with sore heads from lice and vermin; they were sickly, poorly nourished and barely educated. Their characters were also problematic, and children were said to be wilful, forward, passionate, untruthful, sulky, stubborn, disobedient, prone to tantrums or absconding, with ‘dirty habits’ and unpleasant table manners. However, all the foster parents reported their children improved in temper and disposition, becoming more tractable, abandoning their falsehoods and improving in health. They also made up

44 In 1885 one foster parent was prosecuted for ill-treating their child, and fined £30, but Renwick thought the case exceptional. In 1905 there were several severe cases of neglect by foster parents and some prosecutions for cruelty. SCRD Annual Report, 1905, p. 5.

45 SCRD Annual Report, 1883, p. 23.

46 SCRD Annual Report, 1882, p. 14.

47 SCRD Annual Report, 1883, p. 26.

ground in school. Some foster parents wrote that the children were now considered part of the family.⁴⁸

These foster parents seemed to embrace their part in an important social experiment. As one wrote, 'it is possible to love these little strangers very much: and if there was more love in some homes there would be less crime and poverty amongst our young people'.⁴⁹ Another looked forward to seeing 'the fruits of our labours in the improvement and development of these poor little outcasts'. However, not all reports were glowing. One woman, who said only three of the seven children she had fostered had been fit for boarding-out, expressed concerns about the future of the race, and the nation:

What the State wants is sound, healthy, useful men and women, [so] ... keep those that are likely to become a pest to society and a trouble and expense to the State in the Asylums, as it is certain that in a few years they will be in gaol or an Asylum, at the expense of the State, and not only themselves but their progeny State children, and so it is from bad to worse; and if this state of things go on, in about two hundred years Australia will have a race worse in every respect than the aborigines ... There was a great fuss about the small-pox, but there is a much worse epidemic staring us in the face.⁵⁰

It is worth remarking on her characterisation of state children as non-Aboriginal. However, even the most kindly disposed foster parents were honest that it was a trial to take a state child into an orderly home, and expressed fears for the morality of their own children. One who had been presented with a 'stubborn' and 'wilful' foster child but felt she had been rewarded for her perseverance said the girl had lost her 'fierce sullen scowl', and might yet 'grow up honest and obedient', though home affections would 'always be a sad want to the poor child', who could only show affection or tenderness out of self-interest. She thought the boarding-out system was far better than massing children in asylums where they 'get all too much of one pattern, like mere machines'. Other foster parents understood the vulnerability of state children, counselling the

48 SCRD Annual Report, 1883, pp. 36-38; SCRD Annual Report, 1884, pp. 38-39.

49 SCRD Annual Report, 1884, p. 36.

50 SCRD Annual Report, 1884, p. 35.

SCRB to make sure children were kindly treated, and to take ‘the necessary precautions’ to ensure they did not end up in the hands of ‘the wrong class of people’.⁵¹

Renwick also quoted letters from prominent citizens who had observed foster children *in situ*. The lady visitors were enthusiastic participants in boarding-out. Mrs Richard Connolly of Goulburn said:

When they are first brought to us, it is painful to see the passivity with which they will go to any strange nurse. Try the experiment now, and the change will soon be found – clinging to their “mothers,” it will at once be seen that they have found a friend.⁵²

The views of clergymen were also of great importance. Bungonia’s Anglican priest, Edmund B. Proctor, for example, believed boarding-out would ‘make their desertion a blessing, for it will bring them under wholesome moral training, and develop their minds and bodies in a healthy manner’.⁵³ The letters most highly valued by Renwick were those from schoolteachers – they were independent, and provided a bulwark against ‘pernicious complaints’ from other parents who said boarded-out children corrupted the schools.⁵⁴

Maxted also solicited the opinions of the foster children, sending each a form letter:

My dear Child, – I want you to write to me by return post a nice letter. Ask your foster mother – whom you must obey in all things – to allow you to do this for me. I know she will gladly give you permission.

I want you to tell me truly, before I see you again, if you are happy and comfortable; whether you like living as you are now as well as in the Asylum; whether you try to be good and dutiful to your foster-mother; how you are progressing at school; and any other little matters which you may think will interest your guardians in Sydney, who are anxious for you to do well, and grow up a good and useful member of society.

If you are in trouble, or want advice at any time, pray let me know. Your foster-mother will be glad for you to write to me sometimes, I know, and especially

51 SCRD Annual Report, 1884, p. 39.

52 South Australian home visitors also said that servants were ‘fussed and petted over’ and that they did not appreciate their station in life, but regarded themselves as visitors. Barbalet, *Far From a Low Gutter Girl*, p. 194.

53 Extracts from letters upon the working of the Boarding-out System, SCRD Annual Report, Appendix G, 1882, p. 23.

54 SCRD Annual Report, 1886, pp. 16-17.

when you need advice or help in addition to that which she can herself afford to you.

I am, my dear child, your sincere friend.

Candid in its articulation of the SCRB's aspirations for state children to grow up 'good and useful', it seems sincere. The children answered the questions directly, though one can occasionally sense the foster mother hovering over the children's shoulders, helping with the writing but also guiding content. The children clearly understood what was expected of them, and what their guardians wished to hear. Almost all of them said they would sooner be where they were than in the asylum, and responded in Maxted's own terms, writing lines like: 'I will soon be able to earn my own living and grow up a useful member of society.'⁵⁵ Some of the letters echo the scolding voices of the foster mothers:

We get everything we want; we are never refused anything. We get every encouragement to get out of our bad habits. [M.B.]⁵⁶

I have not been as good and obedient as I ought to have been. I am very sorry that I have not been obedient as Mrs B_____ is very kind to me in every way. I would get on very well with the dressmaking, but I do not work neatly ... there are many things I can do if I like.⁵⁷

If I was a good girl and did what I was told, I would feel quite happy and contented; it is my own fault if I feel unhappy, for I have kind people to deal with, and I would feel better off here than anywhere else if I be a good girl.⁵⁸

There is no doubt that some of the children appreciated their changed circumstances and their foster mother's efforts:

George is growing very fast; he has got flesh on him now, but 12 months ago he was the thinnest and smallest boy I ever seen; the boys at school have left off calling him the sixpenny boy. Bella was blind when she came here, but our good foster mother soon cured them, and now she has as good pair of eyes as anyone in Bathurst.⁵⁹

When I came up here first I was very sulky tempered, and I must blush to say that I used to tell lies, but thanks to Mrs C_____, by teaching me the error of both faults

55 SCRD Annual Report, 1884, p. 31.

56 SCRD Annual Report, 1884, p. 32.

57 SCRD Annual Report, 1883, p. 32.

58 SCRD Annual Report, 1884, p. 33.

59 SCRD Annual Report, 1884, p. 31.

I am cured. She has never tired of telling me all the interests of truthfulness and good temper, and I feel much happier through being guided by her.⁶⁰

The children told the Department they were going to church and enjoying school and activities such as the Juvenile Templars, the Band of Hope and the Scripture Union. Some mentioned games and outings to the Easter Show and sightseeing on Sydney Harbour, which Renwick used to show that foster children were enjoying the simple, wholesome pleasures of childhood.

Nevertheless, children articulated their sadness and Renwick accepted this and printed it. They told how they missed their mates from the asylum, while children from the Catholic Orphan School children said they missed the nuns. Others fretted for siblings from whom they had been parted. They mentioned their mothers, and older girls said they would prefer to go home to them than be apprenticed. One worried the Boarding-out Officer would tell her mother she had stolen money.⁶¹ It would seem that, regardless of their appreciation for their new circumstances, many children wanted their own family. As one said, 'I am well and I am happy; I would sooner be here than [the asylum]; but I would like to see my dear mother.'⁶²

Institutions

As Van Krieken notes, boarding-out was not a departure from previous methods so much as an addition to them.⁶³ The DPI maintained its own institutions and reformatory schools; girls' institutions at Shaftesbury and Biloela and the industrial school aboard the *Sobraon*, which would soon move onshore to Brush Farm at Eastwood and would later become Gosford Reformatory, at Mt Penang. Every year a few state children were sent to asylums because of mental or physical problems. Newcastle Asylum, for instance, housed 400 to 500 'idiot' and 'imbecile' children. Some resided in depots, or were sent to industrial schools or private homes, but their institutionalisation remains a

60 SCRD Annual Report, 1883, p. 32.

61 SCRD Annual Report, 1884, p. 32; 1885, p. 35.

62 SCRD Annual Report, 1884, p. 29.

63 Van Krieken, *Children and the State*, p. 76.

hidden story.⁶⁴ It is important to remember the SCRD forged its own history of institutionalisation.

Renwick actually pioneered a new sort of institution, the cottage home, to cater for those who were not, in his view, suitable for boarding-out because they were crippled or afflicted with 'loathsome' diseases such as 'scrofulous skin' or syphilis. Renwick called such children 'the unhappy inheritors of the misdoings of their parents', and said:

Their lives are in any case dull and joyless; they cannot look forward with hope: the present is sad, the prospect gloomy. Indeed, the prospect is early death, after a painful lingering previous to release.⁶⁵

Renwick felt that cottage homes, of eight to ten children, placed in 'salubrious country localities' with bright surroundings and tended by a matronly woman who offered 'kindly treatment, considerate attention, indulgence, tenderness, and careful nursing', with a modicum of education and industrial training, were the answer. This vision was, he said, an extension of the principle of boarding-out, and would produce the same benefits:

There can be no doubt that one result of these miniature institutions would be to create a noble spirit of self-help and independence among the inmates – a desire to be relieved from the stigma of pauperdom.⁶⁶

The SCRB established cottage homes for sickly children during the 1880s, beginning at Mittagong in rented premises and at Pennant Hills. These were intended to house an average of six children each, but usually held double that number.⁶⁷ The cottage 'mothers' nursed discharging ears and eyes, skin conditions, marasmus (wasting) and debility, deformities and paralysis with a liberal diet of bread, milk, porridge, butter and treacle, tea, meat, vegetables, puddings, stewed fruit and rice.⁶⁸ At Mittagong the children, classified by their physical and mental condition, learned bootmaking, tailoring and dressmaking and worked the farm, which supplied the home with

64 S. Garton, 'Sir Charles Mackellar: Psychiatry, Eugenics and Child Welfare in NSW, 1900-1914', *Australian Historical Studies*, 22, 86, 1986, p. 29; The registers of the Convent at Tempe, for instance, show one to two transfers of state girls every year. Good Samaritans Generalate Archives, Good Samaritans Admissions Register.

65 SCRD Annual Report, 1883, p. 8.

66 SCRD Annual Report, 1883, p. 8.

67 SCRD Annual Report, 1887, p. 24. A home established at Picton was moved to Mittagong in 1887.

68 SCRD Annual Report, 1886, p. 33.

vegetables, milk, eggs and poultry. Despite resistance from townspeople, who feared misbehaviour and disease, by 1900 there were a dozen cottages, housing around 153 children, at Mittagong, now housed on the government's Southwood Estate. In 1897, it held six per cent of all state children.⁶⁹ Mittagong remained an institution until 1994, and was only demolished in 2005.⁷⁰

Renwick also thought institutions were the best destination for girls who were sexually experienced, whether they were the children of prostitutes, had consensual sex or were the victim of rape. Such girls were, in Renwick's words, 'morally-diseased':

Such children are steeped in sin; they have breathed an atmosphere of it; when they come under the cognizance of the State their bodies are foul and their minds are polluted.⁷¹

Like the reforming women of Hobart, Renwick believed street trading amongst girls was 'really graduating for prostitution' and that even the youngest child was capable of low and degrading vices, foul language and immoral acts, because they had grown up 'in the midst of the wickedness peculiar to large cities' and had been subject to 'moral pollution'.⁷²

Renwick briefly considered embarking on a programme of 'rescuing' girls directly from the streets, but little came of it. He had no right to apprehend older children, though he did persuade some adolescent girls to enter the boarding-out system as 'unofficials', and managed to take some into institutions.⁷³ However, he believed such girls could 'morally contaminate' innocent children and argued for separate industrial schools and reformatories.⁷⁴ He stated the SCRD, not the DPI, should control these institutions, for the work was welfare, not education.⁷⁵ Ironically, the first of these institutions was housed in Shaftesbury Reformatory, which had just been vacated by the DPI. Renwick was also concerned about boys, and asked for an extension of the legal age of committal

69 SCRD Annual Report, 1897, p. 3.

70 SCRD Annual Report, 1899, p. 12-13; J. Huxley, 'For many, the only home they knew', *The Sydney Morning Herald*, 14.2.2005.

71 SCRD Annual Report, 1883, p. 11.

72 SCRD Annual Report, 1883, p. 12; Scott & Swain, *Confronting Cruelty*, p 15.

73 SCRD Annual Report, 1885, p. 23; SCRD Annual Report, 1886, pp. 30-31; SCRD Annual Report, 1887, p. 20.

74 SCRD Annual Report, 1885, p. 24.

75 SCRD Annual Report, 1883, pp. 8-13; SCRD Annual Report, 1887, p. 7-9; SCRD Annual Report, 1887, p. 6; SCRD Annual Report 1899, p. 9.

to reformatories from 16 to 18 so they would not be jailed and receive ‘an education in crime’ or face homosexual predation. He also established farm homes for them in the Hunter Valley.⁷⁶

Although Renwick considered his cottages and farm homes were extensions of the boarding-out system and provided individual care, they were still institutions, and were subject to the same failings. Women who had attended Mittagong Cottage Homes during the 1890s attested to that before a 1916 Public Service Board inquiry. They described a regime of enforced silences, in which children were subjected to dietary punishments, girls’ hair was cut for ‘talking immorally’ and they had their noses rubbed in diarrhoea.⁷⁷ Children worked hard, rising at 5 a.m. in the bitter Mittagong winter to scrub floorboards, using near freezing water, and were struck with a quince rod if they cried.⁷⁸ The women said girls were belted and punished with baths of ice cold water, and were thrashed if they contracted head lice.⁷⁹ The matrons belittled the children by telling them they smelled, and cut their hair for punishment, then taunted them as ‘bob-tail fillies’.⁸⁰ Penalties for petty mistakes, like losing clothes pegs, were so harsh that one inmate said, ‘when we went to school, instead of praying to God, we would pray that we would find the clothes-pegs’. The matrons, called out of retirement by the inquiry, said work prevented ‘mischief’, and it was ‘better for them than doing nothing and quarrelling’.⁸¹ They admitted the punishments had occurred, but said the inmates were ‘big girls’, aged between 12 and 18, who were unsuited to service or feeble-minded and needed ‘firm discipline’ because of their ‘very bad tempers, or weak intellects’.⁸²

By the end of the century Renwick had formed the opinion that the SCRD alone could determine proper methods of classification and deliver the specialised individual care he

76 SCRD Annual Report, 1891, p. 4. The first Probationary Farm Home at Cessnock, which was effectively a labour hire scheme. The farm's owner paid the boys under his care 10s each a week as they cleared his land, and was expected to train them and use ‘moral suasion’ to inculcate a feeling of self-reliance. These unofficial institutions were never subject to inspection. SCRD Annual Report, 1899, p. 4.

77 NSW, Report of the Public Service Board inquiry into the SCRD, 1917, particularly in regard to the boarding-out of children under alleged undesirable conditions, (New South Wales: Legislative Council, 1917), p. 25.

78 Public Service Board inquiry into the SCRD, 1917, p. 41, p. 46.

79 Public Service Board inquiry into the SCRD, 1917, pp. 42-45.

80 Public Service Board inquiry into the SCRD, 1917, p. 34.

81 Public Service Board inquiry into the SCRD, 1917, p. 51-53.

82 Public Service Board inquiry into the SCRD, 1917, p. 45-49, p. 50-57.

considered to be the key virtue of the boarding-out system. It was not hard to make this argument, for Parramatta Industrial School was attracting adverse publicity. After a series of riots and scandals, the Biloela Reformatory had been moved from Cockatoo Island to the old Catholic Orphanage and renamed Parramatta Industrial School for Girls. It ran 'on the Irish model', which entailed dormitory accommodation and a heavy emphasis on laundry work, though the girls also learned cookery, upholstery, sewing, knitting, glove-making, fine embroidery and the art of feather curling.⁸³ In 1898, after a riot, the Matron, Mrs Spier, was dismissed and the case led to a Public Service Board inquiry. The widow of the previous Superintendent, Mrs Spier had kept her job and apartment at the school, but had clashed with the new Superintendent, T.E. Dryhurst, and the doctor, Maurice O'Connor.⁸⁴ The inquiry examined these personality conflicts and revealed the daily life of the home. Unusually, it called the girls as witnesses, and they clearly perceived the inquiry as an opportunity to speak candidly about life in the home, offering a rare insight into children's perspective of life in a late 19th century industrial school.

All the staff, except the teacher and the doctor, lived on site and in this closed environment they inflicted a range of torments on each other. Mrs Spier had adult children but the rest of the women were spinsters in their 30s, and were heavily factionalised.⁸⁵ The Assistant Matron, Miss Leo, hated Mrs Spier, and aligned herself with the Dryhurst and O'Connor. Leo liked to persecute the cook, a protégée of Spier's, by providing her with short or spoilt rations, setting fire to her kitchen and ordering the girls to cut bread in the dining room, to maximise the mess. Leo contradicted Spier's orders, tore holes in her mending and made fun of the teacher, Miss Todd, who was Spier's friend, for wearing her bicycle skirt to muster. She goaded the girls to tell

83 SCRD Annual Report, 1887, p. 6; SCRD Annual Report, 1888, p. 3. Parramatta Girls Industrial School, Registers of Warrants Received 1867-1924, 5/3428.

84 State Records NSW, Department of Community Services, Transcript of Evidence, Public Service Board Inquiry into Industrial School for Girls, Parramatta, 4/7790, 1898; Spier and the doctor had clashed over the nursing of sick girls, but his criticisms of her were gendered. The doctor said Matron Spier had 'turned round on him like a blacksnake' and talked 'she was like a Tower of Babel in my ears.' These remarks diminished Matron Spier's standing, and dogged her throughout the inquiry. Judith Godden points out that doctors and Lady Superintendents clashed in other public institutions in the 1880s and 1890s, as doctors struggled to define their professional status under the control of Matrons. Godden, "'The Work for Them, and the Glory for Us!'", p. 93.

85 NSW Public Service List, 1897-1898, (Sydney: W.A. Gullick, 1897-1898).

scurrilous stories about the Matron's adult sons.⁸⁶ This conflict was exacerbated by class differences. Todd said she resented 'mixing' with people of the rank of Miss Leo, and other staff complained of feeling 'lowered' in front of the girls by the words of Spier and Todd.

The factionalism embroiled the girls. Staff gave favours and gifts to them, sometimes as kindness, but other times as bribes. One girl told the inquiry the Superintendent tried to secure her support against the Matron by giving her six reels of cotton and a crochet hook but she thought the gift too paltry so had decided to back up Spier. Another said that Leo had promised her a new pair of boots in return for information to incriminate the Matron. The girls saw the inquiry as piece of theatre, the continuance of a performance that had begun with the riot, which was itself a chance to speak out. One girl stressed she had carried a brick around so she looked threatening, and another explained her role in the riot as a means of articulating her problems: 'we thought by playing up we would go to Court and be able to tell all we had to say'. Now, they used the safety of the inquiry room to address the staff directly. One said to the laundry mistress:

I was in the laundry with you for 14 months. I could not count how many times you punished me. You punished me once for talking and once for humming in the wash-house. You gave me 12 handers for humming in the wash-house, and you have punished me other times.

Another girl taunted Miss Leo with accusations of weakness:

I consider that they cannot cane hard at all. The girls have even remarked that they did not mind Miss Leo's caning as she could not cane.

Clearly, discipline was inconsistent and partial. Dryhurst, who claimed he preferred 'moral suasion' and fatherly chats to the cane, kept no records of the punishments he meted out. Matron Spier complained that Dryhurst would let girls off for fighting, but

86 The Superintendent commented 'in Sydney even the boys if they saw a lady on a bicycle would be highly amused', and implied that the teacher had been guilty of wearing 'rational dress'; Miss Leo allegedly told the girls to tell Dryhurst that Matron Spier's son, Cecil, said Dryhurst was a 'dirty low cur' who 'loafed on the government' and 'wanted horse whipping'. The Superintendent was not above engaging in such behaviour. One girl alleged that the Superintendent promised her a 'good place' for lying about Cecil, and she was accordingly sent to the house of the Rockdale MP. Even after she was returned for 'impertinence' and theft, Leo called her 'my dear' and did not punish her for misdemeanours like speaking in the dormitories. Public Service Board Inquiry into Industrial School for Girls, Parramatta, 4/7790, 1898.

whip others for wearing flowers in their hair. Miss Todd said that during school the girls were allowed to lay their heads on the desks and sleep, but were given harsh and spiteful punishments for misdemeanours while some of those who had committed serious offences, such as striking fellow inmates, were awarded privileges. 'Slaps', or strokes of the cane, were issued casually. One girl complained to the Superintendent that she had been slapped 26 times by Leo, for which impertinence he gave her 12 more. Miss Todd recounted being told by the Superintendent to cane a girl more harshly – 'about the shoulders, cane her anywhere' – until she tired. When that girl absconded the staff panicked to think outsiders might see the marks on the girls' body. Miss Leo specialised in harsher punishments, such as 'standing out', which meant standing perfectly still with their hands clasped behind their backs, for two hours every day. Girls were also locked up, in a room without a bedstead or mattress, and those who talked in the laundry were made to turn the mangle all day, heavy work that was 'as bad as standing out'. A girl named Florrie complained that Leo punished girls for turning over in bed or moving, but she delicately declined to answer when she was asked if she was prepared to tell the gentlemen why. The ladies were later excused from the room so the gentlemen could discuss the ways in which the girls 'attempt to have sexual pleasure with each other'.

The inquiry shows that Parramatta was a poorly resourced institution, which was so overcrowded that girls shared beds, even when hospitalised. Unlike Tasmanian institutions for girls, Parramatta was headed by a man, and there was no visiting officer to hear the complaints of inmates or inquire into the school. Yet the inquiry changed nothing. Spier lost her job, but Dryhurst, and the school's regime, remained.

Alternatives – adoption and apprenticeship

Between four and six per cent of state children were adopted, and the SCRD selected younger children for such placements, as it gave them the opportunity to develop under 'mothers' care and love, so essential to their well-being'. Renwick was wary of the adoption of older children, believing the South Australian practice of 'adoption for service' was 'juvenile servitude', and decried 'professing philanthropists' who adopted girls in lieu of servants, and women with young children who asked for ten or 12-year-

old orphan girls to 'adopt as my own' or 'for company'.⁸⁷ Renwick thought adoption was the ultimate extension of boarding-out because 'it tends to weave home ties about the children of the most enduring character' but lamented that there were no laws to prevent birth parents interfering with the placement.⁸⁸

Legal apprenticeship was also an important part of the SCRD's activities. Before the 1881 Act, the institutions had apprenticed 41 per cent of children, under the Orphan Apprentices Acts of 1834 and 1850.⁸⁹ The SCRB believed that dependent children who were too old to board out should earn their own keep, and so embraced apprenticeship. The demand for boy labour meant that by 1900 there were 1.6 boys in apprenticeship for every girl, and 25 per cent of girls were apprenticed compared with 28 per cent of boys.⁹⁰ As the next chapter will explain, this situation contrasted with the Aborigines Protection Board, which focused on apprenticeship of females.

There is almost no information about apprenticeship in NSW, but it is reasonable to assume there was some consonance with Tasmanian conditions, with some important exceptions. The SCRD had no right to control children's indentures and was obliged to send children out at the age of 12. The Public Instruction Act mandated 140 days of school per year for all children until they reached the age of 14. Prospective employers were discouraged from taking on state children as apprentices because they did not wish to release them for schooling. Also, as the Lady visitors pointed out, neglected children needed extra schooling to catch up with their peers, not less.⁹¹ The age of apprenticeship was finally reconciled with the school leaving age in 1896.

The 1896 amendments to the State Children's Relief Act

Renwick began lobbying for changes to the Act in 1883. He sought, as mentioned, supervision over all institutions for children. He wanted to prevent parental imposition, and asked for stronger powers to collect maintenance from parents and prevent them

87 SCRD Annual Report, 1886, p. 27.

88 SCRD Annual Report 1883, p. 21.

89 Horsburgh, 'Apprenticing Dependent Children in NSW 1850-1885', p. 36, p. 44; Horsburgh also observed that boys were more likely to be apprenticed. *Ibid.*, p. 51.

90 Just 10% were placed in state institutions and 5% were adopted without payment. This contrasts markedly with South Australia, where every year between 1872 and 1883 more children were in employment than genuinely boarded-out. Barbalet, *Far From a Low Gutter Girl*, pp. 202-205.

91 SCRD Annual Report, 1882, p. 17.

depositing their children unless their need was genuine. He also asked that deserving widows or deserted wives be allowed to retain their own children as state boarders.⁹² By 1891, he was arguing for the direct committal of children to the SCRD, citing ‘the half-clad slatternly children who can any day be seen in numbers shoeless and unkempt in the lanes and alleys of the city’. Renwick complained that police could not remove such urchins from their families unless they could prove the children had been badly beaten, yet he believed such children would soon swell the ranks of the criminal population. In Renwick’s view, philanthropic measures such as the formation of the Society for the Prevention of Cruelty were both useless and officious. State legislation was required.⁹³

By the mid-1890s, amidst depression and the upsurge of the labour movement, the conditions were right for change. The amendments that were passed gave the SCRB more discretion over state children by giving it the right to control apprentices and issue warrants for the arrest of absconding children. Children were now boarded out until they reached the age of 14 and the SCRB was given the legal right to place ‘invalid or sick children under its control’ in its own cottage homes.⁹⁴ The SCRB gained powers over any money and property that belonged to children, and the right to sue parents for maintenance. It was now able to prevent parents who surrendered their children for adoption from exercising control over them. Regulations gazetted in 1898 codified the powers of the Boarding-out Officer, and enabled him to remove children from asylums or reformatories.⁹⁵ Consequently, in 1896 the Tasmanian and NSW departments had equivalent powers.

One important innovation was the provision for payment of a boarding-out allowance to deserving widows and deserted wives. As Swain has argued, this was a recognition of the mass poverty caused by the 1890s depression, which had led many women to

92 SCRD Annual Report, 1883, p. 15; Horsburgh, ‘Child Care in NSW in 1890’, p. 27.

93 SCRD Annual Report, 1891, p. 5. A corresponding concern with ‘deviance’, and with how the children visible in ‘the more crowded thoroughfares and parks’ were beginning ‘criminal practices or immorality’, has been noted in South Australia by Barbalet, *Far From a Low Gutter Girl*, p. 195; and by A.M. Platt, *The Child Savers: The Invention of Delinquency*, (Chicago: University of Chicago Press, 1969 [2nd edition, 1977]).

94 NSW, State Children’s Relief (Amendment) Act, 1896, 60 Vic No. 9. In 1899 Renwick complained the SCRD was unable to transfer juvenile offenders out of industrial schools or the boarding-out system to reformatories, and even to hospital, because fresh charges and committals had to be drawn. SCRD Annual Report, 1899, p. 4.

95 Regulations Under the State Children’s Relief Acts of 1881 and 1896, *Supplementary Government Gazette*, No. 154, 22.2.1898.

surrender their children in desperation.⁹⁶ Dickey considers the payment universalist, a form of family payment involving routine application, supervision and cash payments that was a first step in the modification of the male-dominant basic wage and an important aid to families remaining together.⁹⁷ However, O'Brien cautions that it was cheaper to provide this allowance to mothers than board the numbers of children who were coming into care owing to the depression.⁹⁸ Importantly, women had to win unanimous approval from the SCRB to receive it, and the payment was deliberately restricted to half the allowance paid to foster parents, because the SCRB did not want the mother or her relatives to relax their efforts to support her children.⁹⁹ Renwick believed that any able-bodied woman who was unable to provide for a child on 2s 6d per week was unfit to be its custodian, and the average payment made to necessitous women was just 7s for three children.¹⁰⁰ The allowance was lifted to 3s per child in 1899.¹⁰¹

In 1900 Renwick observed the new payment had *not* resulted in a stampede of women seeking to retrieve their children. He concluded mothers preferred to leave children where they were, as they thought them well cared for.¹⁰² He did not stop to ask whether women could afford to keep children on such a meagre allowance. Mothers who received the allowance were under supervision, but the new payment did assist families to remain together. By 1901, when Renwick retired, of the 6975 children in receipt of allowances, 3,065 lived with their own mothers.¹⁰³

In 1901, in his very last report as President, Renwick called once more for the rescue of children who were begging, selling flowers and playing music in the streets. Arguing

96 Swain, 'Child Rescue', pp. 106-107.

97 Dickey, *No Charity There* [2nd edition], p. 64, pp. 97-98.

98 See O'Brien, *Poverty's Prison*, for an analysis of its allocation in practice.

99 SCRD Annual Report, 1897, p. 12. Mothers whose children were boarded out to them received a maximum of £1 per week, unless they had an infant and just one other child, in which case they received a maximum of 10s per week.

100 SCRD Annual Report, 1899, p. 16-17; In 1900 Renwick articulated his reasoning. He said, given the average family income was 27s 6d per week rent was 7s 6d and breadwinners needed 7s 6d to eat and dress for work, most women kept themselves and their children on 12s 6d. He also believed most widows lived with relatives. SCRD Annual Report, 1900, pp. 11-12.

101 SCRD Annual Report, 1899, p. 15.

102 SCRD Annual Report, 1900, p. 7.

103 The cost savings were an inducement to continue the scheme. In 1900 children placed with foster mothers cost £14 per annum to keep, but natural guardians could provide the same care for £6 per annum. In addition, allowances to parents were kept low to encourage thrift. SCRD Annual Report, 1900, p. 6. SCRD Annual Report, 1901, pp. 7-8.

the adult court was an imperfect instrument to assess neglect, Renwick called for a juvenile court and for wider powers to direct the control and treatment of state children.¹⁰⁴ But although Renwick identified future areas of reform, he was on the whole satisfied with the boarding-out system. Under his guidance, the SCRB had cared for 17,380 children in 20 years. By 1901, 44 per cent of children under the state's care were boarded with their relatives.¹⁰⁵ As Dickey says, the principle that the community had the right and capacity to intervene to protect the welfare of the child had been recognised.¹⁰⁶

Mackellar's revision of child welfare and the 1905 Neglected and Juvenile Offenders Act

The next President of the SCRB was Sir Charles K. Mackellar, who was a leading light in the organised infant welfare movement in Sydney and had dominated the landmark 1903–1904 Royal Commission into the Decline of the Birth Rate.¹⁰⁷ He was interested in many of the issues that galvanised feminist and progressive reformers, but as Milton Lewis observed, he was politically conservative. He saw the greatest danger to social order, economic progress and the maintenance of a white Australia as low population growth, and was not interested in tackling economic inequalities.¹⁰⁸ Stephen Garton has described him as one of the 'foremost proponents of environmentalist social reform' in NSW.¹⁰⁹ Mackellar was less interested in moral explanations for poverty. He believed children could overcome the 'psychic burden' of 'vicious' and 'criminal' parentage if they were removed to a fresh social context: that is, to homes that were morally and physically clean.¹¹⁰

Under Mackellar the SCRB began to change its conception of welfare from charitable delivery and 'rescue' to social intervention and state supervision.¹¹¹ Mackellar believed

104 Renwick retained his faith in the boarding out system, arguing that it was best for teenaged girls who had been found in 'disorderly houses', and that no institution apart from a ship school should have more than 40 inmates. SCRD Annual Report, 1901, pp. 12-14.

105 SCRD Annual Report, 1901, p. 7.

106 B. Dickey, 'Care for Deprived, Neglected and Delinquent Children in New South Wales, 1901-1915', p. 167.

107 Lewis, 'Infant Health Problems in Sydney', p. 71; SCRD Annual Report, 1903, p. 15.

108 'Infant Health Problems in Sydney', pp. 71-72.

109 Garton, 'Sir Charles Mackellar: Psychiatry, eugenics and child welfare in New South Wales, 1900-1914', p. 21.

110 SCRD Annual Report, 1904, p. 23; C.K. Mackellar, *Child-Life in Sydney, Address to the Christian Social Union*, (Sydney: W.A. Gullick, Government Printer, 1903), p. 5; C.K. Mackellar, *Address on Parental Right and Parental Responsibility Viewed In Relation to the Right of the Community, at the Public School Teacher's Conference*, (Sydney: W.A. Gullick, Government Printer, 1905), pp. 5-9.

111 Dickey, 'Deprived, Neglected and Delinquent Children in NSW, 1901-1915', p. 174.

the rights of a birth parent over its child should be limited by the state, to ensure that 'culpable neglect of the guardian' would not menace the community.¹¹² He was also markedly less sympathetic to needy mothers than Renwick had been, and did not share his predecessor's belief that the payment of boarding-out allowances to necessitous mothers was an advance. Mackellar thought the payment represented a reversion to outdoor relief that was inimical to the principles of self-help. Although he said men's desertion was 'contemptible meanness' and signified the father's degeneracy, he believed widows and deserted wives misrepresented their circumstances to gain support.¹¹³ He was prepared to endorse the payment in his reports to parliamentarians, who were in favour of it, but in practice he refused many applications.¹¹⁴

Mackellar was reflective, and assiduously researched what was done about child welfare internationally. He refined the Department's institutions, closing Shaftesbury Reformatory, while developing classification systems in the cottage homes and entrenching Renwick's policy of sending refractory girls to be reformed in religious organisations.¹¹⁵ Mackellar also re-evaluated the apprenticeship of state children, as he believed training children on farms and within the home simply swelled the stocks of unskilled labour. Instead he recommended that specialised institutions be established to impart the technical training needed for proper apprenticeships in skilled trades. In his 1904 Annual Report he noted the labour movement was opposed to children taking up trade apprenticeships before they reached the age of 16, yet state children were expected to work from the age of 14. Mackellar proposed the intervening years could be more profitably used to train boys in carpentry, bootmaking, saddlery and plumbing, and girls in cooking, washing, ironing, machine-sewing and dress-cutting.¹¹⁶ The closest the

112 Mackellar, *Parental Right and Parental Responsibility*, p. 2.

113 Dickey, *No Charity There* [2nd edition], p. 99; Mackellar, *Parental Right and Parental Responsibility*, p. 4; SCRD Annual Report, 1901, pp. 20-21.

114 Dickey, 'Deprived, Neglected and Delinquent Children in NSW, 1901-1915', p. 169; SCRD Annual Report, 1904, p. 16; Mackellar refused 40% of applicants in 1904. SCRD Annual Report, 1905, pp. 19-21. Renwick had refused around 30% of applications for assistance from deserted wives and widows. SCRD Annual Report, 1899, p. 14.

115 The Boarding-out Officer, A.W. Green, thought the Salvation Army's method of housing refractory girls in groups of 30 to 40 in suburban homes showed promise, and Mackellar supported the idea. SCRD Annual Report, 1904, p. 8. By 1906 Mackellar had decided that there was no way to reform refractory girls, unless they could be brought under the influence of religion, and 'patient devoted self-sacrificing women, who are prepared to do good for its own sake and not for hire.' SCRD Annual Report, 1906, p. 15.

116 SCRD Annual Report, 1904, pp. 12-13.

SCRD came to realising this goal was the modification of a few of the cottages to turn them into miniature industrial schools.

Mackellar was not the only child welfarist to question apprenticeship at this time. The Superintendent of Parramatta Industrial School, Alex Thompson, feared domestic apprenticeship condemned girls to lives of drudgery, and would tempt them into prostitution, and by 1911 had stopped sending girls out.¹¹⁷ By 1916 the proportion of state children in apprenticeship had fallen to 20 per cent.¹¹⁸ The decline of apprenticeship amongst white state children at this time is significant, for at exactly this moment the Aborigines Protection Board was establishing Cootamundra Home as a staging post to an apprenticeship in drudgery.

In 1905 Mackellar guided two key Acts through the Parliament. The Infant Protection Act was a refinement of 1902 legislation and a follow-up to his work on the 1904 Royal Commission. It brought infant life protection into the SCRD and included measures to eradicate baby-farming, control maternity homes and assist single mothers to press claims for maintenance.¹¹⁹ It enabled the SCRD to license and inspect institutions that cared for children under the age of five, including lying-in homes like those operated by George Ardill's Sydney Rescue Work Society and the Salvation Army (Ardill criticised the legislation).¹²⁰ It also enabled the SCRB to inspect and supervise orphanages, of which the largest were Waitara Foundling Home and Ashfield Infants' Home. The other major homes were Dalmar Children's Home at Croydon, St Joseph's Kincumber, St Michael's Baulkham Hills, St Anne's Liverpool and Broken Hill, St Brigid's Ryde, and

117 Willis, 'Made to be Moral', p. 188-189; Parry, 'Shifting for Themselves', p. 62; Haskins, *One Bright Spot*, pp. 64-66.

118 SCRD Annual Report, 1916, p. 19. There were 5,081 children boarded apart from their mothers at this time, of whom 1,025 were apprenticed (599 boys and 426 girls).

119 The 1904 Royal Commission on the Decline of the Birth Rate had established that the 1902 legislation was weak in several important areas. Major lying-in homes, including Mr Ardill's, had been granted exemptions from inspection, and the Act did mandate the reporting of infant deaths and stillbirths. New South Wales, *Royal Commission into the Decline of the Birth Rate and on the mortality of infants in New South Wales*, Volume 1, (Sydney: W.A. Gullick, Government Printer, 1904), pp. 56-59. Mackellar said that many mothers of illegitimate children were but children themselves, ranging in age from 13 to 17. The infant mortality rate of illegitimate children was 287 per 1,000, compared with a death rate of 89 per 1,000 for legitimate births. The death rates of illegitimate children under the age of five were also significantly higher – 91 per 1,000 illegitimate children died compared with 26 per 1,000 legitimate children. Where effective affiliation laws operated, such as New Zealand, the death rate was 4.42% and 3.76% respectively, compared with Sydney (10%) and country NSW (5%); SCRD Annual Report, 1904, pp. 24-25.

120 SCRD Annual Report, 1905, p. 21; *The Rescue: The Official Organ of the Sydney Rescue Work Society, and Society for Providing Homes for Neglected Children*, 17.7.1901, 28.2.1903, 30.9.1903.

St Joseph's Gore Hill and Goulburn.¹²¹ Ardill was later given permission to care for 20 children at Rockdale Babies Home, and after Mackellar observed that the infants' homes which encouraged mothers to stay and nurse their babies had lowered mortality rates, he established SCRD homes for nursing mothers, at great expense, to keep single women and their babies together.¹²² The right to police private institutions was a significant strengthening of the SCRD's powers.

The second Act Mackellar introduced was the Neglected Children and Juvenile Offenders Act of 1905. It resembled Tasmanian legislation, for it covered the ill-treatment and exposure of children, parental incapacity and drunkenness, street-trading, control and the catch-all of 'living under such conditions as indicate that the child is lapsing into a career of vice and crime'.¹²³ However, it moved the SCRD from the Chief Secretary's Office, which administered charitable grants, to the Department of Public Instruction. This change reflected a growing belief that the duty of the state towards children was education rather than charity. The SCRB was now obliged to investigate truancy and was entitled to establish its own industrial schools and reformatories, although Parramatta and the *Sobraon* remained under the direct supervision of the DPI, which was hostile to the SCRB.¹²⁴ The SCRB was now entitled to transfer children from one institution to another, or from boarding-out or apprenticeship to an institution.¹²⁵

The most significant element of the 1905 legislation was the creation of a dedicated Children's Court, something praised by Ardill.¹²⁶ Mackellar had researched children's courts in America, England, Canada and Germany, believing they offered 'enlightened means' for the treatment of minor offenders and for the moral, physical and, in a novel development, intellectual 'rescue of neglected waifs and strays'.¹²⁷ Mackellar argued

121 SCRD Annual Report, 1906, p. 26.

122 Mackellar was inspired by Ashfield, and by Waitara, which had turned around its mortality rates. The first SCRD home was at Thirlmere. SCRD Annual Report, 1907, p. 16, p. 20.

123 NSW, Neglected Children and Juvenile Offenders Act 1905, No. 16; SRCD Annual Report, 1905, pp. 34-35.

124 Dickey, 'Deprived, Neglected and Delinquent Children in NSW, 1901-1915', p. 177; Quinn, 'Unenlightened efficiency', p. 59.

125 Dickey, 'Deprived, Neglected and Delinquent Children in NSW, 1901-1915', p. 169.

126 *The Rescue*, 26.3.1902, 23.9.1905.

127 SCRD Annual Report, 1904, p. 17; Mackellar wrote that the system had been in place in Massachusetts since 1879, Illinois since 1899, and operated successfully in many U.S. states, Germany and South Australia. Mackellar, *Child-Life in Sydney*, pp. 10-12. SCRD Annual Report, 1904, pp. 17-19; Mackellar, *Parental Right and Parental Responsibility*, pp. 14-16. See also Ludlow, "For Their Own Good", pp. 10-11. Michael Katz writes that the first juvenile court and system of probation officers was founded in Cook County, Illinois in 1899, after
[Note continued following page]

that bringing a child before ordinary police courts, with their ‘audience of loafers and thieves’, was ‘an ineffaceable stigma’ that degraded and demoralised the child, whose ‘spirit rebels at the injustice’. He proposed a private room, with cheerful and bright surroundings, where a specially qualified – and sensitive – magistrate could convince the child he was amongst friends.¹²⁸ Delinquents could thus be reclaimed with a ‘protecting hand’ that shielded the child ‘while there is yet time’, instead of being sent to adult prisons.¹²⁹ The Children’s Court also incorporated ‘mental testing’. It was a major plank of Mackellar’s plans for an environmentalist child welfare system.¹³⁰

In many respects the Children’s Court – or, rather, courts, because they could be called in any ordinary court room – was an alternative gateway to the standard welfare system, for it sent children to be boarded out, institutionalised or apprenticed, and regulated the payment of boarding-out allowance to mothers. With courts came new measures to supervise families, such as fines for parents and the probation system, which enabled the SCRD to supervise children who were living in their own home – what Tanenhaus calls the ‘home-based track’.¹³¹ This helped families stay together, but gave the SCRB considerably greater powers than it had had before to enter homes and inquire into a family’s circumstances.¹³² Another complication was Mackellar’s decision to transfer applications for boarding-out assistance to the Children’s Court. He did this because he felt ‘malingerers’ would be detected if they had to testify on oath – and he was pleased to report that the ‘ordeal’ reduced applications by ten per cent.¹³³

Children’s Courts were not an entirely positive development. Michael Katz has pointed out that juvenile courts were founded on a touching and naive faith in the decency and disinterested benevolence of the state, but conferred powers on judges that abrogated the civil rights of children and their parents by abolishing jury trials, procedural

much agitation by charitable and women’s organisations, and Denver, Colorado followed suit the following year. Katz, *In the Shadow of the Poorhouse*, p. 135.

128 SCRD Annual Report, 1904, p. 17. See also Ludlow, *For Their Own Good*, pp. 10-11.

129 Mackellar cited the instructions issued to probation officers by the Illinois Juvenile Court, SCRD Annual Report, 1904, p. 18; See Garton, ‘Frederick William Neitenstein’, p. 58.

130 Garton, ‘Sir Charles Mackellar’, p. 32.

131 Tanenhaus, ‘Growing Up Dependent’.

132 Ludlow, *For Their Own Good*, pp. 10-11; Van Krieken, *Children and the State*, p. 45.

133 The number of children maintained with their mothers fell from a peak of 3425 (in 1282 families) in 1904 to 3146 in 1179 families in 1907. SCRD Annual Report 1907, p. 17.

protections and restraints on judicial power.¹³⁴ In addition, they ‘confounded crime and poverty’ and dependency with delinquency, particularly when they assumed the responsibility of administering payments to necessitous mothers.¹³⁵ Although families gained a means of resolving disputes and curbing unruly children, the state acquired a new capacity to intrude into family life, and place the entire family under court jurisdiction.¹³⁶ Mackellar had actually transferred much of the perpetual oversight exercised by the SCRD to the legal system.

However, the foundation of the Children’s Court and the probation system in NSW signified a crucial new principle of child welfare – that ‘the moral uplifting of delinquent and wayward children shall, so far as possible, be effected in the homes in which they reside’.¹³⁷ Mackellar said, ‘no child should be removed from parental control unless it is proved that the parents are actually cruel, grossly careless, vicious or otherwise immoral’.¹³⁸ This was an important restraint on arbitrary power, and something the Aborigines Protection Board would do its best to circumvent.

The first Children’s Court was established before a Stipendiary Magistrate at Ormond House in Paddington in 1905. Six years later proceedings were moved to the purpose-built Metropolitan Children’s Court and Boys’ Shelter at Albion Street, Surry Hills. Although the building was an outwardly attractive example of the Federation Free Style developed by Government Architect Walter Liberty Vernon, Mackellar was dismayed to find that it was internally claustrophobic and highly formal, and did nothing to protect the privacy of children, as they were obliged to congregate in its corridors and

134 Katz, *In the Shadow of the Poorhouse*, p. 122.

135 *In the Shadow of the Poorhouse*, pp. 134-135.

136 Katz states that working class families in America had a tradition of resolving problems before the courts, so the juvenile court ‘probably struck working class families as neither especially threatening or novel.’ *In the Shadow of the Poorhouse*, p. 136; Mary Odem states that families frequently resorted to the courts to gain assistance in controlling their daughters’ sexuality. Odem, *Delinquent Daughters*, pp. 5-6 and pp. 157-184; Tanenhaus, ‘Growing Up Dependent’, p. 550; For NSW see Van Krieken, *Children and the State*, especially p. 92.

137 C. Mackellar, *Address on the Neglected Children and Juvenile Offenders Act, and the Ethics of the Probation Law, at the Church of England Synod*, (Sydney: W.A. Gullick, Government Printer, 1911), p. 10.

138 SCRD Annual Report, 1904, p. 21. See also Mackellar, *Child-Life in Sydney*, p. 9; Mackellar, *Parental Right and Parental Responsibility*, p. 17.

on the street, mingling with adults, some of whom were attending court because they had been charged with offences against children.¹³⁹

The Children's Court did, however, effect an immediate alteration in the management of cases of neglect. By 1907, Mackellar reported that 44.4 per cent of children had been 'disposed of' by fines, 34.8 per cent had been released on probation and 20.6 per cent had been committed to institutions.¹⁴⁰ In that period 1608 children appeared before the Children's Court, and just 8.5 per cent were girls.¹⁴¹ However, girls were three times as likely as boys to be placed in what Tanenhaus calls 'the institutional track', despite Mackellar's belief that girls were more amenable to non-institutional forms of care.¹⁴² They were sent to either the Parramatta Industrial School or the Sydney Rescue Work Society, indicating that moral danger was the overriding concern in their prosecution.¹⁴³ A mark of the court's success was a low rate of recidivism: just 17 of the first 520 probationers returned to court.¹⁴⁴ This might have been because the Children's Court overtly disciplined parents. Mackellar described one case in which a father, 'an indolent drunkard ... wholly indifferent to the welfare of his children', was constrained to support them by the removal of some of his children and the placement of the others on probation.¹⁴⁵ Mackellar neglected to report whether the transformation thus produced in the man's habits and outlook had resulted in the return of his children.

Because the probation system brought more children under supervision, it was necessary to expand the state's child welfare apparatus. The workload of the inspectors increased, because they were now obliged to investigate homes, truancy, street-trading and institutions as well as cases for relief and unemployment assistance, and to disburse charity. Even with the assistance of voluntary organisations such as St Vincent de Paul,

139 SCRD Annual Report, 1906, p. 19; Ludlow, *"For Their Own Good"*, pp. 13-16. Dymphna Cusack's *Come In Spinner* depicts the oppressive nature of the court's anterooms and interior. D. Cusack & F. James, *Come In Spinner*, (North Ryde: Collins/Angus & Robertson, 1951), pp. 422-425; C. Mackellar, *The Treatment of Neglected and Delinquent Children in Great Britain, Europe, and America: with Recommendations as to Amendment of Administration and Law in New South Wales*, (Sydney: W.A. Gullick, (NSW) Government Printer, 1913), p. 21; cited Ludlow, *"For Their Own Good"*, p. 17.

140 SCRD Annual Report, 1906, p. 22.

141 SCRD Annual Report, 1907, p. 22.

142 Tanenhaus, 'Growing Up Dependent'; Garton, 'Sir Charles Mackellar', p. 33.

143 SCRD Annual Report, 1907, p. 22; Tanenhaus describes how fatherless children were put on the 'home-based' track (ie. Boarded out) and motherless children were put on the 'institutional track', 'Growing Up Dependent', p. 550.

144 SCRD Annual Report, 1906, p. 20, pp. 40-45.

145 SCRD Annual Report, 1907, p. 23.

which provided honorary probation officers, this necessarily resulted in a reduction of supervision of boarded-out children, from around ten visits per child per year in 1904 to just six the following year.¹⁴⁶ It is also important to note that probation was difficult to implement in country areas, which meant that children facing charges of neglect in country districts were still very likely to be removed.



Figure 11: Mackellar's vision of back-blocks living and feeble-mindedness, which existed alongside ideals of rural life, SCRD Annual Report, 1912.

For the most part, Children's Court cases were a series of small dramas, played out between boarding-out officers and families. But occasionally, large-scale raids took place. This is a rarely mentioned aspect of the mainstream welfare system – mass removals are associated in the public imagination with Indigenous removal. However, Mackellar headlined his 1907 Annual Report with an account of SCRD activity in an old gold-mining district on the wind-parched Monaro plains. Over several months, in

¹⁴⁶ There were 23,000 inspections in 1904 (10 annual inspections per child) and just 14,000, or six per child, the following year. SCRD Annual Report, 1906, p. 19.

Children's Court sessions convened in Cooma and Braidwood, the officer and Special Magistrate Galbraith prosecuted 67 families for neglecting 113 children, removing most of their children for boarding-out or institutionalisation. Another 120 families, with 300 children, were cautioned. Sometimes the whole family was removed from its 'vicious environment' to 'a superior neighbourhood', or the children were taken into care or despatched to relatives while the family's cottage was renovated.¹⁴⁷ Although Mackellar trumpeted these raids as enhancing the welfare of children, the psychological effect of a campaign that swept up 400 children from a single district is inestimable.

Mental deficiency in NSW

The Monaro cases indicate changing ideas about feeble-mindedness and mental deficiency. Mackellar said the cases proved that 'back blocks living' produced a nest of social problems, and that all country districts should be systematically investigated.¹⁴⁸ Here we see the resonance of the US family studies, which attributed social problems such as crime, immorality and incest to vicious circles of inbreeding and miscegenation in rural back blocks. In the 19th century a number of influential English, European and American social scientists argued that mental disability and social failure resulted from genetic and moral inheritance. Regina Kunzel has explained the symptoms of feeble-mindedness were gendered: criminal activity and the inability to succeed economically were markers for feeble-mindedness in men, while for women, sexual activity (particularly ex-nuptial pregnancy and prostitution) were considered indicative of the weakened inhibition, lack of foresight and tendency to yield to impulse of the mental defective.¹⁴⁹

These were broadly held opinions. In 1899 Reverend and Mrs Jefferis and Colonel Burns donated one of the Burnside cottages at Pennant Hills for the purpose of creating a home for the 'feeble-minded' and Renwick had designated some of the cottages at Mittagong for 'feeble-minded' children.¹⁵⁰ But Mackellar researched medical and psychiatric understandings of mental deficiency in NSW, uniting hereditarian and

147 SCRD Annual Report, 1907, p. 24-25.

148 SCRD Annual Report, 1907, p. 24-25; See J. Sangster, 'Masking and Unmasking the Sexual Abuse of Children: perceptions of violence against children in "the badlands" of Ontario, 1916-1930', *Journal of Family History*, 24, 4, October, 2000 for analysis of the treatment of children in the 'badlands' of Ontario, Canada.

149 Kunzel, *Fallen Women, Problem Girls*, p. 53.

150 SCRD Annual Report, 1899, p. 8; SCRD Annual Report, 1907, p. 13.

environmentalist assumptions and turning older ideals of child rescue towards a new goal: the curbing of delinquency. Mackellar said reformatories were gaols that were only suited to sexually depraved boys, and advocated specialised institutions for the unfit. Like Renwick, he believed girls could only be reformed with the aid of religious institutions.¹⁵¹

Mackellar developed his ideas in a series of pamphlets and addresses.¹⁵² In 1912 he was commissioned by the government to examine the treatment and management of mentally deficient and feeble-minded children in England, the United States and Europe. He produced an influential report that attempted to translate the recommendations of English Royal Commissions into Australian practice.¹⁵³ Heather Goodall notes eugenic anxieties about race impurity, and the parallel between Mackellar's 1912 recommendation that mentally deficient women of child-bearing age be detained and the Aborigines Protection Board's depiction of Aboriginal reserves as sites of uncontrolled female sexual activity and vice.¹⁵⁴ Mackellar did include 'half-caste' women who lived on town fringes in his category of 'simple or moral imbecile', along with unmarried mothers and railway camp followers, but this was a passing mention in a long report.¹⁵⁵

It is clear from the 1907 Monaro raids that suspicion of the rural poor, which was fuelled by eugenic notions, affected the SCRD's views of country life, and a joint SCRD and Protection Board effort in Yass in 1912 confirms the consonance of the two agencies.¹⁵⁶ However, the Board did not resort to the language of feeble-mindedness in its reports; it relied instead on much older ideas, and it certainly made little use of Mackellar's approaches to mental deficiency – or, for that matter, child welfare.

151 Garton, 'Sir Charles Mackellar', p. 23, p. 31;

152 C.K. Mackellar, *The Child, the Law and the State*, 1907, cited 'Sir Charles Mackellar', p. 29; Mackellar, *Child-Life in Sydney*.

153 Mackellar, *The Treatment of Neglected and Delinquent Children*.

154 Goodall, "Assimilation Begins in the Home", pp. 79-81; Goodall, *Invasion to Embassy*, pp. 118-119.

155 Mackellar, *The Treatment of Neglected and Delinquent Children*, pp. 90-91; These issues were discussed in Parry, "Shifting for Themselves", pp. 25-26.

156 The Aborigines Protection Board Minutes show joint raids in the Yass/Edgerton district in 1912. AWB Minutes, 4/7121, 18.1.1912; 15.2.1912; 4/7122, 22.8.1912, 12.9.1912, 21.11.1912, 28.11, 1912.

Before discussing the Protection Board's unique approach, it is important to summarise the state of affairs in the SCRB. Although Mackellar wrought changes, there were some constants that were shared by the Tasmanian Department. Not least of these was the preference for the family setting and the boarding-out system. Inspection was not as frequent in NSW as it was in Tasmania, but it was regular. The SCRB worked constantly to extend its supervision to children living in institutions and children living with their families. It used the boarding-out allowance and Children's Courts to intrude into family life, but provided new mechanisms to support selected families in caring for their children. Institutionalisation remained important, but the SCRB intended to tailor it to certain categories of children. Apprenticeship survived, but in both states it was falling from favour. The striking differences between these policies and those of the Aborigines Protection Board are the subject of the next chapter.

CHAPTER 6

‘Proper spheres of usefulness’: Indigenous Children in NSW 1880–1914¹



Figure 12: William Henry Corkhill (1846-1936), Aborigines at Wallaga Lake Station, c. 1898 [an2504920] and Aborigines at Wallaga Lake, c. 1900 [an2511484], National Library of Australia Picture Collection.

1 NSW, Aborigines Protection Board Annual Report, 1907, p 4.

The keenest distinction between Indigenous policy in Tasmania and NSW was the recognition of the continuing presence of Aboriginal people in NSW, and the creation of a separate body, the Aborigines Protection Board (APB), to administer their welfare. Most of the information about the welfare of Aboriginal children in this period comes from the APB. It consists of annual reports to Parliament, brief meeting minutes, and the Wards' Registers, which are simple forms that record removals. Although this material contains limited information about children's experience, it facilitates an assessment of the similarities and differences between the policies of the SCRD and the APB, and the relationship between the two administrations. This chapter shows the APB adopted different methods from those of both the SCRD and the Tasmanian NCD and traces the reasons for this.

The development of the Aborigines Protection Board

In 1880 Aboriginal people still had a vital role in the NSW pastoral industry, and although the 1861 Selection Acts had intensified European land usage, 81 per cent of the colony's Aboriginal people were self-sufficient, surviving on a combination of wage labour, independent farming and traditional foraging.¹ However, increasing numbers of Aboriginal people from the Burraborang Valley, the Illawarra and the Hunter began to arrive in Sydney. The desire to move them out of the city was the impetus for the formation of a new voluntary organisation, the Aborigines Protection Association (APA). It was a charity, running on subscriptions, and consisted of prominent clergymen, lawyers and members of Parliament, including Reverend Jefferis and Arthur Renwick, and stated its aim as to promote the 'Social, Moral, Religious, and Intellectual welfare of the Aboriginal Natives of the Colony of NSW and their descendants'. Its first Annual Report highlighted the dependency of the Colony's 'old blacks', who it said were in a condition of 'absolute wretchedness', but also expressed concern about the rising population of 'half-caste' Aborigines and the moral condition of women and girls:

1 S. L. Johnstone, 'The New South Wales Government Police Towards Aborigines, 1880-1909, M.A. Thesis, University of Sydney, 1970, cited Goodall, *Invasion to Embassy*, p. 69, p. 86.

Hundreds of young half-castes – the unmistakable tokens of the white man’s sin – are now running wild in the interior, being destitute of all physical comfort, and sunk in the lowest moral degradation. The females, many of them mere girls, are ruthlessly ruined, and thereby forced into a course of utter depravity. And these unfortunate women have no protectors, and no open door of hope!¹

Inspired by the Victorian protection movement, the APA wanted to extend the work of Daniel Matthews, who had established a station for Aborigines on private property at Maloga, on the Murray River near Echuca, in 1874, and Reverend J.B. Gribble, who had done the same at Warangesda, on the Murrumbidgee River near Griffith, in 1880.² The APA was inspired by religious missions and asked the government to grant it control over all the land reserves that had been set aside for Aborigines in NSW. Premier Henry Parkes did not vest reserve lands in the APA, but did appoint George Thornton MP Protector of Aborigines. Thornton indicated the government’s approval of the Association’s aims by joining the Association and endorsing its goal to establish supervised settlements for ameliorative and benevolent work.³

Matthews and Gribble had chosen sites ‘favoured’ by the Aborigines, but broke the people’s traditional patterns of movement over land by confining them within property boundaries and preventing access by outsiders. The properties were self-contained, relying on the labour of the adults who lived there and had their own church and school, and each station had a dormitory where children slept apart from their parents; Warangesda’s was for girls only. The APA promoted its habit of separating children from their families as the key to the amelioration of the condition of the Aborigines, and said Warangesda attracted Indigenous parents to the settlement.⁴ This life was far different to the free movement enjoyed by the Tasmanian Aborigines.

In 1882, the Colonial Secretary commissioned Philip Gidley King MP and Edmund Fosbery, the Inspector General of Police, to inspect Maloga and Warangesda. Their report was highly critical of Matthews who, although he said he hoped to isolate the

1 Aborigines Protection Association, Annual Report, 1881, p. 1.

2 APA, Annual Report, pp. 2-6.

3 J.J. Fletcher states Thornton thought Aborigines incapable of improvement, but Goodall acknowledges Thornton made positive recommendations about the utility of land grants, as he believed small-scale cultivation to be redemptive. Fletcher, *Clean, Clad and Courteous*, pp. 53-54; Goodall, *Invasion to Embassy*, pp. 88-91.

4 APA, Annual Report, 1881, pp. 3-4.

Aborigines from 'evil influences and to train them to habits of usefulness', had discouraged self-sufficiency by denying the Aborigines the right to pasture horses or keep poultry.⁵ They were also perturbed to find the children were 'chiefly half-castes or quadroons, some of whom are so fair as to be indistinguishable from Europeans' and said the women's 'depraved habits' were a bad influence on the younger girls. Gidley King and Fosbery thought Maloga functioned as an 'aboriginal asylum'. While they declared that 'it is only reasonable that the aborigines should be allowed to remain on their native soil and in their tribal districts in due security and comfort', they also stated that some children should be removed:

The younger half-castes should be withdrawn from their midst and gradually absorbed into the general community, young quadroon and half-caste children who are without parents being first removed, with a view to being placed in an institution or boarded-out. Subsequently other children might be withdrawn with the consent of their parents, and others of useful age may be selected from time to time by persons who, after due inquiry, may be found eligible and willing to avail themselves of their services – the girls for domestic work, and the lads for farm or station employment.

The commissioners assumed this would be a simple task, stating the children had few family ties and their mothers would 'willingly part with them if assured that it would be for their benefit'.⁶ These ideas interested Matthews, who thought the Aborigines were morally weak, easily led and lazy.⁷ Gribble, however, opposed the commissioners' assessments of the women's morality, saying that many had come to Warangesda to seek refuge from sexual abuse and avoid prostitution. He said the Aborigines had 'a clear code of morals amongst themselves' and also embraced Christian codes. He thought boarding-out might work for the children, but stressed that any effort to send women and girls out for work would endanger their morals. For Gribble, reserves were a refuge.⁸

The commissioners thought stations showed promise as a means of improving 'the unsatisfactory condition of the race' but predicted, correctly, that the APA would run

5 APA, Annual Report, Appendix A, Commissioners' Report, pp. 4-7.

6 *Ibid.*, pp. 3-4.

7 *Ibid.*, pp. 6-7.

8 *Ibid.*, pp. 5-6.

out of subscriptions and require government support.⁹ They recommended a network of stations be established on some of the 32 existing Aboriginal reserves and that schoolmasters, storekeepers and overseers be appointed to manage them. As Goodall has noted, this was a limited response to Aboriginal demands for land rights, but also a method of containing Aborigines to specific places, and providing surveillance.¹⁰ The commissioners stated that 'half-castes' were not to be given the right to occupy these lands, and that 'younger half-castes' and 'quadroon children' should be withdrawn from the stations and 'gradually absorbed into the general community'.¹¹ Significantly, they suggested that boarding-out could be used to aid this process of absorption, in conjunction with institutionalisation and apprenticeship. At this stage, attitudes were comparable to the *status quo* in child welfare.

In 1883 Henry Parkes resigned and Thornton lost his position as Protector of Aborigines, amid a scandal over the starvation of the Aboriginal people at La Perouse.¹² The new Premier, Alexander Stuart, believed Aborigines were capable of improvement and favoured the APA's approach to ameliorative programmes. His government formed a parallel organisation to the APA, which comprised Gidley King, Fosbery, William Foster, a barrister, two members of the Legislative Council, Alexander Gordon and Richard Hill, and Hugh Robison, the Inspector of Charities. Thornton was elected chair, but resigned after a month, and was replaced by Fosbery, initiating a long tradition of Police Commissioners as Board chair. The Board was intended to extend the existing provision of blankets and rations by educating the young, supporting the aged, sick and infirm and encouraging the able-bodied to become self-supporting.¹³

The APB had no governing legislation, but its first Annual Report, issued in 1883, explains how its members conceived their role.¹⁴ The APB acknowledged that some Aborigines had achieved self-sufficiency as 'industrious and independent' farmers,

9 *Ibid.*, pp. 4-7.

10 Heather Goodall reports persistent demands for land from Aboriginal people in the 1870s and 1880s, a period of land pressures owing to free selection. Prior to 1883 some 32 reserves were created, of which 28 were created in direct response to Aboriginal requests for land in areas of high pressure from white settlement. Goodall, *Invasion to Embassy*, pp. 75-87.

11 Aborigines Protection Association, Annual Reports, Appendix A, Commissioners' Report, p. 4.

12 Fletcher, *Clean, Clad and Courteous*, p. 56.

13 Fletcher, *Clean, Clad and Courteous*, pp. 55-57.

14 Goodall, *Invasion to Embassy*, p. 90.

fishermen or labourers, but said that in many districts they had become 'degraded by habits of idleness and intemperance, to misery, disease and want'. The APB said the Aborigines were not entirely responsible for this latter state, owing to 'the baneful influences to which the aborigines are subjected by their intercourse with our race'. Compounding this problem was a 'natural simplicity' that rendered Aborigines vulnerable to imposition, and a 'low moral standard' that rendered them susceptible to debauchery and immorality.¹⁵ Consequently, paternalism was necessary:

From these evils nothing can protect them but some controlling power which can, not only offer them what is for their good, but constrain them to the acceptance of it, which can, not only warn them of dangers, but restrain them from falling into them.

The Board declared itself both advocate and policeman, stating that it intended to 'effectively espouse [the Aboriginal] cause and call in the aid of the law to those who injure them'.¹⁶ That cause was something it would itself define, without reference to bodies like the APA, or to Aboriginal people themselves.

From the outset the Board argued that it needed legislative powers to strengthen its hand. It dismissed Gidley King and Fosbery's proposal to board out Aboriginal children, because it did not think respectable Aboriginal guardians existed, and doubted whether any white families would be prepared to take in Aboriginal children. However, it did support the notion that 'younger half-castes should be withdrawn from [the Aborigines'] midst and gradually be absorbed into the general community', though it did not present any firm policy on how that might be achieved.¹⁷ Instead, it asked the government to place it *in loco parentis* over the Aborigines of the state, of all ages and sexes, 'in like manner as a parent has the right to the control and custody of his children of tender years'. The Board wished to control Aboriginal reserves and their personal property and superintend any agreements Aboriginal people might make with others. It also wanted to grant certificates of exemption from the provisions of the hypothetical Bill.¹⁸ Stuart ignored these demands.¹⁹ It would be 26 years before any legislation was

15 Aborigines' Protection Board, Annual Report, 1883, p. 2.

16 APB Annual Report, 1883, p. 2.

17 APB Annual Report, 1883, p. 4.

18 APB Annual Report, 1883, p. 2.

19 Goodall, *Invasion to Embassy*, pp. 89-90.

enacted, but it is clear that, from the beginning, the APB wished to treat all Aborigines as children.

The surviving Minutes of the Board date from 1890, but the Board commenced work on the principle the Indigenous presence should be quarantined, saying Aborigines should be ameliorated in their own districts.²⁰ It wanted to push them out of Sydney, where their presence was viewed as disruptive.²¹ To dissuade Aborigines from visiting or remaining, the Board refused to allow missionaries to establish themselves near Sydney.²² It developed its own quasi-institution for Aborigines on a reserve at La Perouse on Botany Bay where the smallpox hospital and cemetery were located – a site of exclusion and containment, outside city limits yet within the government's orbit.²³ The Board tried to discourage missionary activity there as well, but eventually allowed the Petersham Christian Endeavours, who were supported by George Ardill of the Petersham Congregational Church Fellowship, to erect a mission house.²⁴ When Botany Police, who found the interactions between the Aborigines and white visitors to be troublesome, persuaded the APB to ring the settlement with barbed wire, the Board gave the missionary, Miss Retta Dixon, who would later found the Aborigines Inland Mission, a key so she could let fishermen out to sell their catch.²⁵

As long as it occurred outside Sydney, the Board was prepared to condone traditional activity. It provided some rail passes for people who wished to travel for birding and ceremony.²⁶ Some parts of NSW were still, in the 1890s, in their first generation of contact. The last 'wild' tribe of Aborigines only 'came in' to 'Popilta' Station, north of

20 Goodall, *Invasion to Embassy*, pp. 92-93.

21 M. Nugent, *Botany Bay: Where histories meet*, (Sydney: Allen & Unwin, 2005), pp. 45-50; Protector Thornton had broken up a large camp of Aborigines at Circular Quay in 1881, but Aborigines lived at Port Hacking and camped at Moore Park and Watson's Bay into the 1890s, State Records NSW, Aborigines Welfare Board Records, Minutes of Board Meetings, 4/7108, 16.10.1890, 30.10.1890, 4.12.1890, 26.5.1892, 7.7.1892. Goodall says these camps represented demands for land and attempts to remain in country, *Invasion to Embassy*, p. 76, p. 89.

22 In 1893 Reverend Dr White of Singleton recommended a city Home for Aborigines, but was told the Board unanimously opposed it, as 'all the means at their disposal are devoted to the amelioration of the condition of the Aborigines in their own districts.' AWB Minutes, 4/7108, 16.11.1893.

23 Nugent, *Botany Bay*, pp. 37-62.

24 Brett, "We Have Grown to Love Her", pp. 9-10.

25 AWB Minutes, 4/7108, 7-14.9.1893, 5.10.1893; After a large gathering at La Perouse in 1894 the Board asked rail, steamship and tram companies to desist from giving Aborigines free passage there; AWB Minutes, 4/7108, 17.5.1894; 4/7112, 9.9.1897, 4.11.1897; 4/7113, 2.3.1899.

26 AWB Minutes, 4/7112, 30.9.1897.

Wentworth on the Ana Branch of the Darling, in August 1893.²⁷ The Board rationed them, and provided support for 300 Aborigines from surrounding districts to join them for a corroboree at Wentworth in 1895.²⁸ The Board also provided rations when Aborigines gathered at Quambone ‘mole’, near Warren, for a ‘making young men’ ceremony in 1893, a bora (ceremonial gathering) on ‘Goondablue’ Station and a ceremony at Mogil Mogil on the Barwon River, the details of which were communicated to the Board but have been lost.²⁹ However, by the end of the decade, the Board found it too expensive to support such events, and withdrew rail passes and rationing, saying Aboriginal people should remain in their own districts³⁰ – thus impeding their capacity for movement, and for social and political organisation.

In 1890 and 1891 the APA asked the Board to underwrite improvements on the four stations and to pay the salaries of its officers, including that of the man who now served as its secretary, George Edward Ardill of the Sydney Rescue Work Society. The Board agreed to pay station managers, but refused to pay the salaries of the Secretary and said the government should take control of the APA and its assets.³¹ Over the following year the position of the APA weakened. Its subscriptions were declining and questions were raised in Parliament about starvation of Aborigines at Brewarrina. The APB attacked the APA for allowing Cumeragunja people to move freely across the Victorian border and the APA told the Governor it wanted the APB removed, for which it was forced to apologise.³² In 1894, after the APA was criticised by Narrandera Hospital for the conditions endured by people at Warangesda, and after a clash between the Board and Ardill over the management of Cumeragunja, the government gazetted new regulations for the APA.³³

Initially the Board tried to follow Gidley King and Fosbery’s aims and encourage Aborigines to take on European lifestyles and acquire the spirit of ‘self-help’ by farming

27 AWB Minutes, 4/7108, 31.8.1893-12.10.1893.

28 AWB Minutes, 4/7109, 14.3.1895.

29 AWB Minutes, 4/7108, 1.6.1893; the bora was rationed at the behest of the local MP, J.H. Hassall. AWB Minutes, 4/7108, 1.2.1894, 31.5.1894.

30 This decision was made about a bora at ‘Willie’ Station, Bulragar Creek in 1898. AWB Minutes, 4/7112, 5.5.1895.

31 AWB Minutes, 4/7108, 19.2.1891; 30.4.1891.

32 AWB Minutes, 4/7108, 22.1.1890, 19.2.1891, 3.9.1891, 22.9.1892.

33 AWB Minutes, 4/7108, 19.7.1894; 4/7109, 14.12.1894.

implements, vegetable seed, livestock, plough-horse harnesses and tents, and those who lived in coastal or river areas were given fishing equipment and boats. The Board also helped Aborigines gain mining rights and gave them equipment for prospecting.³⁴ Children were induced to attend school by being given clothing, shoes, 'trousers and Crimean shirts'. The APB also provided charity blankets, via the police, to 'full-bloods' and 'half-castes' living 'a camp life' (those in the freezing Monaro received two). Rations were issued to women with dependent children, and the destitute, elderly and sick. For the truly destitute, any relief provided was on the Board's terms – the infirm and elderly were shifted away from their own lands to other stations, or to asylums in the city.³⁵ However, the Board refused assistance to able-bodied 'migratory' Aborigines or those who had taken a step into the European world by marrying white people.

The Board never offered support for true economic independence, via land ownership. Aboriginal desires for land had been partly assuaged by the government's creation of 32 reserves between 1860 and 1884; the number was expanded to around 115 by 1911, of which 75 had been created at the request of Aboriginal people.³⁶ Although this appears a positive, as Goodall has written, the reserve system constrained Aboriginal populations to specific sites and obliged them to live in camps, limiting their participation in the rural economy.³⁷ In 1892 the Board had decided that land grants should not be made to any individual Aborigine.³⁸ Neither did the Board recognise the efforts Aboriginal people had made to establish independent farms.³⁹ These changes coincided with the Depression and drought, which severely reduced Aboriginal employment and obliged many to move back to reserves to receive rations.⁴⁰ It is important to note that the SCRD's 1896 changes to child welfare passed without the Board noticing, and it never considered whether Aboriginal mothers were eligible for the boarding-out allowance paid to other women at this time.

34 AWB Minutes, 4/7109, 6.1-13.2.1896; three families were given rations to mine at Pretty Gully, near Drake, but the Board noted 'the Aborigines should be discouraged from wandering away from their reserves at cultivation', 4/7109, 27.2.1896.

35 AWB Minutes, 4/7108, 25.9.1890-20.9.1894.

36 Goodall, 'Land in Aboriginal Politics', pp. 75-87, p. 96.

37 'Land in Aboriginal Politics', pp. 93-94.

38 AWB Minutes, 4/7108, 3.11.1892.

39 Goodall, *Invasion to Embassy*, p. 90.

40 Goodall, *Invasion to Embassy*, p. 111.

While the APB was establishing itself as the central point for Aboriginal administration in NSW, the APA continued to run its own stations, and established a new one at Brewarrina. The original Brewarrina town reserve had been established in the 1850s, in the centre of town, encompassing the ancient fish-traps that were the centre of life for the local Murri. By the 1880s, the town's white residents had become impatient with the reserve, and asked for it to be moved, citing excessive alcohol consumption by residents.⁴¹ In 1887 the APB asked the APA to establish a new managed station on a 5240 acre (2121 hectare) site ten miles (16 kilometres) up the Barwon River from Brewarrina. The APA did so, even though it was struggling to raise enough subscriptions to maintain its existing stations at Warangesda and Maloga, now known as Cumeragunja.

By 1897, the APA had collapsed and the Board took control of its books and money. Ironically, the dismissal of the APA meant that Ardill and his colleague, J.M. Chanter, joined the APB. Although Ardill had been a Board antagonist, he seems to have been welcomed onto the Board, which was chaired by the Police Commissioner and consisted mainly of MPs, who rarely addressed the Parliament on Aboriginal issues, let alone set policy.⁴² As we shall see, Ardill was only too ready to fill that vacuum, and the Board's policies were his brainchild.⁴³

The Board now had control of Cumeragunja, Warangesda and Brewarrina, and set about converting other reserves to managed stations on the same model as the APA, but with its preferred style of secular management. It began at Runnymede, Grafton, Brungle and Wallaga Lake.⁴⁴ As Goodall and Fletcher have pointed out, schooling was part of this process. Aboriginal people wanted access to education, but if white parents objected to the attendance of Aboriginal children at the school the DPI would establish 'inferior' Aboriginal schools, often on reserves. Between 1883 and 1900, 27 of these were created in NSW. Aboriginal communities were frequently obliged to move onto reserves to access schooling. The Board provided the school building, and expected the teacher to

41 Goodall, *Invasion to Embassy*, pp. 51-55, 90-92; State Records NSW, Aborigines Welfare Board, Register of Aboriginal Reserves 1861-1899, 2/8349; N. Parry, 'Brewarrina Aboriginal Station – History', unpublished report for NSW National Parks & Wildlife Service, 2000.

42 AWB Minutes, 4/7109, 18.6.1896; 4/7112, 4.11.1897; Doukakis, 'Parliament, Parliamentarians and "Protection"', pp. 63-65.

43 Haskins, *One Bright Spot*, p. 30.

44 Goodall, *Invasion to Embassy*, p. 96.

serve as an overseer or manager of the reserve grounds, paying him an extra allowance for the work.⁴⁵ Thus, for many Aboriginal communities schooling brought supervision and surveillance. The Cape Barren Islanders also experienced surveillance by schoolteachers but Aborigines in NSW, hemmed in by closer settlement, were much less free to move.

Stations were rarely inspected or visited by the Board, and managers were largely left alone, posting their correspondence and reports to Phillip Street, where all was dealt with at the Board's weekly meetings. Given such remote control, it is remarkable that any evidence of abuses emerges from the reserves, but it did. In 1899 a manager was dismissed for conning an Aboriginal man out of his life insurance, another was accused of having a sexual relationship with an Aboriginal woman, and an overseer was sacked for 'gross immorality and incompetence'.⁴⁶ Sometimes police were asked to superintend residents, and occasionally the APB set up 'Local Boards' of interested white people. Some of these local boards were genuinely concerned about the welfare of Aboriginal people, but others were more interested in 'improving' their townships by driving out Aborigines – requests the Board was prepared to accede to by providing improved facilities on neighbouring reserves.⁴⁷

Even without blatant exploitation, the presence of a teacher-manager whose role was to stand between Aborigines and the rest of the community by negotiating contracts, setting sale prices for goods and determining labour arrangements reduced the capacity of many Aboriginal people to function in the contemporary economy. They were instrumental in the process that Goodall describes, whereby the Board assumed control over the farming endeavours on reserves and diminished Aboriginal independence. Poor managers, weak Board supervision and a desire for easy profits contributed to land degradation, as occurred at Brewarrina, which was overstocked in good years and whittled away for travelling stock reserves in bad years, until it could barely support

45 Goodall, *Invasion to Embassy*, pp. 110-111; Fletcher, *Clean, Clad and Courteous*, pp. 61-91.

46 AWB Minutes, 4/7113, 23.11.1899; 4/7114, 4.1.1900.

47 In Narrabri the MP explicitly asked for the Aborigines to be 'dealt with so as to ensure their removal from the township, and location on the Reserve'. The APB provided the huts. AWB Minutes, 4/7108, 9.4.1891, 16.4.1891. The Narrandera MP made a similar request, but the Board declined as it said the people would become idle on the reserve. AWB Minutes, 4/7108, 9.4.1891, 16.4.1891.

native fauna.⁴⁸ Coastal stations such as Wallaga Lake were situated near potentially lucrative sea fisheries and oyster beds, but the Aborigines were not allowed to work them. Whatever revenues were earned on stations were returned to the Board, rather than to the people who had produced them, so there was little incentive to produce a surplus.

By the mid-1890s the reserve population was stretching the Board's finance, and it adopted stricter policies on rationing. In 1896, the Board withdrew rations from Aboriginal families at Blacktown Road in Plumpton (near what is now known as Rooty Hill) who were living on two 30-acre (12 hectare) land grants given to their Darug ancestor Maria Lock in the 1830s.⁴⁹ The withdrawal of rations was also a means of forcing families to move to the Board's preferred districts, as happened in 1899 when a 'half-caste' family at La Prouse was told to return to the Burragorang Valley to collect their rations.⁵⁰ In 1902, the government subjected the Board to severe funding cuts and the Board became interested in reducing the number of Aborigines requiring support.⁵¹ At this point the Board was obliged to admit that the predictions made in the 1880s about the imminent disappearance of the Aborigines were wrong. In fact, the population of 'half-castes' and those of lighter colouring, defined in terms reminiscent of American slavery, as 'quadroon' and 'octoroon', was expanding. The Board's own annual censuses, included in the reports they made to Parliament, revealed its alarm at the increase in a population that was thought to carry the vices of both races and the virtues of none. In 1901 the Board explained to the Under Secretary for Justice its policies:

The Board deals with half-castes as Aborigines when they live with, and are related to full blood Aborigines living a camp life though they endeavour to place quadroons and others in service in the general community.⁵²

The Board also took steps to prevent mingling of races on the reserves. The Board frequently characterised disadvantaged or marginalised men as bothersome to the

48 Parry, 'Brewarrina Aboriginal Station - History', unpublished paper prepared for NSW Parks & Wildlife Service, 2000; Goodall, *Invasion to Embassy*, p. 118.

49 AWB Minutes 4/7111, 26.3-9.4.1896; N. Parry, 'Maria Lock', *Australian Dictionary of Biography*, Supplement 1580-1980, pp. 236-237.

50 AWB Minutes, 4/7111, 21.7.1898.

51 Goodall, *Invasion to Embassy*, p. 117.

52 AWB Minutes, 4/7115, 14.3.1901.

Aborigines, singling out hawkers and other itinerants for warnings and prosecutions. Sometimes the APB's urge to 'protect' Aborigines had reasonable cause – when confronted with outbreaks of venereal disease on reserves that were located near mining towns where there were large groups of single European men, for instance.⁵³ But it also hoped to curb the 'proliferation of half-castes', and welcomed the government adding a clause to the Vagrancy Act that made it an offence for a white person to 'wander' or lodge with Aborigines, regardless of whether they did so for companionship or consensual sexual relationships.⁵⁴

The development of policies of removal

The APB's policies of getting children away from the reserves had been clear from its inception, although they took some time to be fully realised. The minutes of the APB's first seven years are missing, and the earliest surviving minute book begins in May 1890. The entries are very brief, consisting of one or two lines, and devoid of reasoning or explanation. However, they show the Board was already involved in separating children from their families, and as noted in the previous chapter, SCRD annual reports contain occasional mentions of Aboriginal mothers and children. The Board seems to have made decisions on a case-by-case basis, in a manner broadly consistent with the SCRD's practices at that time; as noted, until 1896 these precluded direct committal of children to care. The police seem to have generated most of the cases, reporting children who had been left destitute or without guardians to the Board.⁵⁵ Some families in dire need were recorded as giving their consent to surrender, although, as we have seen in Chapter 2, consent could be engineered.⁵⁶

53 The chromium mines near Brungle were blamed for an outbreak of venereal diseases and an increase in the rate of half-castes in the mid-1890s. AWB Minutes, 4/7109, 14.2.1895.

54 For instance, a series of prosecutions occurred in 1900. AWB Minutes, 4/7115, 17.1.1900. In 1901 the Board was asked about the case of a man who had been gaoled for lodging on the reserve at Taree, and who now wished to marry an Aboriginal woman. The Board said they had no right to object, but that even marriage would not give this man the 'right to consort with the other blacks in camp life.' AWB Minutes, 4/7115, 4.4.1901. Shortly after this it became an offence to 'lodge with Aborigines'.

55 It sent two destitute children from the Dubbo lock up to the Government Asylum. AWB Minutes, 4/7109, 29.8.1916.

56 One elderly Obley man asked to have his two children educated so they were removed to Warangesda, AWB Minutes, 4/7108, 13.7.1893. At Mossgiel a man asked for his sister and three girls to be sent to Warangesda, AWB Minutes, 4/7114, 12.12.1895; The uncle of some orphaned children committed them when he lost his job, and was granted a steamer pass so he could escort them to Sydney, 26.4.1900.

After 1896, when the SCRD gained the power to commit children, the APB referred children to it, particularly if they were lighter-skinned.⁵⁷ The Board also refused to interfere in cases where children were in the care of the SCRD or to help parents who sought their return.⁵⁸ It expressed annoyance that it lacked the facilities to detain boys who had spent time on the *Sobraon*, lamenting that it was unable to follow through on the SCRD's training and had been obliged to release them to 'their own people in their own districts' because their character meant they were unsuitable for placement in European homes.⁵⁹ If confronted by children in need who had European fathers, the Board tended to say it had no jurisdiction, on the basis that such children should be supported by their European relatives. In 1898 the DPI complained about a family of 'half-castes' who were living on a public reserve at Field of Mars, but the Board said it could not act, although it wished to do what it could to 'reclaim the girls from a life of vice'.⁶⁰ On the other hand, if European fathers sought the removal of their daughters from Aboriginal reserves to the Parramatta Industrial School, the Board acted promptly.⁶¹

Children who had no obvious guardian needed support, but the Board was usually prepared to sanction their remaining in an Indigenous community. The APB allowed Wee Waa police to find homes locally for three children whose mother had committed suicide, for instance.⁶² And when three orphaned full-blooded children at Broadwater refused to go to Grafton Aboriginal Home, the APB agreed to ration them on site.⁶³ The Board was occasionally prepared to leave children with Aboriginal relatives if the family could demonstrate that they could support them.⁶⁴

57 AWB Minutes, 4/7113, 31.8.1899, 7.9-28.9.1899.

58 Rev Dr White wrote to the APB behalf of Aboriginal mother who desired the return of her child, boarded out at Singleton, but the Board said it had neither reason nor any power to interfere with SCRD placement. AWB Minutes, 4/7111, 9.5-23.5.1895.

59 AWB Minutes, 4/7109, 31.5.1894, 2.8.1894; 4/7111 18.4.1895, 25.4.1895; 4/7114 1.2.1900.

60 AWB Minutes, 4/7112, 16.6.1898.

61 AWB Minutes, 4/7115, 29.11.1900.

62 AWB Minutes, 4/7109, 16.5.1895.

63 AWB Minutes, 4/7108, 21.9.1893.

64 When a Wellington man whose wife had been sent to the Benevolent Asylum objected to the removal of his step-children the Board took police advice that the children should be left alone, saying 'the children's welfare is all that the Board are concerned about'. AWB Minutes 4/7111, 19.3, 23.4, 14.5.1896; A child whose mother was gaoled at Narrabri was given into the care of an Aboriginal relative at Moree; Minutes 4/7108, 7.7.1892; Braidwood Police urged the institutionalisation of a 'half-caste' girl, but after she fled to relatives at Wallaga Lake the Board left her alone. AWB Minutes, 4/7108, 13.8.1891.

Yet removals did occur. In 1894 a white man had asked that ‘something be done’ for a number of half-caste and quadroon children living in a camp at Mungindi. Instead of attempting to remedy the situation on site, with extra rations, clothing or schooling, the APB asked the police to arrange the consent of the parents to the removal of their children.⁶⁵ Sometimes children were removed in the wake of conflict between station managers and Aboriginal families, as occurred at Warangesda when the APB expelled a man, then ordered his children be sent to Brewarrina, minuting ‘no doubt their father will consent’.⁶⁶ A couple who were expelled from Brungle in the Monaro in 1899 were told that they should give their children to the Manager, or face proceedings under the State Children’s Relief Act.⁶⁷

As the Depression intensified, the Board began to concentrate its welfare cases onto managed stations, instead of relieving them in the recipients’ locality.⁶⁸ This meant children were sometimes transferred over long distances, as in one case where children whose father had killed their mother were transferred from Tamworth, in New England, to Warangesda on the Victorian border. Such transfers broke Aboriginal kinship networks and severed links with country.⁶⁹ The coalescence of schooling policies and land issues also affected Aboriginal families.⁷⁰ At Cannonbar, near Nyngan, white parents objected to the presence of Aboriginal children in the school and the police said it would prefer to send the children to Brewarrina Aboriginal Station than establish a new Aboriginal school. When the parents refused to consent to removals, the Board offered huts to the parents to induce them to move to the nearest Aboriginal school, 28

65 4/7108, 30.8.1894.

66 4/7111, 9.5.1895.

67 AWB Minutes, 4/7113, 8.6.1899-11.8.1899.

68 Children’s transfers include a girl escorted by Police from Hay to Warangesda, AWB Minutes, 4/7108, 19.7.1894; Two orphans at ‘Buckingay’ station were sent to Brewarrina. AWB Minutes, 4/7108, 5.7.1894. In 1895 a Mossiel man requested his sister and three nieces be sent to Warangesda, as he could not support them and local Aborigines were under pressure to move there. AWB Minutes, 4/7109, 12.12.1895; 4/7109, 13.2.1896.

69 AWB Minutes, 4/7108, 29.10.1891; Five destitute children were sent from Obley to Warangesda in 1896. AWB Minutes, 4/7109, 13.2.1896.

70 Goodall, *Invasion to Embassy*, p. 110; see also Fletcher, *Clean, Clad and Courteous*.

miles (45 kilometres) away at Nyngan.⁷¹ The threat of prosecution for truancy was also used as leverage to make families move to reserves where schooling was provided.⁷²

The beginnings of the apprenticeship policy

Fosbery and Gidley King had suggested boarding out be used to remove children from reserves, and that apprenticeship could be used to 'train' young Aborigines. Although boarding-out was the cornerstone of child welfare developments at this time, the Board never considered it. It did want to use apprenticeship.⁷³ Throughout the 1890s it asked police to encourage young adults to 'take service', but, because it had no power to apprentice children or youths, had to rely on families to make informal arrangements themselves.⁷⁴ By the turn of the 20th century, the Board was determined to develop a scheme of apprenticeship and domestic training, most particularly for girls.

This focus can be attributed to the arrival of George Ardill on the Board. Ardill was 'a little man and apparently of unbounded faith', who spruiked his causes via 'religious auctions' on street corners.⁷⁵ His energies were also boundless. He founded Sydney Rescue Work Society in 1882, and in 1884 established the All Night Refuge and the Home of Hope for Fallen and Friendless Women at Camperdown, which developed into a lying-in hospital and later became South Sydney Women's Hospital.⁷⁶ He was involved in the Societies for Providing Homes for Neglected Children and Preventing Cruelty to Children, which Renwick had criticised as useless. Other institutions to his credit included the Jubilee Home for Domestic Servants and Our Children's Home and

71 When an employer asked if a boy in his employ could be apprenticed to him, as 'the mother of the boy is trying to get him away' the Board minuted that they had 'no power to apprentice.' AWB Minutes, 4/7115, 25.10.1900.

72 Goodall, *Invasion to Embassy*, p. 110.

73 AWB Minutes 4/7108, 12.2.1891; 4/7108, 11.12.1890.

74 AWB Minutes, 4/7108, 17.11.1892.

75 *Evening News*, 18.3.1888, Ardill's Scrapbook, cited S. Gapps, 'Mr Ardill's Scrapbook: Alternative Sources for Biography', *Public History Review*, 2, 1993, pp. 102-103; Dickey writes 'He looked for profound religious transformation in those he helped, but he also accepted the immediate necessity and duty laid on Christians to show love for others for their own sake without regard or consequence.' Dickey, *No Charity There* [2nd edition], p. 83.

76 Lewis, 'Hospitalization for Childbirth in Sydney', pp. 200-201; Kociumbas erroneously describes the Home of Hope as being founded by Ardill's wife, Louisa. Kociumbas, *Australian Childhood*, p. 104.

Our Babies' Home, and he worked with the Blue Ribbon Gospel Army and the Discharged Prisoners' Mission.⁷⁷

Ardill's work complemented, competed with and countered the charitable establishment. He did not move in the élite circles occupied by Renwick and the ladies of the SCRB, and he lacked their capacity to turn the engines of the state to achieving his goals. He did not practice or advocate boarding out. His charity was delivered via small institutions that, he said, provided 'home' life. In terms of scale, Ardill's institutions resembled Tasmanian institutions and the cottage homes, but his homes for girls and women were designed to bring about reformation by labour, in the commercial laundries that were essential to the bottom line of his homes, as for so many institutions at the time. For Ardill the profits were of another kind. As he wrote in his magazine *The Rescue*, the work was 'unquestionably beneficial' and 'The child of God must be useful.'⁷⁸ Like many religious reformers of his era, he viewed laundry work as cleansing the souls of young women.⁷⁹ Ardill also argued, in advertisements in *The Rescue*, that such work was helping the women 'to help themselves', by training them for better positions in domestic service; this was despite the fact that the demand of households for laundresses at the time was declining.⁸⁰ Sections of the Sydney labour movement criticised him for profiting from the laundering work of charity cases.⁸¹

77 Good Samaritans Generalate Archives, Articles Cuttings Files, Mr Sydney Maxted's Report on the position of Mr G.E. Ardill, The Director of the Sydney Rescue Work Society, etc., etc.' (undated extract, published circa 1892-1893, copied from Private Archives Original, Arncliffe Box I); H. Radi, 'George Edward Ardill (1857-1945)', *Australian Dictionary of Biography*, Volume 7, pp. 90-92. See also Gapps, 'Mr Ardill's Scrapbook', p. 102.

78 *The Rescue*, 21.1.1905, 1909-1910.

79 L.A. Jackson, "'Singing Birds as well as Soap Suds': the Salvation Army's Work with Sexually Abused Girls in Edwardian England", *Gender and History*, 12, 1, 2000; J. Monk, 'Cleansing their Souls: Laundries in Institutions for Fallen Women', *Lilith*, 9, Autumn: Special Issue on 'The Violence of Institutions', 1996. Laundry was performed at Tasmanian state-funded institutions, but was a minor part of their budgets, unlike the Magdalene Home, which relied upon it.

80 *The Rescue*, 28.2.1903, p 11; Barry Higman notes that, by the early 20th century, specialist laundresses were a declining field, having been replaced by public laundries and independent laundresses who 'lived out'. B. Higman, *Domestic Service in Australia*, (Melbourne: Melbourne University Press, 2002), pp. 144-146, p. 168, p. 193.

81 'George E. Ardill', *The Australian Workman*, March 7, 1891. The article resulted in a suit for defamation, and damages were paid to Ardill later in the same year. 'George Edward Ardill', *ADB*. The Royal Commission into the Decline of the Birth-Rate also questioned Ardill closely because, as a provider of lying-in services, he was suspected of providing abortions. NSW Royal Commission into the Decline of the Birth Rate, Volume I: Report, pp. 56-59.



Figure 13: Ardill's Home of Hope, undated, Mitchell Library.

Ardill left no personal papers, aside from a book of newspaper cuttings, and he did not describe his work with Aboriginal people in *The Rescue*, beyond narrating the pious death of an Aboriginal girl at Our Children's Home and mentioning that, whilst touring Kempsey in 1906, he heard 'the cry of dark Australia "come help us"'.⁸² Yet, as Stephen Gapps has observed, there is no doubt that he applied his methods to Aboriginal people.⁸³ Ardill's missionary intent was expressed by his membership of the Petersham Congregational Christian Endeavour Society, which ministered to the reserve at La Perouse.⁸⁴ He had begun donating to the APA in 1881, then joined, quickly rising to Secretary. Ardill had been an ardent supporter of the girls' dormitory at Warangesda, and from 1892 he helped the Board place girls in service.⁸⁵ He personally escorted girls to and from Warangesda, arbitrated disputes between girls and their employers, and

⁸² *The Rescue*, 25.11.1901, 24.5.1906.

⁸³ Gapps, 'Mr Ardill's Scrapbook'.

⁸⁴ AWB Minutes, 4/7108, 7-14.9.1893, 5.10.1893; One of the younger members of the Society at that time was fellow Baptist Retta Dixon. Dixon worked on NSW Aborigines Mission sites at Plumpton, Illawarra Lake and Lismore until 1905, and Ardill encouraged her efforts both spiritually and financially until 1916. In 1905 she played a role in the foundation of the Aborigines' Inland Mission at Singleton. Brett, "'We Have Grown to Love Her'", pp. 10-12.

⁸⁵ Mr Ardill was involved in the placement of girls in service from the beginning of the 1890s. In 1892 the Board referred an offer of 'a home for a half-caste girl' for domestic service to Mr Ardill, AWB Minutes, 4/7108, 14.4.1892.

took Aboriginal children and girls into his institutions.⁸⁶ Whilst at the APA he applied for a Mission School to be established in Brewarrina.⁸⁷ Ardill's vigour meant that once he joined the Board he rose to the vice-presidency in a short time, using the position to become the APB's chief policy-maker.⁸⁸ His approach became apparent at Brungle, where he went in August 1898 to investigate long-running disputes between the struggling teacher-manager, J. Ussher, the station residents, who petitioned against him, and local white people who objected to the presence of Aborigines at their school. After Ardill visited, Ussher complained to the Wagga Wagga Police Inspector that he felt persecuted and ridiculed Ardill's desire to train women in household duties: 'fancy teaching them to a woman whose worldly goods are a dirty blanket and a billy can.' Yet the Board blamed Ussher for the disarray on the station, and dismissed him.⁸⁹ Ardill's vision was clearly accepted by them.

Ardill clearly believed that his work with the APA was an extension of his rescue work. It is very likely that he wrote the Board's annual reports, for they contain the same emotive language he deployed in *The Rescue*:

We specially care for the children. To rescue these from neglect and vicious surroundings and secure for them home-like care, education and religious training is a very pleasing and important department of our work.⁹⁰

He described Aboriginal children in the same terms as the single mothers he 'rescued': as living amidst degradation, vice, neglect and vicious surroundings. As Stephen Gapps, a historian related to Ardill has observed, his concern with the 'rescue' of women 'says a great deal about his own masculinity, relating to notions of chivalry and the particular kind of power that "rescue" by a man gave over the woman fallen from grace'.⁹¹ This paternalism extended to Aboriginal people. The policies Ardill wrote for the Board

86 AWB Minutes, 4/7116, 31.10.1905; When a girl from Eden was assaulted in her situation in a private hospital in Potts Point the Board considered calling a prosecutor, but the girl would not lay charges. As the family was incapable of supporting the girl Mr Ardill urged the Board to drop the case, and the father was not allowed to see his daughter in case she became upset. AWB Minutes, 4/7114, 8.3, 22.3, 3.5, 28.6.1900.

87 State Records NSW, School Files, Brewarrina Mission School, 5.15080.1 B, 1889.

88 'George Edward Ardill', *ADB*.

89 State Records NSW, Department of Education, School Files, 15080.1 A, Brungle; AWB Minutes, 4/7112, 18.11.1897, 14.3.1898, 14.7.1898, 11.8.1898, 8.9.1898, 6.10.1898. The first resolution the Board made about the new management at Brungle was to install a bell, 'to introduce a system of regularity for work, meals &c.' AWB Minutes, 4/7113, 29.12.98.

90 *The Rescue*, 6. 12. 1900, cited Parry, "Shifting for Themselves", p. 38.

91 Gapps, 'Mr Ardill's Scrapbook', p. 104.

reflected his preoccupation with children and girls, and his beliefs in institutionalisation and the reforming qualities of labour.

With Ardill driving policy, the Board continued to ignore boarding-out, or the new systems of payments to mothers, and looked more closely at the question of apprenticeship. By 1898, it had drafted a policy and devised a system whereby police would locate potential employers.⁹² The expected wage was 5s per week, and Ardill developed a 'form of application'. In 1900 the Board sent several girls from Warangesda to situations and noted 'with satisfaction' their performance. (Those same children would later complain they had not been paid and one of the girls was sent to a mental institution).⁹³

The Board hoped to institute a system of rural apprentices, once turning away an employer from Grenfell, in the Central West of the state, because he was considered to live 'too near Sydney' to apprentice boys.⁹⁴ But it soon became apparent there was insufficient demand from rural areas for Aboriginal apprentices. This was such a marked contrast with the SCRD's experience that it begs the question about whether the problem was that rural people did not wish to employ Aborigines.⁹⁵ The Board was obliged to consider apprenticing youths in the city, and to come up with another means of housing children it wished to remove.

The APB's unique policies of removal

In the early years of the 20th century, as drought continued and Australian (including Aboriginal) men left to fight the Boer War, pressures in rural towns heightened.⁹⁶ The murders committed by the Governor brothers, in July 1900, crystallised fears about

92 AWB Minutes, 4/7112, 21.4.1898, 26.5.1898; 4/7114, 7.12.1899, 11.1.1900.

93 Apprentices often claimed they had been working without pay. AWB Minutes, 4/7114, 26.4.1900; 30.8.1900; At least one girl would later be called an 'imbecile' and be placed in Parramatta Girls' Industrial School. AWB Minutes, 4/7114, 4.1.1900. The father of one of the girls complained bitterly about her treatment in service at Fairfield, as she was not paid, but the Board accepted the employer's explanation that the girl's earnings had been spent on clothing. AWB Minutes, 4/7114, 25.1.1900; 4/7114, 31.5.1900.

94 AWB Minutes, 4/7114, 3.5.1900.

95 AWB Minutes, 4/7115, 1.11.1890.

96 Men from Warangesda asked to join the Bushman's Regiment as Scouts. AWB Minutes, 4/7114, 1.2.1900.

‘half-castes’.⁹⁷ These were years of intensive policy development, but not in the areas one might expect if the Board were truly living up to the ‘welfare standards of the time’.

The Board did not note or try to implement any measures to preserve infant life, although its members must surely have been aware of the 1904 Royal Commission, which had subjected Ardill to what must have been an uncomfortable level of scrutiny.⁹⁸ The SCRD had also, through the Children’s Protection Act, gained increased powers to supervise private institutions for children. However, the Board was focussed on older children, and stated that it intended to create a centralised apprenticeship scheme. It conducted a census of ‘half-caste youths said to be a menace to the morality of the young girls’, and said ‘the preliminary industrial training’ provided on its stations was an ‘evident advantage’ to children that could only be perfected if it was granted *in loco parentis* powers over children.⁹⁹

Unfortunately, many of the Board’s minutes for this period are missing, most particularly mid-1901 to 1905 and 1906 to 1910, with another gap from June 1913 to March 1915. However, the Wards’ Registers confirm the Board’s focus on older children. These registers were created around 1923, but include details of children who were removed as early as 1905. They appear to have been condensed from another series of records, and provide only the briefest overview of children’s lives, but they do record the date and reasons given for the child’s removal, where the child was born, where s/he lived, the names of his or her relatives and where s/he was institutionalised, worked and went after release. Of the 800 surviving registers, only 143 relate to children removed between 1905 and 1915. It must be stressed that this was a time when the Board was governed by the same legislation as the SCRD, and as the 1905 legislation was active, the Board had to ask the SCRD to take children to the Children’s Court before it could have them removed.

97 AWB Minutes, 4/7114, 28.6.1900; The Board moved the Governors’ entire extended family from Wollar to Brewarrina under cover of darkness, and tolerated the disruption caused at the Station because the ‘the residents of Wollar and district very strongly object to the return of the Aborigines especially Mrs Governor and family – they are not likely to find employment’. AWB Minutes, 4/7114 30.8.1900, 4/7115, 20.9.1900 to 14.2.1901. Brewarrina people believe that Mrs Governor was white, but that she darkened her face and hair and adopted the manner of an old Aboriginal woman. June Barker, personal communication, September 2000.

98 NSW Royal Commission into the Decline of the Birth Rate 1904, Volume I: Report, pp. 56-59.

99 AWB Minutes, 4/7114, 22.3.1900; AWB Minutes, 4/7115, 3.1.1901.

Just nine of these children were described as having been surrendered. In 62 per cent of cases the children were suffering the sorts of problems that led to the committal of white children. Their parents were destitute or they were orphaned, neglected, deserted and uncontrollable. These children tended to be young – 60 per cent of girls and 90 per cent of boys were younger than 12. However, even in this period, when the SCRD controlled removals, there was a heavy emphasis on removing children for apprenticeship. In 38 per cent of cases – usually amongst older children – the reason for removal given was training or apprenticeship: being ‘too old for idle life’, or of the age to leave school, or needing to move ‘to better condition of living’.¹⁰⁰

The Board’s minutes confirm that children were being sent to service, even though they were not formally apprenticed and were not under the direct control of the Board.¹⁰¹ The Wards’ Registers show that 45 girls were apprenticed in this period, but only ten per cent were sent to country centres, such as Pilliga, Temora, Lightning Ridge or Singleton. Most were sent to suburban Sydney. Girls went to Riverstone, Homebush, Rydalmere and the eastern suburbs, but the vast majority went to the north shore. Six Killara families employed apprentices, and girls were sent to Lindfield, Mosman, Chatswood, Neutral Bay, Roseville, and Wollstonecraft. This geographical proximity seems likely to indicate personal or, perhaps, religious networks amongst the employers, possibly deriving from social bonds between the employers and particular Board members.¹⁰²

By 1907 the Board was resolved upon its scheme for training Aboriginal children ‘to proper spheres of usefulness’.¹⁰³ In this Ardill had an important ally: the Progressive MP for Wynyard, Robert T. Donaldson, who was also a Board member. Goodall has noted Donaldson’s obsessive interest in girls, and his abhorrence of Aboriginal reserves.¹⁰⁴

100 State Records NSW, Aborigines Welfare Board, Ward Registers 1916-1928, 4/8553-8554.

101 AWB Minutes, 4/7121-7122, 18.1.1912-5.6.1913. In this period a girl was apprenticed at Brungle, while ten Yass girls were sent to Cootamundra and another girl from there was apprenticed. At least 16 other children were sent to the SCRD. In 1913 there were 26 girls at Cootamundra, ten children at Bomaderry and 46 female apprentices. Four girls were sent to Ardill’s Home, boys were apprenticed from Tarcoon, Cumeragunja, Plumpton, and Grenfell, and two other sites, a girl was adopted out, and children were removed from Euraba. Seven children from Erambie, Pilliga and Katoomba and Plumpton were sent to the SCRD.

102 Goodall, ‘Land in Aboriginal Politics’, p. 141.

103 APB Annual Report, 1907, p 4.

104 Goodall, *Invasion to Embassy*, pp. 120-121; J. Horner, *Vote Ferguson for Aboriginal Freedom*, (Sydney: Australia and New Zealand Book Co, 1974), p. 123. Donaldson had sided with white parents at Brungle in

[Note continued following page]

Together Ardill and Donaldson drafted The Aborigines Protection Act 1909, with the aim of taking charge of Aboriginal children. Christine Brett notes that, as the Bill was being prepared, Donaldson told the Australian Catholic Congress that full-bloods would die out but that mixed race children, particularly girls, for whom 'the sequel to camp life is disaster', needed to be trained in industrial school settings (she does not acknowledge the vital role played by Ardill on the Board at this time).¹⁰⁵

As Jack Horner wrote, the Act, moved by the Chief Secretary but explained to the Parliament by Donaldson, passed 'without debate or comment', because it was seen as an administrative measure.¹⁰⁶ It defined an Aborigine as any person 'apparently having an admixture of Aboriginal blood' – the use of the word 'apparent' betraying the fact that Aboriginality was determined by the gaze of whites, for no one asked Aboriginal people how they saw themselves or their family relationships. The Act allowed the Board to assume the rights of a father over children, and Aboriginal people were liable to prosecution if they were caught 'enticing' children to leave homes or institutions – powers equivalent to state welfare agencies.¹⁰⁷ But the most important features of the legislation were that it gave the Board power over all lands reserved for Aboriginal people in NSW, along with the right to compel any Aborigine to leave the Board's reserves and to indenture *any* child of *any* Aborigine as an apprentice.¹⁰⁸ These were powers far in excess of those given to the SCRD, who had to prove neglect before taking a child away. In its Annual Report of 1909, the Board expressed its satisfaction at now being 'clothed with ample powers' to compel 'the able bodied to shift for themselves' and to train the young to become 'useful members of the state'.¹⁰⁹

1901, Brungle School file. During his parliamentary career Donaldson, formerly a butcher from Yass, spoke against the enfranchisement of women, and expressed racist views about Chinese and Indian itinerant hawkers and Aborigines. P. Felton, 'Donaldson, Robert Thomas (1851-1936)', *Australian Dictionary of Biography*, Volume 8, p. 319. In 1909 he addressed the Third Australasian Catholic Congress in a paper entitled 'The Aborigines – Past Present and Future', outlining the Board's intention to remove children – particularly girls – from their families. *Sydney Morning Herald*, 10 August, 1915, see Brett, "We Have Grown to Love Her", pp. 24-25.

105 Proceedings of the Third Australian Catholic Congress, October 1909, cited Brett, "We Have Grown to Love Her", pp. 23-27.

106 J. Horner, *Bill Ferguson: Fighter for Aboriginal Freedom*, (Canberra: JC Horner, 1994), pp. 6-7.

107 NSW, Aborigines Protection Act, 1909, No. 25, Section 11 (1) and Section 13.

108 APB Annual Report, 1909, p. 5.

109 APB Annual Report, 1909, p. 2.

In the winter of 1910, the Board conducted a census of ‘half-castes, quadroons and octoroons’, to find out how many children were 14 and could be apprenticed and how many ‘orphan and neglected children’ there were – adopting Renwick’s technique of obscuring removal behind the figure of the ‘orphan’. The APB also gathered particulars of ‘respectable householders desirous of securing the services of apprentices’.¹¹⁰ These statistics were used to mount a case for even greater powers: in 1911 the Board stated in its Annual Report that it wished to be able to bind Aboriginal children to apprenticeship without seeking parental consent, and to commit children to its institutions or apprenticeship without deferring to the SCRD. However, it thought lighter skinned children (‘octoroon’ and ‘quadroon’) should be placed under the control of the SCRD, so that they could be ‘absorbed’ into the white population.¹¹¹ In 1912 the Board and Mackellar consulted, and agreed that ‘quadroon’ and ‘octoroon’ children would be transferred to the SCRD; these removals would be mediated by the Children’s Courts.¹¹²

At this time the Board had co-operative arrangements with two mission-based organisations: the Aborigines’ Inland Mission home at Singleton, which accepted children and adults and had been established by Retta (Dixon) Long in 1905, and the Australian (later United) Aborigines Mission Children’s Home at Bomaderry, established in 1908 for infants and children under the age of 12.¹¹³ In 1909 the Board began planning its own ‘training home’ for ‘Orphan and Neglected Children’ at Cootamundra. In its 1910 Annual Report it said:

For years past it has been recognised that the various aborigines reserves throughout the State, – and indeed the Board’s stations, – are far from suitable places to bring up young children. With such an environment it can hardly be expected that they will acquire those habits of cleanliness, obedience and morality which are so necessary if they are to become decent and useful members of the community. Some of the children are almost white, and if it were not that they are resident on an aborigines’ reserve could hardly be distinguished from European children.¹¹⁴

110 AWB Minutes, 4/7119, 14.7.1910.

111 AWB Minutes, 4/7121, 18.4.1912.

112 AWB Minutes, 4/7121, 9.5.1912.

113 Brett, “We Have Grown to Love Her”; S. McHugh, ‘The Carers’, in D. Mellor & A. Haebich, (ed.), *Many Voices: Reflection on Indigenous child separation*, (Canberra: National Library of Australia, 2002), p. 114, p. 117; ‘Mothers to generations of Aborigines’, *New Dawn*, November 1970, p. 7, AIATSIS, <http://www1.aiatsis.gov.au/dawn/docs/v19/s08/9.pdf>, accessed 20.2.2007.

114 APB Annual Report, 1910, p. 4.

The language here is important. The Board skirted the issue of forced removal and parental bonds by claiming the home would be for 'orphan and neglected children', and portrayed the discomfiting image of white children living with Aborigines in dismal conditions. The Board said Cootamundra would be a demonstration of what members 'earnestly hope can be done' with all Aboriginal children.¹¹⁵ It was a dishonest pitch. The home would never be for 'children' – it was always intended for girls of working age.

The most important influence on the early development of Cootamundra was the philosophy of Ardill, who guided the renovations of the old Cootamundra District Hospital, which the Board purchased in 1911.¹¹⁶ Ardill selected the furnishings, supervised the entertainments, hand-picked the Matron, whom he knew from her work at Warangesda dormitory, and chose one of his employees at the Home of Hope as her maid.¹¹⁷ The routine he established owed more to beliefs in the redemptive power of labour than to any philosophy of training. The Wards' Registers show that most girls were there for just a few weeks, leaving little time for schooling, and girls usually started work before school leaving age of 14. It seems the Board thought there was no time to waste getting children to work. In this it was unique. No other NSW government institution was explicitly intended to isolate children and train them in domestic service.

As stated in Chapter 5, Renwick and Mackellar used Parramatta for recalcitrant and refractory girls, but expressed a preference for religious institutions. F. R. Seager disliked industrial schools, and thought boarding-out was best. Alexander Thompson, the superintendent of Parramatta, did not send girls to service because he did not think they should be trained to form a 'servant class'.¹¹⁸ Mittagong was for the refractory, sick

115 APB Annual Report, 1910, p. 4; See Parry, "Shifting for Themselves".

116 APB Minutes, 4/7119, 19.1.1911; 4/7118, 2.2.1911 and 29.6.1911. Ardill went to Cootamundra to source local contractors, and chose the tender of S. Wales of 199 pounds. APB Annual Report, 1911, p. 3; AWB Minutes, 4/7121, 14.3.1912, 16.5.1912-23.5.1912; 11.4.1912; 25.7.1912. APB Annual Report, 1913, p. 7; AWB Minutes, 4/7122, 13.1.1913, 23.4.1914, 28.5.1914; Kabaila, *Wiradjuri Places*, Volume 1, pp. 66-68.

117 Entertainments included the purchase of a magic lantern for edifying slide shows. AWB Minutes, 4/7121; 15.8.1912, 22.8.1912, 5.9.1912, 16.1.1913; 4/7122, 15.7.1915; The first Matron, Emmaline Rutter, had given long service as Dormitory Matron at Warangesda. She had been popular with the Board for initiatives such as stopping the rations of parents who refused to admit their children to the Dormitory. Her maid was a former employee of the Home of Hope, Miss A. Wales. APB Annual Report, 1912, p. 3; APB Annual Report, 1907, p. 13; *The Rescue*, 28.2.1903; For oral history on the home see Brady, 'We fought!'; Brindley, 'The Home on the Hill', n.d; Hankins, 'The Missing Links'; Plater, 'Cootamundra Aboriginal Girls' Home'; Cole, 'Unwitting Soldiers'.

118 Williamson, 'Laundry Maids or Ladies?', pp. 320-323.

or feeble-minded. The thoroughly modern Mackellar repudiated reformatories and industrial schools, and thought girls needed the care of religious institutions. Yet Cootamundra was designed solely to train girls for domestic service, in an industrial school environment, and it performed this role from the time of its establishment in 1912, until its closure in 1969.

The Board felt it was helping Aboriginal girls. A.C. Pettitt, secretary to the Board between 1909 and 1940, reminisced in an interview conducted in the 1970s:

The Board felt that these reserves and stations were ... the homes of girls who were hanging about with nothing to do, no prospects, and actually I suppose there wasn't much hope for them from a moral point of view ... Cootamundra did marvellous work.¹¹⁹

The Board also believed Cootamundra offered a means to stem the 'alarming rapidity' of the growth in the population of 'half-castes, quadroons, and octoroons'.¹²⁰ However, Cootamundra could not function if the girls had no place to go after their 'training'. By April 1912 Ardill had drawn up a list of recommendations for an Amendment Bill that would enhance the Board's power to remove and apprentice children, as it saw fit, and these were approved by the Board.¹²¹ The Board also supported another Ardill initiative, the appointment of the Home-Finder, Miss Alice Lowe. The term 'Home-Finder' was the title of a column offering children for adoption in *The Rescue*, indicating Ardill's familiarity with the ideas of Charles Loring Brace, founder of New York's Children's Aid Society.¹²² Brace had called his programme of sending 'waifs and strays' to work on farms in the American Midwest 'Home-Finding', although it was specifically intended to break up pauper homes.¹²³ Ardill appears to have shared this intention, and controlled the sub-committee that selected Lowe.¹²⁴

119 AIATSIS Library, J.J. Fletcher, Interview with Mr A.C. Pettitt, Secretary of the Aborigines Protection Board from 1909-1940, 1977, PMS 5380.

120 APB Annual Report, 1911, 'Act and Regulations', p 2.

121 Minutes 18.4.1912.

122 *The Rescue*, 30.9.1909.

123 For critical discussion of Charles Loring Brace see Gish, 'The Western Emigration Program of the Children's Aid Society'; Katz, *In the Shadow of the Poorhouse*, pp. 106-107; S. O'Connor, *Orphan Trains: The story of Charles Loring Brace and the children he saved and failed (Houghton Mifflin)*, www.nytimes.com/books/first/o/o'Connor-01.orphan.html: 2001, accessed 14.7.2005.

124 APB Minutes, 4/7118, 11.8.1910; 4/7121, 30.5.1912, 27.6.1912, 5.7.1912.

Donaldson, the 'Kids' Collector', gets most attention from historians for his work in persuading, coercing or forcing children's removal, but Lowe was the first agent appointed by the Board specifically to remove children.¹²⁵ Its instructions to her have been lost, but the position of Home-Finder, 'one requiring a good deal of energy and tact' was described in the Annual Report of 1912:

The duties of this officer consist of visiting the stations and camps, with a view of inducing the parents to allow their children to be apprenticed out, or (if they are not old enough to be sent straight out) to allow them to enter Cootamundra Home to undergo a course of training to fit them for situations. Suitable homes are found for the girls, who are regularly visited by the home finder, who sees that they are properly treated and clothed, and receive the pocket-money provided for in the Regulations.¹²⁶

A.C. Pettitt remembered:

Miss Lowe was sent around to the Reserves as sort of a female inspector and she'd find some of these girls in pretty perilous positions from a moral point of view and she would try to persuade the parents to send their girls and in nearly all cases they agreed.¹²⁷

Lowe was almost as vigorous as Ardill, and travelled widely to find older children to send to work. She visited Burra Bee Dee in October 1912 and recommended five girls aged between nine and 13, from five different families, be sent to Cootamundra. On her way there, she collected four children from Brungle.¹²⁸ A few weeks later she visited Bateman's Bay and Wallaga Lake and sent two girls to employers, while placing two other cases on notice – a boy who needed medical attention and a girl of 11 who was living in a house that was 'dirty and the woman's conduct suspect'.¹²⁹ Two children at Brungle were referred to the Boarding Out Officer at her request.¹³⁰ The Home-Finder also began to visit camps outside reserves, expanding Board scrutiny to Aborigines who were trying to maintain independence.¹³¹ The 'energy and tact' Lowe expended in locating and removing girls makes it extremely unlikely that she was able to regularly

125 Goodall, 'Land in Aboriginal Politics', pp. 135-136; Goodall, *Invasion to Embassy*, pp. 120-123; Horner, *Vote Ferguson for Aboriginal Freedom*, p. 123; Horner, *Bill Ferguson*, p. 18; Brett, "'We Have Grown to Love Her'", pp. 24-25.

126 APB Annual Report, 1912, 'Appointment of a Home-Finder', p 4.

127 J.J. Fletcher, A.C. Pettitt Interview, pp. 10-11.

128 AWB Minutes, 4/7122, 24.10.1912.

129 AWB Minutes, 4/7122, 7.11.1912.

130 AWB Minutes, 4/7122, 14.11.1912.

131 AWB Minutes, 4/7122, 31.10.1912.

inspect the situations of apprentices and unlike the NCD or the SCRD, the Board never created a voluntary system of inspection or supervision to back up staff.

While Cootamundra was the most important institutional destination for Aboriginal girls in this period, and around half of all girls removed spent time there, Aboriginal girls were also sent to private institutions. Pregnant girls were moved to Ardill's Home of Hope, which was by then called the South Sydney Women's Hospital, and his Rescue Work Society officers escorted girls between Ardill's institutions and the stations. If employers complained about girls they were sent to Ardill's homes for further training.¹³² Between 1910 and 1916 the Board sent at least a dozen girls to the Sydney Rescue Work Society's children's or women's homes. Five or six girls were sent to convents, maternity homes and state mental institutions. A few Aboriginal girls were also sent to Parramatta Girls' Industrial School. The Board said it sent girls there for having 'failed' in service, and the Parramatta registers show six girls being committed there between 1909 and 1914.¹³³

Aboriginal people did not passively accept these policies. Their distress is palpable, even in the Board's stilted minutes. In June 1912, Mr H.D. Norton MLA forwarded two letters of complaint from station residents at Burnt Bridge and Rollands Plains. The Board did not describe the contents of the letters, other than to say that they were 'relative to the proposed action of the Board in taking away young children from the Reserves'.¹³⁴ Parents who would not allow their children to be apprenticed were frequently expelled from the reserves, without their children. The children were then considered homeless and without guardians, which meant the Board could urge the SCRD to proceed against them under the Neglected Children and Juvenile Offenders

132 AWB Minutes, 4/7123; an 'absconding apprentice' sent to Mr Ardill 15.2.1912; a Warangesda girl removed to Ardill's Home 25.4.1912; A Roseby Park girl investigated by Ardill, 9.5.1912; A girl in service at Dubbo sent to Ardill's Home when the employer complained about her conduct, 30.5.1912; AWB Minutes, 4/7123; Apprentice sent to Ardill's Home, 16.4.1914; 19 year old girl sent to Female Refuge on Home-Finder's report, 16.7.1914.

133 Parramatta Girls Industrial School, Registers of Warrants Received 1867-1924, 5/3428; The registers show that between 1878 and 1908, 27 girls were committed for associating with or being Chinese, compared to 13 Aboriginal girls. In the period 1909-1914, there were five girls of Chinese descent or association, compared with six Aboriginal girls. Between the amendment of the Act in 1915 and 1924, 17 Aboriginal girls were committed, compared with six Chinese girls.

134 After the Board received the second letter, it invited Mr Norton to attend to suggest an alternative plan but Norton declined to appear; AWB Minutes, 4/7121, 13.6.1912; 20.6.1912; 11.7.1912.

Act.¹³⁵ An ‘old man’ at Gulargambone Reserve who had complained to the Minister for Public Instruction in 1911 about the apprenticeship of three children was bullied by the Board, who told him he was only allowed on the Reserve ‘under sufferance’.¹³⁶ The following year Miss Lowe visited, and recommended the Board wind down the Reserve, and pull down the huts.¹³⁷

The Board was unmoved by such complaints. Ardill’s proposals for expanding the Board’s powers were drafted into a Bill in 1914, overtly designed to remove the requirement that children needed to be neglected before the Board could remove them to place them in training homes and apprenticeships. The Board eagerly anticipated filling an expanded Cootamundra Home (now called simply, and more honestly, a ‘training home’) with girls whose parents had hitherto withheld their consent.¹³⁸ In 1914 the Board was still subject to the SCRD, but it was on the threshold of assuming the powers it wanted to wield over Aboriginal children and their families.

The effort the Board expended on breaking the connection between its policies and the State Children’s Relief, Infant Life Protection and Apprenticeship Acts shows it was uninterested in conforming to the welfare standards of the time. Ardill’s tireless efforts had laid the groundwork for a form of welfare that held fast to the late 19th century ideals of rescue and paternalism. The Board had always distanced itself from the SCRD and did not board children out. Neither did it follow the changes enacted by the SCRD or the NCD. It never considered paying boarding-out allowance to mothers. It avoided the Children’s Court, and omitted any mention of an infant life protection strategy. It institutionalised girls in an old-fashioned industrial school, at a time when institutionalisation was under critical review elsewhere. Its ideal form of childcare was apprenticeship, even though important figures in the welfare field in NSW repudiated it.

The Board realised its goals between 1915 and 1918, and the gulf between the Aborigines Protection Board and the rest of the NSW child welfare system and the

135 AWB Minutes, 4/7123, 17.9, 24.9 and 10.12.1914.

136 AWB Minutes, 4/7117, 21.12.1911.

137 AWB Minutes, 4/7122, 19.9.1912.

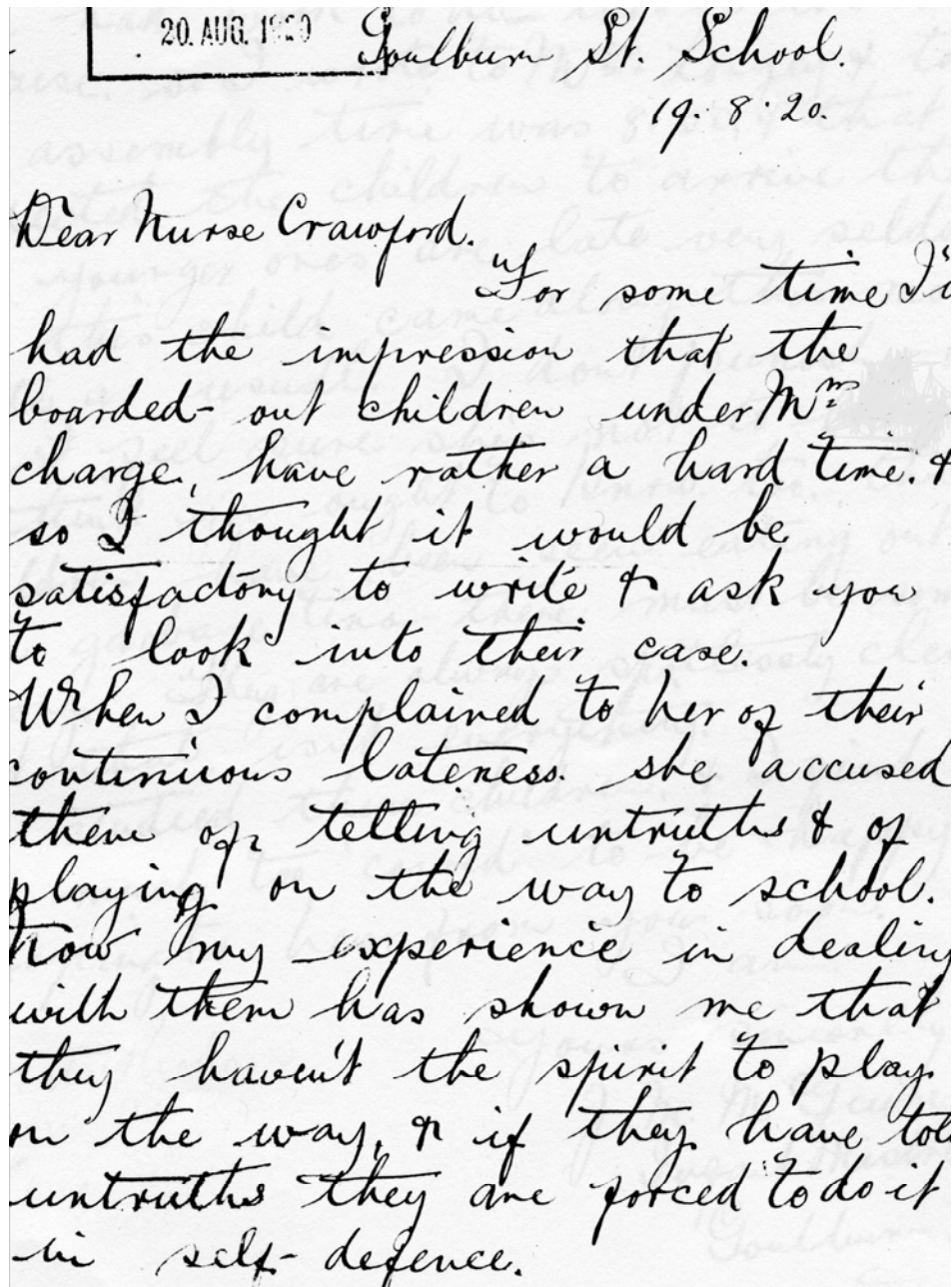
138 APB Annual Report, 1914, p 3; *ibid*, p 6.

Tasmanian Department would widen as both Tasmania and NSW revised and re-evaluated their systems in the inter-war period. That is the subject of the next part of this thesis.

PART II

CHAPTER 7

‘Misdirected and Misguided’: Children in Care in Tasmania, 1915–1940¹



20. AUG. 1929 Goulburn St. School.
19. 8. 20.

Dear Nurse Crawford.

For some time I had the impression that the boarded-out children under M^{rs} charge, have rather a hard time. & so I thought it would be satisfactory to write & ask you to look into their case.

When I complained to her of their continuous lateness, she accused them of telling untruths & of playing on the way to school. Now my experience in dealing with them has shown me that they haven't the spirit to play on the way, & if they have to tell untruths they are forced to do it in self-defence.

Figure 14: Letter on file, SWD1/1659: These children remained in their foster home.

¹ Tasmania, The Children's Charter, 1918, 9 George V No. 15.

World War I cast a long shadow over child welfare in Tasmania. Marilyn Lake has noted that unemployment worsened and the government moved to keep the 'lower orders' in their place and repress elements seen as disruptive, such as labour speakers, Bolsheviks and Catholics.¹ War also focussed the moral reform and temperance movements, leading to new crusades, particularly against venereal disease and for the early closing of bars.² These concerns affected girls who frequented coffee palaces, who were scrutinised by police and inspecting nurses in case they were 'soldier mad'.³ The children of soldiers who had been incapacitated or killed were left without guardianship and taken into care.⁴ At war's end, the poor tenants of Hobart were obliged to give up their homes to make way for returned soldiers.⁵ Even the families of returning soldiers suffered, sometimes finding themselves unable to bridge the long lonely years apart. More than a few infants were taken into care because they were conceived while husbands were at the Front.⁶

These things brought child welfare into the lives of increasing numbers of Tasmanian families. The immediate post-war period saw the enactment of changes to child welfare legislation that had been planned since 1908. These increased children's rights in some areas, although new laws that dealt with the perceived problem of 'mental deficiency' added another layer of control. Progressivism and modifications to social support meant that state children's education and experiences became more diverse. Adoption waxed while apprenticeship waned. Children were removed less frequently, because the state provided allowances that enabled families to remain together and facilitated temporary placement of children during times of crisis. This chapter traces the legislative and administrative developments that shifted child welfare in Tasmania from a model of permanent removal to more flexible systems that, while not perfect, better suited the individual family's circumstances.

1 M. Lake, *A Divided Society: Tasmania during World War I*, (Melbourne: Melbourne University Press, 1975), pp. 172-196.

2 *Ibid.*, pp. 44-46.

3 SWD1/0786.

4 SWD1/1221; SWD 1/1454; SWD 1/2467.

5 'In Darkest Hobart: How the Poor Live, Disgraceful Housing Conditions, Rat-Eaten Floors and Bug-Infested Walls', *The Mercury*, 19.9.1919, 22.9.1919; 'Influenza Epidemic', *The Mercury*, 1.9.1919, 6.9.1919, 12.9.1919.

6 One such baby was named *Stephen Vincent*. His mother's returned-soldier husband refused to have anything to do with the baby and obliged his wife to put the baby under Infant Life Protection, then forbade her to visit the child. *Stephen* grew up with his nursing home keeper, SWD 1/1671. Another man confronted with a child not his own fled to the West Coast and refused to answer his wife's letters, SWD 1/1666.

Legislative changes

The groundwork for post-war reform was laid in the early years of the 1900s. As noted in Chapter 1, several reform-minded mainlanders, including Mrs Edith Waterworth and Dr J.S.C. Elkington, the state's first Chief Health Officer, moved to Tasmania in the early 1900s. These dynamic individuals joined with restless locals to initiate reforms in infant and public health, child care, sanitation and, in Waterworth's case, film censorship and feminist law reform.⁷ They had broad-based political support. Walter H. Propsting, as Premier between 1903 and 1905, had introduced Elkington's infant and public health reforms. In 1908, as a backbencher, he had supported the committee Seager had assembled to review the Department's definitions of neglect, discussed in Chapter 1.

When the war finished, the Children's Protection Society, the Women's Health Association and the Child Welfare Association, spearheaded by Mrs Waterworth, began lobbying for changes to infant life protection and public health, and for a greater role for women in government bureaucratic and legal structures.⁸ Propsting was, by then, Attorney-General in the government of W.H. Lee. He drafted a new Bill to consolidate the Neglected Children's and Infant Life Protection Act.⁹ The legislation, called the Children's Charter, had a new emphasis on the physical well-being of children and enabled their removal from abusive situations.¹⁰ It also contained a footnote that encapsulated its educative and reform concerns:

That the care and custody and discipline of a child of the State shall approximate as nearly as may be that which should be given by its parents, and that as far as practicable every juvenile delinquent shall be treated, not as a criminal, but as a

7 As secretary of the Women's Association for Criminal Law Reform Waterworth told the Chief Secretary that women with experience of court work needed to be made Justices of the Peace, and declared that all affiliated women's organisations wished to forward recommendations for representatives. CSD(GC)22/274/39/22.

8 Evans, 'Protecting the Innocent', pp. 252-253. Mrs Waterworth said it was 'quite as much a duty of the state to protect children from disease which threaten their health; as to protect them from starvation, cruelty and ignorance.' Henry Dobson, former Premier and husband of Mrs Emily Dobson, supported the Women's Health Association's demands for medical inspection of infants, and wrote to the Chief Secretary to lament that ignorant parents were raising children on plum pudding and tea. CSD(GC)22/203/139/13-17.

9 Evans argues that the term charter implies a conception of rights, Evans, 'Protecting the Innocent', p. 251. The title is taken from the 1889 English Act for the Prevention of Cruelty to Children, which inspired much late 19th century child welfare legislation in Australia. Scott & Swain, *Confronting Cruelty*, pp. 13-14.

10 Evans, 'Perceptions of Fatherhood in Tasmania's Neglected Children's Department', pp. 127-128.

misdirected and misguided child, and one needing aid, encouragement, help and assistance.¹¹

Premier Lee said the new Act swept away the ‘almost barbarous’ methods of the past.¹² However, it was not so much a departure from old laws as a formalisation of the systems the Department had already devised.¹³ It still emphasised control and criminality, ‘charging’ children with neglect and calling those who lived in institutions ‘inmates’. It included clauses reformers considered protective of children, such as the equalisation of detention periods for boys and girls and the abolition of the death penalty, but also prescribed sentences for offences such as theft, rape and homicide. It enabled children’s courts to be established, and for children to be placed on probation.¹⁴

Of more significance was the renaming of the Department as the Children of the State Department (CSD), which reinforced the sense that the state was responsible for destitute children. The Department’s funding, autonomy and status within the public service were enhanced; its head became the secretary of Charitable Grants, and it had an under-secretary, an administrator of charitable grants, two inspectors and an additional inspecting nurse for infant life cases, bring the total number of inspecting nurses to three.¹⁵ The Department gained new powers to demand maintenance from near relatives and the putative fathers of illegitimate children. The nomenclature of boarding-out changed to fostering, but state children could still be indentured to apprenticeship, and their wages – unlike Aboriginal apprentices in NSW – were tied to labour regulations. The definition of a ‘neglected child’ was expanded to enable the removal of children whose parents failed to control them, exposed them to ‘an idle or dissolute life’, or deserted them.¹⁶ The Department made good use of the last clause, levelling it at parents who left their children in institutions but were unable to make regular payments. It was

11 Tasmania, *The Children’s Charter*, 1918, 9 George V No. 15; Evans & Parry, ‘Vessels of Progressivism’.

12 CSD(GC)22/231/38/(12)/18.

13 Evans, ‘Protecting the Innocent’, pp. 251-261; Evans, ‘Excellent Women and Troublesome Children’ explains the interactions between foster mothers and the Department, and the ways carers forced the Department to accommodate their demands.

14 *Children’s Charter* 1918; One child who had committed murder in 1900 was boarded out by the NCD. Seager told the Chief Secretary in 1918, during debates on sentencing children that the boy ‘developed into a steady and reliable lad’, capable of earning his own living, free in society. CSD(GC)22/231/38/18.

15 CSD(GC)22/205/149/16/1913-1917; CSD(GC)22/248/61/10/20.

16 Evans, ‘Protecting the Innocent’, pp. 260-261.

also used to hasten the removal of children whose parents were physically unable to attend the Children's Court.¹⁷

Control over adolescents was tightened by the lifting of the age of committal from 15 to 17; Seager had wanted to detain children to the age of 21. At the urging of the Education Department, truancy also became grounds for committal.¹⁸ The involvement of children in public exhibitions or performances was limited, and 'street trading' was redefined to include children under the age of 14 who hawked newspapers, matches or flowers, performed in public or blacked shoes – jobs Michael Sprod says 'offended twice' because children were visibly working *and* scavenging.¹⁹

The incorporation of the infant life protection provisions into the child welfare legislation underscored the environmentalist concerns of local reformers – and compromised parents' rights. The Department was now in charge of licensing foster mothers and nursing home keepers, and was able to take control of children whose parents had left them with nursing home keepers but failed to support them. Mrs Waterworth and the Child Welfare Association were dissatisfied with this. Having established a network of baby clinics and home inspection in Hobart, Launceston and rural centres such as Huonville and New Norfolk, they viewed infant nursing as a medical issue, which they wanted supervised by the Health Department.²⁰ Some nursing home keepers who had been stuck with children who were not being paid for by their parents were relieved. Others, who had become attached to their charges and wanted the Department to pay maintenance but keep the children where they were, were disappointed.²¹

The changes to infant life protection systems were sufficiently radical to catch parents unawares. One shocked mother whose child had been removed from its nursing home keeper wrote:

17 *Selina Long*, discussed in the next chapter, was one child declared deserted when her father could not make it to court.

18 Evans, 'Protecting the Innocent', p. 253.

19 Sprod, "The Old Education", p. 31.

20 Clipping from *The World*, CSD(GC)22/231/38/18, also cited Evans, 'Protecting the Innocent', p. 254; CSD(GC)22/247/47/20; CSD(GC)22/259/40/21-22; CSD(GC)22/286/40/23; CSD(GC)22/296/40/24; CSD(GC)22/305/39/25; CSD(GC)22/326/40/27.

21 CSD(GC)22/296/39/24; CSD(GC)22/305/39/25.

There is nothing else for it only for you to let me have it as I am the rightful owner of the child. And it was put into the State Government without my consent ... [it] wasn't supposed to be taken away without me signing for it ... I am wanting the child at once.

In this case the Department relented, but only because it had difficulty finding a foster home for the child.²²

Another important marker of the new focus on public health was the treatment of mothers and children with venereal disease. Elkington's Public Health Acts of 1903 and 1907 absorbed the provisions of the 1879 Contagious Diseases Act and enabled the detention of female sufferers.²³ This necessarily resulted in the forced removal of any children in their care. One mother, whose children were taken into the Department's care, was literally dying, and a number of foster children had congenital disease which frightened foster mothers, who were scared the children might die while in their hands.²⁴

The attitudes of reformers did little to reduce the stigma of these diseases. Mrs Waterworth was particularly unkind. She campaigned in columns she wrote for Sydney's *Daily Telegraph*, under the name 'Cornelia', and in the *Mercury*, under the name 'Hypatia', that the state had a duty to protect the community.²⁵ She conducted a vindictive personal campaign against a venereally diseased Hobart mother and her children, who were in state care, over several years. She complained to the city council that the children's foster mothers were ignorant of the mother's condition and protested to the Department whenever the mother tried to visit her children.²⁶ Notably for a feminist, she laid the blame for these diseases on the mother and her children, rather than the man who must have originally infected them.²⁷

The increases in the Department's powers under the Children's Charter coincided with the difficult adjustments of post-war society and the 1919 influenza epidemic. These were catalogued by *Mercury* reports of the findings of a Minister's Vigilance

22 SWD 1/1658.

23 See K. Daniels, 'Prostitution in Tasmania during the transition from penal settlement to "civilized" society', in K. Daniels, (ed.), *So Much Hard Work*, (Sydney: Fontana Books, 1984), pp. 15-86, for analysis of the effects of the 1879 legislation.

24 SWD 1/0068; SWD 1/2693; SWD 1/2688; SWD 1/1643; SWD 1/1654-1656.

25 Album of newspaper cuttings by "Hypatia", 1911-1923, NS 1546/1 and NS 1546/2.

26 CSD(GC)22/203/139/13-17; SWD 1/1654-1656.

27 Parry, '[Review]', *Getting Equal*.

Committee investigation into the area of inner-city Hobart bounded by Argyle, Murray, Warwick and Bathurst streets. The journalist called his series 'How the Poor Live', but mused that it should have been called 'How the Poor Die'. Most households were afflicted with influenza and women struggled to keep things clean while rotting ceilings fell in on their heads. Soup kitchens, some organised by Mrs Waterworth, barely alleviated the distress, and unemployment was high.²⁸ In 1920, the Tasmanian economy collapsed and the government passed financial emergency legislation to curb government spending. The Department had to cut payments to foster mothers by a shilling a week, slash institutional subsidies and not replace staff who resigned.²⁹

Yet the number of children in state care grew. In 1914 there were 387 children in the Department's custody, of whom 48 per cent were boarded out. The introduction of the Children's Charter resulted in an immediate surge in committals, from 77 in 1914 to 134 in 1918. In 1919–1920 the Department committed 173 children, a record number that boosted the children in its care to 517, excluding the 100 infant life cases now supervised by the Department. Boarding-out rates also rose. In 1920, 55 per cent of state children were boarded out, 31 per cent were institutionalised and just 14 per cent were apprenticed – proportions that remained static until 1928, by which time there were 669 children in care. Boys continued to outnumber girls, with 1.2 boys for every girl in institutions and 1.15 to one in foster homes.³⁰ Despite hard financial times, the Children's Charter appears to have helped the Department take children into custody and place them in its preferred system of care, which was the foster home.

Broadening spheres of intervention – adoption and mental deficiency

In 1920 the Tasmanian Government, like many other legislatures around the world, passed an Adoption of Children Act.³¹ This established permanent rights for adopted children and adoptive parents, arbitrated by the Children's Court. Natural parents needed to consent, but adoption now irrevocably severed the child's relationship with its

28 'In Darkest Hobart: How the Poor Live, Disgraceful Housing Conditions, Rat-Eaten Floors and Bug-Infested Walls', *The Mercury*, 19.9.1919, 22.9.1919; 'Influenza Epidemic', *The Mercury*, 1.9.1919, 6.9.1919, 12.9.1919.

29 The Northern Tasmanian Home for Boys lost its grant altogether and the second Launceston Inspecting Nurse was not replaced when she resigned. CSD(GC)22/286/39/23.

30 Figures compiled from NCD Annual Report, 1914-1918, Tasmania, Children of the State Department Annual Report 1918-1919 and Department of Charitable Grants and Children of the State Annual Reports, 1925-1928.

31 See Zelizer, *Pricing the Priceless Child*, especially pp. 192-194, for discussion on adoption and shifts in conceptions of children's value and rights.

natural parents.³² Adopted children gained the right to carry the name of their adoptive family, and enjoy the benefits, privileges and consequences of natural family relationships. The new law also empowered the CSD to consent to adoption if children had been deserted, and the Department immediately arranged retrospective consent for adoptions it had arranged informally.³³ It is very likely that the Department's practices of constructing desertion assisted the arrangement of such adoptions, which grew steadily until the start of World War II.

The second major piece of legislation was the 1920 Mental Deficiency Act, the first Act passed in Australia that was designed specifically to deal with mental deficiency, as opposed to lunacy.³⁴ Intended to control 'feeble-minded' and 'mental defective' children and adults, it was the clearest marker of progressivism in Tasmanian welfare history. It also embodied the contradictions of progressivism: it interfered with the rights and liberty of its subjects in order to relieve society of a perceived problem, while at the same time seeking to liberate the individual from handicap. It had a marked impact on the lives of women and girls, particularly those considered promiscuous.

The Act was propelled by debates in the medical fraternity and the wider community, but Tasmanian women's organisations played a crucial role in its conception.³⁵ Mrs Edith Waterworth had, in 1914, argued that it was pointless to spend money on state children while 'outside a perfect army of degenerates is being bred.'³⁶ In 1918 a deputation of feminists – representatives of the Bush Nursing Association, the Women's Health Association, the National Council of Women, the Women's Christian Temperance Union, the Mothers' Union, the Child Welfare Association and the

32 CSD(GC)22/258/39/21; CSD(GC)22/333/38/29. Children were asked if they consented to the adoption if they were aged 12 or older. Initially they retained the right of inheritance from their birth parents, whilst gaining the right of inheritance from adoptive parents.

33 CSD(GC)22/247/46/20. Although such placements were rare (one or two a year), the Department continued to use informal adoption to save costs. It placed children in foster homes 'with a view to adoption', and without payment. If the adoption did not proceed, the 'parents' could not ask the state to reimburse them for the child's care. CSD(GC)22/326/39/28.

34 See specifically M. Fitzpatrick, 'Preventing the Unfit from Breeding: the Mental Deficiency Bill in Western Australia, 1929', in P.E. Hetherington, (ed.), *Childhood and Society in Western Australia*, (Nedlands: University of Western Australia Press, 1988); Jones, 'Master Potter'; E. Wilson, 'A 'menace to the community': mental defectives in Queensland mental health legislation, 1938', *Journal of the Royal Australian Historical Society*, 89, 1, 2003.

35 Roe, *Nine Australian Progressives*, pp. 292-293.

36 CSD(GC)22/181/59/11/14, cited Evans, 'Protecting the Innocent', p. 71; Evans & Parry, 'Vessels of Progressivism', p. 326.

Australasian Women's Association – visited the Premier.³⁷ Mrs Waterworth, who was a member of many of these organisations, but spoke for the Child Welfare Association, dominated proceedings.³⁸ She told the Premier she had spent 13 years teaching in state schools (in Queensland) and had never taught a class without one or more feeble-minded child, and that police and court systems should be mobilised to facilitate the detention of feeble-minded adults. Mrs O'Shea Petersen, of the Australasian Women's Association, stated that mental defectives were prolific breeders and 'feeble-minded people should be made happy and comfortable but they should be prevented from becoming parents'. The Premier reassured the deputation that his mind was exercised by the problem, and said he thought parents would be glad to hand feeble-minded children over to institutions to save themselves 'great anxiety'.³⁹ He invited the Melbourne eugenicist, Professor R.J.A. Berry, to discuss the subject in Tasmania in 1919, and asked University of Tasmania philosopher Dr Edmund Morris Miller, who had been speaking publicly on the issue, to prepare draft legislation.⁴⁰

Morris Miller was, like Waterworth and Elkington, a mainlander, who imported fresh ideas. Born and educated in Melbourne, he moved to Tasmania to lecture in philosophy and economics at the University of Tasmania in 1913. Mackellar had approached mental deficiency from a medical viewpoint, but Morris Miller's stance was philosophical, and drawn from his work on Emmanuel Kant, whose life Morris Miller believed exemplified the modern therapeutics of mental hygiene – that virtue and happiness depended on the realisation of self. As Michael Roe has written, Morris Miller put his own personal stamp on Tasmania's social policy. His work on applied psychology and the measurement of mentality, ability and disability began at the Hobart Blind, Deaf and Dumb Institution, and his interest was intensified by the problems of

37 *The Mercury*, 28.1.1918, clipping in CSD(GC)22/52/3/1918.

38 CSD(GC) 22/181/59/11/14; Edith Waterworth spearheaded many other progressive groups, including the Women's Criminal Law Reform Association, the National Council of Women, the Free Kindergarten Association and the Board of Censors for Moving Pictures. She stood unsuccessfully for parliament in 1922 and 1925 as a candidate of the Women's Non-Party League. Waters, 'Waterworth, Edith', *Australian Dictionary of Biography*. During the deputation she asserted herself as a feminist, stating: 'She knew the Premier's heart sank when he arrived for such an interview but women had no representation in Parliament and they only came to him [when necessary]. No man, however good his intentions were, could represent women in Parliament on such matters. She had wanted to say that on every deputation she had attended, and at last she had said it.' *The Mercury*, 28.1.1918, clipping in CSD(GC)22/52/3/1918.

39 *The Mercury*, 28.1.1918, clipping in CSD(GC)22/52/3/1918.

40 Roe, *Nine Australian Progressives*, p. 292.

post-World War I social reconstruction. He became the University's Foundation Professor in Psychology, developed its library, which today bears his name, and retired as its Vice-Chancellor in 1946, having achieved national recognition as the President of the Australasian Association of Psychology and Philosophy.⁴¹ The Mental Deficiency Act, and the clinical apparatus Morris Miller developed, were instrumental in his rise.

Roe has described Morris Miller's approach as more 'liberal-reformative' than 'totalitarian-coercive'. The Act met the concerns of social reformers, but never satisfied the desire of some for segregation and sterilisation of defectives. Morris Miller himself said his Bill was the 'charter' of the mental defective – a pedagogical, rather than medical, solution.⁴² It created a Psychological Clinic to diagnose degrees of mental deficiency and a Mental Deficiency Board to manage individuals so classified, using a scale based on British legislation. 'Idiots' were deeply defective and incapable of guarding themselves against physical danger. 'Imbeciles' were less defective, but still incapable of managing their own affairs or being taught to do so. 'Feeble-minded persons' were those whose mental defect was such that they required care, supervision and control for their own protection or for the protection of others; they included children who were incapable of receiving instruction in ordinary schools. 'Moral imbeciles' exhibited mental defect coupled with strong vicious or criminal propensities that could not be deterred by punishment. Anyone classified as defective could be institutionalised at the behest of the Mental Deficiency Board or a parent; if considered incapable of receiving instruction, such a person could be sent to a special school, special classes or a Welfare School.

This legislation was far-reaching, mobilising many forms of social authority. Parents could report their children, but the Act was designed to work in tandem with the departments of Education and Charitable Grants, inspecting all state children and all state school children. The Mental Deficiency Board was intertwined with the state bureaucracy and the university. The Premier appointed Morris Miller its chair, and director of the State Psychological Clinic, while the University made him Chair of Psychology. Until his retirement the government paid a portion of his salary. The Board

41 Nine Australian Progressives, pp. 292-299.

42 Nine Australian Progressives, p. 292.

included representatives from the departments of Education and Public Health, and the Education Department's choice was Morris Miller's protégé, H.T. Parker, Supervisor of Special Classes and Associate Psychologist.⁴³

Another student of Morris Miller's, Miss Amy Rowntree, would make her mark as a special educator in Hobart kindergartens and primary schools.⁴⁴ Morris Miller considered state schoolteachers allies in the task of identifying children who were 'incapable of receiving ordinary instruction'. Children classified as neglected under the Children's Charter were referred to the State Psychological Clinic and the Mental Deficiency Board. Children's institutions were made places of reception and maintenance for mental defectives, and superintendents, matrons, institutional and prison staff and departmental inspectors and probation officers were expected to report cases of mental deficiency.⁴⁵ Additionally, any woman 'in receipt of aid or compassionate allowance from the State at the time of giving birth to an illegitimate child or when pregnant of such child' could be assessed and placed under control.⁴⁶ Consequently, the people most likely to be affected by the Act were society's poorest.

Morris Miller ensured national and international recognition for his work. He conducted and published research and, in 1925, toured mainland boys' homes and advised the Western Australian Children's Court on its proposals for legislation similar to Tasmania's. The Tasmanian Act was discussed by the Rockefeller Foundation, Yale University and the US *Journal of Criminal Law and Criminology*. The Chief Secretary declared it:

43 CSD(GC)22/260/59/21; CSD(GC)22/276/59/22; Parker later became the Education Department Psychologist and established Diploma of Education studies at the University. *Nine Australian Progressives*, p. 303.

44 *Nine Australian Progressives*, pp. 291-295.

45 E. Sydney Morris, Director of Public Health, to Chief Secretary 31.5.1922, in CSD(GC)22/276/59/22.

46 *Lydia White*, detained at the New Town Infirmary after her second illegitimate birth, was an example. The Chief Health Officer determined that she was lacking in judgement and common sense, and had the mental capacity of an eight or nine year old; 'To the ordinary person she would be considered more or less of average intelligence, and not being unattractive the probable result can be foreseen. She desires to leave the Institution to look for work, but this should be prevented in her own and the State's interests.' After attempting to abscond she was arrested and compulsorily detained. E Sydney Morris, Director of Public Health, to Chief Secretary 3.11.1922, in CSD(GC)22/276/59/22; CSD(GC)22/287/59/23.

The most advanced legislation dealing with mental deficiency in the British Empire. For a small state like Tasmania this is a record worthy of some public notice.⁴⁷

It also influenced the Victorian Inspector-General of the Insane, Dr W.E. Jones, who in 1928 visited the state as part of a Commonwealth inquiry into the problem of mental deficiency.⁴⁸

It is not easy to find out how the Mental Deficiency Board worked, for it only reported to Parliament once, in 1923.⁴⁹ However, the CSD files show that it commenced examining children at the Boys' Training School in June 1922.⁵⁰ In 1924, Special Classes for mentally deficient children were established within state schools and, as the Act mandated two years' extra schooling for mentally deficient children, 'welfare schools' were established in Hobart for 14 to 16-year-olds.⁵¹ By 1928, 24 per cent of boys in the Boys Training School were under the supervision of the Mental Deficiency Board, and Morris Miller thought ten per cent of state children were 'defective' and more than half were 'delinquent'. There were 150 state school children in special classes, of whom 75 per cent were classed as 'feeble-minded'; the remainder were described as 'borderline' (capable of improvement).⁵² The Act was amended in 1925 to enable the registration of all mental defectives, irrespective of age, and the Mental Deficiency Board began to track adults, via the Commonwealth Electoral Office and the government bureaucracy, to see how well they fended for themselves.⁵³

47 In 1925 he tabled a 'Mental Survey' of the inmates of the Gaol in Parliament. CSD(GC)22/305/59/25; Tasmania, *Criminality and Levels of Intelligence: Being a Report of a Mental Survey of the Hobart Gaol* by Professor Morris Miller, University of Tasmania, Director of State Psychological Clinic, 1925.

48 CSD(GC)22/327/59/28.

49 Tasmania, *Mental Deficiency Board Annual Report, 1922-1923*.

50 CSD(GC)22/276/59/22.

51 CSD(GC)22/286/59/24.

52 Morris Miller's responses to a Commonwealth Offices request for statistics on inmates of gaols, mental defectives, mental hospitals, numbers of children in the Children of the State Department, jail, Education Department and Deaf, Dumb and Blind Institution, and whether such diseases were inherited or acquired, January 1928, in CSD(GC)22/324/59/28.

53 *The Mercury* promoted the changes as assisting parents who needed advice in training and caring for feeble-minded children, as it would facilitate the gathering of data to assess the 'actual ramifications of the problem'. *The Mercury*, 24.12.1925, clipping in CSD(GC)22/305/59/25; Morris Miller used statistics from the tracking of adults to inform the Commonwealth Offices about mental deficiency (previous citation) CSD(GC)22/327/59/28; The Mental Deficiency Board wrote to the Social Welfare Department in 1954 to inquire about the whereabouts of a ward released from care in 1932. SWD 1/1230.

As Michael Roe has said, the Act was a significant social force.⁵⁴ Its terminology permeated public and bureaucratic discourse. An example was the case of two large families found in the Huon Valley by a council health officer ‘living more like animals than human beings’ in a fruit picker’s hut. The *Mercury* said the families’ ‘degradation’ was due to the mothers, who were irresponsibly fecund, owing to goitres (cretinism) and feeble-mindedness.⁵⁵ Mrs Birchall, at the Launceston Girls’ Home, cited mental deficiency and feeble-mindedness whenever she wanted the government to take difficult children off her hands. Nurse Plummer, who did not agree with Mrs Birchall about much at all, shared her predilection for amateur psychology, describing the *Mitchell* family as mentally defective, on the basis that the mother cohabited with several different men.⁵⁶

Officials attached descriptors of mental deficiency to all the members of problematic families.⁵⁷ As noted in Chapter 1, Tasmanians understood images of rural decay, and as one might expect in a state where inbreeding jokes are a constant narrative, some found mental deficiency very close to home. A respectable man named *Perkins* who lived at Black Bob’s, a remote area near Ouse in the upper Derwent Valley, complained to the Department about his ‘mentally deficient’ neighbours. He said, ‘it is pretty hard when they breed [children] like this and the public has to keep them’. *Perkins* said the patriarch of this family was ‘a dummie’, but the real problem lay with the mother, who had borne six children to her own brothers – ‘I am quite ashamed of her and she lives next door to me.’ This family shared his surname and were his cousins, so his own reputation depended on distancing himself from their ‘mental deficiency’.⁵⁸

Although Morris Miller had public opinion on his side, financial stringency meant he had to compromise. The work of diagnosis and making recommendations was relatively inexpensive, but there was little money for the positive initiatives he thought were essential to remediate mental deficiency, such as specialised institutions and treatment

54 Roe, *Nine Australian Progressives*, pp. 294-296.

55 SWD 1/2922-2926; SWD 1/2915.

56 Families described as ‘mental’ by Nurse Plummer included SWD 1/1467-1470, SWD 1/2700-2703.

57 After a woman named *Eade* ran away with a man her ‘broken-hearted’ father complained. She was sent to the Infirmary and certified mentally deficient. The Infirmary Medical Officer recorded that the entire *Eade* family ‘consists of mental deficient’, of an ‘idiotic appearance’, ‘very dull’, just ‘unemployable’ and in need of segregation, if not sterilisation, CSD(GC)/22/399/59/36.

58 CSD(GC)/22/357/59/32.

programmes. Instead, existing state institutions, most dating from convict times, were used to contain those considered mentally defective. Some officers of existing welfare services were uncomfortable with being dictated to by the Mental Deficiency Board, and 'mental defectives' who were sent to state institutions presented management problems, as they did at New Town Infirmary, where 'defective youths' annoyed the old invalids.

Yet mental deficiency was not considered equivalent to insanity, and neither Seager nor the Director of Public Health felt defectives should be sent to the Mental Diseases Hospital at New Norfolk.⁵⁹ Instead, Hobart's Her Majesty's Gaol was gazetted as an institution for the 'reception, control, care, treatment, instruction, employment and maintenance of criminals and other defectives' – a penal solution to a medical/mental problem.⁶⁰ Private institutions such as the Home of Mercy in New Town simply refused to take any mentally deficient or incorrigible girls, even though it acknowledged that there was nowhere else for them to go.⁶¹ As the Launceston Girls' Industrial School asserted:

The Girls' Home and similar institutions are not fitted to deal with these cases, yet we are continually forced to take them in because of the lack of any other provision for them. It is time the public brought home to the Government the urgency of this need, that they may take steps to provide care and instruction of the right kind for these unfortunates ...⁶²

Resistance was also mounted by members of the public who feared the compulsory removal of their children to institutions.⁶³

It is also important to note that the CSD, whilst generally accepting of the Board, remained the arbiter of children's treatment. The Department preferred to use its own methods to deal with problematic children and would challenge the Mental Deficiency Board and resist its directives, particularly if they were likely to cost money. Children who were sent to Welfare Schools needed to be supported for an additional two years of schooling over other state children, which was a significant expense for the Department

59 CSD(GC)22/296/59/24.

60 CSD(GC)22/305/59/25.

61 CSD(GC)22/334/59/29.

62 Department of Charitable Grants and Children of the State, Annual Report, 1927-28, p. 15.

63 Roe, *Nine Australian Progressives*, p. 294.

to bear, so such recommendations were sometimes ignored.⁶⁴ Sometimes the Board's diagnoses seemed arbitrary, as in the case of 8-year-old *Leslie Stride*, a truant. The State Psychological Clinic stated:

The child has become addicted to picture shows through parental over-indulgence. He is decidedly lacking in mental control. Ideas run rapidly into action without check. He is given to romancing and highly suggestible and at the mercy of chance associations that appeal to his roaming disposition. All these trends require instant checking.

However when *Leslie's* mother said she wanted to take him to Melbourne, the Department released the boy, even though *Mrs Stride* was recently divorced and her profession of 'vaudeville artist' was hardly likely to restrain her son's 'romantic' disposition.⁶⁵

Leslie's release saved the Department money, but that was not the sole factor motivating resistance. When the school psychologist, H.T. Parker, recommended *Amy Sartin* be taken from her foster home near Launceston to the Girls' Welfare School in Hobart, both Launceston Inspecting Nurses protested. They acknowledged that *Amy* was 'backward', but said she could cook, wash, iron and clean beautifully.⁶⁶ Nurse Plummer felt that *Amy* could not have had a happier home, and told Charles Seager: '*Amy* has cried for days, fearing she is to be taken away from her foster mother.' Seager decided *Amy* could stay where she was.⁶⁷ Inspectors were also concerned that children labelled as mentally deficient were exploited when they went to work by being paid less than they might otherwise have been.⁶⁸

Such resistance softened the application of the Act, but Morris Miller was in any case interested in practical solutions, and rebuffed calls from activists for unnecessary restraint of mental defectives. In the mid-1930s the Hobart Girls' Welfare School organised an After Care Committee to monitor girls after they left the school, but were annoyed that they could not hold girls in the institution without the parents' consent. They complained to the Chief Secretary that girls had left their school and become

64 Evans & Parry, 'Vessels of Progressivism'.

65 SWD 1/2293, cited Evans & Parry, 'Vessels of Progressivism', pp. 327-328.

66 SWD 1/1244.

67 SWD 1/1244.

68 SWD1/0958, cited Evans & Parry, 'Vessels of Progressivism', pp. 328.

unsatisfactory workers and ‘poor managers’ who had misbehaved on the streets or married badly and were irresponsibly ‘giving birth to babies, probably defective and inferior’.⁶⁹

Morris Miller put his foot down, saying that institutionalisation without any recourse to judicial authority infringed the rights of the subject.⁷⁰ The government agreed, and refused all other requests for after-care committees.⁷¹ When the Australian Women’s National League said ‘sterilisation offers the sanest way out of the difficulty’ of accommodating defectives, Morris Miller cautioned that the sterilisation clause in the Western Australian mental deficiency legislation had prevented the legislation’s being passed by the Upper House.⁷² In his view sterilisation would not obviate the need for institutional supervision, and did not solve problems such as neglect, criminal behaviour, misconduct or being ‘socially inefficient’.⁷³

Institutional changes

The Children’s Charter introduced a system of certification for institutions that was intended to make their operations more transparent and enhance the Department’s control over the state children who lived there. However, most institutions continued using the structures and methods they had established in the 19th century, which meant that life within their walls changed little. The Department continued to provide subsidies, but ignored calls from institutions for additional state children to top up their bottom line.

The singular exception was the lying-in homes that catered to young single mothers. In 1920 the Department’s third-in-charge, Administrator of Charitable Grants, J.F. Daly, visited mainland institutions, and recommended the state establish homes for mothers and infants as Mackellar had in NSW.⁷⁴ However, the government was interested to farm out this work to religious institutions. While Daly was interstate the Salvation

69 CSD(GC)22/385/94/35.

70 CSD(GC)22/365/59/32.

71 These included Toc H in Launceston and the Northern Tasmanian Home for Boys. CSD(GC)22/395/28/36, CSD(GC)22/410/28/37.

72 Fitzpatrick, ‘The Mental Deficiency Bill in Western Australia’.

73 Morris Miller cited British studies that showed only 5% of segregated individuals could be considered for release if sterilised. CSD(GC)22/341/59/30. The Australian Women’s National League pressed for sterilisation throughout the 1930s. CSD(GC)22/374/59/34; CSD(GC)22/413/59/37; CSD(GC)22/427/59/38.

74 CSD(GC)22/250/108/20.

Army announced its intention to close its Launceston lying-in home because the laundry work that had underwritten its enterprise was prejudicial to the health of pregnant women. The Chief Secretary asked it to reconsider:

I have had to choose between Homes provided and maintained by the State, or Homes managed by an organisation such as yours, and I am of the opinion the latter is best, providing as it does the sympathy and touch lacking as a rule in a Government institution.⁷⁵

The Salvation Army Commissioner asked for a grant of £400, which was paid, and in 1929 the government agreed to pay more money so the Army could maintain its West Hobart Home, Elim, so it could continue its work of 'lifting up ... fallen girls'.⁷⁶

The homes were thus made an arm of government services, and their role was increased by the Mental Deficiency Act, which specified that women using lying-in services were under the care of the matron, who was acting *in loco parentis*, and could be assessed and supervised by the Board. As a result, Salvation Army matrons were entitled to sign documents on behalf of the women in their care, including consent to the surrender or adoption of babies. In this way many babies were signed over to the Department, and their mothers moved on to indefinite – and sometimes permanent – institutionalisation at St John's Park, or the Mental Diseases Hospital in New Norfolk. Girls did not have to fall pregnant to suffer a similar fate – *Christina Lucas*, who failed so badly in both service and institutional care that her name became departmental shorthand for impossible cases, was institutionalised at St John's Park by the Mental Deficiency Board.⁷⁷ But the adoption of babies in this way created a second generation of removal, as the mothers in Origins, many of whom had and lost their babies in Elim in the 1950s and 1960s, attest.

75 CSD(GC)22/250/108/20.

76 CSD(GC)22/250/108/20; CSD(GC)22/326/40/27, CSD(GC)22/335/92/29.

77 SWD 1/1456-1457. *Christina* grew up in the Girls' Industrial School. By 1924, when she was 16 she was sent to the New Town Infirmary, where she was supposed to look after children. She had a habit of leaving her charges in the streets, or in the care of other people, whilst she went out with firemen from a neighbouring fire station. She was sent to the Home of Mercy, where she refused to eat or work and was described as 'mental' and unmanageable. She was discharged to her father but ejected by her stepmother, and returned to the Infirmary, and was described as 'very mental.' She lived at the Magdalene Home for four years, absconded to the Home of Mercy, then was sent to the Infirmary. At the age of 23 she was detained by the Mental Deficiency Board and was in poor health 'owing to some inward trouble.' In 1939 she absconded with a man, but was arrested the following day. She was still at St John's Park in 1940, when she was 32.

It is not possible to say why this incarceration did not offend Morris Miller's beliefs about the rights of the subject in the way that the ideas of an after-care committee had. However, long-term institutionalisation also occurred in private institutions, because Tasmanian law did not specify the terms of release for children in private hands. Most institutions released children when the state stopped paying for their care, but at the Magdalene Home, which received no state aid, the nuns decided when they would release girls. The Department was obliged to confront this problem in 1930, when three young women, all aged in their early twenties, took direct action and absconded. Although the police escorted them back to the Home, the Hobart Inspecting Nurse, Miss Iles, was sent to negotiate their release. The Reverend Mother insisted that no girl was kept beyond the age of 21 if she could obtain work, but Nurse Iles ascertained that the nuns did nothing to find work for the girls. In this case the Reverend Mother allowed the girls to leave, but there is no way to tell how many other girls stayed where they were, uncertain of their right to independence.⁷⁸

Institutions, even those relying on subsidies, remain opaque in this period. The sole documented case of cruelty to an institutionalised state child occurred in 1923, when 12-year-old *Raymond Doust* ran down the hill from Kennerley Boys' Home to tell the North Hobart Police Constable of his ill-treatment. The Constable, his wife and the police doctor all agreed the boy was exhausted and terrified, with severe bruising, welts and broken skin, which the adults believed had been caused by 'unmerciful' caning. Raymond was very thin, clad only in a pair of 'scrim pants' and sick from gastro-enteritis, and admitted he had run away with another boy three weeks earlier, and had been caught after eating bad mussels from the River Derwent. Raymond said the Superintendent had beaten him as he lay in bed. The Police Inspector prepared to lay charges against the Superintendent, but the Department and Kennerley closed ranks. The Department sent the boy to Government Medical Officers who happened to sit on Kennerley's board. They declared that *Raymond* bruised easily and had not been 'unduly' treated. The police were obliged to drop the case.⁷⁹

78 SWD 1/1916-1923.

79 CSD(GC)22/288/28/23.

However, the Boys' Training School went through some significant changes in this period. In the early 20th century the 'control of boy-life' was seen as a way to shield the future men of the nation from larrikinism and crime, and ready them for war.⁸⁰ Boys' crime and delinquency had been separated from the adult penal system via Children's Courts and reformatories, but delinquency was a growing social concern.⁸¹ Boys were also a particular interest of Mrs Waterworth, a mother of sons.⁸² In 1920, she, with E. Dwyer Gray MP and local clergy, called on the Premier. They alleged that the CSD allowed young boys to mix with criminals, and demanded the establishment of homes for minor offenders, citing Kennerley as a good example. The Premier advised the deputation that the government intended to address this problem by relocating the Boys' Training School from New Town to Deloraine, in the state's north.⁸³ The Department's Secretary, F.W. Daly, was subsequently sent on a tour of interstate boys' homes, including Victoria's Ballarat Orphanage, the Tally Ho Home for Boys and the Salvation Army's Bayswater Reformatory. He also visited NSW and toured Gosford and Mittagong, and decided that the latter offered the most useful classification system.⁸⁴

In 1924 the Boys' Training School was moved to Deloraine, a picturesque English-style village that, coincidentally, resembled the Mittagong complex in both scale and setting. However, the Training School was not to employ the cottage system. The site being used had been a state farm, known as Ashley, and the existing two-storey building was converted to dormitories for 70 boys.⁸⁵ In 1925 the government established a committee of inquiry to set the direction for the institution. It consisted of Morris Miller, George Brooks, the Director of Education, Charles Seager, now Secretary of the CSD, and, on behalf of the Women's Non-Party League, Mrs Waterworth, who would later join the board of management for the institution.⁸⁶ The committee's findings reflected its

80 See, in particular, M. Crotty, *Making the Australian Male: Middle-class masculinity 1870-1920*, (Melbourne: Melbourne University Press, 2001).

81 Garton, 'Frederick William Neitenstein', pp. 58-59.

82 CSD(GC)22/203/139/32/13-17.

83 CSD(GC)22/245/10/1920.

84 CSD(GC)22/245/46(2)/1920.

85 The land was said to have been cursed by 'the murder by blacks of the first white woman that ever reached Deloraine district'. *The News* 18.11.1924, *clipping in* CSD(GC)22/295/30/24; CSD(GC)22/326/28/28.

86 Report of Committee appointed to inquire into working of State Farm and School for Boys, Deloraine, 20-21.5.1925. Sent to Chief Secretary on 10.8.1925, adopted 18.9.1925 (with no commitment to physical modifications). Mrs Francis Edwards of the Women's Non-Party League asked for a permanent advisory

[Note continued following page]

members' beliefs in individual attention, classification, training, education and maternal influence, as well as a growing sense of the importance of targeting crime by softening the environment for juvenile detainees.⁸⁷

The committee expressed satisfaction with the programmes for manual training in woodwork, carpentry and ironwork, dairying, bootmaking and farm work inherited from the Boys' Training School in New Town. These, the committee said, qualified boys for 'the school of life'. However, it said the institution should, in the interests of boys' social rehabilitation, be renamed Ashley Home for Boys. It also recommended a matron be employed to provide a motherly touch and tuck young boys into bed at night with kind words and personal attention. The Matron was to engage the boys in healthful hobbies and reading aloud, and keep them up sufficiently late at night to ensure that they were tired and that their minds were filled with 'desirable thoughts' at bedtime. A library, singing, sports and games were encouraged, to teach 'give and take' and 'fellowship'.⁸⁸

Morris Miller's philosophical and psychological views underpinned many of the committee's recommendations. The report noted that the State Psychological Clinic was active at the home, and engaged in 'correcting defects'. But the committee found classification wanting, and thought boys under the age of 12 should be isolated during mealtimes and at night to keep them from the influence of older 'hardened' types. To encourage discipline and, presumably, guard against homosexuality, 'every minute should be definitely occupied'; idleness was to be prevented at all costs. The committee's recommendations for disciplinary measures reflected Morris Miller's views on self-realisation:

The underlying principle is that each boy should work out his own problem in his own way, and under guidance. Every effort should be made to get at the boy's point of view, and give him an opportunity to learn and to achieve what he can do for himself ... release accordingly depends more and more upon himself.

committee of men and women to be established, but Mrs Waterworth was the only appointment made. CSD(GC)22/304/29(3)/25.

87 N. Warnock, Superintendent, Ashley Boys Home (Deloraine), Department of Health and Human Services, interviewed 1999.

88 Report of Committee appointed to inquire into working of State Farm and School for Boys, Deloraine, 20-21.5.1925, CSD(GC)22/304/29(3)/25.

Discipline was to be constructive, rather than repressive:

The boys should be encouraged to analyse their faults and wrongdoings, and make their own statements with a view of appreciating penalties when they are deserved. The boys' statements should be recorded so that they will realise that their misdeeds impede release.⁸⁹

The statements suggested here were indeed written, on blue note paper, and are a notable feature of the files of Ashley boys, as are memos of diagnosis from the Mental Deficiency Board.

Ashley was the state's largest child welfare institution, and came closest to embodying the progressive ideals of its age. Superintendent A. Linton was proud that 80 per cent of Ashley boys returned to the community without committing further crimes.⁹⁰ Yet the institution never managed to live up to the committee's hopes. No money was provided for additional accommodation to aid classification. The boys also suffered from unfavourable community perceptions, and were subject to harsh controls over their bodies, as well as their behaviour. In 1929, a group of six Ashley boys were sent to Launceston General Hospital for tonsillectomies. Nursing staff misplaced the paperwork, and assumed the boys were to be circumcised. Loud protests from the boys were ignored, even though three of them had already been circumcised, at the same hospital, a few months' previously. When the Chief Secretary asked the Hospital why this had happened it said:

We often notice ... boys sent from the Home for circumcision ... are not obviously in need of it; but then we know that boys of this class are often masturbators and require circumcision for that reason.⁹¹

The Superintendent found it nearly impossible to live up to progressive ideals. He thought it was undesirable to send teenage boys to jail, but was confounded by the adverse influence of older boys on younger children.⁹² While I found no evidence of sexual abuse of Ashley boys by departmental staff (which is not to say it did not occur), the boys' blue notes record a number of allegations that younger boys were abused by

89 Report of Committee into working of State Farm and School for Boys.

90 *The Mercury* 28.6.35, clipping. An 'epidemic of absconding' in the 1930s was explained away as a heightening of the 'difficulties and temptations of lads approaching manhood' amidst the Depression.
CSD(GC)22/381/28/35.

91 CSD(GC)22/333/28/29.

92 CSD(GC)22/340/28/30.

older ones. When the victims of this abuse left Ashley they became perpetrators – two absconders raped women while they were on the run.⁹³

Another, *William Sherbourne*, who had been sent to service on King Island in 1930, became angry when he was reprimanded by his employer for staying out late. Although he had been very well treated and accorded privileges such as time to ride, hunt and fish, he took revenge for the slight by sexually assaulting the employer's 3-year-old son. *Sherbourne* could not be charged with gross indecency because he was two days shy of his 17th birthday, so he was returned to Ashley. In his blue note he said he had deliberately hurt the boy because he 'did not like the place'. When Superintendent Linton protested to the Department that *Sherbourne* was a threat to younger boys because of his actions and his 'dirty and suggestive language', Seager released the youth to his mother.⁹⁴

The story of *John Krueger*, mentioned in Chapter 2, reveals another sort of management problem for Linton. After *Krueger* first absconded, Linton gave him six cuts 'across table' and three weeks in isolation cubicles. Although *Krueger* appeared 'outwardly submissive' and wrote a contrite blue note, Linton suspected the boy was fomenting trouble. He was proven correct when *Krueger* convinced two younger boys to escape with him to Launceston. When caught again, *Krueger* said, 'I am absolutely sick of the place and I prefer Jail any day ... as far as Ashley goes I would just as soon be dead.' Linton gave him 16 cuts and one month in the cubicles, but complained to the Department:

To all intents and purposes this lad has attained manhood and it is quite hopeless to expect that his detention at the Home will have any reformatory effect on him. The only object in keeping him at Ashley is to maintain the principle that wards-of-the-State must obey the orders of the Department ... There is no doubt that *Krueger* will be a centre of disaffection as long as he is at Ashley, and I am inclined to fear that he may get some of the others to join him in open mutiny.

Krueger lived up to Linton's expectations. He used obscene language and destroyed furniture and cubicles. The staff resorted to physical force to overwhelm him, but

93 One cited abuse by an older boy as the reason he had absconded. The other boy gave no reason but Linton sent him to an adult gaol to stop him sexually preying on younger boys. The victim of sexual abuse also said he been stripped and hosed down for punishment whilst at New Town. SWD 1/3115; CSD(GC)22/340/28/1930.

94 SWD 1/3113.

Linton felt such rough handling was antithetical to the aims of the institution. Seager had *Krueger* indentured under police supervision, but the Department's records show he went on to serve several terms in an adult prison.⁹⁵ Cases like *Sherbourne's* and *Krueger's* show how difficult it was to overcome entrenched problems within institutions, or accommodate tough cases, even when workers held strong progressive beliefs.

Changes and challenges

The inter-war years were a time of rapid change in social mores. Corporal punishment became less acceptable. As Evans has observed, the Department advocated it less often, and prosecuted and fined some employers for injuring the children in their care.⁹⁶ The Department deregistered several foster homes after neighbours reported physical abuse.⁹⁷ Men who issued physical punishments to foster children in their households were also closely questioned, although it is likely that the Department was concerned about the probity of men issuing punishments, when their wives were the child's licensed carer.⁹⁸ Corporal punishment continued, but the Department considered it should be used in a controlled manner as an aid to reform.⁹⁹

The Children's Charter also made it possible for parents and step-parents to be jailed for abusing children. Such cases often left children who had been abused without guardianship, and led to their committal.¹⁰⁰ An example was a five-year-old boy reported to the Commissioner of Police by the Director of Education. Miss Rowntree, then a teacher at the Elizabeth Street Practising School, noticed the boy had bruised

95 SWD 1/2221. In 1941 *Krueger* was in gaol in Hobart, wanting to get back to his mother, and his wife and children. The Mental Deficiency Board found he was not certifiably mentally defective, but did need treatment for epilepsy.

96 Evans, 'Perceptions of Fatherhood in Tasmania's Neglected Children's Department', p. 125.

97 CSD(GC)22/296/39/24. *Luke Carey* was moved when an alderman reported that the ten year old had been found three miles from home, wet, cold, underdressed and bruised, gathering sticks for firewood. *Lucas* said that *Mrs Hollis* would hit him with objects and say 'it was a gentle reminder to get his work done.' Nurse Plummer told Mr Seager: 'I have never been satisfied with this home and have always felt there was an undercurrent ... *Mrs Hollis*, on each visit, had only faults and complaints to make about this boy ... I never found the beds made or room tidy.'

98 CSD(GC)22/340/39/30. A Launceston man was angered when falsely accused of battering and bruising his wife's foster child. He demanded, but did not receive, an apology, pointing out that he was providing a service - 'I am not able to work, this being the reason for having my home registered for the taking of these little ones.' CSD(GC)22/333/39/29.

99 Evans, 'Perceptions of Fatherhood in Tasmania's Neglected Children's Department', p. 125.

100 An example is SWD 1/2111, where a father was gaoled for viciously beating his daughter about the head, and the committal form stated the abuse had occurred over a period of months.

hands and legs and alerted the school nurse, who found marks all over his body, even his feet. The stepmother of this little boy, who had moved him around different schools to avoid scrutiny, was jailed for three months.¹⁰¹

Domestic and agricultural apprenticeship also appears to have become less socially acceptable, and virtually halved in this period. This was not the result of the Children's Charter, but occurred because state children were less willing to accept it, particularly when there was better-paid work available in factories and trade apprenticeships. Many children who opted for these jobs were able to remain living with their foster mothers under 'adoption'. This suited the Department, which saw no need to disturb the bonds of foster child and parent, particularly as trade apprenticeships offered better opportunities for children's training. Women like *Mrs Creek* did very well out of their foster children. Her 15 year-old foster daughter, *Jean Kernaghan*, earned £1/0/3 in 'a good week' at Paton & Baldwins' yarn mills. Although this was twice the average apprentices' wage *Mrs Creek* gave *Jean* 1/6 pocket money and banked 2s for her – the standard earnings of state apprentices her age. She took the remainder as 'board', so in a 'good week' she could net 16s shillings. Not surprisingly, relationships between *Jean* and the *Creek* family broke down, but the case shows there was a financial incentive for foster parents to find places for wards outside the apprenticeship system.¹⁰²

Not all 'adoptions' were motivated by pecuniary advantage. For many wards, the foster family was the only one they had ever known. *Amy McGregor* was told in 1915 that she could leave her home and find a new situation, because she had reached the age of 18, but she refused:

I have far too good a home to think of leaving, Mum is very good to me in every way and I have a very delicate [foster] sister living here and couldn't bear to leave Mum and her for anything.

Amy lived with her foster mother until she turned 25, even though she was badly paid, and had just two holidays in those seven years.¹⁰³

101 SWD 1/2281.

102 SWD 1/3111; see also SWD 1/1660.

103 SWD 1/0759-0762.

However, the Department did not think affection alone was sufficient to justify adoption. It would not allow *Myrtle Doust* to remain with her foster mother, who had reared her from birth, because it considered the foster mother had not trained the girl properly in housework. In this case, the Department's economic objectives outweighed the companionship *Myrtle* might have afforded her mother.¹⁰⁴

Although the Department was fostering 55 per cent of its children, boarding-out was no longer unquestioned by the broader society. By the 1930s, numbers of reform groups and community members joined together in opposition to the system. In 1930, a public meeting, auspiced by the Hobart Mayor, and E. Dwyer Gray, a future premier, called for the abolition of the scheme. The meeting alleged that boarding-out entrenched a 'conflict of interest' between foster mother and child, and foster mothers were poorly educated and ignorant of the child's mind. This was a recasting of the view that state children just needed a different family, and that any mother would do. Even the Hobart City Missioner, Reverend A. Norris, who acknowledged that he found the city's 40 foster mothers 'impressive', conceded that 'of course this system was wrong'.¹⁰⁵

Foster mothers were, understandably, incensed. They formed their own alliance and, in a show of the state's traditional north-south rivalry, were backed by the Launceston City Missioner, Reverend Weir, and Launceston politicians. Weir told the Chief Secretary the allegations were an unfair and uncharitable stigma on women who provided 'the utmost care and affection' for 'a miserable pittance'.¹⁰⁶ The Department's officers, particularly Nurse Plummer and the Special Magistrate, Mrs T.K. Robson, rebutted the critics in the pages of the *Mercury* while the Chief Secretary assured the foster mothers that the government valued their work and would not contemplate changing the system.¹⁰⁷

A few months later the Hobart 'Citizens' Committee' met again. It toned down its criticisms of foster mothers, but still insisted that there were 'specks on the brightest surface'. The alternative they sought was institutional care, and they invited R.G.

104 CSD(GC)22/326/39/28.

105 *The Mercury* 18.2.1930, clipping in CSD(GC)22/340/39/30.

106 *The Mercury* 4.3.1930, clipping in CSD(GC)22/340/39/30.

107 *The Mercury* 10.3.1930 clipping in CSD(GC)22/340/39/30.

Macintyre, a director of Burnside, in NSW, to address them.¹⁰⁸ He offered to establish a home for 30 children on Crown land if the Tasmanian Government would pay the boarding-out allowance for each child, saying the primary advantage of the scheme would be ‘uniformity of treatment’.¹⁰⁹ The Premier rejected these proposals out of hand and spoke up for the family values of the boarding-out system, saying he had seen in the foster homes ‘proofs of as great feeling as a natural mother had for her children’.¹¹⁰ A second proposal to establish a Burnside-style home in the state’s north was also rejected, on the basis that it would disadvantage the northern Tasmanian institutions and take children away from foster mothers.¹¹¹

Feminist groups also questioned boarding-out, saying it threatened the family, and called for poor mothers to be paid the full boarding-out allowance to care for their own children.¹¹² In 1929 a Select Committee investigated whether needy mothers should be paid the same rate as foster mothers, and recommended payments to mothers be lifted from 5s 10d per week to 10s 3d (foster mothers received 11s 9d on average).¹¹³ In 1935 a scandal erupted in Launceston over the Department’s prosecution of 40-year-old single mother Nellie Johns for leaving her 21-month-old girl locked in an empty house, alone, soiled, and without food, from 10am to 7.40pm. The mother told the court she worked as a domestic, and normally returned to the child during an afternoon split in her shift, but had failed to on the day in question. The magistrate gaoled her for endangering the child, but *The Examiner* published six letters protesting that the woman had effectively been gaoled for working to support her child, and attacking the Department’s Inspecting Nurses for their ‘legal robbery’ of the child. At this time MPs began to press for the restoration of fostering allowances to 1920 levels, although the Department established that Tasmanian boarding-out allowances, which ranged from 10s to 12s per week, depending on the age of the child, were competitive with other states. In NSW at

108 Macintyre was a Presbyterian minister who served on Burnside’s Board of Directors from 1910 until at least 1947, eight years of which were spent as managing-director. R.G. Macintyre, *The Story of Burnside*, (Sydney: Angus & Robertson, 1947).

109 *The Mercury* 15.5.1930, clipping in CSD(GC)22/340/39/30.

110 *The Mercury* 24.5.1930 clipping in CSD(GC)22/340/39/30.

111 CSD(GC)22/347/39/31.

112 In 1929 the Australian Natives Association asked that necessitous mothers be paid 10/- per week. In 1931 the boarding out allowance for children under two was 11s 6d per week, and children under ten were worth 10s 6d. Children over the age of 12 were worth 12s 6d. CSD(GC)22/333/38/29; CSD(GC)22/347/39/31.

113 Parliament of Tasmania, Charitable Assistance to Mothers: Report of Select Committee, 1929.

this time, payments for babies were 15s, but foster parents received 10s for all other children.¹¹⁴

In 1937 the foster mothers' allowances were restored to 1920 levels, of between 11 and 13 shillings per week.¹¹⁵ After the Tasmanian Labor Conference of 1936 moved a resolution that widows and deserted wives were to be paid at the same rate as foster mothers, a compromise solution was reached. Foster mothers were granted 7 s per week per child to care for their own children, as they were in NSW, and the Department was to ensure that mothers were 'topped up' with charitable assistance.¹¹⁶ This did not satisfy the Tasmanian Housewives' Association, who declared boarding-out was 'a direct incentive to the destruction of home life'.¹¹⁷ Clearly, some Tasmanian women had begun to see an attack on one sort of family as an attack on all families.¹¹⁸

The Infants' Welfare Act

In 1935, in the midst of the Depression, the Infants' Welfare Act was passed. Although there was no discernible campaign for its passage, it clearly resulted from progressive concerns expressed in a 1935 inquiry into Ashley. The participants were the Governor of Her Majesty's Gaol, the Government Medical Officer, the Magistrate of the Children's Court, a policeman, and the Education Department Psychologist, H.T. Parker. A notable omission was Mrs Waterworth. She had stood down from the Ashley Board in the late 1920s to accompany her ophthalmologist husband overseas, and was never reappointed, even though she had spent a large part of her trip touring Borstals and boys' institutions.¹¹⁹ The Women's Non-Party League protested her exclusion, but the Attorney-General retorted that the government only wanted to hear from Crown

114 CSD(GC)22/382/39/35. *The Examiner*

115 CSD(GC)22/411/39/37.

116 CSD(GC)22/395/28/36.

117 *The Mercury*, 12.10.1936, clipping in CSD(GC)22/439/38/39.

118 Questioning of child removal in Indigenous communities was also a feature of 1930s feminist debates. V. Haskins, "Lovable natives" and "tribal sisters": feminism, maternalism and the campaign for Aboriginal citizenship in New South Wales in the 1930s', *Hecate*, 24, 2, 1998; F. Paisley, *Loving Protection? Australian feminism and Aboriginal women's rights 1919-1939*, (Melbourne: Melbourne University Press, 2000); A. Holland, 'Wives and mothers like ourselves? Exploring white women's intervention in the politics of race, 1920s-1940s', *Australian Historical Studies*, 31, 117, October, 2001.

119 CSD(GC)22/333/28/29.

officers – ‘men of experience who may be termed experts’.¹²⁰ Reforming women were shut out.

The inquiry’s participants worked the jargon of psychology into the old rhetoric of rescue and family reconstitution. Parker said Ashley was a model ‘child-saving’ institution, which was far superior to the accommodation for mentally defective boys at New Town Infirmary, where there was no classification and where the buildings fostered unrest and prevented ‘healthful occupations’. The conference agreed that ‘juvenility associated with delinquency involves (i) a condition of greater or less irresponsibility, due to the fact of immaturity; and (ii) a condition of educability’, meaning delinquents should receive special attention and education. It resolved that children’s courts should prescribe educational and re-educational activities, and institutions should create new systems and buildings to aid classification. It was hoped that Borstals could be created for ‘incorrigible’ boys and girls, but acknowledged that money was tight, and thus agreed that the New Town complex and the Magdalene Home were sufficient for the meantime.¹²¹ No Borstal was ever created, so male delinquency became the preserve of the state; female delinquency continued to be hived off to religious institutions.

The new Act repealed the Children’s Charter and incorporated the provisions of the 1895 Prevention of Cruelty to and Protection of Children Act. This meant the physical abuse of children was no longer seen as simply a police problem, but was part of child welfare.¹²² The Children of the State Department was abolished, and its powers absorbed within a new Department – Social Services. In 1911, F.R. Seager had been demoted in a similar reconstruction, but his son Charles benefited from the 1935 Act, becoming the first Director of Social Services. Child welfare was now integrated into the broader range of state welfare activities.

The 1935 Act reflected the concerns of its time. It included clauses to facilitate the management of tuberculosis and venereal disease, and mandated the removal of children from the presence of sufferers. Social change had led to an expanded idea of parents’

120 CSD(GC)22/381/28/35.

121 CSD(GC)22/381/28/35.

122 Infants’ Welfare Act, 1935, 26 George V, No. 96.

rights, and the Depression had given rise to the idea that poverty and distress were not necessarily permanent states justifying children's removal, but could result from resolvable crises. The new Act enabled parents to commit their children temporarily instead of signing them over permanently. Children also gained the right to legal counsel and parental support when they attended a children's court.

However, the Infants' Welfare Act did not change the system of fostering. Between 1935 and 1940, the numbers of state children declined overall to about 580. The proportion of foster children rose from 55 per cent to 60 per cent, and while institutional numbers remained steady at 30 per cent, apprentices had declined from 14 per cent of state children to just ten per cent.¹²³

Social changes were also affecting the institutions. Religious institutions survived. In 1941 there were 170 girls in the Magdalene Home, 12 in the Salvation Army's Hobart Elim Home and ten in its sister institution in Launceston.¹²⁴ Elim continued to deal with girls like *Ina Berry*, who was 20 when she had a baby in 1940 and was, after absconding to a military camp, declared 'soldier mad', incorrigible, a mental defective of 'feeble-minded' class with 'sex maladjustment', and sent to the Government Institute for Defectives at St John's Park.¹²⁵ However, the other private homes lost support from benefactors, and were unable to attract staff. As the Secretary of the Hobart Girls' Industrial School complained, 'school life seems to make little or no appeal nowadays to the sentiment of charitable impulses of the public'.¹²⁶

The Girls' Industrial School was eventually moved to a house called Maylands, adjacent to St John's Park, and was taken over by the Salvation Army in 1945.¹²⁷ The complex of state institutions at St John's Park remained a place of detention for those considered mentally defective, who were given psychological treatment and 'vocational training';

123 Figures derived from Charitable Grants and Children of the State Department Annual Report, 1922-1928; Social Services Department Annual Report, 1935-1940.

124 CSD(GC)22/469/59/41.

125 SWD 1/3349.

126 CSD(GC)22/456/94/40. The School could not find sufficient staff and faced industrial action by existing employees, who complained about their long hours on duty.

127 Premier Brooker regretted the fact that the Girls' Industrial School refused to adopt the name of the house, as he thought it might promote more positive associations 'might have lifted the girls outlook as could publicly discuss their time'; CSD(GC)22/470/94/41. CSD(GC)22/470/94/41 and *The Mercury* 1.2.1945, clipping in CSD(GC)22/518/94/45.

their labour augmented the care provided on the site for consumptives, war veterans, the aged and the infirm.¹²⁸ Ironically, many of its residents lived the buildings that had been spurned in the 1870s.

Ashley survived until the turn of the 21st century. In 1940 the Chief Secretary told the press that children were sent there because of poor environment and 'lack of a suitable home life and guidance'. He urged the public to view the Home as a boarding school that offered vocational training, instead of a place of detention.¹²⁹ The public refused to accept the distinction. One grandfather complained to the Social Services Department that Seager was 'malicious and cold-blooded' for failing to provide proper foster care and sending his grandson to Ashley, where boys were 'only made criminals'.¹³⁰ As if to make that point, the Home was renovated in the 1940s to provide better segregation for criminal boys via the installation of a 'secure unit', which had lock-down cells. These remained in constant use until the institution closed in 1999.¹³¹

The biggest change to occur in Tasmanian child welfare was not the result of state government legislation, though. It was the Commonwealth's system of child endowment. Seager was not convinced that the scheme had any benefits for Tasmania, as he had concluded, after a national study of boarding-out and charitable relief, that the Tasmanian system was as generous as that provided in NSW, well known as the national leader in provision of aid to needy women.¹³² The government was also concerned that the way the endowment and taxation systems intersected meant that endowment benefited only the most impoverished families, and that state children were ineligible for it.¹³³ However, the Tasmanian Government, was not going to turn its back on federal funding of welfare, so it accepted the scheme, after having successfully

128 E. Whinnett, 'An awful Tassie childhood', *The Mercury*, 19.8.2003.

129 CSD(GC)22/466/28/41; The renovations – which included adding a poultry farm to provide eggs to the Ovaltine industry on the north coast – were deferred because of World War II. CSD(GC)22/516/29/45.

130 CSD(GC)22/452/39/40. Although the boy had a police record for larceny and shop-breaking the grandfather blamed Seager for providing inadequate foster care.

131 CSD(GC)22/452/30/40; CSD(GC)22/466/28/41; A fire in the main building reduced it to one storey. N. Warnock, Interviewed 1999.

132 In 1940-41 the amount paid to necessitous mothers was £51,864, and the expenditure on destitute children was £14,994. Social Services and Children of the State Department Annual Report, 1940-1941, p. 2, p. 4. Seager thought child endowment could be provided to nearly 250,000 wage earners at a cost of £127,000 per year, plus £3,000 for administration costs. CSD(GC)22/453/40/40.

133 *The Mercury*, 1.5.1941, 16.5.1941, 24.5.1941, 11.6.1941, 18.6.1941 and *The Examiner* 24.5.1941, clippings in CSD(GC)22/466/40/41.

lobbied for 1941 amendments to enable endowment to be claimed by destitute unmarried women and the wives of inmates of institutions for incurable diseases.¹³⁴

Child endowment provoked a last burst of resistance from Edith Waterworth, who was 68 but still agitating.¹³⁵ She headed a deputation to the Premier made up of leading women's organisations, including her own State Council of Mother and Child, mothers' clubs, the Bush Nurses' Association, the Country Women's Association and the Women's Non-Party League. This deputation condemned the Child Endowment Act for failing to supervise families.¹³⁶ The women were ignored.

Even allowing for the effects of World War II, which included a marked decline in unemployment, the allowance had an immediate effect on the number of children in state care.¹³⁷ Boarding-out numbers fell by a third during the war years, and at the end of the war there were just 31 apprentices. Institutional numbers held steady, probably because they were more accommodating of temporary placements. In 1941 Charles Seager concluded his family's 50-year association with the Department by retiring, earning praise from the Premier as 'this excellent public servant'.¹³⁸ The Seagers are the bookends of this period of Tasmanian welfare history, and they had indeed been excellent public servants, presiding over an inexpensive system that had mollified social reformers and been free of scandal. The compassionate pragmatism of the Department's early years had remained a constant.

Tasmanian child welfare systems had long managed, reasonably successfully, an array of groups with competing concerns – foster parents, institutions, children, parents, reformers and bureaucrats. Progressive ideals had influenced child welfare, particularly for infants and those termed 'mental defective', but only to the extent that they could be accommodated by the civil service and within existing institutions. In the inter-war years the state gained the right to enter institutions, and also co-opted them in the cause

134 *The Mercury* 24.1.1940, clipping in CSD(GC)22/453/40/40; CSD(GC)22/466/40/41.

135 Waterworth was, along with the Department's nurses and Hobart Mothers' Club, a driver of the 'Children's Canteen', which operated during winter months in Hobart, and was president of the Tasmanian State Council for Mother and Child. CSD(GC) 22/453/40/40.

136 CSD(GC)22/466/40/41.

137 Social Services Dept Annual Report, 1942.

of policing delinquency and mental deficiency. Yet it refused to replace boarding-out with institutions, and continued to board 60 per cent of state children, and allow children to maintain bonds of affection where such existed. Social change meant apprenticeship waned, and more families stayed together, particularly after endowments were introduced. The following chapter details the circumstances of Aboriginal children in Tasmania, and shows how race affected the placement of Indigenous children.

CHAPTER 8

‘No shame in being a nigger’: Indigenous Tasmanian children 1915–1940¹



Figure 15: Cape Barren Islander Schoolchildren, 1940, Archives Office of Tasmania.

¹ Miss Law to *Adelaide Downie*, discussed later in this chapter. SWD 1/3476.

In the post-war period, people of Indigenous heritage on the Tasmanian mainland were invisible to the Tasmanian authorities. The Furneaux Group remained a curious space, where race was noticed and discussed but not legally recognised. While there were no formal differences in the legal status of Aboriginal people, Tasmanians revealed their views of the Islanders and their way of life by singling them out as ‘these people’. One even applied the word ‘nigger’ – unexpected in the context of a state that was supposedly without black people – to an Aboriginal state ward.¹ Contributing to the sense of difference was a series of civil service inquiries into the ‘rough conditions’ on Cape Barren Island and within Indigenous communities in the Furneaux Group. The Islanders themselves articulated a distinct identity, and protested the deterioration of social and economic conditions on the Island. The Tasmanian Government injected no funding, and created no policy to sift through the competing demands of Islanders, white settlers, earnest reformers, missionaries and schoolteachers, but neither did it apply much in the way of control. Yet children from the Island were taken into care by the CSD, as were children from the unacknowledged Aboriginal families on the mainland. This chapter traces the political and social developments on the Island which would lay the basis for increasing numbers of removals after World War II, and shows how race shaped the lives of Indigenous children who were removed from the Island and the mainland.

The Island

World War I changed the political and economic balance in the Furneaux Group. Twenty-one young Aboriginal men from Cape Barren Island signed up for the fight, and six gave their lives.² Their war pensions provided crucial income for their families for years, though were small compensation for their loss. White settlement, which had continued to expand, was buttressed by the development of local political power in the form of the Flinders Island Council, first constituted in 1920. The Islanders were not represented on the Council, although their land was within its boundaries, for they paid no rates. The Anglican Church, which might have mediated disputes between local whites and Islanders, stopped conducting regular church services on the Island, although

1 SWD 1/3476.

2 Ryan, *The Aboriginal Tasmanians*, p. 243.

it continued to fund a schoolteacher.³ The teachers were a mixed blessing – their presence meant the Islanders were under continual surveillance, and indeed most removals of Island children were at a teacher's behest, despite the fact that teachers here were never granted the authority of overseers or managers in the way their counterparts in NSW were.

In 1922, white residents of Flinders Island asked the Chief Secretary to assert greater control over the Islanders. The Council Clerk said the Islanders' economic position was untenable and that the 1912 Act had encouraged 'indolence and irresponsibility in business transactions' in them. He argued that history had diluted the Aboriginal blood of the Islanders and, therefore, their claim to recognition, and urged the establishment of external control:

Seeing that there are now no Tasmanian half-castes in existence, and apparently no one to enforce the Act relating to those residing on the Reserve, it is high time something was done to encourage them to become responsible citizens.⁴

The Director of Public Health, E. Sydney Morris, who would later join the NSW Protection Board, accompanied Police Commissioner Lord to the islands. They found little had changed for the better since Lord's 1908 visit: the Islanders were still burdened with impossible debts and the Council would not assist them because they paid no rates.⁵ The government remained silent, although *The Examiner* expressed the hope that 'the question of forming some workable scheme to teach the half-caste his responsibilities as a citizen' would become government policy.⁶

Another voice calling for greater control over the Islanders was the Flinders Island Crown Lands Bailiff and Policeman, W.J. Mansfield. He said the Islanders were 'an inferior race' that needed 'a strong, strict yet fair man put in charge of them who is capable of learning them [sic] agricultural and pastoral pursuits', and who would compel them to work as mutton-birders.⁷ The Islanders had, of course, lived by birding for generations, but this condescension was repeated by E.A. Counsel, the Surveyor-

3 Boyce, *God's Own Country?*, pp. 76-77.

4 Flinders Island Council Clerk, 6.1.1922, CSD(GC)22/279/104/2/1922.

5 E. Sydney Morris, Director of Public Health to Chief Secretary, 17.8.1922, CSD(GC)22/279/104/2/1922.

6 'Flinders Island Council: The Half-Caste Question', *The Examiner*, 19.8.1922; clipping in CSD(GC)22/279/104/2/22.

7 W.J. Mansfield to Chief Secretary, 18.9.1922, CSD(GC)22/279/104/2/22.

General and Secretary of Lands. He also declared that it was hopeless to attempt to bring Aborigines to 'ordinary habits of living', but thought a supervisor might teach them 'light occupations' of boating and fishing – something else at which they already excelled. Counsel said the 'best solution' was the absorption of the Aborigines into the general population by distributing the young people throughout the state 'as soon as they are taken from the local school'.⁸

While Counsel recommended dispersal and absorption, Beaconsfield's Rector, F.H. Gibbs, wrote to the Chief Secretary to offer his services as a missionary and teacher. He framed this offer as an act of restitution, stating, 'we get a good deal of benefit from the country of the half-castes' coloured forefathers, and owe them a return'. He wanted a 'true' clerical mission, funded along the same lines as the NSW Aborigines' Protection Board. He hoped, given powers of coercion, he could work the Aborigines 'like coolies on a coffee, cocoa, and a tea estate'.⁹ He was not the only member of the Tasmanian community to take inspiration from the mainland. One letter to the *Mercury* noted:

They are officially classed as a people apart, and herded like pigs on a reservation ... would any other people advance under such conditions with such a land tenure? ... I may mention that the mainland Governments are awaking to the evil of allowing the younger generation to remain on the reservations in pathetic idleness, and squalor, and are removing them, and placing them out on farms as wards of the State, where in a different environment they may become useful citizens.¹⁰

The government ignored Gibbs and took no steps to control Aboriginal children, but neither was it prepared to hear the perspective of the Islanders, who thought their future lay in the outright ownership of Cape Barren Island.¹¹

Removals of children from Cape Barren Island

In 1922, during the controversy about Cape Barren Island, *Selina Long*, who had splenic anaemia, was removed from there and sent to Launceston Public Hospital. The hospital's surgeon superintendent asked the Department to remove her permanently from the 'rough conditions' of her home and stated that 'the girl herself dislikes the idea

8 E.A. Counsel to Minister for Lands, 25.10.1922, CSD(GC)22/279/104/2/22.

9 F.H. Gibbs to Chief Secretary, 3.11.1922, CSD(GC)22/279/104/2/22.

10 Letter from R.H. Meaburn, *The Mercury*, 20.11.1922, clipping in CSD(GC)22/279/104/2/22.

11 Ryan, *The Aboriginal Tasmanians*, p. 243.

of returning to Barren Island'. He highlighted her race: 'as she is descended from the Aboriginal inhabitants of Tasmania, I believe the Government will take a particular interest in her'.¹²

The Cape Barren Island schoolmaster, J.M. Bladon, forwarded a report to the Department. He acknowledged that he had only passing acquaintance with the family, but forwarded a family tree outlining *Selina*'s Tasmanian Aboriginal and white sealer heritage. Her mother was dead, and Bladon maligned the father's character, saying he was a 'confirmed drinker' who had become discontented with reserve life when liquor was banned and so sailed about with his family of girls, 'marking time' until he could claim a pension. Yet *Selina* did not live with her father, having been legally adopted by her aunt. Bladon maligned the aunt too, saying she was able to contribute to the girl's maintenance, but that 'these people will always plead poverty if thereby they can get the Government to listen to them'.

The Department decided to proceed to committal. Inspector Henry at Launceston recommended that, as *Selina*'s father had not contributed to 'the neglect', he should be spared the expense of attending court on the Tasmanian mainland and the case should be heard in his absence. The Department deployed the desertion clause of the Children's Charter, telling the court *Selina* was 'neglected by reason of desertion' by her father.¹³ This statement elided the facts of the case, depicting *Selina*'s father as having abandoned her and writing *Selina*'s caring aunt – her legal guardian – out of her story.

Selina, one of the few children acknowledged by the Department at the time of committal as an 'aboriginal descendant', was taken into custody and fostered in a Launceston home. By the end of 1923, she had gained sufficient strength to be considered capable of 'light work'. However, the Launceston Hospital doctor stated:

I'm afraid it is very hard to find proper employment for these people from the Barren Group. The upbringing there does not fit them as a rule for domestic work. Perhaps the girl might find work in the spinning mills or other factory.

The Mental Deficiency Board assessed her, and found she required 'manu-mental training to give adequate motor outlet and make up for language retardation'. It

¹² SWD 1/2219.

¹³ CSD(GC)22/274/39/1922.

recommended *Selina* remain in her foster home, so she was apprenticed to her foster mother on a 12-month trial, with token wages. Nurse Plummer was disturbed by this, as she knew the girl's teeth had all been pulled in the hospital and she needed money to buy dentures. Plummer arranged for her own cousin to employ the girl, at 10s a week. However, the situation broke down. Plummer reported to the Department that the rift was due to the girl's poor performance, and her relations:

[*Selina*] is very honest and willing, but dreadfully slow. I do not think it wise putting her out to service in Launceston, as she seems to have so many cousins living in Launceston, and her people trading from Flinders Island to Launceston and I feel sure it is the influence of these people, that is ruining the girl.

Plummer's cousin told Seager that *Selina*'s relatives were 'continually calling to see her apparently with the object of getting money from her'. The employer had tried to shield the girl from this perceived imposition by banking her wages, but *Selina* had grown resentful. While Nurse Plummer thought *Selina* was 'easily led' and vulnerable to manipulation by her family, sharing was valued on Cape Barren Island and *Selina* clearly wished to remain close to her family and make her own decisions about how she spent her wages.¹⁴

Seager dressed *Selina* down, saying 'what was being done was for her own good'. The girl promised to behave, but according to the employer, soon became 'very impudent'. Matters came to a head when one of *Selina*'s cousins called at the house to accuse the employer of trying to send the girl to a 'home' in Hobart. Nurse Plummer caught wind of a plan for *Selina*'s father and brother to collect the girl, so the Department sent her to Hobart's Home of Mercy. *Selina*'s family was not told of her whereabouts, but she was allowed correspond with them, through a third party who vetted the family's letters for 'anything likely to disturb her'. In Hobart *Selina* received her false teeth, with some help from a charitable fund at the Hobart Public Hospital, but did not have long to enjoy them. Just three weeks later she suffered a recurrence of anaemia which became tubercular peritonitis. *Selina*'s brother reached her just in time to be by her side as she died. She had been away from the Island for two years.¹⁵

14 'She is so easily led, and at the present time is wanting to send a cousin ... a £1 pound note with the promise of later £6 in return for same.' Nurse Plummer to Secretary, 6.6.1924, SWD 1/2219.

15 CSD(GC)22/274/39/22.

Selina had been removed because she was chronically ill, but at this time conditions on the reserve were deteriorating. The Islanders' predictions about the decline of the mutton-bird industry proved correct, and were now believed by white residents.¹⁶ In 1923, the entire harvest was spoiled by defective salt, a disastrous loss of income and food supplies.¹⁷ The effect on the Islanders was devastating. The following year the South Flinders Island Progress Association complained that 'half-castes' were migrating to Flinders from Cape Barren Island 'in a half-starving state, selling strings of shell in a begging kind of way' and camping in 'a drunken orgy' that was a 'rotten asset to the community'. The Progress Association called for controls:

It's about time something quick and kind also in a concrete fashion is done to uplift these people and also protect the white settler from their depredations which is only natural to them.¹⁸

Local shopkeepers also called for the government to follow Lord's advice and write off Aboriginal debt, but they too were ignored.¹⁹ The Chief Secretary asked the Minister for Lands to form a Select Committee. He did, and the committee reviewed previous inquiries; however, citing the financial emergency, it addressed only the most 'obvious weaknesses'. The three main recommendations it made were that pensions and allowances should be paid on Cape Barren Island, so Islanders did not have an excuse to travel to Flinders; that bird rookeries should be fenced off from stock; and that bird licences be restricted to 'half-castes'.²⁰ These measures were not adopted, and the economic crisis of the Furneaux Group deepened.

Mainland removals

As conditions worsened on the Island, the Department intervened in the lives of Indigenous children on the Tasmanian mainland. It is hard to unpack the specific effects of racial understandings in these cases, for all these cases were classifiable under the definitions of neglect and criminality ordinarily applied to white children. These Indigenous children also experienced the full range of the Department's options for child care, from boarding-out to apprenticeship and institutionalisation. But they show a

16 CSD(GC)22/279/104/2/22.

17 CSD(GC)22/289/104/23.

18 CSD(GC)22/297/104/24.

19 CSD(GC)22/298/104/24.

20 Tasmania, Furneaux Islands Half-Castes: report of Select Committee, 1924.

familial history of removal that was stronger along lines of colour and affected by gender.

The cases were all within the *Munro-Roydon* families, who were introduced in Chapter 4. Between 1914 and 1922 *Bert* and *Faye Munro* lost their children *Matthew*, *Reg*, *Arnold* and *Isabella* to the Department. *Faye*'s maiden name was *Roydon*, and she was the sister of *Owen Roydon*, mentioned previously. The race of the children was not mentioned at the time of committal, only emerging as the Department probed more deeply into the lives of various members of the family. For instance, when 10-year-old *Matthew* was removed for stealing five shillings in a tin box from a Devonport Catholic Church in 1914, the Department simply described *Bert*, a railway ganger, and *Faye*, a domestic, as good, sober and poor. *Matthew* was a persistent thief, and served two terms in the Training School between 1914 and 1921, returning to his family at the conclusion of each term. In 1924 he was jailed for stealing £150 worth of watches and jewellery from a shop, and £22 from the house of an MP. The *Mercury* reported the case, tut-tutting that it was 'a regrettable instance of a smartly dressed young man ... embarking on a career of crime', but made no mention of his Indigenous heritage.²¹

Matthew's brother *Arnold* was also a thief, but the sentence he received for his first offence was so stiff that Seager rejected it. In 1920 *Arnold* stole a box of horseshoe nails from a sawmill outhouse. The court sent him to the Boys' Training School at New Town, but Seager complained to the court – rather unusually – that the sentence was too harsh for a boy of 11 who was charged with a mild offence. Seager boarded *Arnold* at New Town, before sending him to service.²² The court provided no clues as to why it acted so harshly, and the file provides no clue as to whether it was race, or the court's knowledge of *Arnold*'s brother *Matthew*'s 'career', or a combination of both, or something else.

Around 1920, the *Munros* separated, bringing their Aboriginality to the fore. *Faye Munro* left for Melbourne to work as a domestic, and a third child, *Reg*, was sent to live with his paternal grandfather, *John Munro*, who was also Aboriginal and lived near Hobart. In 1923, when *Reg* was 15, he came to the attention of the police and was

21 'The Mercury' 21.5.1924, in SWD1/1615.

22 SWD1/1886.

charged with being a ‘neglected child not under proper care and control’. Charles Seager interviewed the grandfather, who said the boy had got into bad company and ‘it would do the lad good to put him on a farm for a year or two’. *Reg* was committed to Ashley and assessed by the State Psychological Clinic, as all boys were. They said he was ‘borderline with motor ability, if given adequate manu-mental and prevocational training and due encouragement, should advance to normality’. In 1924 he absconded, and his police description reveals colouring characteristic of Islanders: brown eyes, a dark complexion and auburn hair. *Reg* was apprehended, after a month, when he tried to rob his old employer’s shop.²³

Ordinarily, a boy who had absconded from Ashley and gone thieving would have been sent straight back to the institution. However, *Reg*’s white maternal grandmother, *Louisa Roydon*, then at Waratah, asked for him. She offered to find him employment, saying, ‘I hope he will turn over a new leaf and be honest and go straight’, and said *Reg*’s Uncle *Owen* would also help. *Mrs Roydon* was not particularly respectable. Just two years previously she had been accused of ‘imposing’ on charity, although the Department of Charitable Grants accepted that she was in a ‘pitiable position’, as her family of seven lived on just £1 a week since her ‘wreck’ of a husband, an Aboriginal man and a former state ward, was now ‘tramping the country’.²⁴ Seager decided *Reg* could do with some distance from his companions (and his grandfather) and, unaccountably, discharged the boy to his grandmother’s care.²⁵

Even more strangely, at this time *Don*, another of *Louisa*’s sons, was committed to Ashley for stealing a knife. Although the State Psychological Clinic recommended he receive two years’ extra schooling ‘to overcome infantile reactions and to check apparent inferior trends’, the Department said *Don*’s behaviour was exemplary and discharged him to *Louisa*.²⁶ The Department rarely gave custody to parents or grandparents who were as poor as she, particularly if they were deserted wives. This begs the question as to why she was so effective in securing the return of her children and grandchildren. Could it have been that the Department felt ill-equipped to deal with

23 SWD1/2366. An Ashley staff member said ‘Dressed as he was and hatless, it seems passing strange that he escaped the police altogether as an absconder’.

24 CSD(GC)22/274/38/1922.

25 SWD1/2366.

26 SWD1/2385.

the boys and returned them, as it did children who had ‘dirty habits’ or were too refractory? If so, and in the absence of any extreme behaviour, it is possible that the boys’ race influenced to the Department’s decision to give them back. My sense is that, as *Louisa*’s Aboriginal husband was absent, the Department had an opportunity to get difficult boys off their hands, and align them with the whiter side of their family.

The file of *Isabella Munro* adds another layer of complexity. She was the girl mentioned in Chapter 3 who received letters from her brother alleging that she was promiscuous and the victim of incest. When she was removed in 1920 her parents were still together and were described as sober workers. Their race was not mentioned. However, the court papers said her home was ‘by reason of neglect or depravity an unfit place for such a child’, implying the possibility of sexual abuse. Nothing of the sort was said when the brothers were committed, but then the morality (or otherwise) of the home mattered less for boys than for girls, and the boys were facing criminal charges, which made their removal a straightforward matter.²⁷

Isabella was sent to the Launceston Girls’ Home. The sorts of things they said about her were said about some white children, but could equally indicate racism. The Home described her character as ‘naturally bad’ and asked (unsuccessfully) for extra payment to keep her:

She came from a most disrep[u]table home and disrep[u]table people. If your Department consider our Home can train a girl from these surroundings, and place her out in life to earn her living in such a short period, you must think we can perform miracles ... to send a girl of practically 15 from such people, and then to wish to put them out in 18 months, is an unheard of thing.

Isabella, for her part, never settled into employment. Mrs Birchall said she was ‘the very best of maids’ but was insolent and disliked children, so took her into her own home ‘to see what the trouble is’. She was therefore able to intercept *Isabella*’s mail: she found a number of letters from *Faye Munro*, written from St Kilda. As Mrs Birchall reminded Seager, the Home had prevented *Isabella* from seeing her mother’s letters, particularly after the nasty letter from the brother had arrived. This batch of letters was comparatively innocuous, expressing confusion as to why *Isabella* was still in state care

27 SWD1/1913.

and including motherly advice to find a nice boy, ‘with plenty of money so he can keep you and not starve you and keep you without clothes’. One included *Faye*’s photo. The portrait is black and white, and does not show the tones of *Faye*’s skin; what it does reveal is a handsome, if careworn face. *Faye* sent it in the hope of receiving a photo in return:

Be sure and do your hair nice ... no doubt I will see you have altered a lot. I can just imagine I can see you when I look in the glass at myself as you are like me.

It was a letter of longing, but *Isabella* never saw it. Nor did she receive one Mrs Birchall intercepted from the ‘uncle’ in gaol, which passed on news of brother *Matthew* and uncle *Owen*. Charles Seager tried to put distance between *Isabella* and her family, by ordering her detention in the Girls’ Home until the age of 21. However, the Home put her out to work, and *Isabella* absconded and ran to her grandmother, *Louisa*. Now, confronted with their failure to control the girl, the Girls’ Home spelled out how they saw *Isabella*. They expressed no sympathy for her history of harassment. What mattered was her race:

A handsome, well built girl, but untruthful, and unreliable in every way ... if she were locked up she would be exactly the same when released, she is a genuine case for a reformatory ... She is strong, always has a good appearance, keeps her clothes well and so far I believe is morally straight ... She is with her grandmother *Roydon* [in Devonport with] her uncle who has no reputation ... She seemed whilst in the ‘Home’ to be worth trying to hold onto but this dark blood from the grandfather [*Arthur*] *Roydon* seems strong in *Isabella*.²⁸

When *Isabella* voluntarily returned to the Girls’ Home she was sent to New Town to get her away from ‘bad companions’ (presumably her grandmother and her parents, people the Department had chosen to send the boys back to). Instead, she got a reference from a friend for a job as a laundress and passed from the Department’s sight.²⁹

Changes on Cape Barren Island

While the Department was dealing with the *Roydon* children, the presence of ‘half-castes’ within the Furneaux Group became the subject of intense public debate. The economy of the islands was collapsing as the mutton-bird population declined. In 1927

28 Mrs J.A. Birchall to Seager, 12.2.1925, SWD1/1913.

29 SWD1/1913.

the Islanders, led by Thomas Mansell, petitioned the government, pointing out that it had acted when they had complained to Lord 20 years previously:

We people half-cast had the destruction of birds stoped in the first place of which they never give us a say in the matter at all now and tis very unfair to us people as its all we have to depend on.³⁰

Lord was sent to inquire once more into the birding and barracouta industries and confirmed their decline.³¹ The following year A.W. Burbury, of the Fauna Board, volunteered to investigate the economy and the community of Cape Barren Island.³² He said the 50 acre (20 hectare) block scheme had failed to promote progress, sanitation was non-existent and tuberculosis, syphilis and illegitimacy (as if the last was also a disease) were a 'matter of course'. Burbury was mystified at the Islanders' survival, as their only income was from birding and pensions; he failed to notice that families grew vegetables, and the Island boasted stocks of kangaroo and wallaby, fish, crayfish, shellfish, bush foods and fruits.³³

Burbury described the Islanders as a race apart, although he thought they had attractive qualities:

The men are of considerable diversity of type. Some are very dark, others as fair as Europeans. Many have woolly hair: these are said to inherit this characteristic from their Tasmanian forebears. They are often well set up and handsome, and have good carriage. There is a charm about them when speaking, their voices being soft and nicely modulated. They are fluent and convincing. In manner and courtesy they set an example which would put to shame many white folk.

Yet he also had less positive impressions, flavoured with the language of mental deficiency. The teacher told him the children were undernourished and 'sub-normal'. The adults were 'indolent and improvident', 'excitable, unreliable and incapable of sustained effort', and their 'lamentable condition' was the result of 'heredity, environment and loss of self-respect'. Burbury said some of this stemmed from their history:

30 CSD(GC)22/322/104/27.

31 CSD(GC)22/329/104/63/28.

32 CSD(GC)22/336/104/29.

33 Mallett, *My Past – Their Future*, p. 3, pp. 16-18, p. 45.

They have an inferiority complex deeply ingrained, and they hate the whites, regarding themselves as having been supplanted and exploited by white men [who] took away their land and are now taking their kangaroos and mutton-birds. But, they will not use the land that has been set aside for them, and they are selling their rights in their mutton bird leases to the white man. That they have been exploited in the past is unfortunately true. Now, however, they are wary and have become exploiters themselves.³⁴

Burbury's view of this issue was that the 1912 Act had created a misapprehension amongst the Islanders: that they had a claim upon the state. Although white Islanders did not agree, he thought the reserve land was useless. He suggested that the Commonwealth appoint a Church of England mission to take it over, and that children, although 'happy enough' and 'very fond of play', should be removed from the reserve as soon as they left school and trained as domestics or to trades. Like mainland absorptionists, Burbury hoped 'they would mix and become absorbed by the general population elsewhere'.³⁵

Local farmers also pressed for dispersal. They agreed that the Islanders were Aborigines, but said they came from mainland Tasmania, and so had no claim over Cape Barren Island.³⁶ The Tasmanian Government invited the Australian Board of Missions to take over the reserve, but the board refused because it could not countenance the government's view that the Aborigines were citizens.³⁷

There was no single point of view, even amongst civil servants. In 1931 Chief Health Officer Dr Gaha visited Cape Barren Island. He noted his own prejudice:

I had the feeling that they were a disease infested, squalid, degenerated people, with few civilised instincts, and retrogressing fast. It was in this disposition that I met them, and after a few moments realised that the problem was one of entire difference in reality from the one I had imagined in hearsay.

Gaha said the children were well nourished, respectably dressed, tractable and healthy. There was no evidence of syphilis or tuberculosis and the parents were working people

34 One instance of 'exploitation' was way the Islanders punished a farmer for cutting his fences so his sheep ran over the Reserve. They ate 150 of the sheep every year.

35 CSD(GC)22/336/104/29; The following year Burbury named just one Islander who he thought deserved his own land grant. This man, whose name I shall not publish, was 'one of the few' who could trace Tasmanian Aboriginal lineage, and whose son was 'the best specimen of half-caste children I saw.' CSD(GC)22/342/96/30.

36 CSD(GC)22/342/96/30.

37 Boyce, *God's Own Country?*, pp. 82-83.

with 'exceedingly high parental instinct' who deprived themselves to benefit their children. In Gaha's view the environment was 'unprogressive', as the huts were overcrowded and had no lavatories. But he also condemned the Islanders' seasonal lifestyle, saying they gained the 'bare necessities' in the birding season then spent the rest of the year 'outdoing each other' in 'lethargic practices' ... and the children imitated their 'unusual display of laziness'. Gaha agreed with Burbury that government institutions should be created to 'absorb' young people after they finished schooling, and suggested that adults should be forcibly dispersed.³⁸

Commissioner Lord, the unquestioned authority about the Islands, curbed the enthusiasm of this colleagues:

Although the people in question are not half-castes, they are definitely coloured, and are descendants of Tasmanian Aborigines. I believe that any effort to absorb them into the white community would meet with determined opposition by the 'half-castes' themselves, and that they would receive strong support from the white community on sentimental grounds, as well as because of their character and colour stain.³⁹

The government, once again, declined to act. However, it is important to note that policy was being set on the ground, by the schoolteacher, Norman B. Hawkins. By this stage, the schoolteacher was acting as the local constable, coroner, justice of the peace, minister and shipping agent, and so was able to control many of the Islanders interactions with outsiders, even though he had no official power to do so. In 1931 Hawkins instigated the removal of three girls named *Downie*. He prepared the committal forms, which said the grandfather was unable to 'properly provide' or care for the girls and wanted them sent to the Girls' Home. We cannot know what pressures were placed upon the grandfather, for he was illiterate and his consent was signified by the mark of a cross. But Hawkins said the girls had 'very little chance in life', and said their brother was 'mentally deficient and of a very low Mongolian type [and] beginning to be a nuisance on the Reserve'.⁴⁰ The Department's treatment of these girls will be detailed below, but their removal shows the power of the schoolteacher to influence the ways in which external white authorities responded to the Islanders.

38 CSD(GC)22/343/104/30.

39 Cape Barren Island File 643/30, memo from Police Commissioner J.E.C. Lord 1931, cited Boyce, *God's Own Country?*, pp. 83-84.

40 SWD1/3476-3477.

Political interest in Cape Barren Island remained high throughout the 1930s, but no consensus on policy was reached. The Australian Women's National League wrote to the *Mercury* to urge the government to educate the children to become 'self-respecting citizens', to which the Chief Secretary responded that conditions were 'not as bad as people had been led to believe', and it was dangerous for outsiders to impose their standards on people who were 'happy'.⁴¹ Letters to *The Examiner* called for the reservation of Babel Island for the 'half-castes'; as one said, 'we dumped these people there and it is up to us to see that they get a fair deal'. The Islanders contributed to the debate, for they petitioned the Chief Secretary about Hawkins, complaining that he referred to their children as 'wasters' and performed his duties in a high-handed manner. Hawkins dismissed the man who framed the petition, J.C. Everett, as having nothing more than 'a native gift for framing oratory', and counter-claimed that the Islanders were better off than poor people in the cities, because they received free land, rates, rents, firewood, quarterly medical assistance and pensions. Yet he also revealed, perhaps unwittingly, the hardships the Islanders faced amidst his own and others' prejudices, writing that local whites were 'wary' of employing Islanders, and that when Island families had tried to settle in mainland Tasmania, white residents had banned the Islander children from the school.⁴²

In 1933 Hawkins presented his own assessment of 'failures' and 'suggestions for reconstruction'. He said the Islanders had been pampered and wanted to be treated as minors, yet also to claim full citizenship and the franchise. He said they imposed on welfare and were mentally defective; able-bodied but 'feel no shame in becoming human parasites – they are all related, they are one family, and claim their share of the Government's bounty':

They are incapable of sustained effort, pleasure loving, improvident, and are obsessed with the idea that they have a legitimate right to the land of their ancestors. In fact, several times it has been said to me that the people of Tasmania ought to be paying them rent for Tasmania!

He thought the 'half-caste' carried 'the vices of both races, none of the virtues' apart from 'the primitive one of love for their offspring' (though he condemned them for

41 *The Mercury*, 29.11.1932, cited Mallett, *My Past – Their Future*, pp. 45-46; p. 87.

42 CSD(GC)22/359/102/32 & CSD(GC)22/359/104/32.

loving babies born out of wedlock the same as those born within). Hawkins thought the solution was biological absorption:

[The introduction of] virile blood ... however objectionable to our way of thinking, would in a few generations automatically transfuse and ultimately become pure. The alternative is continued degeneracy, leading to feeble-bod[ied]ness and feeble-mindedness.

He offered himself as an administrator to solve 'the half-caste problem', saying he would put them to work on a feudal system whereby their labour would pay for rates and taxes. He said quarterly medical visits, introduced the previous year, were treated as a 'gala day', and that sick Islanders should pay their way to Flinders. He wanted to prosecute parents who did not send their children to school; to enter residences without permission or warrant; to control Islanders' movements; to banish offenders; and to carry a gun.⁴³ In short, he wished for the powers that were, by this time, wielded by the managers of Aboriginal stations in NSW.

Although Hawkins desired such powers, and was supported by the Australian Women's National League, a Sandy Bay resident, Mrs Ethel Darling, told the Chief Secretary that 'conferring full power to one man, would, I am sure, increase the antagonism already existing; and men who work from fear of punishment are slaves'.⁴⁴ The government did not do anything, but it replaced Hawkins in 1937.⁴⁵ It must have been torture for the Islanders to live alongside a man so utterly convinced of his right to rule over them. The only other white presence on the Island at that time was Miss A.M. Hudson, a Salvationist who had set up a personal mission called Bethel Peniel in a small building near The Corner in 1934.⁴⁶

Tasmania and national debates

By the mid-1930s Aboriginal assimilation was an ideological thread that connected Australian state and Commonwealth governments, but Tasmania was uncertain about how to proceed. In 1935, when asked by the Commonwealth Bureau of Census and Statistics to take a census of Aborigines, the Tasmanian government said it counted 270

43 CSD(GC)22/368/104/33; Medical visits were introduced after A.W. Burbury and other parliamentarians visited. *The Mercury*, 25.11.1932, clipping in CSD(GC) 22/395/104/32.

44 CSD(GC)22/368/104/33.

45 CSD(GC)22/368/104/33; CSD(GC)22/416/104/37.

46 CSD(GC)22/376/104/34.

‘half-castes’ but had not forwarded the forms, because there were no ‘full-blood’ Tasmanian Aborigines. It did not attend the 1937 Commonwealth conference on assimilation which set policy for the absorption of ‘natives of Aboriginal origin, but not of the full blood’.⁴⁷ By 1940 the Tasmanian government seems to have settled on the notion that the Cape Barren Island population were ‘octoroons’, therefore not officially Aboriginal, and this meant Tasmania did not need to set Aboriginal policy.⁴⁸

However, the Islanders’ intrigued the anthropologist Norman Tindale, who was interested in the question of absorption. In December 1939, Tindale and Joseph B. Birdsell, a Harvard anthropometrist, travelled to Cumeragunja and Brewarrina, measuring bodies and noting a visible ‘Tasmanian strain’ in families who traced descent through Tasmanian sealer women.⁴⁹ Tindale then visited Cape Barren Island and measured the population.⁵⁰ Molly Mallett was a girl at the time, and remembered the visit as demeaning interference, which she has countered by writing new captions for his photographs in her book.⁵¹ It is easy to see why he caused offence. Tindale said the Islanders were a fine example of ‘half-caste absorption’, and presented the appearance of a group of white people who had attained ‘lower middle-class rank’. He thought their modes of life and thought were ‘essentially white’, and expressed surprise that they maintained a high code of morality in their cramped surroundings and isolation. Tindale said the Islanders’ problems should be regarded as those ‘of a white people who have a dark strain running through them, rather than as Aborigines’, and they were a case in point that dispersal and absorption of mixed-bloods into the white community was the solution to ‘the half-caste problem’.⁵²

I could find no evidence of a response to Tindale’s findings from the Tasmanian Government. When the Commonwealth decided to adopt NSW’s method of withholding child endowment from Aborigines, Tasmania’s Premier, Robert Cosgrove, advised Prime Minister R.G. Menzies that ‘white blood’ predominated in the Islanders.

47 Q. Beresford & P. Omaji, *Our State of Mind: racial planning and the stolen generations*, (Fremantle: Fremantle Arts Centre Press, 1998), pp. 29-60.

48 CSD(GC)22/387/104/35; CSD(GC)22/471/104/41.

49 W. Anderson, *The Cultivation of Whiteness: Science, Health and Racial Destiny in Australia*, (Melbourne: Melbourne University Press, 2002), pp. 226-228.

50 Tindale’s journal, 25.1.1939, cited Anderson, *The Cultivation of Whiteness*, p. 229.

51 Mallett, *My Past - Their Future*, p. 46, and pp. 47-59.

52 Tindale’s journal, 28.1.1939, cited Anderson, *The Cultivation of Whiteness*, p. 230.

He stressed that they did not live under protection or authority, and enjoyed ordinary rights of citizenship, including the Federal and State franchise, and said they should receive child endowment directly.⁵³ It seems the government thought the Islanders had already been absorbed. The reserve was closed in 1951, because most families had left seeking better opportunities on Flinders Island, or in Launceston or Victoria.⁵⁴

This was the curious space Tasmanian Aborigines had lived in – a space which government policy did little to constrain. However, the stories of the *Downie* sisters, removed to the Launceston Girls' Home in 1931, show that the Islanders were not 'absorbed'. Their Aboriginality was all too visible to those who were charged with caring for them, and it affected their treatment in care.

Indigenous Tasmanian children in the Children of the State Department

Adelaide Downie was apprenticed in Queenstown, a mining town that was considered unsuitable for state wards because of its 'low reputation'. In October 1936 *Adelaide* wrote to the Secretary of the Girls' Home, Miss Law, to protest about her 'very miserable life' with her employer, *Mrs Harley*. She said she had no bed but was made to sleep on cushions on the floor of the passageway, by the front door. The cold made her back and shoulders ache. She was not allowed to have any 'social life', her wages were low, and she was prevented from seeing friends who were 'just like my own people to me'. Worst of all, *Adelaide* wrote, her employer regularly abused her by called her 'some awful names', including 'big black Aboriginal' and 'big black nigger'.

Adelaide guessed *Mrs Harley* would tell Miss Law 'a lot of yarns', and she was right. *Mrs Harley* said *Adelaide* got on her nerves, reducing her to tears and 'to the point' of slapping the girl's face, and she thought she deserved a better girl. Miss Law informed *Mrs Harley* of the Home's attitude to Queenstown, and said they would not consider sending another girl there. In the absence of any evidence that *Adelaide* had been badly behaved in the Girls' Home or was mentally deficient, it seems the reason she was sent to Queenstown may well have been that her Aboriginality made her harder to employ in

53 Robert Cosgrove to Prime Minister, 24.7.1941, CSD(GC)22/466/40/41.

54 Mallett, *My Past – Their Future*, pp. xiv-xv.

Launceston and meant the Home was willing to compromise its principles to place the girl in a situation.

Miss Law responded to *Adelaide*'s letter, and it is worth quoting in full:

I received your letter and am so sorry to hear you are not happy.

I really find it very hard to believe that Mrs *Harley* would call you a nigger. If she did you must have given her very great provocation. But remember this *Adelaide*, none of us can help the colour we were born. God made us as we are and there is no shame in being a nigger, a chinaman or anything else as long as we are a good nigger, Chinaman, Englishman or whatever it is and if we behave as we should we shall be treated as we should be whatever our colour. So don't worry over that *Adelaide*, my dear, just be a good girl, and do your work as well as you can.

About your friends *Adelaide* ... you are still young and Mrs *Harley* will know better than you about such things and if you are wise you will take her advice. I want to let you know how pleased we have all been that you were really trying to be a good girl. You must not give up. Things will come easier as you go on and you will always be glad you have fought the good fight.

I will tell the Committee about your letter at the next meeting and we will see what we can do to help you.

Your very good friend, J.E. Law. [original underlining]

That shocking word 'nigger', used so lightly and with so little regard for the pain it had cause *Adelaide*. In any case, Miss Law told Seager she sided with Mrs *Harley*:

Unfortunately, *Adelaide* cannot keep away from the men, is not very truthful and is not overclean but all the same she has tried very hard to keep straight. Her failings have prevented her making friends with people of whom Mrs *Harley* approves, and some very undesirable people have taken her up and are making it hard for her not to do things she should not do. I think she has to work hard and has not a room to herself because Mrs *Harley* cannot trust her to stay in it at night.

Miss Law said it would not be fair to ask another employer to 'put up with what Mrs *Harley* has to contend with', and *Adelaide* could not be returned to the Home as 'we find she has a dirty mind and would contaminate the younger ones'. However, Mrs *Harley* apparently realised *Adelaide* was better than no servant at all, and sent a fresh letter to say *Adelaide* was 'a very good girl', and she wished to keep her.

The Department and the Girls' Home were happy that *Adelaide* could keep her place and did not ask Mrs *Harley* to apologise for her abuse, or improve the girl's sleeping accommodation. *Adelaide* copped it sweet, and tried to be 'a good nigger'. Yet a year

later, when *Adelaide* was turning 18, *Mrs Harley* again complained that *Adelaide* was ‘untrustworthy, dirty and uncontrollable’. *Adelaide* defended herself, writing to Miss Law about how *Mrs Harley* had taken a month’s holiday, leaving her alone to cook and clean for 11 verbally abusive male boarders, even though she had measles – clearly an outrageous situation. Miss Law did not comment, but rethought. She told Seager that, as *Adelaide* was about to turn 18, she thought *Mrs Harley* was complaining so she could ask for a discount on *Adelaide*’s adult wages. Seager and Law decided to send the girl to Hobart. *Adelaide* said she was happy to leave, and asked only that Miss Law remember her to her sisters – ‘it breaks my heart when I think of them. I would love to see them.’⁵⁵

Adelaide’s next situation, at Nutgrove Beach in Sandy Bay, was also a disaster. The employer complained that *Adelaide* stayed out late at night, was impudent and had dirty habits. Nurse Iles visited and found that the girl refused to leave her bedroom and had stuffed her wardrobe full of ‘filthy’ underclothing. The Department did not try to find the cause of *Adelaide*’s unhappiness, but sent her to the Magdalene Home, where she remained until the early 1940s.⁵⁶

Her sisters fared no better. They were also raised in the Launceston Girls’ Home, but as they grew to adolescence they suffered through the intersection of race and mental deficiency diagnoses. *Alice* got off comparatively lightly. At the age of 11 she was examined by the Mental Deficiency Board and diagnosed ‘subnormal, on the borderline of mental deficiency’, which was attributed to poor schooling and ‘an inborn handicap which cannot be overcome’. She was detained until the age of 16, then discharged to service. The following year two policemen noticed *Alice* standing under a tree near the headquarters of a military garrison. She told them she was waiting for a girlfriend, and intended to meet two soldiers. The police noted that *Alice* was a ‘Half-Cast’ and sent her home, but the Department decided to return her to the Girls’ Home. However, the Matron said *Alice* was ‘not a fit subject to be amongst the young girls’, and sent her to the Salvation Army Home.

Around this time the girls’ aunt, who lived on Flinders Island, asked for *Alice*’s return, but Miss Hudson at Bethel Peniel gave an adverse report about the aunt’s health and

55 SWD 1/3476.

56 SWD 1/3476.

dwelling conditions, and the application was refused. The Salvation Army Matron then asked Hudson if she herself would 'give an eye' to *Alice*; Hudson agreed, on the condition that *Alice* was 'properly handed over to me by the Government', as otherwise 'I would have no hold over her whatsoever'. She wrote: 'I know it will not be an easy task to take *Alice*, but by God's help I am prepared to do my best to save her from a life of shame.' However, Hudson's depiction of the 'deplorable' conditions had been so vivid that the Department kept the girl in Launceston and sent her to service. *Alice* only escaped departmental supervision when she was 20, by absconding.⁵⁷

The youngest girl, *Dawn*, was also raised in the Girls' Home, but suffered extended periods of institutionalisation. In 1943, when she turned 16, the Home informed the Department that *Dawn* was 'just unemployable' and had an 'infant mentality'. The Mental Deficiency Board assessed *Dawn*, and said she showed no sign of epilepsy, violence, destructive, dangerous or suicidal propensities but was simply 'not suitable for employment at present'. It sent her to the Government Institution for Defectives as 'feeble-minded', with 'congenital' mental deficiency. After a year *Dawn* absconded, and the Deficiency Board sent her to the Magdalene Home. When *Dawn* reached her twenties she was sent to the New Town Sanatorium to work. There she was raped by an inmate and became pregnant. When her child was four months old, he was removed from her and made a ward of the state. *Dawn* was returned to the Magdalene Home briefly, then lived at St John's Park. She was still there in 1957, having spent 27 years in one institution or another.⁵⁸

This small sample of removal cases cannot be considered definitive. However, although the evidence is fragmentary, close scrutiny yields important results. It shows that race clearly mattered. The Islanders had held firm to their identity, but were under increasing pressure, even in the absence of overt government policy. The Department felt ill-equipped to deal with Aboriginal children, and compromised on the quality of care it extended to them. Although these children were ostensibly treated 'as white', race did affect their lives. It influenced their sentences, and 'this dark blood' provided an excuse

57 SWD 1/3478.

58 SWD 1/3477.

for the Launceston Girls' Home to give up on *Isabella Munro*, and for the Department to give up on her brothers. *Adelaide* suffered racist taunts, and was expected to be 'a good nigger' in a situation that was not considered acceptable for other girls. Her sisters were caught in the intersection of mental deficiency legislation and racism, and *Dawn* lost her own baby.

What then were the problems of children who were defined as Aboriginal in NSW? That question will be addressed in Chapter 10, but first we must look to the white state welfare system in NSW.

CHAPTER 9

‘In every case happy and bright’¹: Review and inaction in NSW, 1915–1940

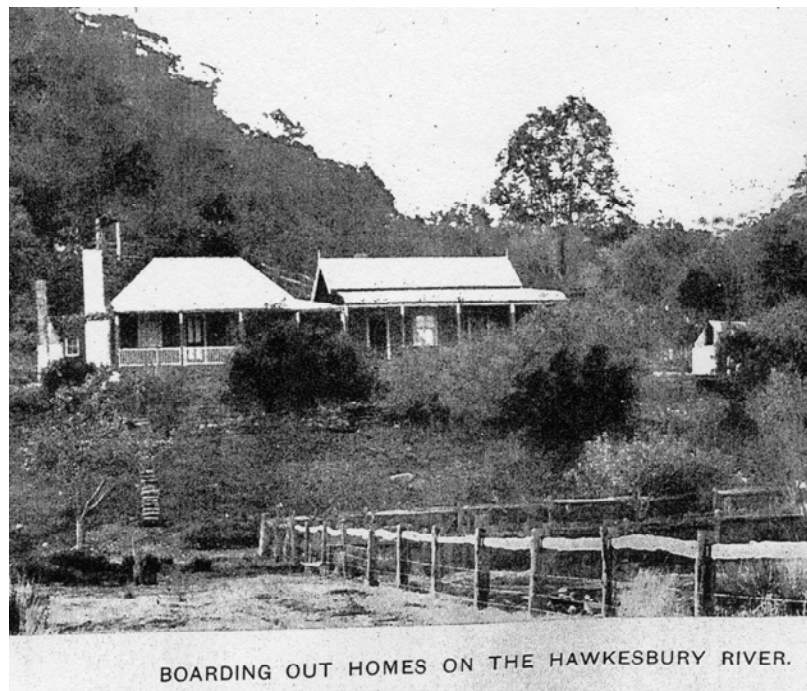
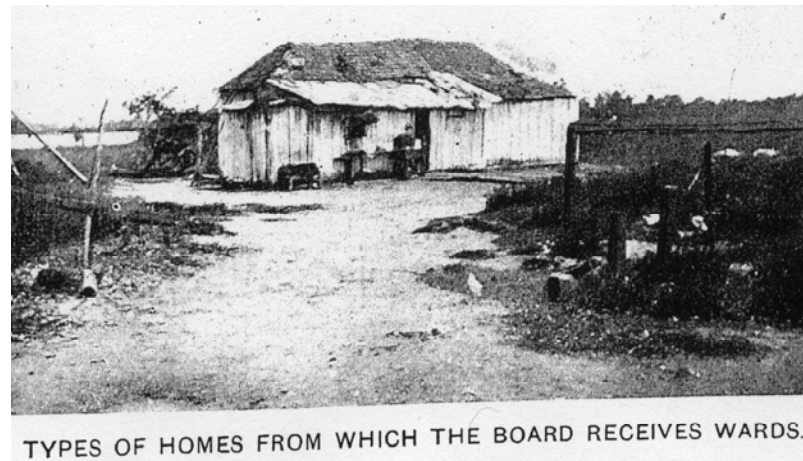


Figure 16: The contrast between these two homes was highlighted in the SCRD’s Annual Report in 1915.

1 Arthur Griffith, 5.9.1916, Parliamentary Debates No. 27, page 1398, cited Public Service Board Inquiry into the State Children Relief Department 1916, p. 63.

The inter-war period in NSW was a time when the treatment of state children was questioned: there were government inquiries in 1916–1917, 1920, 1926–1927 and 1934. Boarding-out was not, with the exception of the 1916–1917 inquiry, the issue. The issues were the nature of the Department's work, and whether it was charitable relief or education, and the Department's failure to implement a progressive agenda that classified children according to behaviour or mental deficiency. Van Krieken is right to caution that children's lives in care remained bleak.¹ However, the inquiries indicate substantial shifts in the conception of children and childhood and beliefs about children's labour, training, education, mental deficiency and juvenile delinquency. Both Labor and conservative politicians were attracted to progressive ideas, and legislated for change. A very real advance was the creation of social supports that meant children did not have to come into care – the family endowment and widows' pensioned pioneered by NSW in 1926, for instance.² In NSW as in Tasmania, adoption grew in popularity, and while institutionalisation and boarding-out remained at a constant level, the number of apprenticeships declined. Importantly, the SCRD and CWD began to believe that the solution to neglect and destitution was not simply to remove children and place them in another family, but to enlist the support of the child's family in the child's improvement.

The 1916–1917 Public Service Board and Select Committee Inquiries

In 1914, Mackellar retired as President of the SCRB and was replaced by A.W. Green, a career civil servant who had been Secretary of the SCRB since 1884 and Boarding Out Officer since 1900. His appointment signified that child welfare was no longer the domain of philanthropists, but was embedded in the state bureaucracy and civil service. Green's rise through the public service left him with an appreciation for hands-on welfare practice, and he continued to inspect the homes of clients throughout his presidency. He worried, when the SCRD's office was moved from a private location on the site now occupied by the Mitchell Library to the top floor of the grand Education Department building in Bridge Street, that the poor would be embarrassed to be so visible to the public.³ As will be explained in the next chapter, he joined the Aborigines'

1 Van Krieken, *Children and the State*, p. 112.

2 *Ibid.*, p. 131.

3 NSW, Select Committee Inquiry into the Whole Administration of the State Children Relief Act 1901 1916, p. 17.

Protection Board (APB). He was markedly more sympathetic to needy mothers than Mackellar had been, and pushed the boundaries of the 1896 legislation to extend boarding-out payments to 'worthy' unmarried mothers and wives whose husbands were working far from home, or invalided.⁴ Such allowances were only given after inspection, so they, along with the probation system that accompanied the Children's Court, enhanced the capacity of the state to intrude into working class lives. However, they did mean more families were supported to stay together.⁵

Boarding-out had been accepted as the best solution to child welfare for nearly 35 years, but it was questioned for the first time in 1916 when two inquiries were called into the SCRD. They resulted from disputes between the Department of Public Instruction (DPI) and the SCRD, and widely publicised complaints levelled by a Woollahra-based organiser for the Political Labor League, J.F. Hackett, about the treatment of boarded-out children in the Hawkesbury River area and in Mittagong Homes.⁶ Mackellar, who was still active in welfare and medical circles, fuelled the controversy by writing an open letter to the Minister to assert the benefits of boarding-out over institutions, and defend the Department.⁷ The government established a Select Committee to inquire into disputes between the SCRB and the DPI and called a Public Service Board hearing into Hackett's complaints. Although both of these provided a platform for Hackett and other critics to allege that boarding-out was child slavery, the inquiries ultimately fortified the boarding-out system.

The Select Committee began first. It started by considering the SCRB's complaint that the Education Minister did not protect the religious preferences of boarded-out children and had abandoned the older method of choosing Board members after consultation

4 SCRD Annual Report, 1918, p. 1, p. 8. Green thought state maternity homes would 'keep young, victimised women from the demoralising influence of frequent association with large maternity establishments.' Hostels housing 20-45 mothers and 30-50 babies were founded at Eastwood, 'Hillside', Paddington and 'Cicada', Croydon. *Ibid.*, p. 16. Eastwood was for mothers considered mentally deficient or 'slow', and those with multiple illegitimate confinements ('moral degenerates'). SCRD Annual Report, 1919, p. 3.

5 Van Krieken, *Children and the State*, p. 84, pp. 91-99.

6 Public Service Board inquiry into the SCRD, 1917, p. v; Select Committee into State Children Relief Act, 1916, pp. 3-6, p. 22.

7 C. K. Mackellar, *The State Children: An Open Letter to the Honourable A.G.F. James, MLA, Minister for Education*, (Sydney: W.A. Gullick, 1917), pp. 8-11.

with the city's church denominations.⁸ (The DPI's most recent appointees had been Labor Party women – Annie Golding, a teacher, and Grace Scobie, a factory inspector whose father happened to sit on the APB.)⁹ The DPI also considered that paying religious institutions to care for girls, a course preferred by Mackellar and Green, amounted to 'state aid to religion'.¹⁰ These questions were easily resolved by the Committee, which recommended that the old model of church consultation be used; the question of religion never re-emerged.¹¹

A far more difficult issue for the Select Committee was conflict between the DPI and the SCRD over whether the work of the latter was charity or education. Four key witnesses were called, but even though they were all progressives, none could agree. President Green was the first to speak. He said the chief function of his Department was 'entirely ... charity work amongst poor orphans', which was best effected through the boarding-out system.¹² Green said he did not think his agency should be governed by the DPI and asserted that religious institutions were better for the reformation of girls than the DPI's Parramatta Industrial School:

Boys you can hammer something into, but girls you cannot, you have to train it into them. The emotions of girls have to be worked on. You have no hope of making a decent woman of one of these girls without religious training. We should place the girls in religious institutions rather than in any other institutions.¹³

Green could not see the difference between Parramatta's 'training home' and 'industrial school' divisions because they 'come under one head, and they are within the same

8 The event that precipitated the inquiries was the Minister's reversal of an SCRB decision to remove a Roman Catholic child from a Protestant home. Select Committee into State Children Relief Act, 1916, pp. 24-25.

9 Select Committee into State Children Relief Act, 1916, p. 22; B. Kingston, 'Golding, Annie Mackenzie (1855-1934)', *Australian Dictionary of Biography*, pp. 41-42; Golding was a member of the Progressive Women's Association and a campaigner for affiliation laws. J. Allen, 'Breaking into the public sphere: The struggle for women's citizenship in NSW 1890-1920', in J. Mackinolty & H. Radi, (eds.), *In Pursuit of Justice: Australian Women and the Law 1788-1979*, (Sydney: Hale & Iremonger, 1979); K. Deverall, 'They Did Not Know Their Place: the Politics of Annie Golding and Kate Dwyer', *Labour History*, 87, November, 2004; L. Taksa, 'Scobie, Grace Locke (1876-1957)', *Australian Dictionary of Biography*, pp. 542-543. In the 1930s she campaigned on Aboriginal issues with her friend, Mrs Joan Kingsley Strack. V. K. Haskins, *One Bright Spot*, pp. 199-200, p. 216.

10 Select Committee into State Children Relief Act, 1916, p. 8, p. 19.

11 Select Committee into State Children Relief Act, 1916, p. 9.

12 Select Committee into State Children Relief Act, 1916, p. 16, p. 35.

13 Select Committee into State Children Relief Act, 1916, p. 18.

walls'. He likened Parramatta to a prison, which is important to note, given that the APB virtually replicated Parramatta when it created Cootamundra.¹⁴

Mackellar spoke next. He agreed that the SCRD did not belong under the DPI, but said its work was the curbing of infanticide and infant mortality and pre-emptive social intervention, to curb criminality:

In my opinion, neglected children are *ipso facto* delinquent children. They are children who have had drunken, worthless, or criminal parents, or they are children of prostitutes, or of people who have been in gaol. Such children readily become delinquents.¹⁵

He said boarding schools, proposed by Hackett, would double the cost of care, and reminded the Committee of the abuses found at Randwick in the 1870s.¹⁶ Even though he had himself expanded the cottage home system of small institutions, Mackellar asserted:

You do not alter the character of an institution by changing its name. You may call it a State Boarding School, an Orphan School, an Industrial School, or a Reformatory. Practically they are all the same.¹⁷

He thought the SCRB should adopt progressive socio-medical policies, and criticised the DPI for ignoring his recommendations on feeble-mindedness and stymieing his attempts to professionalise the Board with experts in psychology and paediatric medicine.¹⁸ He proposed replacing the SCRB with a medico-legal Children's Council

14 Select Committee into State Children Relief Act, 1916, p. 17.

15 Select Committee into State Children Relief Act, 1916, pp. 41-44; He said the SCRD had reduced both, though he did also credit the 1885 Dairy Supervision Act he had introduced into Parliament. A.M. Mitchell, 'Mackellar, Sir Charles Kinnaird (1844-1926)', *Australian Dictionary of Biography*, Volume 10, 1986, pp. 297-298. It is likely that Mackellar's pro-natal concerns resonated with the elite gentlemen of the committees. See Murphy, "Very Decidedly Decadent".

16 Mackellar cited the poor conditions and beatings exposed by Premier Henry Parkes and Police Commissioner Edmund Fosbery in the 1870s. Select Committee into State Children Relief Act, 1916, p. 39. Annie Golding testified that she had, as a young woman of 24, worked at the Asylum and had witnessed the beatings and laid complaints. They gave her 'a great horror of barrack life.' Select Committee into State Children Relief Act, 1916, p. 50; Deverall, 'They Did Not Know Their Place', p. 32.

17 Select Committee into State Children Relief Act, 1916, p. 41.

18 Mackellar had recommended the appointments of Dr Andrew Davidson, a lecturer in psychology and mental diseases at the University of Sydney, and Dr Litchfield, to no avail. Select Committee into State Children Relief Act, 1916, pp. 40-41.

made up of the Director-General of the Insane, Children's Court Special Magistrates, and specialists in psychology and mental and children's diseases.¹⁹

Annie Golding, newly appointed to the Board, countered Mackellar's medical views. A teacher at Orange Grove Public School, she was a Labor Party activist on behalf of infants and women, and had agitated for the SCRB to pay mothers the same rate of boarding-out allowance as foster parents.²⁰ She thought the word 'charity' was demeaning, and preferred to think of the Board's role as 'uplift' and 'social work', saying Board members should be experienced in 'progressive public work'.²¹ She expressed particular scepticism about mental deficiency, claiming doctors 'more eagerly look for signs of insanity in the children than for signs of sanity'. Although she was herself a teacher, she thought the Board should be independent of the DPI, so it could enact an advantageous system of domestic training for boys and girls' – a viewpoint which accorded with her political sympathies.²²

Her statements contrasted with those of fellow DPI employee Alexander Thompson, Superintendent of the Parramatta Girls' Industrial School.²³ He thought state children were best cared for in small institutions, of 20 to 50 inmates, like his own. He said this extended the principle of family-based care, noting that his matrons were his social equals and 'it is the educated woman who introduces the ideal of home life'.²⁴ This was a departure from the more traditional view that children should be replaced with carers of their own social class.

When the Select Committee reported in September 1916, it dismissed all allegations of ill-treatment against the SCRD and endorsed Green's views, declaring that the SCRD was a charitable operation and should be returned to the purview of the Chief

19 Select Committee into State Children Relief Act, 1916, p. 41.

20 Select Committee into State Children Relief Act, 1916, p. 48; Deverall, 'They Did Not Know Their Place', pp. 40-41.

21 Select Committee into State Children Relief Act, 1916, p. 50.

22 Select Committee into State Children Relief Act, 1916, p. 49.

23 Thompson was an educationalist, with a degree from Sydney University and 30 years of practical experience in city and country schools as well as on the *Sobraon* and at Parramatta, and claimed special insight into 'what is evil and what is merely childish'. Select Committee into State Children Relief Act, 1916, p. 52.

24 Select Committee into State Children Relief Act, 1916, pp. 51-52. He said, 'socially every woman on my staff is one I can meet in my own home' – a distinct difference to the 1890s.

Secretary.²⁵ It praised Green as ‘very specially qualified by experience and by character for the duties’ of President; this was despite the fact that it thought the President should be independent of public service.²⁶ The government continued Green’s appointment but ignored the recommendation to return the SCRD to the Chief Secretary’s Department.

While the witnesses called before the Select Committee were all ‘experts’, the Public Service Board inquiry ventured beyond the bureaucracy, into foster homes. Policemen investigated complaints Hackett had collected from the Hawkesbury River towns of Windsor, Pitt Town and Wiseman’s Ferry, and Public Service Board members made surprise visits, seeking evidence of systematic ill-treatment.²⁷ They corroborated just six of 40 complaints, but also believed that a number of children were overworked, many of the foster homes were overcrowded, and the area was unsuitable for state children because there was no resident doctor and children had to walk too far to school.²⁸

Their investigations revealed the texture of life in foster care in a way that contemporary annual reports do not. There were 139 children in 73 homes in the Hawkesbury district, and the area was considered by the Board a sort of truants’ home.²⁹ The police detailed the daily life of the foster children, who usually rose at 7 a.m., helped around the house before and after attending school, and retired at 8 p.m. The police thought children should work, and that a healthy 14-year-old could milk six cows and attend to stock and poultry without affecting his or her schoolwork. But, the police said, a number of children were overworked. A 10-year-old boy, boarded with the Pitt Town postmistress, rose at 6.30 every morning to milk several cows, chop wood and cut chaff. A Chinese ‘half-caste’ foster child made the fire, milked a cow, fed five pigs and chopped the day’s wood before breakfast, then walked three miles (nearly five kilometres) to school wearing a cotton jacket that was too thin to ward off the winter chill.³⁰ Such overwork had deleterious effects – the officers noted that one boy of nine had lost his fingers in a

25 Select Committee into State Children Relief Act, 1916, p. 9.

26 Select Committee into State Children Relief Act, 1916, p. 9.

27 Public Service Board inquiry into the SCRD, 1917, p. v. Select Committee into State Children Relief Act, 1916, p. 9. Mr Green testified that within NSW there were 100 children under the age of 14 boarded out on dairy farms, and 394 apprentices. Public Service Board inquiry into the SCRD, 1917, p. 61.

28 Public Service Board inquiry into the SCRD, 1917, p. 4.

29 SCRD Annual Report 1915, p. 11. ‘This district takes the place of a truant school, very real though not apparent.’

30 Select Committee into State Children Relief Act, 1916, p. 9.

chaff cutter and that a number of boys were 'low-spirited' because of the amount of work they had to do.³¹

A home the police considered 'first-class' was the *Wallace* household, where five foster children aged between five and 12 lived on an orchard and mixed farm. They did minor chores, such as fetching in the cows, feeding fowls and helping with breakfast. They were well dressed and had clean beds, spare clothes and new boots.³² However, *Mrs Wallace* fostered up to 13 children at one time – clearly the SCRD was struggling to conform to its own standard of two state children per home.³³ Of particular note was her claim that she took foster children to keep the school open for the children of locals. This was a common refrain amongst the foster parents; they had their own interpretation of how boarding-out benefited the community. In the Hawkesbury, and presumably elsewhere in NSW, state children provided the numbers needed to secure government services.

Yet the *Wallace* home stood head and shoulders above other Hawkesbury homes, the majority of which were run down and comfortless. One elderly foster mother, *Mrs Howe*, had no income beyond the allowance she received for six foster children. They lived in a squalid house which had no windows and was filthy, with wallpaper hanging down in 'dirty festoons'.³⁴ Many guardians struggled to clothe children properly, and few state children wore boots, even though it was winter. Boarders shared beds with other foster children and apprentices, even in homes where the guardians were in good circumstances. One foster boy slept with an apprentice in a room with broken windows, on a dirty stretcher filled with chaff.³⁵ These conditions would not have been tolerated in Tasmania.

31 Reported in the *Daily Telegraph*, 18 June 1916; Public Service Board inquiry into the SCRD, 1917, p. 3.

32 Public Service Board inquiry into the SCRD, 1917, pp. 3-4.

33 Green tallied the number of children housed in each foster home in his Annual Reports. In 1918 for instance, there were 2672 foster homes, housing 4066 children. Most homes had two to four children, but in 10% of homes there were five or more children. One, at Toronto near Newcastle, had 11. SCRD Annual Report, 1918, p. 10.

34 Public Service Board inquiry into the SCRD, 1917, p. 2.

35 Public Service Board inquiry into the SCRD, 1917, p. 4. In two separate households boys of 11 slept with the 16 year-old sons of the house. Tasmanian children were not boarded out unless they had their own beds, if not their own rooms.

But Green defended the Hawkesbury households. He said *Mrs Howe*'s motherly care compensated for 'any deficiency in the way of fine furniture and polish'.³⁶ He thought 'a broken window is better than a closed window', because it admitted healthful fresh air, and that bare feet were preferable to wet boots.³⁷ He said the area was suitable for children because:

These people have brought up their families in these places. If they can deal with their own families they can deal with our children. We deal with it in this way – that the children must be treated as their own children.³⁸

Then Green added the Hawkesbury was a special case, used for truants and 'court boys', 'the incorrigible children, who otherwise would be sent to Mittagong or Gosford'.³⁹ He said Hackett was wrong to fuss about state children's education, as they could extend to leaving certificate if they wanted, and that the NSW system was superior to that of Victoria's and South Australia's, because state children were not sent to orphanages and institutions.⁴⁰ Green said the low spirits observed by the police were not caused by overwork, but by separation from family members. Green called Inspector Henry Maxted, who confirmed:

When they first came on the river they did not like the loneliness of the place. They did not care for the change from the city slums to the country. They play up. Some of them honestly want to get back to their mothers, no matter how bad they are. For that reason they run away. That, in a large measure, accounts for the impression abroad that the boys are not well treated, and run away on account of that. In many cases where a boy runs away, it is on account of a longing for home.

That longing for home seems to have been seen as inevitable. Green asked Maxted a series of leading questions, to demonstrate the Department's sympathetic treatment of lonely children:

Mr Green: No matter how bad a home, a child's instincts will turn towards his parents?

36 Public Service Board inquiry into the SCRD, 1917, pp. 6-8.

37 Interview with Michael Dark, Katoomba 19.10.2005; Mick said that at the age of six he slept in the open air, all year round, on the south-east verandah of his Katoomba home. When it rained his parents simply covered him with a tarpaulin; B. Brooks with J. Clark, *Eleanor Dark: A Writer's Life*, (Sydney: Macmillan, 1998).

38 Public Service Board inquiry into the SCRD, 1917, p. 5.

39 Public Service Board inquiry into the SCRD, 1917, p. 18.

40 Public Service Board inquiry into the SCRD, 1917, pp. 18-19.

Mr Maxted: Yes. It is the policy of the Department also to send a child back to the parents, even if the parents' home is not as good as the boarded-out home from which he was taken.

Green: That is to say, the Department encourages the children being returned to the parents and kept with the parents, rather than being boarded out?

Maxted: That is so.

Mr J.M. Taylor [Public Service Board]: That is, unless you know that the parents are such that it would not be right for the children to be placed with them.

Green: Every inquiry is made of the parents beforehand. We encourage them to take their children off the state.⁴¹

If so, that was a marked departure from the statements made by Renwick and Mackellar during their presidencies.

When Hackett was finally called to testify by the Public Service Board he said he was motivated to campaign against the overworking of children after witnessing children being mistreated by their own parents.⁴² He said the boarding-out system was child slavery, as children were not fostered for love, but for what foster parents 'can get out of them'.⁴³ Hackett believed Henry Parkes had intended the scheme to be educational, and added the SCRD should draw on professional scientific knowledge about children's care.⁴⁴ He was given a good hearing by the Public Service Board, but the SCRD countered each of his claims, demonstrating the power of government agencies to control narratives about their methods.

The first witness Hackett brought to the inquiry was Mrs Madeline Delaney of Auburn, the mother of a boy who had died in state care. Mrs Delaney had, owing to the cruelty of her husband, taken the advice of a clergyman and the school inspector and sent her son to Mittagong. She had an older daughter who had turned out well after a stint in Parramatta and thought her son would learn a trade and be sent home 'a manly and good

41 Public Service Board inquiry into the SCRD, 1917, p. 19.

42 Hackett cited a boy boarded at Trundle, who was worked 'from early morning until about 8 or 9 o'clock at night', despite being aged just 11, and consumptive. Public Service Board inquiry into the SCRD, 1917, pp. 21-22.

43 Public Service Board inquiry into the SCRD, 1917, pp. 23-24. Hackett argued that birth children who worked at least earned a share in the family's business. Contrast this with Merv Lilley's account of the myriad ways his dairy-farming father exploited the labour of his children. Lilley, *Galton Man*.

44 Public Service Board inquiry into the SCRD, 1917, p. 26. As he said this he was interrupted by the Chair, who snorted that a 'system of making them study all day would make them old men before they were 15 years of age.'

boy'. However, he was apprenticed, without her knowledge or consent, to a dairy farmer at Kempsey, where he was, she alleged, overworked until he sickened and died of typhoid.⁴⁵ She said:

I think [the farmer] was kind enough to wrap up the whip he had flogged him with ... some other little trinkets my boy had, and he gave them to me to bring home. I have the whip at home.⁴⁶

Green rebutted this moving testimony by asking one of his inspectors to read aloud the Delaney file, which called the family 'improper' and said the mother was exaggerating to seek compensation. It also contained reports from Kempsey Hospital that said the boy had not died of typhoid, but rheumatic fever, and Mrs Delaney had sponged board from them while her son lay dying. She sobbed, 'I have had a hard life, I defy anyone to say I am not a good woman and a good mother', but the Public Service Board agreed with the Inspector that she should be 'taken no more notice of'.⁴⁷

Hackett's other witnesses were also discredited. A Hawkesbury farmer called John Nagle attended the hearings to say farmers lived off the sweated labour of children and punished them by tying them to orange trees with trace chains, but as he could not furnish positive proof, his allegations were dismissed as hearsay.⁴⁸ As explained in Chapter 5, ex-residents of Mittagong cottage homes, from the 1890s, attended the inquiry to tell of corporal punishment and sweated labour – Hackett described this as cruelty that 'outbeats the Huns'.⁴⁹ But the matrons came out of retirement to say children's work prevented 'mischief', and one tendered an inmate's letter which opposed Hackett's view of the cottages:

I often think of the home, and although I naturally am glad to be free, as it were, I have to thank you over and over again, for I feel you made me see what an awful

45 Public Service Board inquiry into the SCRD, 1917, pp. 24-25; Public Service Board inquiry into the SCRD, 1917, pp. 38-39.

46 Public Service Board inquiry into the SCRD, 1917, pp. 36-37.

47 Public Service Board inquiry into the SCRD, 1917, p. 39. This case is cited by Kociumbas, *Australian Childhood*, p. 110, who presents the woman's claims, without mentioning the SCRD's successful rebuttal.

48 Public Service Board inquiry into the SCRD, 1917, pp. 10-15. Nagle was drawn into vigorous debates with a neighbour who was a guardian to state children. The Public Service Board Inquiry found that Nagle had no first hand knowledge of the matters he raised. *Ibid.*, p. v, p. 1.

49 Public Service Board inquiry into the SCRD, 1917, p. 25.

thing it is not to control one's self, and although I am glad it is all over now, still I am glad I went to the cottage home to learn that lesson.⁵⁰

The Public Service Board then visited Mittagong cottages (Hackett was not allowed to accompany them) and declared the state of affairs described by Hackett and his witnesses, if it ever existed, did so no longer.⁵¹

The government also supported the SCRD's counter-narrative. Five months before the inquiries ended the Minister for Public Instruction told the Parliament the inquiry would find against Hackett and show 'the children were in every case happy and bright, and quite satisfied with their surroundings'.⁵² Hackett protested the Minister's intervention, but his own reputation was at risk, as he was being dogged by rumours that he was being 'boosted' by George Ardill and private institutions that hoped to profit from the decline of the boarding-out system.⁵³ Green asserted his moral authority, snapping at Hackett, 'the boarding-out system is the best in the world. You cannot suggest any better', and saying, 'it is the policy of every decent person for a child to do work'.⁵⁴

In the end the Public Service Board agreed and said SCRD foster homes were 'a credit to the State', that state children required strict discipline, and that the boarding of children in private homes and at Mittagong was done 'with care, foresight and humanity'.⁵⁵ Boarding-out had received a ringing endorsement and would not face serious scrutiny again.

The 1920 Royal Commission into the SCRD

Green had worked closely with Mackellar, and was alive to the widespread social concern about feeble-mindedness. Mackellar continued to propel the debate, producing another study, written with Dr D.A. Welsh of Sydney University in 1917, which described the families swept up in the Monaro raids of 1907 as the 'incapables and degenerates' left behind after the exodus of 'active miners' from the diggings – images

50 Public Service Board inquiry into the SCRD, 1917, pp. 51-53; p. 48.

51 Public Service Board inquiry into the SCRD, 1917, p. vi.

52 Arthur Griffith, 5.9.1916, Parliamentary Debates No. 27, page 1398, cited in Public Service Board inquiry into the SCRD, 1917, p. 63.

53 Public Service Board inquiry into the SCRD, 1917, p. 60.

54 Public Service Board inquiry into the SCRD, 1917, p. 62.

55 Public Service Board inquiry into the SCRD, 1917, p. vii-viii.

that intentionally evoked the 'white trash' of American eugenic family studies.⁵⁶ Mackellar and Welsh argued that controls over mental defectives were 'political economies' that would curb crime, pauperism and insanity, but took a harder line than Morris Miller. They said 'morons' and the 'dull and backward' child could benefit from special schooling, but segregation was necessary to prevent 'awful sexual outrages on little children' and murders.⁵⁷

Green was interested in mental deficiency, and agreed custodial care was necessary to prevent the 'individual misfortune' of mental deficiency becoming 'a destructive social force'. He designated several of the Mittagong cottages for this specific purpose, using his own criteria, which included defective speech, clumsy gait, 'dirty' or 'depraved' habits, restlessness and hysteria.⁵⁸ However, there were no educational or clinical initiatives, and the only specialised education programme was in the Pennant Hills cottage, where a Montessori-trained teacher taught handcrafts, singing and play to prevent the children becoming 'morbid, vicious and overmastered with their naturally bad instincts'.⁵⁹ For good measure, the older girls learned housewifery 'in all its branches', so they would always be useful in an institution and would not become 'human flotsam ... ever drifting, uncared for, out into the sea of crime'.⁶⁰

By 1920 Green was due to retire. Under his guardianship, the SCRD had increased the number of children in its care to 5403: 57.5 per cent were boarded out or placed in Mittagong, 19 per cent were apprenticed, nine per cent were informally adopted and 13 per cent were placed in temporary institutions, or depots.⁶¹ His last report urged the government to consolidate all Acts dealing with children and alter the social environment to reduce delinquency.⁶² He noted the toll of inflation and the influenza epidemic, and said he was using a liberal interpretation of the Act to provide aid to

56 C.K. Mackellar & A. Davidson, *Mental Deficiency: A medico-sociological study of feeble-mindedness*, (Sydney: W.A. Gullick, 1917), pp. 28-29; A useful collection of the American family studies, which also explains their context, is Rafter, *White Trash*.

57 Mackellar & Welch, *Mental Deficiency*, pp. 45-47.

58 SCRD Annual Report, 1914, p. 14; SCRD Annual Report, 1918, p. 12, p. 21.

59 SCRD Annual Report, 1918, p. 13.

60 SCRD Annual Report, 1918, p. 13.

61 SCRD Annual Report, 1921.

62 SCRD Annual Report, 1920, pp. 2-6.

single mothers and wives whose husbands were prevented from earning an income by illness or institutionalisation.

At a time when Tasmania was cutting its allowances, Green had increased the weekly payment for fostered children to 10s.⁶³ He highlighted high rates of illegitimate births amongst girls, stating that the 1910 Girls' Protection Act, which raised the age of consent and had been a favoured cause of Ardill, was an imperfect solution.⁶⁴ He thought delinquency and the endangerment of girls could be countered more effectively if healthy recreational activities were established to keep children off the streets and out of movie theatres, and asked that the school leaving age be raised to 16, so youths were not sent into the 'blind alley' of unskilled employment.⁶⁵

Unfortunately for Green, Mackellar's agitations for better methods to classify children and curb delinquency would stop him enjoying a graceful retirement. In 1919 he had written to Premier W.A. Holman to complain about DPI reformatories and describe instances of 'bestial immorality' amongst boys. He said prostitutes and members of the criminal classes were being 'recruited in consequence of faulty methods of treatment of adolescent delinquents'.⁶⁶ Holman responded by asking G. Mason Allard, a chartered accountant and experienced royal commissioner with forensic skills, to inquire into child welfare institutions and the administration of the SCRB.⁶⁷ Allard's inquiry did not, as Mackellar had hoped, damn the DPI, but as Van Krieken says, it did sound the death knell for the SCRB – 'a fine example of unintended consequence'.⁶⁸

Allard was attuned to social change and receptive to demands for better classification of children, noting that the task was impeded by the *ad hoc* development of child welfare

63 SCRD Annual Report, 1920, p. 1.

64 J. Allen, 'Breaking into the Public Sphere', p. 111; J. A. Allen, *Rose Scott: Vision and revision in feminism*, (Melbourne: Oxford University Press, 1994), pp. 195-196; *The Rescue*, 17 January 1909, p. 9. Green examined NSW Statistical Registers from the 23 years preceding 1914 and determined that, of 2614 young mothers listed, 67% were aged 16, 25% were aged 15 and the remainder were aged between 11 and 14; SCRD Annual Report, 1920, pp. 7-8.

65 These included street-trading, chocolate-selling on ferry boats, rail stations and picture shows, occupations which were considered detrimental to the future careers of the children, and prevented their admission to apprenticeships.

66 NSW, Royal Commission to Inquire into the Public Service of New South Wales, G. Mason Allard, 1920, p. 1, p. 10. Allard observed it was unfair for Mackellar to blame the DPI for these occurrences, as Mackellar had invariably prevailed in these disputes over the placement of children.

67 A.B. Cleland, 'Allard, Sir George Mason (1866-1953)', *Australian Dictionary of Biography*, Volume 6, p. 40.

68 Van Krieken, *Children and the State*, p. 114.

laws. Two separate Acts (Children's Protection and Infant Protection) related to children under the age of three. The Minister for Public Instruction controlled reformatories and industrial schools, but the SCRB acted entirely on its own responsibility and expended its own funds, as well as running its own institutions and depots. The Department of Justice organised the Children's Court, but the SCRD transported children to and from the court, and administered support to necessitous widows and deserted wives.⁶⁹

Allard visited DPI and SCRD institutions and examined their records. He was generally satisfied with the DPI institutions, which included a new Truancy School at Guildford.⁷⁰ At Gosford Reformatory record-keeping was lax, he said, but there was no evidence that 'the ranks of the criminal classes are recruited in consequence of the faulty treatment here'. However, 'sexual delinquents' mixed with other boys, and Allard was disturbed by the Superintendent's offhand remark that the boys 'know pretty well all that is to be known' about sexual matters and sin and were shamed into reform by their peers' aversion to 'the lower degrees of immoral bestiality'. Like Ashley's reformers, Allard urged better classification and the employment of a Matron.⁷¹

He was not as happy with Parramatta, even though he praised Superintendent Mr Thompson for making his 'life's work his life's study'. The school had attempted to classify girls by subdividing it into industrial school, housing 100 'sexually immoral' girls, and a separate 'training home' for 25–30 less serious cases. However, the latter was too small, and girls who had been intended for the training school ended up in the more austere section. All the girls were disadvantaged by their aged and unsuitable buildings, and their confinement behind high walls.⁷²

When Allard turned to SCRD institutions, he found little to like. He rejected Renwick and Mackellar's view that Mittagong was an extension of boarding-out or a suitable venue for training. In his view, it was a place of penal detention. The Department's practice of sending children there if they failed in a foster home or absconded (something he thought 'perfectly natural') was 'distinctly wrong', because placing

69 Allard, Royal Commission 1920, p. 2-4.

70 Allard, Royal Commission 1920, pp. 13-14.

71 Allard, Royal Commission 1920, pp. 13-14.

72 Allard, Royal Commission 1920, pp. 11-13.

children into institutions without reference to a court or without due investigation contravened the liberty of children – though they were minors, he said, they deserved the rights of ordinary subjects.⁷³ Some children had even been detained at Mittagong because of simple administrative errors at head office.⁷⁴

Allard also found that the SCRD impeded classification at Mittagong by adopting an old-fashioned, general approach. It provided only the most ‘bald statements’ about children, such as ‘WJS, 9, Protestant; WM, 9, CE, cannot talk properly’, which frustrated the Superintendent’s desire for information about the needs of individual children.⁷⁵ He criticised the Department for being fixated on training and apprenticeship, which took up space and caused utterly unsuitable groupings.⁷⁶ Physically disabled children with normal intellects were housed with able-bodied children with histories of violence and sexual assault.⁷⁷ Children who were visiting the cottages because they were on ‘holiday’ from other institutions shared cottages with feeble-minded children, cripples and epileptics. In the industrial school section, boys who had committed no offence mingled with serial offenders. Adolescent girls lived and worked in many of the cottages, and ‘gross immorality’, such as the sexual assault of a 12-year-old boy by two older girls, had already occurred.⁷⁸ Allard wrote:

To bring girls of doubtful repute into daily touch with the class of inmate of this home is a most dangerous experiment, and altogether reprehensible ... the lads are mentally deficient in whom the restraint of sexual passion is particularly absent ... The care of the feeble-minded child, and particularly of the adolescent, is a most serious matter, which should not be dealt with in the hopeless, amateur manner in which it appears to be conducted.⁷⁹

73 Allard, Royal Commission 1920, pp. 16-17, pp. 22-24.

74 Allard, Royal Commission 1920, p. 18. One instance was ‘a fine boy’ whom the Superintendent recommended be boarded out so he could be sent to school, rather than housed in a cottage with 30 court boys. The Department failed to act for 18 months.

75 Allard quoted once of the Superintendent’s memos: ‘As a guide to the character of this boy the attached papers are of no value at all. It is very necessary, if appropriate treatment be applied, that the precise information be given of the shortcomings of this boy ... What is the nature of the “trouble” and “behaviour”? Is he immoral, or a thief, or indolent, or what?’ The Department replied that the boy was ‘indolent and disobedient’. Royal Commission 1920, p. 19.

76 Allard, Royal Commission 1920, p. 24.

77 Allard, Royal Commission 1920, p. 21.

78 Allard, Royal Commission 1920, pp. 20-21.

79 Allard, Royal Commission 1920, p. 21.

Allard also noticed, and condemned, the presence of Aboriginal and ‘half-caste’ children in the cottages.⁸⁰ He said ‘their habits, instincts, and moral outlook differ in every respect from the ideals of the white, and it is desirable that they should be separately dealt with’.⁸¹ Yet he made no mention of the APB, or of what he thought about its programmes for Indigenous children.

These failures of classification were repeated in other SCRD institutions, such as ‘Hillside’, a domestic training home for girls at Paddington, and the congested children’s court shelters, where wayward offenders mingled with ‘others against whom there is no reproach but poverty and ill-health’. In the courts, neglected children rubbed shoulders with juvenile and adult offenders, some of whom had abused children.⁸² Children of normal mentality but delicate health were sent to Parramatta Cottage Homes for Invalid and Feeble-Minded Children and the Eastwood Home for Mothers and Babies, which was designated for mothers of weak intellect.⁸³ May Villa at Pennant Hills was still the only institution offering any sort of specialised education for children considered ‘mental defectives’.⁸⁴

The worst of all was Raymond Terrace Home, one of Mackellar’s farm homes. Allard said it was designated for children ‘steeped to the last degree in juvenile viciousness and bestial immorality’. It housed 15 boys, classed as ‘cripple’, ‘epileptic’, truant, ‘sexual degenerate’ or ‘half-caste’, none of whom had been medically or psychologically assessed. There were no records and the home was never inspected.⁸⁵ Allard fumed:

80 Green said in 1915 that there was a ‘proportionately large number of aboriginal and half-caste children in the Cottage Homes’ and that 70 to 80 children were under SCRB supervision. SCRD Annual Report, 1915, p. 25. See next, Chapter 9.

81 Allard, Royal Commission 1920, p. 18, p. 45; The SCRD Annual Reports for 1917-1920 do not list a single committal of a child with Aboriginal parentage, but record that there were Aboriginal babies at Hillside Home and four Aboriginal children at Raymond Terrace Home (for defectives), SCRD Annual Report, 1918, p. 16; SCRD Annual Report, 1920, p. 29.

82 Allard, Royal Commission 1920, pp. 26-27, 41.

83 Allard, Royal Commission 1920, p. 24; Allard also noted that the complaints made by Green in 1916, that expectant mothers had to run the gauntlet of the public gaze when seeking aid, had not been addressed. He considered the hostels for unmarried mothers, so beloved of Mackellar and Green, were enormously costly, as they did not recoup their costs from the mothers, and could only serve a few women at a time. Allard, Royal Commission 1920, p. 25.

84 Allard, Royal Commission 1920, pp. 23-24.

85 Allard, Royal Commission 1920, p. 25.

‘there is too much done throughout the whole of the work of this Department under the casual direction of the President’.⁸⁶

Allard then examined the Department’s administration of boarding-out payments to needy mothers. He praised the Department for using a ‘liberal interpretation’ of the Act to support deserted wives and those whose husbands were unable to earn income through illness or institutionalisation – something Green had been proud of. Allard recognised that some members of the community argued that payments to support illegitimate children were a ‘premium’ for ‘looseness of living’, but said the allowances were too low.⁸⁷ He also condemned the way they were provided, describing the case of Mrs X, at length, to illustrate the way the Department forced women who could not conform to its moral framework to surrender their children.⁸⁸

Mrs X was a widow who had lived with Mr Y for 13 years and had borne four children, without benefit of matrimony, before he deserted the family and then died. As a widow, Mrs X was given boarding-out allowance of 12s per week for her children, but it was stopped after a clerical error in March 1915. She reapplied, but was without payment for several months. Creditors seized her furniture and she depended on nuns for charity, becoming, in the words of one SCRD inspector, ‘a prey to temptation’.⁸⁹ Unfortunately these words were prophetic.

Mrs X regained her payments later in the year, but received no back pay. Then, in 1918, the Department discovered she was pregnant to her boarder, who had disappeared. Lady Inspectors were sent to inquire. The first, dubbed by Allard ‘Lady Inspector No. 1’, said the children were well kept and healthy and the allowance should continue. However, the Board decided to take the children and board them out. Mrs X refused to part with any of her children and asked for support until her confinement, but the SCRD refused so Mrs X and her five children sank into destitution. ‘The matter drifted casually’, Allard said, for 18 months, by which time Mrs X had lost all her time-payment furniture and was sleeping in a borrowed bed. Lady Inspector No. 2 challenged her superiors,

86 Allard, Royal Commission 1920, p. 26.

87 Allard, Royal Commission 1920, pp. 33-34.

88 Allard, Royal Commission 1920, pp. 27-28.

89 Allard, Royal Commission 1920, p. 28-31.

saying 'the Department was punishing the children for the past misdeeds of the parents by withholding aid'.⁹⁰

The Department was unmoved. It offered to take three of the children, but Mrs X, once again, refused. The Sydney City Mission supported her, saying Mrs X was a loving mother, and Mrs X was summoned before Mr Green, who gave her a fortnight's worth of food orders and sent her on her way. Lady Inspector No. 1 visited, finding the family of six destitute and occupying the upstairs room and balcony of a terraced house. Although the Inspector reported that the children were fat, healthy and well cared for, Green decided Mrs X was not a 'desirable woman'. He sent along Lady Inspector No. 2 to investigate removal, but she praised the woman for keeping herself, her children and her rooms so tidy amidst hardship. The Sydney City Mission warned the Department that Mrs X was unable to pay rent and was about to lose her room, but the SCRD declined to act. A third lady inspector visited. She recommended the children's removal. The family fled to neighbours. The following month Green conceded that 'there was no real neglect of the children', and issued more food vouchers, which Lady Inspector No. 2 took around. When she found the family homeless, and without money for rent, Green rebuked her for supporting Mrs X in an environment unquestionably 'immoral, especially for girls'. However, a few months later, the SCRB restored Mrs X's assistance.

Boarding-out allowance payments to women had always depended on moral judgements – Renwick had refused 30 per cent of applications and Mackellar 40 per cent – but Mrs X's case shows how frequent and intrusive those inspections could be, and how women less stubborn than she could be coerced into surrendering their children. Allard's condemnation of the SCRD's approach to Mrs X proved that broader social values were shifting. He said the youngest child was conceived in 'propinquity and weakness', rather than 'deliberate, vicious immorality', and Mrs X was a good and loving mother who had endured an inept, callous, 'bullying attempt' to compel her to part with her children.⁹¹ The SCRD's handling of this case was judgemental, but even women with irreproachable lives had problems. Allard outlined a second case where the SCRD

⁹⁰ Allard, Royal Commission 1920, p. 29.

⁹¹ Allard, Royal Commission 1920, pp. 30-31.

caused the financial embarrassment of a widow by taking a year to decide how to pay her a pension, then failing to tell her of its decision for a further nine months – a chronicle of incompetence Allard likened to the work of Charles Dickens.⁹²

Allard did not examine boarding-out or apprenticeship – those questions had apparently been answered in 1916 and 1917 – but he did question the education and training of state children. He was sceptical about the benefits of sending state children to work at 14, noting that it obliged them to begin with unskilled labour, because children were not allowed to enter artisanal or trade apprenticeship until the age of 16. However, Allard did not suggest a solution, saying the dispersal of state children made it impractical to institute any vocational training system for them. He also questioned:

Whether it is desirable that children thrown upon the State ... should have better opportunities provided for them than the majority of wage-earners can by careful thought, economy, and sacrifice furnish for their own children ... if anything be done in this regard it should be for all children.⁹³

He was more decisive on the issue of mental defect, reiterating Mackellar's 1913 recommendations.⁹⁴ Yet Mackellar must have been displeased with Allard's findings that the SCRD, and especially Green, was responsible for the classification problems. Allard described Green as 'really and truly a large-hearted and kindly man' who had put his whole heart into his work, but had over-reached his capacities, and spent too much time visiting families and too little supervising office administration; it was unsound, he said, for Green to head the Department and the Board.⁹⁵ It was a sorry end to Green's career.

The 1923 Child Welfare Act and the Child Welfare Department

Allard's recommendations were influential, despite the political turmoil of the early 1920s. Holman lost office to Labor's John Storey before Allard's commission concluded, then Storey died in office and was replaced by John Dooley.⁹⁶ But T.D. Mutch, who held the education portfolio throughout this period, safeguarded Allard's

92 Allard, Royal Commission 1920, pp. 33-34.

93 Allard, Royal Commission 1920, pp. 36.

94 Allard, Royal Commission 1920, pp. 43-44.

95 Allard, Royal Commission 1920, p. 38.

96 B. Nairn, 'Storey, John (1869-1921)', *Australian Dictionary of Biography*, Volume 12, pp. 106-108; C. Cunneen, 'Dooley, James Thomas (1877-1950)', *Australian Dictionary of Biography*, Volume 8, pp. 324-325.

recommendations. A 'socialist visionary' and activist minister, Mutch drew up a Bill that abolished the SCRB and the office of President and placed the Department, and all bodies caring for state children, under the direct control of the Education Minister.⁹⁷ It survived the election of the Fuller Nationalist government in 1923, and became the Child Welfare Act.⁹⁸ The SCRD was renamed the Child Welfare Department (CWD) and was now headed by a Secretary. The Department's new title indicated a focus on social intervention, and the Nationalist Education Minister, Albert Bruntnell, said its work was now educational and 'sociological'.⁹⁹ This focus was trumpeted by the new Department's first Secretary, Walter Bethel, as a world-class initiative, and was, ostensibly, a triumph for progressive beliefs about the role of education in child welfare.¹⁰⁰

However, as in Tasmania, these legal changes were no break with the past. Bethel had replaced Green as president of the SCRB, and he kept the same staff. Boarding-out remained the primary, and preferred, method of child care, and apprentices' conditions were still governed by the 1901 Apprentices Act. There were some minor changes to the Department's capacity to remove children, such as the extension of the age of committal to 18. The Minister also assumed control of payments to widows and women whose husbands were ill, incapacitated or institutionalised.¹⁰¹ But there was no provision for better classification or to separate Aboriginal and half-caste children from those of 'white race'. Allard's opinion that it was an abuse to commit children to punitive systems without benefit of trial was ignored – in fact the Minister was given the right to transfer children from the boarding-out system into institutional care (and vice versa) at will.

The CWD did not report to Parliament until 1927, possibly because of political and bureaucratic instability.¹⁰² When it did, Mutch was Education Minister again, in Lang's government. He ignored past bipartisanship and reclaimed child welfare as Labor territory:

97 M. Rutledge, 'Mutch, Thomas Davies (1885-1958)', *Australian Dictionary of Biography*, Volume 10, pp. 655-657.

98 NSW, Child Welfare Department, Annual Report, 1926-1927, p. 3. NSW, Child Welfare Act 1923, No. 21.

99 W. Bethel in Secretary's report on CWD's workings, CWD Annual Report, 1926-1927, p. 3.

100 CWD Annual Report, 1926-1927, p. 4.

101 NSW Child Welfare Act, 1923.

102 CWD Annual Report, 1926-1927, pp. 1-2.

The operations of the Child Welfare Department are so widespread and affect so many social issues that it must always appeal to any Labour [sic] Ministry as an instrument for much of the work that the Labour party came into existence to carry out.¹⁰³

But this instrument was playing an old tune. In the same report Bethel reaffirmed the value to the community of the boarding-out scheme, emphasising that foster parents were not ‘actuated by the amount of money paid’ but by ‘a great yearning to brighten dull, unpicturesque lives’:

Homes grown cold and formal through the absence of prattling children are brightened by the introduction of some stray toddlers whose lives at first seemed hopeless in their outlook.¹⁰⁴

Bethel stressed that the Department was reluctant to return foster children to their families, particularly to mothers who had surrendered children as infants then tried to reclaim them at a more ‘useful age’:

Two people are aghast at such a proposition – the woman who became the child’s mother in its dire need, and the child itself that knows no other mother than the woman to whose bosom it was consigned in its infancy. To tear the child-plant up by the roots and transplant it into the soil represented by its own mother means devastation and sorrow not to be contemplated ... The woman who has sown a crop of affection and care shall reap her harvest of love and affection ... the woman who did not so sow shall not rob the other of rights that must stand higher in the scale of true service.

He said parents had to satisfy the Department that return would serve ‘the welfare of the child’; this must have seemed an insurmountable obstacle to many families.¹⁰⁵ Bethel also promoted formal adoption, legislated in NSW by 1924 as ‘a lasting and permanent way for the child to be absorbed into the community’:

Some woman’s empty heart, with a husband’s equally empty, swings into the scene and the child finds a name, a father, a mother, and a home, all in one blessed day!¹⁰⁶

103 T.D. Mutch in CWD Annual Report, 1926-1927, p. 2.

104 CWD Annual Report, 1926-1927, p. 4.

105 CWD Annual Report, 1926-1927, p. 4.

106 Provisions on adoption in the 1923 Child Welfare Act required clarification in a separate bill of 1924. CWD Annual Report, 1926-1927, pp. 3-5. Bethel described one such girl whose photo, published in a newspaper, elicited 50 applicants who ‘fought for her until the case was settled.’

Clearly Bethel's views resembled Renwick and Mackellar's. It was a romantic depiction of the true toll of separation on the family. But at least here there was a concept that children could be compensated for the loss of their birth family with new bonds of affection. The APB offered only institutionalisation or apprenticeship.

However, although the family principle of boarding-out was alive and well, the CWD's attitude to industrial schools and reformatories was different from its predecessor's. The SCRB had defined itself in opposition to institutions; the CWD presented them as part of its project of societal reformation. Mutch argued they checked 'the drift of evil ways' of the youth of the community and were not punitive, as the raising of the age of committal from 16 to 18 diverted youths from gaol. (A later royal commission would note that children in institutions were subject to corporal punishment, whereas the inmates of gaols were not).¹⁰⁷ Bethel promoted the decade-old Gosford Reformatory as an Australian leader in 'boy training' which had 'no harsh or repressive methods, no flogging or solitary confinement' but was a farm without walls where boys' characters were built and they were made 'more amenable to the rules of life and the laws of the community' through work, discipline, and sport.¹⁰⁸

Parramatta, which Green and Mackellar had hated, was Bethel's special project. He portrayed it as a site of moral intervention, for girls who had lost 'all the promise fair', and were 'walking down that dark and gloomy labyrinth which leads to all that is wrong and bad in life'. Controlling such girls protected the health of the state, as 'fully 50%' of girls carried venereal disease.¹⁰⁹ (Girls were given physical and genital examinations as they passed through Ormond House Depot on their way to the Metropolitan Children's Court.) At Parramatta, infected girls were isolated in a special clinic and obliged to attend 'illustrated lecturettes' about 'sex hygiene' and the 'menace' disease represented to themselves and the community.¹¹⁰ Bethel's claims were exaggerated, for Parramatta's Registers of Warrants Received in 1924 record that just over a third of girls were

107 CWD Annual Report, 1926-1927, p. 1, p. 11; Maguire & Cinneide, "A Good Beating Never Hurt Anyone", sets the corporal punishment in Irish industrial schools in its social context.

108 CWD Annual Report, 1926-1927, p. 8.

109 The CWD recorded that 27.5% of girls had 'specific' venereal disease, and 17.5% had 'non-specific' venereal disease. The difference between 'specific' and 'non-specific' disease was not stated. CWD Annual Report, 1926-1927, pp. 8-9.

110 CWD Annual Report, 1926-1927, p. 9; CWD Annual Report, 1930, p. 21.

sexually experienced or carried VD, but the clinic was, in honour of the Secretary's interest in the subject, called 'Bethel House'.¹¹¹

Peter Quinn argues that institutional reform stalled when Mackellar left, and that institutions, which catered to a delinquent class, reverted to 19th century practices.¹¹² Although they were still reserved for children classed as sexually or mentally abnormal, or criminal, Mutch and Bethel had ensured that institutions were entrenched in the operations of the CWD.

Welfare for Mothers

Allard had condemned the SCRD for bullying needy mothers, and *Labor News* joined the attack.¹¹³ The Storey/Dooley Labor administration agreed, and tried – but failed – to initiate motherhood endowment.¹¹⁴ The Lang government, though, was able to realise Labor's long-cherished goal. The Widows' Pensions Act was passed in 1926 and instituted an *ex gratia* payment, free from the stigma of inspection. This, and the Family Endowment Act of 1927, have been described by Jill Roe as the 'major innovation' in social policy in the inter-war period.¹¹⁵ Kate Deverall, who has highlighted the long campaign waged by Labor women for the legislation, has called it the most dramatic of Lang's reforms, even if, as Fran Jelley has pointed out, the tying of child endowment to the living wage assisted government objectives to limit wages growth, rather than reflecting the real cost of caring for children or the work of motherhood.¹¹⁶

111 Parramatta Girls Industrial School, Registers of Warrants Received 1867-1924, 5/3428. One girl, aged 17 and considered 'half-caste negress', had absconded from Cootamundra then run away from Bidura Depot and was classed as 'feeble-minded' and lacking 'moral sense'.

112 Quinn, 'Unenlightened efficiency', p. 12.

113 'Scobie, Grace', *Australian Dictionary of Biography*.

114 T.D. Mutch wrote 'this change was dictated by a desire to place the widows' pensions outside of a Department that dealt with so much eleemosynary work on the principle that all pensions are alike from the highest to the lowest, and all are free from the element of charitable relief.' CWD Annual Report, 1926-1927, p. 2. The Nationalist government had advised necessitous mothers that the 1923 Act meant 'keep your cottage, keep your home, keep your children with you', but omitted to mention such payments were discretionary. National Association of New South Wales, *For Mothers and Children: What the National Government has done and is doing for the health, well being and happiness of the children of New South Wales*, (Sydney: Authorised by Archdale Parkhill, General Secretary, National Association of New South Wales, 1925).

115 Roe, 'Left Behind? 1915-1939', p. 104; See also A. H. Charteris, 'Family Endowment in New South Wales', in J. Roe, (ed.), *Social Policy in Australia*, (Sydney: Cassell, 1976).

116 Deverall, 'They Did Not Know Their Place', pp. 40-41; F. Jelley, 'Child Endowment', in H. Radi & P. Spearritt, (eds.), *Jack Lang*, (Sydney: Hale & Iremonger & Labour History, 1977).

However, the payment caused political problems for Education Minister Mutch, who did not prosper in Lang's cabinet and complained the Premier starved his Department of funds. In 1926, while he was Treasurer, Lang ordered the Auditor-General, T.A. Coghlan, to investigate allegations that Bethel had overpaid deserted wives' and widows' allowances and maladministered the Raymond Terrace Home, and Coghlan delivered a scathing assessment.¹¹⁷ The Public Service Board disagreed, but Lang called a royal commission to sift through the Department. Bethel was cleared.¹¹⁸

In the end it was Mutch who was demoted, but his statements to the Public Service Board are noteworthy, for they indicate significant shifts in public attitudes to the support of lone mothers and their children.¹¹⁹ Mutch said the government was more concerned to ensure that children were fed than to police their mothers' morals, and he was unconcerned if any child's mother lived with another man:

The question is whether we should starve them or not, and so long as the home conditions are good, and so long as the mother keeps them clean and well clothed and fed, and sends them to school, I think we are doing the right thing in paying.

Aid to unmarried mothers was 'a kindly, reasonable and effective way of rendering help' and maintaining 'some semblance of family life [for] these poor children'.¹²⁰ The previous minister, Bruntnell, was also called before the inquiry, and what he said showed that this view was bipartisan. He said it was 'a very dangerous thing' to take an illegitimate 'child away from the mother', and 'that class of woman is more to be pitied than blamed. You generally find her sin is the result of over-confidence in some man.'¹²¹ The idea that any woman with dependent children was entitled to social support was beginning to be formalised.

117 Rutledge, 'Mutch, Thomas Davies', *Australian Dictionary of Biography*, NSW, Public Service Board, Child Welfare Department: Report of Inquiry under Section 9 of the Public Service Act 1902, regarding the manner in which the Secretary, Mr W. E. Bethel, has performed his duties, 1926.

118 NSW, Royal Commission to inquire into Matters Relating to the Administration of the Child Welfare Department, Justice Harvey, 1927; In that year's Annual Report Bethel stated his attempts to 'prevent leakage in the wrong direction' by limiting payment to women who had private or family means had saved the Department £15,000. CWD Annual Report, 1926-1927, p. 7; Quinn, 'Unenlightened efficiency', pp. 158-161.

119 'Mutch, Thomas Davies', *Australian Dictionary of Biography*.

120 CWD Annual Report, 1926-1927, p. 6.

121 Child Welfare Department Public Service Board Inquiry, 1926.

The challenges of the 1930s

The Lang government was dismissed shortly after the royal commission, and D.H. Drummond became Minister for Public Instruction, holding office for most of the next decade. He had himself been a state ward, so was interested in the underdog and the opportunities afforded by education, universities and public libraries, and he shared Morris Miller's beliefs in the virtues of self-realisation.¹²² He lauded the growing awareness that children had rights and believed the community was 'brighter, more cheerful, more discriminating and possibly more artistic' because the moral authority of the home had been supplanted by the school, the picture theatre, and the sports union.¹²³

In his first annual report he stated his special object had been to assess the environment of state children in institutions. The difference between his attitude and those of his predecessors is evidenced by his interpretation of Parramatta, which he said was engaged in the work of moral and spiritual uplift, but also offered a programme in 'domestic science' that was intended to help the girls take their place in society. This place was not as domestic workers, but as wives. He also noted the success of farm training endeavours at Mittagong (now used for 'the younger juvenile boy offender'), Gosford and Yanco, a new Welfare Farm Home for older boys in the Riverina. A progressive, he was also interested in mental deficiency, and in legislating to provide specialist care.¹²⁴

Drummond was prepared to acknowledge that the CWD had a perception problem – the public believed there were too many dependent children in NSW, and knew little about the Department's work practices. Drummond said there were 11.7 children dependent on the state for every 1000 children under the age of 18, and another 11.1 living in private institutions, but he could not tell if this was high by Australian standards because he had no data from other states. He defended his Department, explaining that most of the children in state care were victims of domestic tragedies, such as the loss or ill-health of a parent, or cruelty. Drummond stressed that the most important aspect of the CWD's work was preventive:

122 J. Belshaw, 'Drummond, David Henry (1890-1965)', *Australian Dictionary of Biography*, Volume 8, pp. 344-345.

123 CWD Annual Report, 1930-1931, pp. 1-3.

124 CWD Annual Report, Report for 1926, 1927, 1928, 1929, pp. 1-3.

It is clearly the duty of every healthy, intelligent community as *parens patriae* to protect to the utmost its children from all those influences that tend to their undoing, and unless it aims through its legislation to do full social justice, to give economic assistance to the community, and to endeavour to remove or moderate all the forces that destroy the physical and moral health of its people then it can be stated truthfully that it is not doing its duty to protect its children, who come under the care of the Child Welfare Department, from being deprived of their just rights.¹²⁵

Drummond acknowledged that certain children did need to be removed, because the effects of bodily and emotional deprivation had ‘ineradicable and almost incredible results’. However, he cautioned against removals, saying, ‘experience has shown that the permanent separation of a child from its parents and family associations tends to affect seriously his mental and emotional being and general outlook on life’.¹²⁶ These statements crystallised the change in the conceptualisation of social welfare that had begun in the mid-1920s, away from rescue and family reconstitution towards economic and social support to hold families together. That they were uttered by a conservative politician shows how profoundly societal attitudes had shifted.

This shift was not simply conceptual; it was also reflected in the statistics. In NSW in 1926, before endowment had been introduced, there had been 5676 children in state care and 10,104 children boarded to their mothers.¹²⁷ Over the next five years the number of children in state care declined by seven per cent, to 5284, but the number of children boarded out with their mothers rose by 13.4 per cent, to 11,481.¹²⁸ While boys continued to dominate the welfare system, comprising 54 per cent of state children and 70 per cent of the 1000 or so children committed to institutions every year, there were other significant changes.¹²⁹ The proportion of children in state care who were boarded out rose from 65 per cent to 73 per cent, adoptions remained steady, at around 11 per cent, and apprenticeships halved, to just five per cent.¹³⁰ This decline occurred despite the Depression, which Drummond noted had produced curious social effects.

125 CWD Annual Report, Report for 1926, 1927, 1928, 1929, pp. 7-9.

126 CWD Annual Report, Report for 1926, 1927, 1928, 1929, p. 9.

127 CWD Annual Report, Report for 1926, 1927, 1928, 1929, p. 13, p. 25.

128 CWD Annual Report, 1930-1931, p. 15, p. 30.

129 CWD Annual Report, 1930-1931, p. 22.

130 CWD Annual Report, 1930-1931 (Report for 1926, 1927, 1928, 1929), p. 26, CWD Annual Report, 1930-1931, p. 30.

While prosecutions for street begging, poverty and youth and adult unemployment had increased, Children's Court hearings fell, and the number of children being admitted to institutions for delinquency dropped from 1064 in 1926 to 761 in 1931 (67 per cent were male).¹³¹ Drummond attributed this apparent improvement in behaviour to parents being obliged to spend more time in the home, and families pulling together amidst hardship. This led him to conclude that the absence of parental supervision was as fruitful a source of juvenile wrongdoing as idleness, underscoring his belief in the dire consequences of removing children from their families.¹³² Drummond could see that parental involvement was an asset in children's reformation. This was a vital lesson, one never learned by the APB.

However, there was little time for self-congratulation. In 1933, *Truth* reported physical abuse at Yanco, with the headline 'Mob Savagery alleged at Welfare Farm'.¹³³ Yanco held older boys 'of better character' who could not find work due to the Depression.¹³⁴ It had begun as an offshoot of Gosford, but retained harsh methods of discipline long after the parent institution had softened its culture.¹³⁵ The *Truth* claims were investigated by Stipendiary Magistrate J.E. McCulloch, and led to the dismissal of the superintendent and changes in discipline.¹³⁶ The following year McCulloch was asked to inquire into the organisation, control and administration of the CWD and its institutions, and to draft new legislation.

McCulloch's inquiry made no mention of boarding-out, or the details of apprenticeship.¹³⁷ He prefaced his report with a statement that he believed the facilities provided in NSW for 'dependent, destitute, defective and delinquent' children were superior to those in other Australian states and to those in many other countries.¹³⁸ He also said there had also been ample public scrutiny of them – 'in view of so many

131 CWD Annual Report, 1930-1931, p. 2, p. 22.

132 CWD Annual Report, 1930-1931, p. 1; See also NSW, Child Welfare Department, Report on the General Organisation, Control and Administration of, with special reference to State Welfare Institutions, J.E. McCulloch, 1934, p. 108.

133 Quinn, 'Unenlightened efficiency', p. 166.

134 McCulloch, Report on General Organisation of CWD, 1934, pp. 49-50; Quinn, 'Unenlightened efficiency', p. 162.

135 McCulloch, Report on General Organisation of CWD, 1934, *ibid*.

136 Report on General Organisation of CWD, 1934, pp. 50-51.

137 McCulloch did express concern that apprenticeship trust funds were opaque, Report on General Organisation of CWD, 1934, pp. 66-67.

138 Report on General Organisation of CWD, 1934, pp. 2-3. He did recommend that the wage scales for apprentices be revised, in line with a 1929 recommendation by the Education Minister.

inquiries, the organisation and administration of the Child Welfare Department should be nearly perfect'. Yet few of the suggestions made in these inquiries had translated to changes in policy or practice, he noted.¹³⁹ He provided a comprehensive survey of state institutions, heard from 165 witnesses and included tours of private institutions and a survey of international literature.¹⁴⁰ McCulloch also talked to the children themselves, and believed official reports of their happiness should be viewed with scepticism.¹⁴¹

McCulloch praised the Department for assisting children to finish secondary school – one had won a place at Sydney University, and a travelling scholarship to take a doctorate at Oxford. He said children entering artisanal trades should receive the same consideration. Acknowledging a view that educating state children was offering 'a premium on neglect', he said the 'unfortunate failures of our social system' should be regarded as state assets, and educated accordingly.¹⁴² However, he found little else to praise, saying 'the development of this Department has not proceeded according to any plan, a fact which accounts for many flaws'.¹⁴³ He observed that Mackellar's initiatives on mental deficiency had not been implemented, although the condition was increasing the cost of social services.¹⁴⁴ Believing Tasmania's Act had lapsed, he compared NSW's schemes with overseas systems of classification and detention of females.¹⁴⁵ He argued that 'defectives' were not amenable to ordinary discipline or control and were unsuitable for boarding-out homes and institutional life, and recommended legislation to

139 Report on General Organisation of CWD, 1934, p. 20. Cited also by Robert Van Krieken, *Children and the State*, p. 118.

140 Report on General Organisation of CWD, 1934, p. 1. NSW homes visited were Burnside Parramatta (Presbyterian), Masonic Schools Baulkham Hills, Dalmar Homes Carlingford (Methodist), Church of England Boys' Home Carlingford, Westmead Boys Home Parramatta (Catholic), Scarba Home Bondi (Benevolent Society), Special School Glenfield and Milsons Island Mental Hospital. In Victoria McCulloch visited Travencore Special School, Royal Park Receiving Depot, St Joseph's Foundling Home at Broadmeadows, Bayswater Salvation Army Training Home and Tally-Ho Training Farm (Methodist).

141 Report on General Organisation of CWD, 1934, p. 18. McCulloch said his experience examining Gosford and Yanco had demonstrated to him that boys, in particular, would rather nurse a grievance than confide in those in authority 'or even their own mothers'.

142 Report on General Organisation of CWD, 1934, pp. 27-28.

143 McCulloch, Report on General Organisation of CWD, 1934, p. 122.

144 McCulloch referred to Allard's interest in Mackellar's 1913 Mental Deficiency Report. Report on General Organisation of CWD, 1934, pp. 73-75; In 1932 in England and Wales there were 171 special schools, both residential and day schools, 'training' 16,893 children. The only facilities provided by the CWD were Brush Farm Home, at Eastwood, which housed 53 girls and May Villa at Carlingford, which housed 24 boys. Report on General Organisation of CWD, 1934, p. 81.

145 McCulloch, Report on General Organisation of CWD, 1934, p. 76.

define 'mental defective' and create 'colony settlements'.¹⁴⁶ He pointed out that boys were examined for mental capacity at the Children's Court, and suggested that girls should also be.¹⁴⁷

McCulloch agreed with Allard that the Department's system of moving children into institutions without reference to a court was a denial of justice.¹⁴⁸ Gosford, regarded in 1920 as 'the high water mark of achievement in child welfare correctional work', had 'fallen down'. It had not been inspected for six years.¹⁴⁹ Records of punishment were haphazard, and the staff struck and cuffed the boys.¹⁵⁰ The inmates were allowed to administer corporal punishment to each other, and punished absconders and sexual offenders in the 'bag room'.¹⁵¹ The outmoded dormitories were crowded and there was no hot water service, and boys showered only once a week.¹⁵² Staff morale was appalling, but as there was no security of tenure, they were unwilling to risk complaining about the treatment of boys.¹⁵³ They clashed with each other, they could not take leave because there were too few workers, and single men lived on site and drank illicit liquor. One regularly stood on a dormitory verandah drunkenly singing *Old Soldiers Never Die*.¹⁵⁴

Gosford's punishment system, and many of its problems, had been exported to Yanco. There were futile and inexplicable routines, such as insisting that boys lie on top of their bedcovers, in their pyjamas, for 20 minutes after evening prayers.¹⁵⁵ McCulloch hinted at the reason for this when he noted that neither of the schools had initiated a system to deal with masturbation, or to supply 'protective knowledge' or sympathetic advice about sexuality to the boys.¹⁵⁶ He thought the homes needed more positive methods,

146 Report on General Organisation of CWD, 1934, pp. 78-79; p. 84. The draft legislation is in the Royal Commission report. I can find no evidence of whether it was considered or not.

147 Report on General Organisation of CWD, 1934, p. 107; Noted by Ludlow, "For Their Own Good".

148 McCulloch, Report on General Organisation of CWD, 1934, p. 8.

149 Report on General Organisation of CWD, 1934, pp. 63-64.

150 Report on General Organisation of CWD, 1934, p. 61, p. 64. For instance, a staff member who knocked a boy backwards over a bed was given a warning.

151 Report on General Organisation of CWD, 1934, p. 60.

152 Report on General Organisation of CWD, 1934, p. 8.

153 Report on General Organisation of CWD, 1934, pp. 50-51.

154 Report on General Organisation of CWD, 1934, pp. 62-63.

155 Report on General Organisation of CWD, 1934, pp. 55-56.

156 Report on General Organisation of CWD, 1934, p. 6; p. 55.

such as the honour and limited self-government implemented by George Junior Republic in the United States, and Tally-Ho in Victoria.¹⁵⁷

McCulloch also visited Mittagong, where little had changed since Allard went there in 1920.¹⁵⁸ McCulloch thought cottages should be better than the dormitories of Gosford, but those at Mittagong were overcrowded and run down. There was still no proper register of admissions and discharges, and disabled youths laboured there without being paid.¹⁵⁹ McCulloch thought Mittagong was a more expensive form of care for mentally deficient and 'dull and backward' children than Education Department special schools, and noted that there had been no improvements in classification or children's treatment.¹⁶⁰

Mittagong too clung to impractical routines. Reveille was at 6 a.m., summer and winter, there was no outdoor shelter to shield children from the elements, and children were forbidden to wear shoes or slippers inside, despite the town's freezing winters. The heads of all children were cropped closely – 'the Mittagong stamp' – so they could be kept clean – and so that they could be readily identified if they escaped. This, McCulloch said, had a deleterious effect on children's pride in their personal appearance.¹⁶¹

Parramatta had not changed since 1920 either, except for the addition of a superintendent's residence and the venereal hospital block, and the 'century-old, ill-designed, ill-adapted, and wholly unsuitable buildings' were 'gaol-like' firetraps.¹⁶² There was an annexe at La Perouse which enabled better-behaved girls to live by the sea and bathe on the beach, but its location in a holiday resort was not ideal. McCulloch thought the whole school should move to a new, custom-designed site, although he did

157 Report on General Organisation of CWD, 1934, p. 52.

158 In the mid-1920s the Department had considered an overhaul to make Mittagong 'much more of a training centre', but this does not seem to have eventuated. CWD Annual Report, 1926-1927, p. 8.

159 One disabled resident, W.A.W., had been kept in the home until the age of 26 because he could not settle into government institutions. He worked in the boot shop, and assisted in the guidance and supervision of the other boys, but was not even paid as a slow worker. McCulloch, Report on General Organisation of CWD, 1934, p. 57.

160 Report on General Organisation of CWD, 1934, p. 75. In 1932 in England and Wales there were 171 special schools, both residential and day schools, 'training' 16,893 children. The only facilities provided by the CWD were Brush Farm Home, at Eastwood, which housed 53 girls and May Villa at Carlingford, which housed 24 boys. McCulloch, Report on General Organisation of CWD, 1934, p. 65, p. 81.

161 McCulloch, Report on General Organisation of CWD, 1934, p. 8, pp. 56-58.

162 Report on General Organisation of CWD, 1934, p. 67.

observe that it had a better atmosphere than the boys' homes, because of the presence of women on the staff.¹⁶³

McCulloch's most scathing criticism was reserved for Garth, a small home at Willoughby. It epitomised the CWD's weaknesses, he claimed. It was intended for children with congenital venereal disease, and was supposed to have been closed in 1927, but had been forgotten. Some of the inmates had been detained there for seven years, even though they were certified free from disease. A grandmother had witnessed the matron bathing all the children in the same water and mixing their towels and clothes, but the Department 'deliberately cloaked the event to avoid scandal' and shielded the official from the consequences of her 'callous indifference'. The home had not been inspected in four years.¹⁶⁴ In fact, none of the Department's homes were inspected regularly and, when they were, it was by superintendents from other CWD institutions.¹⁶⁵

McCulloch laid the blame for this depressing state of affairs at the feet of the Secretary, Mr Thompson, formerly Superintendent of Parramatta. McCulloch castigated Thompson for failing to read any of the inquiries into child welfare and for being ignorant of modern methods of running industrial schools and reformatories.¹⁶⁶ Just as Allard had said of Green, McCulloch remarked that Thompson had many good qualities and a kindly disposition, but had been promoted far in excess of his capacity.¹⁶⁷ He knew these findings would end Thompson's career, but McCulloch felt the man was unsuited to the demands of the new professionalised public service. He saw men with degrees as the Department's future leaders (women were needed to serve as matrons and lady visitors).¹⁶⁸ McCulloch also pointed out that the CWD institutions compared badly with the labour-saving design and 'helpful atmosphere' of newer non-government

163 Report on General Organisation of CWD, 1934, p. 67.

164 Report on General Organisation of CWD, 1934, pp. 85-96.

165 Report on General Organisation of CWD, 1934, pp. 4-5, p. 98, p. 118.

166 Report on General Organisation of CWD, 1934, pp. 9-13; See Quinn, 'Unenlightened efficiency', pp. 147-236 for a fuller analysis of Thompson's management style and weaknesses.

167 McCulloch, Report on General Organisation of CWD, 1934, p. 119.

168 McCulloch named two of these men. They were Inspector H. Moxon, a university-trained economist and enforcer of the Interstate Destitute Persons Relief Act, and Mr J.C. Litherland, a CWD clerk with an arts-law degree and barrister who the Department dismissed as 'an impractical visionary'. Report on General Organisation of CWD, 1934, pp. 4-5, pp. 31-32.

establishments. He thought a cheaper and better option for children who were unsuited to boarding-out was to send them to religious homes.¹⁶⁹

One of the more interesting of McCulloch's conclusions was that the Department's system of juvenile justice did not prevent delinquency.¹⁷⁰ He described a study of the Boston Juvenile Court which had found psychiatric diagnosis, probation, placing out and institutional correction had no effect or made children worse.¹⁷¹ McCulloch's own research showed that 10.4 per cent of the state's prison population had been through the children's courts. Yet McCulloch decided there was little alternative but to press on with the current system. He hoped progressive experiments, like child guidance clinics, would help parents cope with negative 'community influences' and rapid social and technological change.¹⁷²

Drummond responded by drafting a Bill, which he tabled in 1939.¹⁷³ It consolidated legislation, enabling the CWD to administer affiliation cases, widows' pensions, children's courts, boarding-out and apprenticeship, street-trading, adoption, probation and juvenile justice and parents' maintenance payments. McCulloch's preference for sending children to private institutions was ignored. Instead the Department was given the power to license, inspect and audit all charitable depots, homes, hostels, kindergartens and day nurseries. Hair cropping, a symbolic stamp of control, was stopped. Punishment was regulated and a list of appropriate punishments for offences was drawn up, ranging from loss of privileges or meals to three strokes of a cane on the hand. Inmates were no longer allowed to punish others. Older children could, in extreme circumstances, be placed on isolation detention; gross charges, such as assault, were referred to the Children's Court. Rules were devised for children who faced charges in adult courts, and children were exempted from the death penalty, as they had been in Tasmania since 1918. Children could now be certified mentally defective – by the

169 Report on General Organisation of CWD, 1934, p. 6. McCulloch found that the weekly costs of each child housed in a state institution ranged between 17s 6d at Mittagong and £1 9s at Gosford, compared with just 13s 11d at Burnside Homes and 18s 2d at the Masonic Schools at Baulkham Hills. Most of the children's homes and depots cost more than £1 a week per inmate, and nursing mothers cost £2 4s per week to maintain. *Ibid.*, pp. 100-101.

170 Report on General Organisation of CWD, 1934, pp. 67-72.

171 The study was Drs Sheldon & Eleanor T. Glueck's *One Thousand Juvenile Delinquents*, cited Report on General Organisation of CWD, 1934, pp. 108-109.

172 Report on General Organisation of CWD, 1934, pp. 102-103.

173 Van Krieken, *Children and the State*, p. 118-119; NSW, Child Welfare Act 1939, No. 17.

principal medical officer of the DPI and one other doctor – and admitted to a home, at the Minister's discretion.

The real change in the Department did not come through the inquiries or legislative reform, though. It came through the reduction in the numbers of children coming into state care that occurred after the introduction of endowment payments – a payment that was provided without inspection, and which reduced state intervention into families. In 1945 there were just 2750 children in state care, which was fewer than there had been in the 1890s. Nearly three times as many children were supported by cash payments to widowed, deserted or divorced mothers. Adoptions had risen sharply, with 1332 placements in 1945. Fewer than 20 per cent of state children lived in institutions, and just 78 boys and 41 girls were 'placed out' as workers.¹⁷⁴

It does seem that institutional life changed little, despite the efforts of Allard and McCulloch. In 1939 a child was hospitalised at Mittagong after a beating by other inmates and the press reported 'mob rule', reminding the public of Yanco. Problems at Parramatta, Gosford and Mittagong were revealed by an epidemic of absconding.¹⁷⁵

After Parramatta girls rioted in 1941, lawyer and child welfare activist Mrs Mary Tenison Woods, of the Child Welfare Advisory Council's Delinquency Committee, led another inquiry.¹⁷⁶ It found the school as Allard had described it – a punitive institution, controlled by 'enthusiastic amateurs', without classification, vocational or academic training, which had not been painted for 32 years and was done out in tones of brown which had a 'depressing effect' on girls and staff.¹⁷⁷ The profile of the institution had changed little since Bethel's time. The vast majority of girls were considered uncontrollable or in moral danger; 94 per cent had had some kind of sexual experience. The home had a number of girls classified as Aboriginal and others who were mentally

174 CWD Annual Report, 1945, pp. 10-11.

175 Quinn, 'Unenlightened efficiency', pp. 223-224.

176 A. O'Brien, 'Tenison Woods, Mary Cecil (1893-1971)', *Australian Dictionary of Biography*, Volume 12, pp. 192-194.

177 Child Welfare Advisory Council of NSW Delinquency Committee, *A Report on the Girls' Industrial School Parramatta, NSW: A Study in the Principles and Practices of Child Welfare Administration*, (Sydney: Delinquency Committee, Child Welfare Advisory Council NSW, 1945), pp. 10-11.

defective – in fact, IQ tests showed that 70 per cent were ‘mentally retarded’.¹⁷⁸ It was a home for ‘problem’ girls, yet it failed to deal with their ‘problems’.

Girls at Parramatta endured a regime straight from the 19th century, in which bells guided them to cold baths, household chores, prayers, classes, ‘musters’ and 9 p.m. lights out. While inmates were encouraged to learn the elements of ‘gracious living’, such as table setting, dressmaking and flower decorating, the reality was a life with little bodily or personal privacy, and which began with being stripped and inspected for venereal disease on admission. Body searches continued through their detention. Cold baths remained customary until 1948. Until 1963, girls wore a work overall modelled on a garment worn at Shaftesbury Reformatory in 1889. They received no daily change of underwear, but were obliged to wear calico drawers, changed three times a week and boiled clean. Until 1972 they had to show bloodstained underwear to a staff member so their menstrual cycles could be recorded in a book.¹⁷⁹

They survived emotionally by creating complicated hierarchies amongst themselves, forming a ‘peculiar sorority’ and a ‘lover’ system of exchanged notes, hand-holding and scratching initials into each other’s body with pins, which evokes Kay Daniels’ descriptions of life in the Tasmanian Female Factory.¹⁸⁰ They showed a certain courage, but they also carried scars. These conditions provide a framework for a sober assessment of the APB institutions at Cootamundra and Kinchela, in the following chapter.

This chapter has demonstrated certain similarities between NSW and Tasmania. Boarding-out remained the gold standard, while apprenticeship lost favour and children’s education opportunities were expanded. Institutional life remained stark, and was applied to problematic categories of children and were on the brink of becoming what we now know as the juvenile justice system. However, there were attempts to improve care for state children. Family endowment and widows’ pensions enabled more

178 Delinquency Committee, *Report on the Girls’ Industrial School Parramatta*, pp. 4-10; Quinn, “We ask for bread and are given stone”, pp. 160-162.

179 Quinn, “We ask for bread and are given stone”, pp. 162-164.

180 K. Daniels, “The Flash Mob”: Rebellion, Rough Culture and Sexuality in the Female Factories of Van Diemen’s Land’, *Australian Feminist Studies*, 18, Summer, 1993; Quinn, “We ask for bread and are given stone”, p. 164.

poor families to remain together, and the Department was interested in social interventions that could improve family life and assist the child's development, such as child guidance. Importantly, legislators and administrators believed children deserved the opportunity to develop bonds of affection. By the 1930s, the dominant voice in the Department counselled against the permanent damage caused by removal. Almost none of the reforms seen in the Tasmanian or NSW child welfare systems touched the APB, which clung to institutionalisation and apprenticeship. The reasons for this are explored in the next chapter.

CHAPTER 10

‘Very close to slavery’: Indigenous children in NSW, 1915–1940¹



Figure 17: Brewarrina, from State Records NSW, Aborigines Welfare Board, CGS30, Photographs circa 1924-1961, Brewarrina Aboriginal Station, issue of blankets (aperture card 8751) and group of girls (aperture card 8672). In the bottom photograph the girls are standing in front of the managers' house, with the manager, whose name is not known.

1 William Ferguson, in NSW Parliamentary Archives, Select Committee on Administration of Aborigines Protection Board appointed during the Session of 1937-1938, Proceedings of the Committee and Minutes of Evidence and Exhibits, 1938, p. 61.

Although the Tasmanian and SCRD material shows that change in child welfare was uneven, and that many aspects of life for state children remained the same, particularly in institutions, the broad child welfare system did reflect some of the social changes of the inter-war period. However, the Aborigines Protection Board (APB) remained fixed on the goal of rescuing children from reserves and stations and placing them in either an institution or domiciliary apprenticeship. The explanation for the resilience of philosophies of rescue is a combination of several factors: the personal beliefs of Ardill and the staff who preserved his vision; under-funding of Aboriginal welfare, despite deteriorating social, economic and environmental conditions on the land; and the persistent belief that Aborigines were a child race who required supervision and control. Eugenics mattered in other Australian jurisdictions, but the terminology of mental deficiency is barely discernible in the language of the APB.¹ Neither is there evidence that the Board was attentive to positive aspects of progressivism, such as environmental health, infant welfare and family guidance.

Until the 1930s, the Board preferred to see Aboriginal living conditions as evidence of moral decay, and turned a blind eye to the fact that its policies exacerbated those conditions. It ignored the protests of pressure groups and Indigenous people until pressure from anthropologists and a scandal over public health and administration resulted in a Public Service Board inquiry. Then, when assimilation had become the byword for Aboriginal policy, the Board changed its views and decided the problems Aboriginal people faced were comparable to those of poor white people. This chapter sets out and explains the discontinuities between Board policy and the policies of the Tasmanian and NSW child welfare systems.

1 H. Zogbaum, 'Herbert Basedow and the Removal of Aboriginal Children of Mixed Descent from their Families', *Australian Historical Studies*, 121, April, 2003, p. 127; R. McGregor, "'Breed Out the Colour': Reproductive Management for White Australia", in M. Crotty, J. Germov & G. Rodwell, (eds.), *"A Race for a Place": Eugenics, Darwinism and Social Thought and Practice in Australia. Proceedings of the History and Sociology of Eugenics Conference, University of Newcastle, 27-28 April 2000*, (Newcastle: Faculty of Arts and Social Science, University of Newcastle, 2000); Goodall, "'Saving the Children'"; Goodall, "'Assimilation Begins in the Home'", pp. 79-81; A. Haebich, *Clearing the Wheat Belt: Erasing the Indigenous Presence in the Southwest of Western Australia* in A.D. Moses (ed.), *Genocide and Settler Society: Frontier violence and stolen indigenous children in Australian history*, (New York: Berghahn Books, 2004), pp. 266-289.

Legal change and philosophies, 1915–1918

In February 1915 the NSW Aborigines Protection Act was amended.² It wanted to deal with children in a more ‘drastic manner’ than the legislation governing the SCRD allowed, and to be able to remove children without seeking parental consent or consulting the Children’s Court.³ It argued that it would train the children to ‘spheres of future usefulness, and once away from the reserves not ... allow them to return’, except for an occasional visit to surviving parents.⁴ Once more, Ardill was the driver of policy, producing a draft amendment Bill in 1912 that the Board accepted without reservation.⁵ It severed the connection between the Protection Act and the Apprentices Act and removed the requirement that apprentices be aged 14 and above, thus abolishing parity in the conditions of Aboriginal and white apprentices. The Board complained it was ‘powerless’ to deal with the majority of children, and its new legislation gave it the power to remove all children ‘to such control and care as it thinks best’.⁶ This was the *in loco parentis* power the Board had sought since 1883, and the Board was no longer interested in confining itself to removing children the SCRD considered neglected.

The amendment Bill was not presented to Parliament until January 1915, but Aboriginal people expressed their feelings by walking out of Grafton Home and quitting Nymboida Reserve because of what the *Grafton Argus* called ‘interference’ with their children.⁷ Despite this, just three MPs dissented when the Bill was put to a vote in the Parliament in February – all were rural Labor men who knew Aboriginal people well. One was Grace Scobie’s father Robert, Member for Murray and a Board member. He said the

2 ‘Now that they have been clothed with ample powers, the Board propose making radical changes in the methods of dealing with the aboriginal population, more especially in the direction of compelling all the able bodied to shift for themselves, and of training the young so that they may become useful members of the state.’ APB, Annual Report 1909, p. 2.

3 Aborigines Protection Board Annual Report 1910, p. 4; Annual Report 1911, pp. 2-3. At the reading of the Bill, the Board argued ‘Under the law these children cannot legally be called neglected ... If the Aboriginal child happens to be decently clad and apparently looked after it is very difficult indeed to show that the half-caste or Aborigine is actually in a neglected condition, and therefore it is impossible to succeed in court.’ NSW Parliamentary Debates, 24.11.1914 & 27.1.1915; cited Goodall, *Invasion to Embassy*, pp. 120-121 and Read, *The Stolen Generations*, p 5.

4 Aborigines Protection Board Annual Report 1911, p. 2.

5 Ardill’s proposals were mooted in November 1911. See AWB Minutes, 4/7117, 30.11.1911, then presented as a draft bill in April 1912. AWB Minutes, 4/7121, 18.4.1912.

6 APB Annual Report 1913, p. 3; NSW, Aborigines Protection Amending Act, 1915, No. 2.

7 The Board minuted it intended to ‘persuade’ the Grafton parents to allow their children to go to Cootamundra. The Board asked the Nymboida Local Committee ‘to explain that it is not the Board’s intention to take away the children without careful inquiry’. AWB Minutes, 4/7123, 28.1.1915, 11.2.1915. By September the Nymboida Reserve and Aboriginal School was deserted. AWB Minutes 4/7124, 16.9.1915.

legislation endangered the rights of Aboriginal men as fathers and attributed the 'despoiling of the black people of this country' to the taking of their land. Murrumbidgee MP Patrick McGarry argued that breaking the connection with the Apprentices Act meant 'the mean squatter' could treat Aboriginal children as slaves.⁸ The Bill was also criticised by Cobar MP Charles Fern, who cited the overwork of children, and Namoi MP and Chief Secretary George Black, the latter of whom had been editor of the *Australian Workman* when it had attacked Ardill's laundries, but was obliged to vote with the government.⁹ All the speakers expressed concern about the sexual abuse and overwork of apprentices.¹⁰ The concerns articulated by these men about labour, land, sexual abuse and parental rights would be ignored by the Board.

The Board was ready for the passage of the legislation. The Home-Finder, Alice Lowe, had already been given *carte blanche* to take 'immediate action in connection with girls'.¹¹ Ardill and Donaldson now created a sub-committee to frame new regulations.¹² They decided to purge all 'octoroon' and 'quadroon' children from the reserves by transferring them to the SCRD, and resolved that darker-skinned children, who they said could not easily be 'merged' into the broader population, should work near their home stations. Managers were given the power to expel Aborigines from reserves – for 'misconduct', or being 'ill-behaved' – or to make them work elsewhere.¹³ Ardill also argued for a diminution of the syllabus for Aboriginal schools, and for greater control over teacher-managers (despite the fact the DPI paid the greater proportion of their salaries).¹⁴

8 Aborigines Protection Amending Bill, 2nd reading in the NSW Legislative Assembly, NSW Parliamentary Debates 27.1.1915, cited V. Haskins, "'Could you see to the return of my daughter?': Fathers and Daughters under the New South Wales Aborigines Protection Board Child Removal Policy", *Australian Historical Studies*, 34, 121, 2003, p. 116.

9 B. Nairn, 'Black, George Mure (1854-1936)', *Australian Dictionary of Biography*, Volume 7, pp. 302-304. Black had some sympathy with unmarried mothers as he fathered 12 illegitimate children with the one woman. Horner, *Bill Ferguson*, p. 10.

10 Aborigines Protection Amending Bill, 2nd reading in the NSW Legislative Assembly, NSW Parliamentary Debates 27.1.1915, cited Goodall, 'Land in Aboriginal Politics', p. 134-135.

11 APB Minutes, 4/7123, 7.2.1915.

12 AWB Minutes, 4/7123, 3.3.1915.

13 AWB Minutes, 4/7124, 15.3.1915. One proposal that did not come to fruition, but which is indicative of the Board's ideals at this time, was to compel all lads over the age of 18, with the exception of 'full-bloods', to leave the stations by 1st May 1915.

14 AWB Minutes, 4/7124, 23.9.1915.

The DPI accepted the proposals, and in 1916 issued a new *Course of Instruction for Aboriginal Schools*, which cut school hours for Aboriginal children and focussed on manual training, thus, as J.J. Fletcher has observed, entrenching inferior education for NSW Aborigines.¹⁵ Unanimously approved by the Board, these recommendations formed the basis of the Board's approach throughout the inter-war years.

Aboriginal people protested again, but the Board was confident it could persuade them and their supporters to accept the new law. It told the residents of the Euraba reserve that it did not intend to take *all* their children, and tried to persuade the Coraki Local Committee to hand over two girls against the wishes of their family.¹⁶ It thought a white man at Burra Bee Dee, who had complained about the removal of girls, would desist from his campaign if told that the policy of the Board was their 'uplifting', by placing them in domestic service with respectable families, thus 'making them useful citizens and wives for their Aboriginal brothers'.¹⁷

This process of persuasion was not usually necessary – a visit by the Home-Finder usually resulted in the removal of several children. The Board never minuted the means by which removals were effected. The Board noted that girls with small siblings were a particular target, because the Board said it wanted to remove them to white households to prevent them being used as 'assets' by their 'incompetent' mothers. The apprenticeship of such girls meant mothers lost their daughters' support as child-minders and companions. As the Terry Hie Hie manager pointed out when asked to assume control of girls' wages, families depended on the extra income their daughters earned through rabbiting.¹⁸ Taking them meant the family not only lost their daughters' company, but the economic resources they could provide. It is impossible to fathom why the Board thought little children could grow up in conditions that were depicted as crueling the chances of teenagers to become good and useful citizens.

15 Fletcher, *Clean, Clad and Courteous*, pp. 86-91.

16 AWB Minutes, 4/7124, 15.4.1915, 6.7.1915, 5.8.1915, 14.12.1915.

17 AWB Minutes, 4/7125, 17.4.1917.

18 Aborigines Protection Amendment Bill, 2nd reading, 27.1.1915, cited Haskins, 'Fathers and Daughters', p. 113; In 1918 the Board asked the Station Manager at Terry Hie Hie to take control of the wages of girls to prevent them 'buying rubbish'. The Manager refused, as one girl was supporting her parents, whose only income was through rabbiting and labouring. Another girl came from a family of 'youngsters', and her mother needed the daughters' wage to survive. In the third family, the girl's wage – 'a little help to her aged widow mother and schoolboy son' – was enough to buy baking powder, soap and tallow. AWB Minutes, 4/7125: Memo from APB Secretary to Manager Terry Hie Hie 'Re Girls at Service', 2.10.1918.

Soon after the amendment Bill was passed, SCRD President Green challenged the Board's policies, although he was motivated by concern for his own Department's operations rather than a sense of injustice. In his 1915 Annual Report, Green complained about the Board's approach of 'culling out' Aboriginal children from reserves and sending them to the SCRD. He pointed out that the Board's practice of expelling families from reserves put children into a space the Board did not supervise, but where the SCRD was constrained to act. Green reported that as a result, 70 to 80 'black and quasi-black' children were in the SCRD. (He noted that 23 were in Mittagong Cottages and two were at Raymond Terrace, implying that the remainder were boarded out.) Green thought this was highly inappropriate, as Aboriginal children were 'preternaturally lazy and unreliable' and thus unfitted for life in white foster families, and few guardians were willing to accept responsibility for them, especially if they were female.¹⁹ Green flagged concerns about venereal disease, just as Waterworth had, and made his case, in one of the few instances of the language of mental deficiency being directed at Aborigines in NSW at this time:

The women are easily accessible prey to itinerant hawkers, teamsters and tramps. Paternity is casual and conjectural, and promiscuous association is the rule; sanitation is ignored. Dirt is the dominating element. In this mire of physical and moral abasement, tended by semi-imbecile mothers, children are allowed to wallow through the imitative stages of childhood.²⁰

He said that although many of the children in the SCRD appeared white, 'beneath the skin' the 'taint is more marked'. He thought 'the correction of [their] degenerate traits and the eradication of demoralised habits' was the work of the 'expert psychologist and educationalist'. However, he questioned why a separate administration was needed to deal with this important social question.²¹ He said reserves should be better supervised and that the Board's inspection system should be aligned with the SCRD's probation system. He asserted that the SCRD and the Children's Court were best placed to deal with Indigenous families, and noted that the Court had already used probation and

19 SCRD Annual Report, 1915, pp. 25-26.

20 SCRD Annual Report, 1915, p. 28; cited also Goodall, "Saving the Children", p 7; Goodall, "Assimilation Begins in the Home", pp 75-101; Van Krieken, *Children and the State*, p. 97.

21 SCRD Annual Report, 1915, p. 29.

guidance to avert the removal of 30 children.²² His call for equivalence in approaches to Aboriginal and white child welfare strategies was never addressed.

His passing remark that the Children's Court was using the probation system to keep Aboriginal families together is highly significant, for it indicates that welfare agencies were capable of treating Indigenous children on the same terms as white families. The Boarding Out Officer returned 23 Aboriginal children to the Board, most of them girls.²³ The Wards' Registers reveal 39 similar transfers, indicating that the SCRD and the CWD were prepared to raise younger children 'as white' in their institutions or via the boarding-out system, then return them to the APB when they reached adolescence, for an 'Aboriginal' apprenticeship.²⁴

At this time, the Board's relationship with the Holman Labor government grew strained, possibly because of Ardill. As noted earlier, Ardill was rumoured to have instigated Hackett's complaints, and Labor newspapers, such as George Black's *Australian Workman*, had attacked Ardill's policies towards women. The Board only fanned these tensions. In winter 1915, it advertised for an Inspector of Aborigines, and chose a Goulburn man, A.L. Swindlehurst, though not without dissent within the Board. Donaldson, who had lost his seat in 1913 but remained on the Board, also applied and was short-listed second, even though his conflict of interest was obvious.²⁵ The Chief Secretary suggested the Board reconsider the choice of Swindlehurst but the Board, including Donaldson, resolved to withstand political interference.²⁶ A sub-committee controlled by Ardill then resolved to appoint Swindlehurst *and* Donaldson, despite the

22 SCRD Annual Report, 1915, pp. 28-32.

23 AWB Minutes, 4/7124, 5.8.1915, 19.8.1915, 26.8.1915; One Aboriginal boy and 14 girls were transferred to the Protection Board, SCRD Annual Report 1915, p. 60. In November 1915 the Boarding Out Officer requested the Board to take the illegitimate child of an Aboriginal girl who had been employed at the Lewisham Hospital, and to place the mother in the Female Refuge or Church Rescue Home. He also asked the Board to take six girls, aged between six and 16, who were in the Number 6 Cottage Home at Mittagong. Only one of these girls was placed in service; the two youngest were sent to Cootamundra and the others to the Glebe Female Refuge and to an unnamed North Sydney Catholic Convent. The Board perceived them as 'incorrigible' and resolved to develop an institution 'for incorrigible girls unsuited to service', via a sub-committee consisting of Ardill, Garvin and Abbott. AWB Minutes, 4/7124, 25.11.1915.

24 Ward Registers 1916-1928, 4/8553-8554.

25 Donaldson had been Independent MP for Tumut (later renamed Wynyard) between 1898 and 1913. Horner, *Bill Ferguson*, p. 8. Horner assumes that Donaldson resigned from the Board to apply for the Inspector's position, but the minutes show that Donaldson remained on the Board until his appointment was secure.

26 AWB Minutes, 4/7124, 28.7.1915, 19.8.1915.

cost.²⁷ The appointments were approved, but the government blocked Ardill's preferred candidates for minor positions and dismissed his request that Board members receive a stipend (Ardill was the only Board member who did not receive a parliamentary or public service salary, and was in financial strife).²⁸ The final straw was a complaint from another Board member that Ardill had excluded him from a sub-committee.²⁹ By means not recorded in the minutes, the government extracted Ardill's resignation in February 1916, and four other members were soon 'displaced'.³⁰

In April 1916 the Board was reconstituted, with Captain W. Millard (Freetrade) and Robert Scobie remaining, and J. Dawson, Member for Monaro, joining.³¹ Public service representation was enhanced with the inclusion of two members of the Department of Public Health, George Sutton Smyth King and the Director-General, Dr Albert Thompson Paton, and the Under-Secretary of the Chief Secretary's Department, E.B. Harkness.

However, the Secretary, A.C. Pettitt, acted immediately to set policy along the lines of the old Board, presenting the new members with a series of recommendations he had drawn up with the inspectors and the Home-Finder.³² These included the abolition of local committees, which Pettitt considered 'a sprag in the wheels of the administration', although they had provided intelligence about local conditions and had sometimes served as a buffer between the Board and Aborigines, as at Coraki, when they obstructed the removal of girls.³³ Pettitt instituted mandatory medical examinations for venereal and other diseases for Aboriginal girls who were entering service, and was only prevented from ordering the same for adults by Chief Secretary Black.³⁴ Pettitt firmed up the policy on the transfer of lighter-skinned children to the SCRD, stated that inspectors should have the power to remove children and gave himself the role of

27 Donaldson had sat on the sub-committee that drew up the list of duties for Inspectors, with Garvin and Ardill. AWB Minutes, 4/7124, 24.6.1915, 8.9.1915, 30.9.1915.

28 AWB Minutes, 4/7124, 17.6.1915, 30.9.1915, 28.10.1915, 9.12.1915. Radi, 'George Edward Ardill'.

29 AWB Minutes, 4/7124, 9.12.1915, 16.12.1915, 6.1.1916.

30 AWB Minutes 4/7124, 17.2.1916 to 6.4.1916; Mr Trenchard was embarrassed to return from sick leave and find the Board had been reconstituted without him. He was thanked for his 'great assistance', a courtesy refused the other three members.

31 AWB Minutes 4/7124, 17.2.1916.

32 AWB Minutes, 4/7124, 6.4.1916.

33 Select Committee on Administration of Aborigines Protection Board, 1938, p. 44.

34 AWB Minutes, 4/7124, 6.4.1916, 13.4.1916, 27.4.1916.

superintending the placement of apprentices.³⁵ The Board now met monthly. Pettitt, who was about to enlist in the AIF, had cemented his own position and that of the inspectors, and ensured continuity between the old and new Boards.³⁶ This, coupled with the ongoing employment of Ardill's allies and appointees Donaldson and Lowe, meant older philosophies of 'rescue' survived long after Ardill was forced off the Board.

After a hard winter in 1916, the Board was struggling financially and looked for ways to save money.³⁷ It stopped granting rations to those it determined on sight to be 'less than half-caste Aboriginal blood' and conferred the 'full rights and responsibilities of a white person' on those of 'lesser caste', in the hope they would leave the reserves.³⁸ The Board noted its success with Cootamundra and apprenticeship, reporting that the home held 38 inmates and 113 girls were working in situations, 'all enjoying the comfort of good homes, and wages paid regularly'.³⁹

However, the SCRD was still a thorn in its side. In 1917 Inspector Maxted complained in an interview with the *Sunday Times* that the Board had failed to apprentice boys or manage the 'half-caste', 'octoroon' and 'quadroon' people who did not live on reserves.⁴⁰ The resulting imbroglio was resolved by inviting Green onto the Board. He promised his officers would only visit reserves if they received a complaint about neglected children, and in return the Board agreed to only send children who were white 'beyond the half-caste' to the SCRD. The Board had in effect co-opted its critic. Unlike the Under-Secretary of Education, Peter Board, who was nominally on the APB but barely attended, Green became an active member, mediating disputes at Cootamundra and Cumeragunja; he was to serve on the Board until his death in 1935.⁴¹ He mounted no further criticisms, and appears to have embraced the Board's methodologies of rescue, which were closer to the views he had expressed in 1916 about child welfare

35 AWB Minutes, 4/7124, 23.3-27.3.1916.

36 Fletcher, Interview with A.C. Pettitt; Goodall, *Invasion to Embassy*, p. 123.

37 AWB Minutes, 4/7125, 8.2.1917. Its finances were minuted as 'critical.'

38 The definition of 'half-caste' used in the Victorian Aborigines Protection Act was used. AWB Minutes, 4/7124, 11.5.1916, 13.7.1916.

39 AWB Annual Report, 1916, not paginated.

40 AWB Minutes, 4/7125, 8.2.1917.

41 A classic case of 'keep your friends close but your enemies closer'? AWB Minutes, 4/7125, 8.2.1917, 21.6.1917, 1.11.1917, 25.6.1919, 30.7.1919. Green's death was reported in the 1935 Annual Report.

being charitable work than to those of the man who finished Green's career, G. Mason Allard.

Green's arrival on the Board heralded a new arrangement with the SCRD, which was formalised in 1918 by further amendments to the Protection Act. These redefined the Board's responsibilities as pertaining to 'any full-blooded or half-caste aboriginal who is a native of Australia' and resident in NSW, and gave it the power to order those it considered 'less than half-caste' off the reserves.⁴² This amendment also severed the Protection Act's links with the Apprentices Act and gave the APB the right to remove children without the burden of proving neglect – the Board was now able to do so if it was 'satisfied that such a course was in [the child's] moral or physical welfare'. During a Board debate about how these amendments might be put into practice, the MPs on the Board moved that it should follow the principles of the 1905 SCRD legislation – parents should be asked for consent and be given financial assistance to visit their children.⁴³ However, these motions were voted down by the public servants (including Green) and the Board resolved that its inspectors should have the power to take children directly to court, without SCRD involvement. Parents could appeal to the Children's Court for the return of their children, but only after the fact.⁴⁴ The Board's powers over children were at their peak.

The increase in the Board's powers to remove children coincided with the acceleration of demands to revoke Aboriginal lands noted by Goodall.⁴⁵ As the war drew to a close, a number of Aboriginal reserves were resumed for the Returned Soldiers' Settlement Scheme (few Aboriginal ex-servicemen received soldier-settler blocks).⁴⁶ The influenza pandemic left an indeterminate number of children orphaned, and the Board had to juggle a drought, staff salary increases and rising commodity prices without any

42 The Board wished only to be obliged to admit 'full-bloods' and 'half-castes' to their reserves. Inspector Swindlehurst suggested the amended definition. AWB Minutes, 4/7125, 26.4.1917, 24.5.1917; NSW, *Aborigines Protection (Amendment) Act*, 1918, No. 7.

43 AWB Minutes, 4/7125, 14.5.1919. They were MPs E.B. Harkness, J. Doe and W. Millard.

44 AWB Minutes, 4/7125, 23.12.1919.

45 Goodall, *Invasion to Embassy*, p. 124.

46 *Ibid.*; AWB Minutes, 4/7125, 25.6.1919, 15.10.1919; One of the few Aborigines to successfully receive a Returned Soldier Settlement block lived on Cabbage Tree Island, where there were few white men. Casino and Bangalow Repatriation Committees were angered to find that several 'AIF Aborigines' were convicted of liquor offences. AWB Minutes, 4/7125, 30.10.1918, 17.9.1919, 31.10.1921. See Goodall, *Invasion to Embassy*, pp. 115-149.

increase in the amount it received from the government.⁴⁷ The easiest way to offset these expenses was to lease reserve land to white farmers.⁴⁸ Reserves were thus reduced in number and size. This intensification – to borrow Goodall’s term – was more marked in areas of close settlement, around stations like Warangesda and Cumeragunja, but the Board’s practice of encouraging independent Aborigines to move onto reserves, by offering rations and other assistance to those in hardship, meant most reserves in NSW became crowded and riven with poverty.⁴⁹

By 1920, the Board had decided to counter this problem by compulsorily ‘merging’ Aborigines into the white population, saying it was quite aware it would be criticised for harshness.⁵⁰ Harsh it was, and it was certainly in clear contrast to the approach taken by the Tasmanian Government when confronted by economic crisis on Cape Barren Island. In NSW, Aboriginal parents were expelled so that their children could be picked up by the SCRD, and expulsion was used to force youths to work off reserves, to exercise control over women and to quell opposition.⁵¹ Apprenticeship was a vital arm of this strategy. By this stage 150 girls were working in situations, and while there were no figures given for boys in apprenticeship, in 1920 the Board collected 30 boys, from two dozen reserves, and took them to Singleton Home to be ‘looked after’ until they reached the age of employment.⁵² By the following year the Board was bragging that its policies

47 Influenza was at Kyogle/Lismore and Wallaga Lake by October 1919. AWB Minutes, 4/7125, 4.6.1919, 15.10.1919, 25.2.1920.

48 Some consideration was given to schemes such as oyster farming, at Wallaga Lake, but leasing was too simple. AWB Minutes, 4/7125, 23.12.1919, 21.1.1920, 25.2.1920. The Board initially hoped Aboriginal people would take up leases, but this rarely happened. AWB Minutes, 4/7125, 12.1.1921; Parry, ‘Brewarrina Aboriginal Station - History’.

49 Goodall, *Invasion to Embassy*, pp. 125-148.

50 AWB Minutes, 4/7125, 28.4.1920; The Board conducted a census of Aborigines in 1920 and handed returns to the Inspectors ‘with a view to discontinuance of aid to quadroons and octoroons’. But each case was to be ‘dealt with on its merits to ensure that no undeserved hardship be inflicted, thus obviating the possibility of any criticism for harshness.’ AWB Minutes, 4/7125, 14.7.1920.

51 A ‘quadroon’ woman and her three children were expelled from Terry Hie Hie in 1916. The Board asked police to watch her and proceed against the children at the first sign of any failure on her part to properly care for them. AWB Minutes, 4/7124, 22.6.1916; 25.2.1919; 15.10.1919. A Brungle mother was threatened with expulsion when she refused to allow her daughter to go to Cootamundra. Ward Registers 1916-1928, 4/8553-8554. Similar threats were levelled at parents at Bulgandramine. AWB Minutes, 4/7125, 12.11.1919. At Brungle the Manager and Donaldson compiled a list of names of youths they thought should be expelled to earn a living elsewhere. Many of them had sisters who were apprenticed. AWB Minutes, 4/7125, 21.1.1920, 31.5.1922. Groups of women considered ‘practically white’ were expelled from Cumeragunja and Runnymede stations in 1922. A pregnant girl who refused to enter a maternity home was expelled from Forster Reserve, prosecuted for trespass when she tried to return and threatened with a bench order for her arrest. Minutes, 4/7125, 10.4.1922.

52 AWB Annual Report, 1920, p. 2.

had been so effective that ‘it would be difficult to find any child over school age out of employment, or not an inmate of the Board’s Homes’.⁵³

Some Aboriginal people openly protested the closure of reserves; others left the stations to set up independent camps.⁵⁴ The Board noted this in its 1922 Annual Report, and acknowledged those departing wished to be free of supervision and the rules and regulations of reserve life, although it felt they would be better off if they stayed to access housing, food and rations and schooling, ‘to which they were properly entitled.’ It minuted that it had sent a circular to managers asking them to follow up those with children who had tried to evade the Board’s control and talk them into returning by promoting the schooling and services available on reserves.⁵⁵ Clearly the Board was prepared to support Aboriginal people with children, but only if they lived where the Board wanted them to.

The characteristics of Aboriginal wardship

The regulations passed in 1916 gave Pettitt the right to direct apprenticeship placements, and Pettitt stopped reporting individual cases of removal to the Board. He audited the children working in apprenticeship, and created a *pro forma* that condensed material from a range of files about the movement of children between institutions and employment. These were known as ‘movement forms’, but are now called Wards Registers. Only 793 survive. They cover removals that occurred between 1900 and 1928, although the forms are dated 1916–1928.⁵⁶ There is an index, which names another 650 children, removed between 1928 and 1936, but provides no information about the reason the children were removed. All that can be said of them is that 60 per

53 APB Annual Report, 1921, p. 1.

54 For instance, at Dunoon in 1922. AWB Minutes, 4/7125, 20.7.1922; The practice was so rife that it resulted in a special submission in September 1922, although the Board never spelled out the demands made in that submission. ‘Submission to Board re migration of Aborigines from Aboriginal Stations, and formation of temporary camps to escape supervision’. AWB Minutes, 4/7125, 13.9.1922.

55 APB Annual Report, 1922, p. 2; AWB Minutes, 4/7125, 13.9.1922, 25.5.1923. Perversely, the Board would ignore children if it could pass the cost onto another Department. When the Board was informed that 20 children at Walgett needed a school, the Board said that as they were not living on a reserve, they were the responsibility of the Education Department. AWB Minutes, 4/7125, 24.8.1923.

56 There are 800 forms, of which seven are duplicates, so there are 793 registers of wards. 1454 children were indexed, but 654 of the forms have not survived. Some scattered correspondence relating to Aboriginal issues is extant in the Chief Secretary’s (later Premier’s) Department records, but not considered in this study. It is possible that the Department of Community Services retains files relating to Aboriginal children and apprentices, but they were not made available.

cent were female.⁵⁷ The surviving registers list the ward's birth date and place, age at removal, religion, family history, reasons for removal and, in 29 cases, their 'caste'.⁵⁸ They record names and addresses of employers, with dates of transfer, and note the point at which the ward left the Board's care, and the treatment of any children born to wards during apprenticeship, and why they left care. Pettitt compiled the registers by hand, writing them in batches some time after his return from war service. The earliest relate to children taken as early as 1900, but they are dated from mid-1916, when Pettitt was overseas, so their reliability must be questioned.⁵⁹ Very little of the correspondence or files that were condensed into the registers survives – the registers are the dessicated skeletons left behind after the decay of a much larger body of evidence – but they are the primary evidence used by historians to analyse the Board's apprenticeship policies, and are precious sources of genealogical information for Aboriginal people. Because Pettitt stopped reporting removals, and SCRD records are unavailable, they are our only means of determining what happened to Indigenous children after 1916.

The Wards' Registers show the Children's Court as ordering the removal of 23 of these children, most of whom were referred to Aboriginal institutions. The SCRD or CWD was involved in the removal of another 37 children, later transferring them back to the Board. While terms common to welfare authorities elsewhere, such as 'neglected', 'orphan', 'destitute' or 'being without proper control', were applied in a large proportion of removals (46 per cent of girls, 53 per cent of boys), in the rest of the cases the Board applied its own terms that implied it was 'uplifting' the children. These included 'to better conditions of living and send to service'; 'to have advantage of proper training and be protected from the risk of going to the bad that existed while she remained with her parents on the reserve'; 'have him trained'; 'reached the age when necessary for Aboriginal girl to go to a situation'; 'old enough to leave school'; or, in three cases, 'being Aboriginal'.

The Board claimed that its work was about rescuing orphans and neglected children, but 45 per cent of the children listed in the Wards' Registers had two parents. Most – 71 per

57 State Records NSW, Indexes to Ward Registers, 1916-c.1938, CGS 27, 4/8555-56; cited Goodall, 'Land in Aboriginal Politics', pp. 135-136; Read, *The Stolen Generations*, p. 8.

58 Fourteen were described as 'full-blood', fourteen as 'half-caste' and one as 'quadroon.' Ward Registers 1916-1928, 4/8553-8554.

59 AWB Minutes, 4/7121, 15.2.1912.

cent of girls and 60 per cent of boys – were aged around 13, near enough to working age.⁶⁰ These figures are the inverse of the SCRD, where 76 per cent of the children removed in a sample year (1918) were younger than 12.⁶¹ This comparison not only confirms the claims of many historians that the Board was focussing its attention on children of working age, but highlights the difference between the practices of the Board and state welfare agencies in NSW and Tasmania.

While not all removals were forced, the rate of parental surrender was approximately five per cent, similar to that of white families.⁶² Surrender, when it occurred, appears to have been permanent, for I found only two instances of short-term placement. One was a woman who took her 18-year-old daughter into the APB office in Sydney and asked the Board to ‘take care of her’, but collected her a few months later. The second was a Moonahcullah woman, considered highly respectable by the Board, who had been deserted by her husband. She reclaimed her four children from Board institutions after she had secured employment and housing.⁶³

Indeed it is striking how rare surrender was. In light of the insight from the Tasmanian files about the duress exerted on free citizens by welfare agencies, it is not hard to imagine how the Board’s managers might have pressured people whose rations and right to live on their lands depended on that manager’s goodwill. Those who did apparently consent were widowed or deserted, had a spouse in hospital, or were themselves sick. There are two letters, interleaved in the Minute Books, which detail surrender by mothers. Both were working in domestic service in Sydney and chose to send their teenaged daughters to convents. They were typed and witnessed by Pettitt in the Board’s Sydney office; perhaps he had been involved in negotiating consent. Both women wrote that they were placing their daughters in care of their own free will because they could not control them or provide a decent home environment, but stressed

60 Ward Registers 1916-1928, 4/8553-8554.

61 SCRD Annual Report, 1918, p. 9; 76% (924 of 1218) children removed by the SCRD in 1918 were aged below 12. Of the 22,138 children removed between 1881 and 1918, 86% were below the age of 12.

62 Ward Registers 1916-1928, 4/8553-8554. Interestingly, before 1916, 15% of boys were surrendered, but only 4.4% of girls. After 1916 the rate of parental/familial surrender dropped to 6.14% for girls and 5.6% for boys.

63 Ward Registers 1916-1928, 4/8553-8554.

that they wanted their daughters placed in the Convent of the Good Shepherd (not somewhere chosen by the Board), for a set term of two years.⁶⁴

One who explained why he signed his children into a private institution was Jimmie Barker, handyman at Brewarrina Station.⁶⁵ His wife died in 1942, leaving a family of boys and two infant girls. Jimmie boarded the girls out for a time until he became exasperated with the home being ‘nothing more than a house for parties’. In 1949, Inspector Smithers, with Jimmie’s consent, found them a place in the Burwood Church of England Home for Girls, and Jimmie and his sons paid the fees. The girls, Mary and Margaret, fulfilled their father’s hope that they ‘work hard at school and learn everything possible, [and be] ladylike at all times’.⁶⁶ But none of these cases is an instance of surrender to apprenticeship – rather, they indicate parents’ efforts to keep their children out of the Board’s control.

The Tasmanian case files show that Indigenous children in that state experienced the full gamut of child care options, from boarding-out to apprenticeship and institutionalisation. Yet the Board used only the latter two. Just five of the children in the Wards’ Registers grew up in a foster home, mostly because the SCRD, which did board Indigenous children out, had cared for them in their infancy.⁶⁷ The Protection Board sent 35 per cent of boys and girls to its own homes – Bomaderry, Cootamundra, Singleton Home or Kinchela – before sending them on to service or another institution; 13 per cent were committed to convents, hospitals, asylums, sanatoria or refuges.⁶⁸ But the most remarkable statistic is that 49 per cent of boys and girls were sent directly to

64 Two letters loose on file, AWB Minutes, 4/7126.

65 Victoria Haskins has observed that, under APB policies, ‘the role of Aboriginal men within their families and the broader Aboriginal communities was denied, displaced and destroyed by the state’. Haskins, ‘Fathers and Daughters’, p. 109.

66 Interview with Mary Harris (nee Barker), 2000; Barker, *The Two Worlds of Jimmie Barker*, pp. 166-169.

67 One was a baby born to a ward, another an infant sent to the Singleton Home and three were the sons of a woman who was working in Sydney to support them. Another child had been boarded out by her mother, but the Board consented to her placement in a convent when her financial situation deteriorated. Ward Registers 1916-1928, 4/8553-8554.

68 Mr Ardill’s Sydney Rescue Work Society refuges were noted by Pettitt to be ‘no longer desirable’ by 1917. In that year he asked for remuneration for the support of Aboriginal children in his homes. The Board refused to accede to the request, citing their funding shortage. AWB Minutes, 4/7125, 24.5.1917.

service. Their average age was 13 years and nine months, although some were as young as nine and others as old as 18.⁶⁹

This is a very different scenario from Tasmania and the NSW state welfare system. The SCRD apprenticed 20 per cent of its children in 1916 (the proportion fell to 13 per cent by 1928), and Tasmania apprenticed just 14 per cent.⁷⁰ In 1918, the average age of children removed by the SCRD was just seven years and four months; children taken into the Tasmanian CSD were, on average, eight years old.⁷¹ The Board, however, was fixated on children of working age, and, as noted above, was quite willing to leave little children in the very conditions it argued justified the removal of youth.

The gender disparity in the apprenticeship system has been examined closely by historians as it is another point of contrast with state welfare systems, which were male-dominated.⁷² Girls outnumbered boys in the Wards' Registers by nearly five to one before World War I, and by more than two to one between 1916 and 1928. The registers should not be taken as definitive proof of a gender imbalance in removals, though, because station managers found it easier to place boys on neighbouring stations, and did not need to generate movement forms for them.⁷³ However, there is no doubt that the Board took a particular interest in girls. As noted, the Home-Finder had special dispensation to take control of girls and the SCRD complained that the Board did too little for boys. Pettitt advised the Board in 1916:

Experience has shown that girls who are not taken from the influence of camp life at an earlier age than say 15 or 16, are quite unsuitable for placing out in decent homes, or with other girls of their own color, as they have developed habits which it is found impossible to eradicate.

69 Ward Registers 1916-1928, 4/8553-8554; Twelve per cent of them failed in service and were institutionalised in Cootamundra, Kinchela, Parramatta, Mittagong, Ormond House, Mr Ardill's Homes and the convents, Gosford Reformatory, the lunatic asylums, Long Bay and, as we shall read later, lying-in homes for expectant mothers.

70 Figures compiled from NSW SCRD and CWD Annual Reports, 1916-1945 and Tasmanian NCD Annual Report, 1914-1919.

71 NSW SCRD Annual Report, 1918, p. 9; Tasmanian CSD Annual Report, 1918-1919, p. 1. In the year 1918, 61 per cent of children removed by the SCRD were younger than ten, as were 57 per cent of children removed by the Tasmanian CSD.

72 See Goodall, "Saving the Children"; "Assimilation Begins in the Home"; Walden, 'Aboriginal Women in Domestic Service'; "That Was Slavery Days"; "To Send Her To Service"; Ludlow, *"For Their Own Good"*; Haskins, 'Fathers and Daughters'; "A better chance?"; *One Bright Spot*.

73 There is no record in the Ward's Registers of Jimmie Barker's apprenticeships (which began during World War I and were not local) but there is a register form for the woman who would become his wife, Evelyn. Ward Registers 1916-1928, 4/8553-8554; Barker, *The Two Worlds of Jimmie Barker*.

He saw the primary problem with boys as the expectation they should leave reserves and 'shift for themselves', which led them to become 'wandering casuals', a state inimical to settled married life. For Pettitt, 'the crux of the Aboriginal question' was the 'saving and training' of the girls, and the raising of boys to support their wives independently of the government.⁷⁴

As the Board began to pay attention to boys, it diversified its institutional care. Bomaderry Home, run by the United Aborigines Mission, was the primary centre for younger Aboriginal children, housing 30 to 40 boys and girls who were mostly under the age of ten.⁷⁵ Cootamundra grew steadily in the post-war period, housing up to 50 girls who were mostly aged ten to 14 and were occupied in domestic duties.⁷⁶ The Board also used stations as children's institutions. It closed its Warangesda dormitory in 1914 but used Brewarrina dormitory for girls who had absconded from situations or who had become pregnant in service.⁷⁷ Singleton Home, run by the Aborigines' Inland Mission, housed boys, girls and adults, but in the early 1920s the Board closed it and created a new home – the same size as Cootamundra – at Kinchela for boys. It was also intended as a prelude to apprenticeship.⁷⁸ Oral history records these institutions as depressing and cruel places, full of monotonous routine and light on education.⁷⁹ Unfortunately, given the evidence of problems in CWD institutions, it is difficult to claim they were exceptional in their awfulness. In fact, in these institutions Aboriginal children achieved a horrible sort of parity with white children in 'care'.

74 AWB Minutes, 4/7124, 16.4.1916.

75 AWB Minutes, 4/7126, 29.6.1928; 4/7126, 13.11.1930, 24.4.1931.

76 Compiled from APB Annual Reports, 1920-1929.

77 APB Minutes, 4/7123, 9.7.1914; NSW State Records, Aborigines Protection Board, Register of Reserves, 1890, cited Parry, 'Brewarrina Aboriginal Station - History'; Goodall, 'Land in Aboriginal Politics', p. 138; Select Committee on Administration of Aborigines Protection Board, 1938, p. 16, pp. 121-123; The station itself became a site of consolidation, as reserves were closed and the people transferred there. Parry, 'Brewarrina Aboriginal Station - History'.

78 'A Home ... has been established for Aboriginal boys at Kinchela, on the Macleay River, for the reception, education and training of neglected and orphan boys, who otherwise would not have the advantage of proper care and attention. These boys, on completion of their training, are drafted out to situations on farms or stations, supervision being maintained over them in exactly the same manner as is the case with girls.' APB Annual Report, 1925, p. 2.

79 Brady, 'We fought!'; D. Horton, '(Review) *The Stolen Children: Their Stories*, Carmel Bird 1998', *Journal of Australian Studies*, *Steal Away, Hide Away* special issue, December, 1998; Edwards, 'Is the ward clean?'; Mellor & Haebich, *Many Voices*, especially Plater, 'Cootamundra Aboriginal Girls' Home'; 'Tears flow for sorry time at boy's home', *Sydney Morning Herald*, 27.5.2002; ABC, 'KBH Reunion', broadcast on 'Away', ABC Radio National, 5.1.2003, <http://www.abc.net.au/message/radio/speaking/stories/s757295.htm>; See also Cole, 'Unwitting Soldiers'; Cole, '"Would have known it by the smell of it"'; Attwood, 'The Officers'.

They certainly did not in apprenticeship. The Protection Board's records do not provide many clues as to what day-to-day life for Aboriginal apprentices was like. Again, oral history provides a sense of the isolation and difficulty, stories which are confirmed the qualitative material about white wards in Tasmania.⁸⁰ That word 'nigger', thrown at *Adelaide*, reminds us of the extra burden carried by Indigenous servants. However the documentary record shows the Board did not work to the same standards as the other welfare agencies in Tasmania and NSW, most noticeably in the area of supervision, which in the Board's case was nominal. In 1915, when the Board was pressing for the Amendments, it reported that there were 80 girls and those 'in and around Sydney' were inspected 'at regular intervals', unless they 'showed a tendency to lapse into their old careless ways', in which case they were inspected monthly.⁸¹ However, by the 1920s Miss Lowe was responsible for up to 200 girls at a time, who were placed all over the state, and there was no voluntary system to back her up.

Problems emerged very early, but little action was taken. The Manager of Terry Hie Hie reported that an employer had 'tampered with' a girl, and that Aborigines were being 'taken advantage of in their wages' in 1916, and the Board sent an Inspector, but did nothing else.⁸² A Whitton man who ill-treated his first apprentice was not prosecuted; he was merely denied the chance to employ a second girl.⁸³ The Board inadvertently showed some awareness that conditions for its charges were inferior by resolving in 1925 that its inspectors should ensure that apprentices were fed, clothed and lodged and given medical attention, and that it should be advised if the apprentice was ill, dying or had absconded.⁸⁴ These were the most basic conditions, and had been standard in state welfare systems since the 1890s.

As late as 1941, the A.W.G. Lipscombe, Superintendent of Aborigines for the newly formed Aborigines Welfare Board, asserted the importance of seeking references for employers; inspecting homes quarterly; keeping records and *requiring* employers to pay

80 Barker, *The Two Worlds of Jimmie Barker*; Edwards, 'Is the ward clean?'; Hankins, 'The Missing Links'; Huggins, "'Firing On in the Mind'"; 'White Aprons, Black Hands'; Mellor & Haebich (eds.), *Many Voices*; Sabbioni, "'I hate working for white people'"; Walden, 'Aboriginal Women in Domestic Service in NSW'.

81 APB Annual Report, 1915, p. 3.

82 AWB Minutes, 4/7124, 16.9.1915. The new Inspector, Mr Swindlehurst, was sent there in October to investigate but what he found is not recorded. 28.10.1915.

83 AWB Minutes, 4/7124, 1.6.1916, 3.8.1916.

84 AWB Minutes, 4/7126, 23.10.1925.

their wages accounts.⁸⁵ The wage accounts, held in trust and rarely paid out to wards, are a notorious bone of contention with Aboriginal people, and state governments in NSW and Queensland have been offering compensation for stolen wages.⁸⁶

The records also show that the apprenticeship scheme never managed to achieve the Board's goal of permanently separating children from reserve life. Contact with parents seems to have been very limited during apprenticeship, but the Wards' Registers show that 60 per cent of children returned to live with Aboriginal people, on their own reserve or elsewhere in the state. In 1925 the Board acknowledged 'some criticism' that its system of training might 'expedite the passing of the Aboriginal race' by keeping the sexes separate. It said it had only intended to 'save the children from certain moral degradation on the Reserves and Camps', by raising them in 'good surroundings and under helpful influences', before they reached marrying age.⁸⁷ From then it became policy to allow girls who had completed five years' service to 'holiday' in their own districts, either with their parents or in the care of a manager. The Board said it wished to afford them the opportunity to meet men 'of their own colour' and marry, reporting 30 such marriages in its first year.⁸⁸ The girl whom Haskins renames Mary Hollis was the first. She had worked in domestic service for ten years, much of which had been spent with Haskins' great-grandmother, Mrs Joan Kingsley Strack, earning reduced rates.⁸⁹ Mrs Strack would later say that the Board sent girls on 'holiday' if they had asked for their trust funds (as Mary had) or got themselves into trouble.⁹⁰

Getting into trouble was, unfortunately, all too common. Of the 514 girls who worked as apprentices, there were 58 full-term pregnancies, and two apprentices gave birth

85 Report of A.W.G. Lipscombe, in AWB Minutes, 4/8544, 11.11.1940.

86 G. Noonan, 'Aborigines offered smaller stolen wages payout', *The Sydney Morning Herald*, 16.12.2004; J. Hildebrand, D. Jopson, N. O'Malley with AAP, 'Aboriginal funds rorted of millions', *The Sydney Morning Herald*, 4.2.2004; S. Robinson, "'We do not want one who is too old': Aboriginal child domestic servants in Queensland, 1842-1945', *Aboriginal History*, 27, 2003; V. Haskins, "'& so we are 'Slave owners'!': Employers and the NSW Aborigines Protection Board Trust Funds', *Labour History*, 88, May, 2005.

87 APB Annual Report, 1925, p. 2.

88 APB Annual Report, 1926, p. 3.

89 AWB Minutes, 4/7126, 14.5.1926; Ward Registers 1916-1928, 4/8553-8554.

90 'Are Abos getting a fair deal? Scathing attack on officials', *Smith's Weekly* 1934, cited in Haskins, "'A better chance'", p. 40; V. Haskins, "'A devotion I hope I may fully repay": Joan Kingsley-Strack', in A. Cole, V. Haskins & F. Paisley, (eds.), *Uncommon Ground: White women in Aboriginal History*, (Canberra: Aboriginal Studies Press, 2005).

twice.⁹¹ Goodall has noted that many Aboriginal people believe girls were taken away to stop them linking up with their own people. Matron Hiscocks, who was at Cootamundra from the mid-1940s, said 'all the girls' who left Cootamundra for service eventually became pregnant, usually to white men.⁹² Shurlee Swain warns that the view expressed by Tikka Wilson and *Bringing them home* that pregnancies amongst Aboriginal wards indicate that basic safeguards were cast aside for Aboriginal children compares badly against evidence of the sexual abuse of wards in white welfare systems.⁹³

Yet the rate of pregnancies amongst the 514 girls who reached adolescence in the Board's care was staggering – 38 fell pregnant during their apprenticeships or in the Board's institutions – a rate of 7.4 per cent. Another nine girls were on 'holidays' or in the Board's custody on stations or reserves, and a total of 11.3% of the wards in the registers experienced an ex-nuptial pregnancy during or shortly after their apprenticeship.⁹⁴ There is no counterpart to this in the white welfare system. Haskins, who presented a detailed study of the Board's failures to protect its wards from sexual abuse and pregnancy in 2004, pointed out then that the research needed to compare non-Aboriginal state wards in domestic service had not yet been done, although Margaret Barbalet estimated an annual rate of one per cent amongst South Australian wards.⁹⁵ The research for this thesis brings us closer to a meaningful comparison, for although NSW did not record such pregnancies, my random sequenced sample of the case files of

91 As Victoria Haskins points out, the Board's registers do not record miscarriages or sexual activity but only those pregnancies that progressed to, or near, full term. Haskins, "A better chance", p. 42; I counted 58 pregnancies, but four of them occurred amongst girls aged 25 or over. Haskins includes an extra pregnancy, noted in the Board's minutes, to reach 59 pregnancies and an overall pregnancy rate of 11.5%. In total, 64 illegitimate births were recorded amongst wards and former wards, but as six of these women were aged 24 and over, they were too old to be considered as apprentices. The 59th pregnancy, counted by Haskins, is possibly one of these older women. As Haskins points out, Inara Walden calculated the pregnancy rate against the total number of wards and counted only 49 pregnancies. Walden, "That Was Slavery Days"; "To Send Her To Service", cited Haskins, "A better chance", pp. 42-43, Tables 1 and 2, nn. A girl named Mary M. became pregnant in service at Berrigan in 1930. AWB Minutes, 4/7126, 13.11.1930.

92 Goodall, "Saving the Children", p. 8. Cole resisted an order to send a girl to a station as she felt it was 'throwing her to the dogs.' Hiscocks said 'all the girls' who left Cootamundra for service became pregnant within a short period of time, usually to white men. AIATSIS, P. Read interview with E. Hiscocks 1980, cited Cole, 'Unwitting Soldiers', p. 156.

93 Link-Up (NSW) & T.J. Wilson, *In the Best Interest of the Child?*, p. 37; Human Rights and Equal Opportunity Commission, *Bringing them home*, p. 252, cited Swain, 'Child Rescue', p. 110.

94 Haskins, "A better chance", p. 42.

95 Barbalet, *Far From a Low Gutter Girl*, pp. 92-94, p. 239; As Haskins observes, Inara Walden compared the annual birth rate of Aboriginal apprentices with state wide illegitimacy rates. Walden, 'Aboriginal Women in Domestic Service', pp. 119-120, both cited Haskins, "A better chance", p. 44.

240 girls apprenticed in Tasmania between 1897 and 1940 revealed seven births – just 2.9 per cent of wards.⁹⁶

In Tasmania, employers were expected to protect their wards by preventing them from contacting young men, and the piles of confiscated letters and complaints about girls who stayed out all night show that this responsibility was taken seriously. In that state regular inspections meant problems were aired, and the ability to write to the Secretary provided space for complaint. As Barbalet has noted, sexual abuse of white wards was possibly limited because of the willingness of authorities to prosecute the fathers of wards' children and to enforce maintenance payments.⁹⁷

In the Board's case, 'rescue' meant exposure to threat, and there was no one wards could tell. Margaret Tucker recollected that she took rat poison rather than confide in the Home-Finder.⁹⁸ Mrs Strack was frustrated in her attempts to protect an employee from sexual harassment, and when she told the Board one of her servants had been abused by a previous employer, the girl was actually removed from her care.⁹⁹ Neither did the Board pursue claims for maintenance against white fathers.¹⁰⁰ As Haskins says, it viewed girls who made allegations of sexual abuse at the hands of their employers with suspicion. Also, girls who did name their attackers risked being sent to Parramatta Industrial School or a mental asylum.¹⁰¹

But although Walden and Barbalet assert that pregnancies are a marker of sexual exploitation by men in the home, as wards had so little opportunity to

96 SCRD President Green, in his last report, reported that mothers under the age of 17 comprised 4% of illegitimate births but did not report how many state wards bore children. SCRD Annual Report, 1920, pp. 7-8.

97 Barbalet, *Far From a Low Gutter Girl*, pp. 92-94.

98 Tucker, *If Everyone Cared*.

99 V. Haskins, "Lovable natives" and "tribal sisters": feminism, maternalism and the campaign for Aboriginal citizenship in New South Wales in the 1930s', *Hecate*, 24, 2, 1998; "A better chance"; *One Bright Spot*.

100 Haskins, "A better chance", p. 46, 46n.

101 "A better chance", p. 45.

leave the house, this was not always the case.¹⁰² Many of the pregnancies in the Wards' Registers were more complicated. Because the Registers note the birth date of each ward's baby, and also record a rough chronology of her movements, it is usually possible to say where she was nine months prior to the birth of her child. In three cases, girls were apparently living with their family at the time they became pregnant, so the pregnancy was the cause, rather than the result, of their removal (station managers and teachers were implicated in pregnancies of girls at times throughout the Board's history, but not in these cases).¹⁰³ Six girls were aged 25 or over, so were technically independent, but the Board still arranged their employment and they were no less vulnerable to abuse. Nine of the pregnancies occurred while girls were visiting or holidaying at Aboriginal stations. However, 36 of the girls were in domestic service at the time they became pregnant; one girl was impregnated while she was in Gladesville Mental Hospital and another was in Bomaderry, where she should have been safe. The Board was unequivocally responsible for these girls, who constituted 7.4 per cent of female wards.¹⁰⁴ Mary Hollis, who fell pregnant at 23 to an unknown white man, was one of them, much to Mrs Strack's distress.¹⁰⁵

Haskins writes that girls apprenticed in the city were more likely to become pregnant, but again, the time of conception tells a different story.¹⁰⁶ Thirteen girls became pregnant in city situations, 18 were apprenticed in the country at the time, and another four were working very close to their home stations. This is hardly surprising, given evidence presented in the 1938 *Select Committee on*

102 Barbalet, *Far From a Low Gutter Girl*, pp. 92-94; Walden, 'Aboriginal Women in Domestic Service', pp. 119-120; Haskins, "A better chance", p. 44.

103 Mr Ardill dismissed charges of sexual abuse against the Warangesda Manager in 1914. AWB Minutes, 4/7123, 19.3.1914. Haskins, "A better chance", p. 45. The liaison between an apprentice and the Assistant Station Manager-Teacher, which Haskins describes as occurring at 'Far West Reserve', was minuted in 1939. It appears that agitation from Michael Sawtell and the Committee for Aboriginal Citizenship was pivotal in the Board's attention to his matter. Haskins, 'Fathers and Daughters', pp. 119-120. The Board asked the Education Department to dismiss the man because his actions 'could not fail to have a subversive effect on the people of the Station and on his position as a teacher'. AWB Minutes, 4/8544, 8.3.1939, 10.5.1939, 14.6.1939; Nurse Pratt's testimony, Select Committee on Administration of Aborigines Protection Board, 1938, p. 5.

104 Goodall notes a pregnancy rate of 'at least' 7%, "Saving the Children", p. 8.

105 Haskins, "A devotion I hope I may fully repay", pp. 67-68.

106 Haskins, "A better chance", p. 42.

Administration of Aborigines Protection Board that the Board was unable to supervise rural positions (that committee questioned whether the continuing rise in the numbers of 'half-castes' was a result of the impregnation of Aboriginal apprentices).¹⁰⁷

Haskins also suggests that the Board transferred pregnant girls to the country, but my research shows it was more common for pregnant apprentices to be removed from rural areas to the city, where there were lying-in homes such as the Crown Street Women's Hospital. There they could more easily be supervised by the Home-Finder. Also, it seems pregnant girls were sent to trusted employers such as *Mrs Preston* at Longueville or *Mrs Allan* of Bellevue Hill, each of whom employed a succession of pregnant apprentices. The terms of the girls' employment in those households remain unclear, but both ran large households with up to three Aboriginal servants at once, so they could afford to employ workers who would be slowed by growing bellies.

Wherever the pregnancy occurred, and whatever the reason, it was a dramatic event – a marker of adulthood which signalled to the Board that its attempts to curb the girls' sexuality and intimate relationships had failed. The Board gave up on many, sending 23 of the mothers and their babies home. Some of those who fell pregnant while on 'holidays' went back and married. Some of these weddings were undoubtedly hastily arranged, but in other cases the pregnancy may have been purposeful, a means for the girl to get home and build a family with the man of her choice.

For others it had devastating consequences. One infuriated father sent his daughter, who had been released by the Board, back to the Children's Court. Four mothers were institutionalised, one in a mental hospital. Eight mothers suffered the deaths of their babies, or gave them up and kept working. One third of the 47 surviving babies were relinquished; to Bomaderry Home or to relatives or, if 'very light in colour', to CWD

107 Select Committee on Administration of Aborigines Protection Board, 1938, p. 10. In response, the former Brewarrina manager, R. R. Brain, said pregnancies did occur, and he had no time at all exercise any protection over girls: 'I should say that knowing them on the stations, and how they carry on, they would be "easy marks".'

infants' homes. These babies were the vanguard of a second generation of child removal.

The saddest of all statistics are the mothers and babies who died. Five young women, aged between 16 and 20, died in or just after childbirth – one from tuberculosis, the others from postnatal complications. Their physical immaturity and the legacy of generations of malnutrition from reserve life surely told against them.¹⁰⁸ Of the babies, two died with their mothers in birth, nine died at or shortly after birth and two more died in early infancy. Haskins is quite correct in saying that the pregnancy rate makes a mockery of the Board's ideas of protection.¹⁰⁹ Social reformers, whether they expressed their concerns in the rhetoric of rescue or articulated anxiety about the propagation of the feeble-minded, would surely have been outraged had white apprentices suffered such a heavy toll, either of pregnancy or maternal mortality. But the Board never reported it, or minuted that they had discussed it.

Management and inspection

These failures of supervision occurred across the Board's enterprises, and exacerbated the conditions of neglect that provided the justification for children to be taken in the first place. Part of the reason was the poor supervision exercised by the Board. In 1921 Swindlehurst retired, leaving Donaldson the sole Inspector until his retirement in 1929. He was replaced by Ernest Charles Smithers, who was a fisheries inspector and had managed Urunga Station.¹¹⁰ Smithers was a professional civil servant and considered himself knowledgeable on Aboriginal conditions, customs and psychology, but his brief was to supervise the management of all stations and reserves, report on buildings, fencing, livestock, cultivation, general health and living conditions, and the correctness

108 A historical parallel is the maternal and neonatal mortality rates amongst Irish migrant women who gave birth at the Royal Women's Hospital in the later 19th century. Childhood famine and malnutrition caused pelvic deformities that made childbirth difficult. Hospitalisation in the antenatal period worsened the situation. 'These stunted survivors of famine and poverty, when they had plentiful food and rest, produced babies which were far too big for their once starved skeletons'. McCalman, *Sex and Suffering*, pp. 22-25. Aboriginal girls were often slightly built, and many had been raised on poor rations, but ate a better diet whilst working, and many spent the final 8-10 weeks resting in lying-in homes, causing problems like those described by McCalman.

109 Haskins, "A better chance".

110 AWB Minutes, 4/7126, 1.2.1929; 15.9.1929. The Board minuted their 'sincere appreciation' of Donaldson's 'energy, honesty of purpose and loyal service'.

of stores, accounts and cash.¹¹¹ He was also responsible for deciding whether children should be removed to homes or placed in situations, although in this he had support from the Home-Finder.¹¹² He could not hope to exercise this level of responsibility over the entire state, so in reality managers were left alone as the practical authority on reserves.

Managers were comparatively well paid, as they drew a teacher's salary from the Education Department, and the Board paid them a supplementary allowance. They were always married – the Board thought that guarded the morals of station residents, although it was not always the case, as Haskins narrates.¹¹³ Their wives were paid to work as matrons, and if adult children were available to work as teachers, assistants and contractors, station management could be a profitable family business, although it was not an easy one.¹¹⁴ Reserves were invariably set some distance from townships, meaning staff felt isolated from entertainment and companionship. Housing and sanitation were often appalling, and diseases such as tuberculosis, scabies, hookworm, impetigo and trachoma were common.¹¹⁵ Those who were attracted to the role frequently had a military background, or experience with 'coloured' people overseas, but many were simply teachers who had accepted work at 'inferior' Aboriginal schools, and been thrust into the role of manager.¹¹⁶

Because of staff shortages, the Board was often dilatory in investigating complaints against managers. There were occasional dismissals and suspensions, but 'insobriety'

111 He told a 1937-1938 select committee 'I think much of the aborigines, and I have a very fine type in New South Wales.' Select Committee on Administration of Aborigines Protection Board 1938, pp. 39-40.

112 AWB Minutes, 4/7126, 29.7.1929.

113 Haskins, 'Fathers and Daughters', pp. 119-120.

114 William Ferguson complained of a 'family affair' at Pilliga that meant that the manager's daughter taught the school children when 'there were girls at the mission who were in a position to teach her'. Select Committee on Administration of Aborigines Protection Board, 1938, p. 60.

115 Hookworm causes malnutrition. It lives in faecal matter and soil and enters sufferers' skin through lacerations or via the webbing of the toes. It is common where barefoot people live for a while in the same site. See Zogbaum, 'Herbert Basedow', for a description of its effects. There was a major eradication campaign in the 1920s. Impetigo is a severe skin infection associated with dirty conditions. Trachoma, 'sandy blight', is a virulent form of conjunctivitis that causes severe illness and blindness. It is spread by flies and human contact and remains a major disease of poverty. International Trachoma Initiative website, <http://www.trachoma.org/trachoma.asp>, accessed 6.4.2005.

116 R. R. Brain, manager of Angledool and Brewarrina in the 1930s, was an A.I.F. ex-serviceman, had been a welfare officer and inspector to Barnardo Homes and spent five years in India as a missionary for the Y.M.C.A. Select Committee on Administration of Aborigines Protection Board, 1938, pp. 6-7, p. 37. There was some imputation that he suffered psychological disturbance on active service. J.G. Danvers, Superintendent of Kinchela, had worked in New Guinea. Select Committee 1938, p. 72.

and sexual harassment on the part of managers were overlooked, or handled with a sideways move to another reserve.¹¹⁷ The same approach applied in institutions. Corporal punishment was accepted by the Board, as it was in the wider child welfare system at this time, but the Board was prepared to tolerate some extreme occurrences. In 1928 the Assistant Matron at Cootamundra Home, Mrs W. Curry, complained that the Matron flogged the girls daily, slashing them with a cane across the shoulders and treating them 'with undue severity and lack of sympathy'. The Board dismissed the claims as 'baseless' and sacked the complainant, saying:

Mrs Curry stated she had no experience of institution work and having arrived from England only 13 months ago had not previously been in contact with Aborigines apart from three months in the Bomaderry Home, where she was engaged in sewing duties.¹¹⁸

Obviously the Board thought a more experienced woman would perceive the necessity of flogging Aboriginal children.

The Board's cavalier attitude to managers' abuses was shared by other public servants. In 1923 the Board investigated claims that the Kinchela Superintendent, J.L. Watson, beat the boys. He was 'severely' censured for 'giving way to drink', but remained at his post.¹¹⁹ He was not dismissed until 1931, after the Public Service Board and the Education Department conducted their own inquiries.¹²⁰ His replacement, A.J. McQuiggin, was suspended by the Board in 1934 for over-indulgence in liquor. The local police superintendent conducted an inquiry and found McQuiggin had loaned boys out to farmers and had inflicted dietary punishments, tied boys to fences and trees, and hit them with hose-pipes and stockwhips. The Board resolved to advise McQuiggin to keep his punishments in line with those used in ordinary public schools and to give up strong liquor, especially 'when he has any of the boys of the Home in his company'. It

117 In 1920 the Brewarrina manager was suspended and the Superintendent of Singleton Home was dismissed after Aborigines made (unspecified) allegations of 'improper conduct'. AWB Minutes, 4/7125, 21.1.1920, 2.6.1920. In 1931 the Board moved one employee (of nearly 20 years' standing), Mr Nossiter, from Pilliga to Burra Bee Dee, advising him to alter his methods of dealing with the Aborigines. AWB Minutes, 4/7126, 3.7.1931. Nossiter was transferred again in 1937. AWB Minutes, 4/7127, 6.10.1937. Some were retired from duty. AWB Minutes, 4/7126, 12.5.1932.

118 AWB Minutes, 4/7126, 18.5.1928, 27.7.1928.

119 AWB Minutes, 4/7125, 27.4.1923.

120 AWB Minutes, 4/7126, 3.7.1931. Watson's wife remained living at South West Rocks, and was embittered about the dismissal. She allegedly lost no opportunity to place her husband's successor, McQuiggin, in a bad light. AWB Minutes, 4/7126, 4.3.1936.

then asked the Department of Education, McQuiggin's statutory employer, for permission to act against him.¹²¹

Permission was withheld. B.C. Harkness, both a Board member and Chief Inspector of Schools, said the police investigation was contrary to Education Department procedure and the Public Service Act.¹²² Dismissing the case as a beat up, he said he was not concerned when or how McQuiggin punished children outside school hours.¹²³ The other Board members were unable to overcome Harkness' argument that the Education Department paid most of McQuiggin's salary and was therefore responsible for him.¹²⁴ McQuiggin was finally placed on notice the following year when he failed to answer Board correspondence, and was dismissed for 'suspect conduct' when his wife had a physical fight with the assistant matron.¹²⁵ Similarly, the Urunga manager was reprimanded by the Board for giving station milk to calves rather than children, and only demoted when he became involved with a married woman.¹²⁶ The welfare of Aboriginal children seems to have been a low priority compared with the professional reputation of staff.

Historians agree that the Board's policies towards children and its mismanagement of reserves provoked a flowering of Aboriginal political organisation from the mid-1920s.¹²⁷ Many of the organisations – such as the Australian Aborigines Progressive Association [AAPA], of which the former Aborigines Inland Missionary, Mrs E. Mackenzie Hatton, was a prominent member, and the Australian Natives' Association, which sought a royal commission into the administration of Aboriginal affairs –

121 AWB Minutes, 4/7126, 6.7.1934, 4.12.1935.

122 AWB Minutes, 4/7126, 5.2.1936.

123 AWB Minutes, 4/7126, 4.3.1936.

124 AWB Minutes, 4/7127, 4.11.1936.

125 AWB Minutes, 4/7126, 3.3.1937.

126 AWB Minutes, 4/7126, 19.12.1934, 13.3.1935.

127 The 1920s was the beginnings of Aboriginal protest in NSW. Goodall, *Invasion to Embassy*, convincingly argues that Aboriginal protest did not arise in a vacuum, and the 1920s and 1930s protests were the culmination of a long tradition of Aboriginal resistance and political expression; B. Attwood, *Rights for Aborigines*, (Sydney: Allen & Unwin, 2003) argues Aboriginal protest was only successful once it assumed the form and style of western political expression, and was rarely determined by Aboriginal people themselves. He harshly and unfairly assesses the motivations of white reformers. N. Parry, 'Honest View of the Past [Review of Bain Attwood: Rights for Aborigines and Inga Clendinnen: Dancing with Strangers]', *Overland*, 175, 2004. See Haskins, *One Bright Spot*, for a tempered and intimate view of white resistance to the Board.

included sympathetic white people.¹²⁸ However, the only thing these organisations succeeded in doing was antagonising the Board.

The denial of social services to Indigenous families

Racism and increasing land pressures made life hard for Aboriginal people in NSW, but the gap between them and poor whites was widened by the family endowment scheme. In 1929 the Commissioner of Family Endowments realised that few Aboriginal families were aware of the payment and sums were accruing on their behalf. Although Goodall has suggested that the Board sought access to family endowment, it was in fact the Commissioner who suggested the Board collect endowment money and administer it in trust.¹²⁹ The Board debated the matter for ten months, because it was reluctant to assume responsibility for more people, but eventually agreed to collect endowment money for all children.¹³⁰

White families received their cash in hand and could choose how to spend it, but the Board decreed that managers and police officers had to make sure Aboriginal parents purchased items 'for the direct or indirect benefit of the child', and did not use the money to obtain luxuries such as tobacco, alcohol, cosmetics or magazines. The Board reported 'enthusiastic co-operation [from] the Board's Officers and the Police' because this 'elastic' system provided comforts for children and their families.¹³¹ It said:

Nearly all the Aborigines appear to be falling into line ... Indeed the remark has been passed by numbers of them that it was the best thing that ever happened. The objectors appear to be mostly adults who previously used the money for their own benefit.

'Benefit' was loosely defined. At this time, the Board suffered a severe funding cut, and as drought reduced the productivity of reserves, the Board began to use endowment money for 'ordinary expenditure'. Aboriginal parents were now obliged to spend endowment on items they had previously received for free, such as rations, blankets,

128 AWB Minutes, 4/7126, 14.12.1923; 4/7125, 23.1.1925, 6.3.1925, 24.4.1925, 23.10.1925; J. Maynard, 'Vision, Voice and Influence: the rise of the Australian Aboriginal Progressive Association', *Australian Historical Studies*, 34, 121, 2003, pp. 91-105; J. Maynard, "'Light in the Darkness': Elizabeth Mackenzie Hatton", in A. Cole, V. Haskins, F. Paisley, (eds.), *Uncommon Ground: White women in Aboriginal History*, (Canberra: Aboriginal Studies Press, 2005); Haskins, "'A better chance'", p. 38; Brett, "'We Have Grown to Love Her'",

129 Goodall, *Invasion to Embassy*, pp. 180-181.

130 AWB Minutes, 4/7126, 1.2.1929; 17.12.1929.

131 AWB Minutes, 4/7126, 3.6.1930.

clothing, bedding, schoolbooks, and optical, dental and medical treatment.¹³² The money was used to repair and maintain fixed structures on the Board's properties, for instance, which meant any family who left a reserve lost the benefit of the money expended on their behalf.¹³³ Corrupt managers used it to make profits for themselves.¹³⁴ The Board even took the costs of administering the scheme out of the Endowment Fund money.¹³⁵ Yet the government legislated to preserve the system, and recommended it for the 1941 Commonwealth Child Endowment scheme.¹³⁶

Family endowment thus provided no buffer for Aboriginal people against the widespread unemployment of the 1930s Depression. Tasmanian Islanders survived on independent economic activity, and received the same pensions as their white neighbours, but NSW Aborigines were badly affected by unemployment and were denied the dole or access to work programmes. Many were obliged to accept Protection Board rations (worth half the dole) and move onto reserves.¹³⁷ Apprentices also fared badly, because employers were allowed to pay lower wages.¹³⁸

The challenges of the 1930s

In 1932, the Board began considering further amendments to the Aborigines Protection Act to enable tighter control over the movements of Aboriginal people.¹³⁹ After

132 AWB Minutes, 4/7126, 3.6.1930. The decision to charge rations against Family Endowment money was made on 31.7.1930.

133 Select Committee on Administration of Aborigines Protection Board, 1938, p. 91. A point made by William Ferguson, *ibid.*, p. 61.

134 A former assistant manager at Cumeragunja, G.N. Milne, said that McQuiggin would charge rations against endowment moneys whether the parents drew them or not. Select Committee on Administration of Aborigines Protection Board, 1938, p. 92.

135 AWB Minutes, 4/7126, 17.12.1929.

136 The NSW Premier argued in 1941 that Aboriginal mothers were unable to judge the value of money, but that the system of paying Family Endowment via the Board encouraged them to be good, thrifty citizens. NSW Premier's statement re administration of NSW Family Endowments Act (P351/1/1), enclosed in letter from Premier of Tasmania R. Cosgrove to Prime Minister R. G. Menzies, 18.7.1941, Archives Office of Tasmania, Chief Secretary's Correspondence, CSD22/466/40/41.

137 The Board noted that Police and Managers were to limit ration assistance to 'only deserving cases' and Treasury was informed of an increase in ration lists owing to unemployment. AWB Minutes, 4/7126, 13.11.1930, 6.2.1931; Goodall, *Invasion to Embassy*, pp. 180-181.

138 AWB Minutes, 4/7126, 24.4.1931. One girl consented to her wages being reduced, but she was over 18, had lived with various members of the same family for six years, and appears to have been close to them. Ward Registers 1916-1928, 4/8553-8554.

139 AWB Minutes, 4/7126, 15.7.1932-12.9.1934. The Board had sought advice from the Crown Solicitor in 1931 about how to determine Aboriginality, and was advised that the onus of proof as to whether a person was an Aborigine within the meaning of the Act lay with the Board, particularly when ordering a person to leave the vicinity of a reserve or township under Section 14. AWB Minutes, 4/7126, 2.9.1931.

conducting a campaign based on fear of venereal disease, these were passed in stages from 1934 to 1936, and turned reserves into virtual institutions.¹⁴⁰ The Act now applied to any person a judicial officer determined (by sight) was of Aboriginal descent and resident in NSW, even temporarily. The Board gained the right to collect any Aboriginal person it considered to be living in insanitary and undesirable conditions and take them to a place controlled by the Board, meaning it could close down independent camps and settlements.¹⁴¹ Inspectors, police officers and Board members and workers were given the power to inspect any station, reserve, home or institution where Aborigines lived.¹⁴² It became an offence to remove any Aborigine from NSW without the Board's consent.¹⁴³ Aboriginal workers were reduced to the status of juvenile apprentices, as the Board assumed the power to control Aboriginal employment contracts with whites, and to collect Aboriginal wages directly from employers and place them in trust.¹⁴⁴ Much of the documentation about those trust accounts disappeared.¹⁴⁵ Aborigines were completely infantilised.

In the mid-1930s the language of progressivism finally began to penetrate the Board. The Tasmanian medic Dr E. Sydney Morris, who had inspected Cape Barren Island, joined the Board and made his voice heard. A vicious epidemic of conjunctivitis and trachoma began in the western districts, and the Board installed eye clinics on major

140 Goodall, *Invasion to Embassy*, p. 196; Legislative amendments were drafted between 1933 and April 1936. AWB Minutes, 4/7126, 1.11.1933-4.3.1936 and 4/7127, 1.4.1936; By 1937 the Board considered the question of Aboriginal employment in the context of finding work on stations. At that stage Dr E. Sydney Morris proposed that adults be occupied in making coir mats, basketry and leatherwork – work frequently prescribed in mental institutions and old age homes as 'occupational therapy'. AWB Minutes, 4/7127, 18.5.1937. A tragic marker of the desolation of many lives on the reserves was the explicit restriction of the use of methylated spirits on reserves, as residents were consuming it. AWB Minutes, 4/7126, 18.7.1933, NSW, Aborigines Protection (Amendment) Act, 1936, No. 32, Clause 3.

141 Aborigines Protection (Amendment) Act, 1936; Over many years the Board had received a series of complaints from residents and councillors in country towns about the siting of camps of Aborigines. See Bomaderry/Nowra for examples of the use of local government ordinances to define 'undesirable or insanitary conditions'. AWB Minutes, 4/7126, 13.4.1934, 5.2.1936; Aborigines Protection Act 1909-1936, AWB Minutes, 4/7126, 19.7.1935.

142 Aborigines Protection (Amendment) Act 1936. This clause was inserted at the request of the Board who envisaged it as a means to enter homes and institutions to direct the 'admission thereto or discharge wherefrom' of 'any such child'. AWB Minutes, 4/7126, 6.7.1934. That wording was not retained in the Act.

143 AWB Minutes, 4/7126, 11.1.1934, 12.9.1934, 5.2.1936; Mrs W.B. Payne of the Association for Protection of Native Races asked to take six Cumeragunja girls to Victoria for a short concert tour but was refused. AWB Minutes, 4/7127, 7.4.1937.

144 Aborigines Protection (Amendment) Act 1909-1936.

145 'Stolen Wages' cases have been settled in Queensland and NSW at the time of writing. In both states it appears that trust funds were absorbed into Consolidated Revenue. The administrative method adopted for dealing with trust moneys in both states has been to offer a single *ex-gratia* payment to former Aboriginal workers.

stations, and became interested in promoting nutrition.¹⁴⁶ A spur to the development of progressive notions was lobbying by anthropologists, namely Mrs Caroline Tennant Kelly and Professor A.P. Elkin of the Department of Anthropology at Sydney University, who first approached the Board in 1936.¹⁴⁷ Mrs Kelly visited Burnt Bridge, and suggested Aboriginal stations would benefit from baby clinics and public health nurses.¹⁴⁸ The Board paid her little heed, although it did allow the Burnt Bridge manager to take classes in anthropology at Sydney University.¹⁴⁹

The Board also took a few tentative steps towards professionalisation. Managers' wives, who served as matrons, tended to be qualified teachers and certificated nurses, which stood them in good stead during the trachoma epidemic of the mid-1930s.¹⁵⁰ Although they were often better qualified than their husbands, their status was tied to their man, and if he was discredited or demoted, she also lost her position. The only independent woman working for the Board was Mrs Irene English, who was appointed when Alice Lowe retired, after 23 years of service, in 1936. English was chosen because of her nursing qualifications – she could assist in station clinics and treatment rooms.¹⁵¹ She was given a new title, Lady Welfare Officer, and later promoted to 'Inspector'.¹⁵²

146 AWB Minutes, 4/7127, 3.6.1936, 4.11.1936, 6.1.1937, 3.11.1937, 6.4.1938; The epidemic was so severe that the Board was obliged to pay workers' compensation to Mr Danvers, the manager of Cumeragunja, and the Matron of Toomelah Station and her two children, who all contracted eye diseases.

147 AWB Minutes, 4/7127, 7.10.1936, 2.11.1936.

148 AWB Minutes, 4/7127, 17.11.1937.

149 While the Board refused the request they did try to secure copies of the lectures to forward to all managers. AWB Minutes, 4/7127, 1.12.1937.

150 Mrs Clarke, Assistant Matron at Brewarrina in the mid-1930s, was a teacher and certificated nurse, Mary Brain was a double certificated nurse, as was Agnes Park. Select Committee on Administration of Aborigines Protection Board, pp. 23-24, p. 36, p. 103.

151 AWB Minutes, 4/7127, 1.4.1936. The runner-up was Mrs Ella Hiscocks, who had a lengthy career as a teacher and Matron on Aboriginal Stations, and would in 1945 become the Matron of Cootamundra. Cole, 'Unwitting Soldiers'. AWB Minutes, 4/7127, 3.6.1936.

152 AWB Minutes, 4/7127, 2.7.1937.



Figure 18: Brewarrina, SRNSW, AWB, CGS30, Photographs circa 1924-1961, Brewarrina Aboriginal Station, houses under construction, 1934 (aperture card 8751). This was in Manager Danvers' time.

In 1937, the Board, which had been practising 'mergence' for two decades, participated in the Commonwealth–State Native Welfare Conference, still embracing its aggressive socio-cultural model of assimilation, which declared that 'mixed-race communities are just like groups of poor whites. The policy for them must be one of welfare.'¹⁵³ The conference highlighted education as key to absorption:

The destiny of [natives of mixed race] lies in their ultimate absorption with the people of the Commonwealth, and ... the efforts of all State authorities should be directed towards the education of children of mixed Aboriginal blood, at white standards, and their subsequent employment under the same conditions as whites, with a view to their taking their place in the white community on an equal footing with the whites.¹⁵⁴

In response, the Board abandoned its own restrictive education policy, telling the NSW Government that children who 'although possessing Aboriginal blood conform to white

¹⁵³ Commonwealth of Australia, *Aboriginal Welfare: Initial Conference of Commonwealth and State Aboriginal Authorities* (Canberra: Government Printer, 1937), p. 14, cited K. Ellinghaus, 'Absorbing the Aboriginal problem: controlling interracial marriage in Australia in the late 19th and early 20th century', *Aboriginal History*, 27, 2003, p. 195; Tindale quote from James H. Bell, 'Assimilation in NSW' in Marie Reay (ed.), *Aborigines Now*, (London: Allen and Unwin), p. 68, cited HREOC, *Bringing them home*, p. 32-33.

¹⁵⁴ AWB Minutes, 4/7127, 7.9.1938.

standards in regard to health, cleanliness and behaviour' should now be educated alongside whites.¹⁵⁵

While the 1937 Commonwealth conference set the agenda for government, Aboriginal activism gained strength. An Aboriginal shearer, lay preacher and Labor Party and Australian Workers' Union member, William Ferguson, dismissed by the Board as 'quarter caste', had launched the Australian Aborigines Protection Association in 1937 to counter the 1936 amendments.¹⁵⁶ In that year Ferguson addressed the Board, demanding that expulsions stop and that Aborigines be paid their family endowment in cash and apprenticeship.¹⁵⁷ He was refused, so he pursued a political solution, finding opportunity when the dismissed Brewarrina manager, R.R. Brain, complained to an ally of Ferguson's, Cobar Labor MP, Mark Davidson, about his dismissal. This resulted in a select committee which sat from November 1937 to March 1938.¹⁵⁸

It was odd that Brain and Ferguson should appear on the same side of the debate. Brain had been dismissed for allowing a 'dangerous state of affairs' on the reserve and failing to answer no fewer than 33 communications from the Board, and Ferguson had himself complained about Brain starving and ill-treating Brewarrina residents.¹⁵⁹ Brain was notorious for his cruelty and madness, but argued in the Select Committee that his sanity had been strained by station life and said: 'the environment, not the people, wants altering'.¹⁶⁰ Ferguson apparently agreed, at least with Brain's assessment of Aboriginal people. The resulting inquiry revealed how wretchedly the APB had administered

155 AWB Minutes, 4/7127, 5.8.1937, 7.9.1938. It pointed out that 'the children of Hindoos, Afghans and Chinese are permitted to enrol'.

156 AWB Minutes, 4/7127, 3.11.1937. When John Patten applied for registration of the Aborigines Progressive Association he was also called 'half-caste'. AWB Minutes, 4/7127, 4.5.1938. Ferguson was very angry to be described in such terms. Select Committee on Administration of Aborigines Protection Board, 1938, p. 56. J. Horner, 'Ferguson, William (1882-1950)', *Australian Dictionary of Biography*, Volume 8, pp. 487-488; See also Horner, *Vote Ferguson for Aboriginal Freedom*; Horner, *Bill Ferguson*; Goodall, *Invasion to Embassy*, pp. 183-185.

157 AWB Minutes, 4/7127, 3.11.1937.

158 Horner, *Bill Ferguson*, p. 34-35.

159 Select Committee on Administration of Aborigines Protection Board, 1938, p. 21, p. 27, p. 34.

160 Barker, *The Two Worlds of Jimmie Barker*, p. 157; Select Committee on Administration of Aborigines Protection Board, 1938, p. 11.

Aboriginal welfare, and that Board employees were so frustrated at this state of affairs that they were prepared to lose their jobs to speak out.¹⁶¹

This inquiry showed just how dire conditions on Board stations had become under decades of mismanagement. Brain, who had managed Angledool before its evacuation in 1936 then followed when that station was removed to Brewarrina, said inspectors visited rarely, sometimes stopping just for coffee, and he had only ever met four members of the Board.¹⁶² People were malnourished by their diet of flour, tea, sugar, jam, potatoes, onions and a little meat. Brain was working off regulations written in 1909, had no training and felt the Board was hopelessly 'out of touch with those of us engaged in this work'.¹⁶³

Nurse Ivy Pratt had worked for the Board at Walcha, Taree, Brewarrina, Cumeragunja and Angledool. She reported that the trachoma epidemic was exacerbated by a lack of vegetables, the 'dust, heat and flies' of the west, and 'unclean' tents and houses. There was no sanitation, and the Board had refused to provide hot water for bathing.¹⁶⁴ Pratt contracted trachoma herself and was treated in Sydney, then sent to Cumeragunja, which had been a model farm but by then housed 172 people in 25 huts, and 113 adults

161 AWB Minutes, 4/7127, 2.2.1938, 4.5.1938, 4/8544, 5.10.1938. The Board refused to pay Kinchela manager J. T. Danvers' fares to the hearings, and he was later dismissed, sparking a furious phone call from Davidson to protest Danvers' victimisation. AWB Minutes, 4/8544, 11.1.1939. Nurse Pratt also lost her job for complaining about Menindee. AWB Minutes, 4/8544, 11.1.1939.

162 The evacuation is described by Goodall, *Invasion to Embassy*, pp. 205-210; June Barker showed me Norman Tindale's 1938 photographs of the Angledool people in the keeping place at Lightning Ridge in September 2000; Select Committee on Administration of Aborigines Protection Board, 1938, p. 8; Brain noted that Police and the Inspector of Schools visited more frequently, Select Committee on Administration of Aborigines Protection Board, 1938, p. 20; the next manager, Dalley, said most of his contact with Inspector Smithers occurred at Pilliga or Walgett, Select Committee on Administration of Aborigines Protection Board, 1938, p. 110.

163 Select Committee on Administration of Aborigines Protection Board, 1938, p. 28. Malnutrition was evident in children at Brewarrina, Pilliga and Toomelah. The standard 'dry ration' for an adult for one week was 8lb flour (roughly 4kg), 2lb (1kg) of sugar and potatoes, 1/4 lb (125g) of tea and baking powder, just 12 oz (375g) onions and the same weight in jam, with around 3 lb (1.5kg) of meat (beef or mutton). Children received half this amount. He said he added cod liver oil, sago, and other foodstuffs and so turned the children's health around. Select Committee on Administration of Aborigines Protection Board, 1938, p. 7-8; pp. 16-18, p. 22.

164 Select Committee on Administration of Aborigines Protection Board, 1938, pp. 2-6, pp. 20-21, p. 83. Brain had visited the Emu Plains Prison Farm in 1935 to research bathing systems.

and children in tents made of flourbags. Whooping cough and trachoma were epidemic.¹⁶⁵

Another witness was James Danvers, who had managed Brewarrina successfully from 1931 until he and his family succumbed to trachoma in 1934.¹⁶⁶ Danvers said disease was endemic on stations, and the Cumeragunja manager starved the Aborigines because he bought their rations from the family endowment, and sold the vegetables grown by the Aborigines for his own profit.¹⁶⁷

Importantly, station managers and nurses mounted no general criticisms of the Board's policies towards children. Brain had once worked for Barnardo's, and said sending children to work at the age of 14 was 'better than having them do nothing at the mission station'. When a committee member sarcastically remarked that apprentices' pocket money of 1/6 was 'a princely salary all right!' Brain said, 'it is a workable method but it is not the best, and it would be a good thing to improve it'.¹⁶⁸ Brain acknowledged that children desired to go home, explaining that one apprentice ran away six or eight times from a situation in Goodooga because she wanted to go back to the mission. He had little sympathy for absconders, believing they told tales to police so they could get home 'to play rounders' (gamble) on the station.¹⁶⁹

Danvers thought children would grown up 'just like "Topsy"' and 'run wild' if left alone.¹⁷⁰ He said most of the 46 boys at Kinchela were orphans, and although its role was to ready them for employment, Kinchela offered a fine primary school, good beds and sheets and excellent and abundant food – 'everything is done in a first-class manner, such as they have probably never known before and are never likely to know

165 J.G. Danvers was shocked when he arrived there circa 1934, because hundreds, even thousands, of pounds had been spent turning it into a model farm. Select Committee on Administration of Aborigines Protection Board, 1938, pp. 74-78.

166 He had grown vegetables for the station residents that took prizes at Brewarrina Show. Select Committee on Administration of Aborigines Protection Board, 1938, pp. 80-84.

167 Select Committee on Administration of Aborigines Protection Board, 1938, p. 17.

168 He explained that he forwarded a 'movement form' to the Board's office and notified the employer of the conditions of employment himself, which were a starting wage of 1/6 for 14 year olds, with two shillings banked on their behalf. Children were sent out 'fully equipped', with two sets of winter clothing and two sets of summer clothes, made by Mrs Brain and a 'half-caste'. Placements were inspected by himself or the police. Select Committee on Administration of Aborigines Protection Board, 1938, p. 8, p. 17.

169 Select Committee on Administration of Aborigines Protection Board, 1938, p. 8. It later transpired that one had wanted to get back to the station to get married. *Ibid.*, p. 17.

170 Select Committee on Administration of Aborigines Protection Board, 1938, p. 9, p. 81.

again'.¹⁷¹ That was undoubtedly true, and a further indictment of the Board's management.

The committee was interested in whether the Board had ever applied psychology to the problem of delinquent girls, but was told by Brain and Matron Park that it had not.¹⁷² Danvers was more hopeful, suggesting that much needed to be done 'to bridge the gap between the two cultures in order to make these people good citizens, on European lines', and that sympathetic inspectors and managers, like the teacher currently at Kinchela, were the key:

[He] understands all the nice ways of teaching boys their school work in such a way that school is a pleasure to them. He is an artist in putting his work on the blackboard in pictures ... They like it and they want more of it. If men of that description were sent to teach our aboriginal children I think they would do as well as the white children. You must get under their skin, and find out the way that they like to be taught.¹⁷³

The committee also heard from interested members of the public, such as author Ion L. Idriess, who was worried about disease, and Reverend Morley, of the Association for the Protection of Native Races [APNR], who called for the Board to be chaired by an anthropologist, but also had humanitarian concerns. He described the case of an apprentice who happened to be employed by a relative of Inspector Smithers:

We were told that she was well-treated, but that she was miserable. She wanted to get to her friends. I spoke to the Secretary a good many times about this case, and ultimately the girl was transferred to some other service; but the point is that she wanted to get back to her friends.¹⁷⁴

Mrs Kelly attended the inquiry as well, highlighting the absence of anthropological, psychological or scientific inquiry into station problems.¹⁷⁵

171 Select Committee on Administration of Aborigines Protection Board, 1938, p. 76.

172 Select Committee on Administration of Aborigines Protection Board, 1938, p. 22; 45.

173 Select Committee on Administration of Aborigines Protection Board, 1938, p. 76, p. 81, p. 86.

174 Statement by Mr Ion L. Idriess, 24.11.1937, Select Committee on Administration of Aborigines Protection Board, 1938. Idriess was expanding upon the suspicion of former assistant manager G.N. Milne that Board officers at Cumeragunja assisted the spread of syphilis with poor food and treatment room hygiene. *Ibid.*, p. 71, p. 94-96.

175 Ferguson objected to Kelly's presence, but Kelly said she represented the University and appeared 'on behalf of numbers of natives that we know and are trying to help ... [Mr Ferguson] fails to recognise that my desire is to help him'. Select Committee on Administration of Aborigines Protection Board, 1938, p. 62.



Figure 19: The full stop in this question mark is filled by William Ferguson (at rear) and John Patten. Extract from *Truth*, 28.11.1937, NSW Parliamentary Archives.

William Ferguson opposed these interventions, saying he resented his people being used as experiments.¹⁷⁶ He was criticised in the Parliament and much of the press for attending the inquiry (*Truth* supported him).¹⁷⁷ He and his colleague, Jack Patten, brought Aboriginal witnesses, and employers like Mrs Kingsley Strack, who was now campaigning hard against apprenticeship, to disprove the view that Aborigines were dirty, immoral, untruthful and incapable of looking after their children.¹⁷⁸ But the committee did not call them to speak. Ferguson was outraged that the 'isolated grievances' of a few dissatisfied white managers had precedence over the 'the plight of the ten thousand Aborigines in New South Wales'.¹⁷⁹ He called for the abolition of the Board, pointing out that he was himself subject to an expulsion order, and railed against the powers enjoyed by station managers.¹⁸⁰ He condemned the diversion of family endowment into station buildings, and said families were made to buy goods at uncompetitive prices from station stores.¹⁸¹ He said children were exploited, citing a case that must surely have appealed to the Labor members, given the party's traditional antipathy to the Chinese, of a 13-year-old boy hired out to a foul-mouthed Chinese market gardener. Ferguson said the Board was 'sweating' Aboriginal 'scab' workers in its sawmills, and 'using the aboriginal to break down working-class conditions' by hiring them out to wealthy squatters.¹⁸² He highlighted the treatment of apprentices, and the way their earnings were held in trust:

176 He said, 'I realise that we have all the best learned men and women in the world opposing our claim for freedom, for we have learned by past experience that the scholars and students will recommend that the race be preserved for scientific purposes. What a fallacy! What is there left to experiment with?' Select Committee on Administration of Aborigines Protection Board, 1938, pp. 53-54.

177 *Truth*, 28.11.1937.

178 Haskins, "A devotion I hope I may fully repay", p. 74.

179 Ferguson presented a list of Aboriginal witnesses who were never called on 24 November 1937. The Committee did hear from (but ignored) McGregor Watson, pastoralist of Burketown Queensland; Monty Tickle, a Queensland Aborigine living independently at Miranda and Lindsay Gordon, an Aboriginal labourer living in Chippendale. Select Committee on Administration of Aborigines Protection Board, 1938, p. 53, pp. 65-66.

180 Statement by Mr William Ferguson, 30.11.1937, Select Committee on Administration of Aborigines Protection Board, 1938, p. 54.

181 Select Committee on Administration of Aborigines Protection Board, 1938, p. 61. He also highlighted the case of a literate white woman married to a 'half-caste' who had found her endowment stopped by the Board after she had nursed a woman on a reserve. He said 'this woman does not know whether she is black or white and she does not know how the Board has got hold of her endowment'.

182 Select Committee on Administration of Aborigines Protection Board, 1938, p. 54-59. Ferguson's account was challenged in later testimony that the boy was 17, and the Chinese man was thoroughly respectable and well educated, having formerly worked as an interpreter at Central Police Court in Sydney. But Ferguson did not back down from his claim. *Ibid.*

I do not understand the Act too well, but it is a dreadful Act to my way of thinking. It is very close to slavery. The girls and boys should have their money when they are working for other people.¹⁸³

Ferguson also skewered the Board for its failure to protect women and girls, telling how the son of a former manager at Brewarrina had spent his nights seducing girls in the dormitory (an allegation wholly rejected by the committee).¹⁸⁴ He said the Board was insensitive for building Menindee station on an Aboriginal burial ground where the bones were exposed to the wind – the residents believed the wind carried poisoned bone dust over them.¹⁸⁵ Ferguson demanded that the government recognise that Aborigines had pulled themselves out of savagery:

We claim that the aborigines are in a position to exercise full citizen's rights. They are not wild blacks in this State. They have all been in touch with civilisation, and many of them have been reared under the white man's civilisation ... We have had too much protection already.¹⁸⁶

He said, 'give us the right to educate our people, full citizen's rights, and we will protect ourselves'.¹⁸⁷

The Select Committee collapsed before it could respond to Ferguson's arguments, but its last interviews were with the Board's Secretary, A.C. Pettitt.¹⁸⁸ His testimony provides a vital insight into apprenticeship and the Board's administration. Pettitt acknowledged that Aboriginal apprentices were paid between 1s 6d and 4s per week less than other children, claiming this was because they were harder to employ, but added that the Board provided their clothing. This statement was treated derisively by committee member Edward Horsington, a former drover and now Labor MP for Sturt, who said 'we know the kind of clothing provided. Any old thing is good enough', and added that any grazier who employed a girl for just 1s 6d a week 'is a sweater of the

183 Select Committee on Administration of Aborigines Protection Board, 1938, p. 61.

184 Select Committee on Administration of Aborigines Protection Board, 1938, p. 57.

185 Select Committee on Administration of Aborigines Protection Board, 1938, p. 60-61. Matron Park confirmed that 'one may find [Aboriginal] bones all over the bush. I once picked up a skull.' *Ibid.*, p. 105.

186 Select Committee on Administration of Aborigines Protection Board, 1938, p. 68.

187 Select Committee on Administration of Aborigines Protection Board, 1938, p. 54. Ferguson was attacked in the press and Parliament for his testimony, and repeatedly asked for protection from the select committee, and for legal counsel, but was refused.

188 In 1977 Pettitt was interviewed by J.J. Fletcher and defended the apprenticeship policy. Fletcher, A.C. Pettitt Interview. Haskins, "'& So we are Slave Owners!'".

first water, and the Board is aiding and abetting him in permitting such a system to continue'.¹⁸⁹

Pettitt, who had spent the inquiry sitting with a bunch of files and a clerk to help him locate information quickly, revealed himself rather ignorant of this reality.¹⁹⁰ He admitted he had little personal experience of Aborigines, excepting the few he met in the Sydney office, and had not travelled to any station since 1930.¹⁹¹ Few of the Board members had visited stations either, and Pettitt said they depended on his advice, which he winnowed down to fit the three hours allotted to Board meetings, because the members apparently complained that meetings were onerous if they went any longer.¹⁹² Pettitt had shaped the material Board members received for more than 20 years and, more than anyone else, is responsible for the stripping of Aboriginal voices from the archive.

Ferguson and Patten fought hard to restore their community's voice. In January 1938 they marked the sesquicentenary of the foundation of NSW with an Aboriginal Day of Mourning where they released the manifesto *Aborigines Claim Citizenship Rights*.¹⁹³ The Board minuted their campaign, noting the foundation of the newspaper *Abo Call* and Jack Patten's broadcasts on ABC Radio.¹⁹⁴ A few days later Ferguson, Patten, Pearl Gibbs and 17 other Aborigines met with Prime Minister Joseph Lyons and presented a 'Policy for Aborigines' which demanded: urgent improvements to rationing and housing; Commonwealth control of Aboriginal affairs; equity with whites in education, industrial conditions, pensions, land ownership, marriage laws, housing, hospital and maternity treatment; and the right to receive wages and allowances in cash. The Prime Minister did not respond.¹⁹⁵

189 Select Committee on Administration of Aborigines Protection Board, 1938, p. 45.

190 *Truth*, 28.11.1937.

191 Select Committee on Administration of Aborigines Protection Board, 1938, p. 41-42. The most recent tour had been to two or three stations two years previously, but he had visited 17 or 18 of the 21 stations over some years (the exclusions were Menindee and Bulgandramine).

192 B.C. Harkness had visited approximately half of them. Matron Park, stationed at Menindee, said that she felt she and her husband dealt only with the Secretary, and that the Board only considered 'very unusual' matters. Select Committee on Administration of Aborigines Protection Board, 1938, p. 107.

193 AIATSIS Library, *Aborigines Claim Citizen Rights!*, n.d..

194 AWB Minutes, 4/7127, 6.7.1938, 4/8544, 13-27.12.1938; J. Horner, 'Patten, John Thomas (1905-1957)', *Australian Dictionary of Biography*, Volume 11, pp. 162-163. AWB Minutes, 4/8544, 8.2.1938.

195 Horner, *Bill Ferguson*, pp. 68-70.

However, the Select Committee and sesquicentenary protests coincided with an election in NSW. M.F. Bruxner, leader of the United Country Party, a minor partner in the government coalition, spoke of Aboriginal affairs to the Parliament in 1938. He said he recognised the country owed a debt to the original inhabitants:

The administration of aboriginal affairs affords little reason for satisfaction, and the Government has decided upon a reorganised system with a new deal for these remnants of the Stone Age.

The neglect of the aborigines is not only indefensible on the grounds of our common humanity, but its continuance can only react also to the detriment of the white race.

The Board was insulted, perceiving Bruxner's declaration that he intended to appoint 'a man of broad and sympathetic outlook' as Protector as a jibe. It sent a memo to the Chief Secretary, laden with accusatory bitterness:

For many years past successive governments have failed to provide the Board with the funds necessary to carry out the plans of the Board for the education and welfare of the aborigines, and other phases of this most complex and difficult sociological problem, and in its opinion the criticism is unwarranted.¹⁹⁶

The Board tried to obstruct, then influence, a Public Service Board hearing into the Select Committee but failed on both counts.¹⁹⁷ Now it decided Aboriginal children should be treated as white, telling the CWD it would not take back three delinquent boys:

The Board has not the funds nor would the number of cases arising justify the establishment of a separate institution for the care of delinquent boys of Aboriginal blood. Point out, also, that although of Aboriginal blood, the home conditions of such cases are probably no worse than those of many white child delinquents who live under slum or shack conditions with the ordinary community.¹⁹⁸

196 Memo to Chief Secretary regarding extract from policy speech by the Hon M.F. Bruxner, MLA, Leader of the Country Party, on 12 March 1938, respecting the administration of aboriginal affairs, AWB Minutes, 4/7127, 6.4.1938. The MPs who sat on the Board, such as H. J. Bate MLA and G. E. Ardill (Jr) MLA, were absent. In June 1938 the Chair and Mr Mitchell resigned, and the Board placed on record that they resented the government's lack of confidence. AWB Minutes, 4/7127, 8.6.1938.

197 AWB Minutes, 4/7127, 6.10.1937, 6.7.1938; AWB Minutes, 4/8544, 5.10.1938.

198 AWB Minutes, 4/8544, 8.3.1939.

Dr E. Sydney Morris was now Vice Chair, and the Board considered adding specialists in education and social work to its staff.¹⁹⁹ In 1939, it further amended the Aborigines Protection Act, redefining an Aborigine as any person 'having an admixture of Aboriginal blood who is deemed by the Board to require in his own interests supervision and control by the Board'.²⁰⁰ It dispensed with its unique provisions for children, resolving that the Child Welfare Act should now be used to deal with 'cases of Aboriginal children living under undesirable conditions'.²⁰¹ The Board also decided to ask the Department of Social Services to issue food relief to Aborigines who did not live on reserves.²⁰²

In 1940 the era of 'protection' ended, when the Aborigines' Protection Board was reconstructed and reconceived as the Aborigines Welfare Board.²⁰³ Now chaired by the Chief Secretary instead of the Police Commissioner, it was nominally aligned with other government welfare departments. There were some new, 'expert' additions. They were H. Bartlett, an agriculturalist, and the anthropologist Professor A.P. Elkin, 'an expert on sociology and anthropology' who would soon assume the Chair and become the guiding hand of policy. B.C. Harkness remained as Education Department representative, E. Sydney Morris, who had come from Tasmania, represented Health, T.R. Schumacher represented the Police and the MLAs G.E. Ardill (Junior), H.J. Bate and Captain W. Dunn continued to hold their positions. Aboriginal families were now subject to the same legal regimes as white families, and although the social disadvantages and economic deprivation of Aboriginal communities would mean children were exceptionally susceptible to welfare interventions, there was some limited recognition that the Aboriginal family could be reformed.²⁰⁴

199 Miss M. Farr BA was proposed as a candidate for the Board, on the basis of her qualifications, rather than her gender. AWB Minutes, 4/8544, 12.7.1939, 9.8.1939.

200 AWB Minutes, 4/8544, 9.8.1939.

201 AWB Minutes, 4/8544, 12.7.1939, 9.8.1939.

202 AWB Minutes, 4/8544, 18.10.1939.

203 AWB Minutes, 4/8544, 12.2.1940; The Board had been prepared to change its title to that of Native Welfare Board, if managers could ascertain from 'some of the more intelligent Aborigines' that 'native' was a term preferable to 'aborigine'. AWB Minutes, 4/8544, 8.10.1939, 14.6.1940.

204 R. McGregor, 'Governance, not Genocide: Aboriginal Assimilation in the Postwar Era', in A.D. Moses (ed.), *Genocide and Settler Society: Frontier violence and stolen indigenous children in Australian history*, (New York: Berghahn Books, 2004), pp. 306-307.

In September 1940, the Board set out its new aim – the ‘assimilation of Aborigines into the economic and social life of the general community’. Soon it would introduce the Exemption Certificates that made Aborigines white in the eyes of the law, so long as they severed their ties with reserve lands and the relatives who remained living there. Managers were to inculcate ‘the habit of self-help’, by keeping the men occupied. Domesticity was to be encouraged through guided practice, though getting the Aborigines to take pride in their homes was considered an objective ‘difficult of attainment’. Selected families were to be moved off the reserves to separate accommodation on housing estates where they could be ‘taught to live’.²⁰⁵ Although the Board had decided to align itself with the Child Welfare Act, Cootamundra and Kinchela continued as training homes.²⁰⁶ The Welfare Board began its work by resolving that:

A close follow-up [is] to be maintained and every care taken that wards are placed in suitable homes. Wherever possible, cases in which unsatisfactory reports of wards are received [are] to be investigated.²⁰⁷

It was almost an admission that Aboriginal children had never been treated the same as white children in NSW. The Board briefly considered allowing girls to learn nursing and teaching, but opted to extend the apprenticeship system instead, so more youths could be put to work.²⁰⁸ Aboriginal apprenticeship and institutionalisation continued until the 1970s. The biggest change was the introduction of fostering and adoption in the 1950s, but that was another form of rescue, this time through transplanting Aboriginal children into white homes.

Throughout this period, the Board’s vision of child welfare had remained fixed. We should not forget the manifold failures of child welfare systems for non-Indigenous children in NSW and Tasmania. Institutions could be bleak, apprenticeship could be

205 AWB Minutes, 4/8544, 17.9.1940. The Welfare Board set about identifying families who could be moved off reserves, and launched a Gardens and Homes competition at Burnt Bridge, Boggabilla, Woodenbong, Jervis Bay, Taree, Brewarrina and Cumeragunja. 19.11.1940.

206 *NSW Government Gazette* No. 175, 20.12.1940, in AWB Minutes, 4/8544, 19.11.1940. At Kinchela in August 1941 the Board discovered ‘sexual malpractice’ and decided the Child Welfare Department should be asked to send in a sex psychologist. AWB Minutes, 4/8544, 19.8.1941.

207 AWB Minutes, 4/8544, 17.9.1940.

208 AWB Minutes, 4/8544, 21.1.1941.

abusive and exploitative, and boarding-out never quite compensated children for the loss of their original family. Loss and longing were shared by black and white children and their families. However, although many figures in child welfare expressed a dim view of Aboriginal family life, and of Aboriginal children, it is clear that the Aborigines Protection Board enacted a system of child welfare that was unique in its conception, and of a much lower standard than was tolerated in the welfare systems for white children in NSW and Tasmania.

CONCLUSION

‘My mother told me never to part with them’: Tying threads together in Katoomba’s Gully¹

Behind the weatherboard house where I live with my partner, Martin Thomas, and our son Aaron is the head of the Katoomba Falls Creek Valley. It is formally named Frank Walford Park, and nicknamed Catalina, but is known to Katoomba’s Aboriginal community as the Gully. Martin has written histories of the site, for ABC Radio and in *The Artificial Horizon*, which contributed to the 2002 declaration of Frank Walford Park as an Aboriginal Place under the *National Parks and Wildlife Act*.² Before I knew I would live here I had researched the life of Darug woman Maria Lock, the ancestor of many former Gully residents.³ As I was researching this thesis, Dianne Johnson, a local anthropologist, asked me to explain the policies that led to the removal of a number of children from the Gully, which has since been included in a book she wrote with the traditional owners of this place, *Sacred Waters*.⁴ These stories unite the themes of this thesis, for the people of the Gully could not understand how they had a history of removal even though they had never been under the control of the Aborigines’ Protection Board (APB).

The Gully is a hanging swamp – a marshy space at the head of the falls –surrounded by gentle slopes. It is a place of clear water that has always been shared between the Darug and Gundungurra. When European settlers followed the highway and the railway, as miners, townspeople and tourists, the Darug and the Gundungurra accommodated the changes, driving livestock between the Burragorang River and Oberon, working small holdings in the Megalong and Kanimbla valleys and mining shale and tin around Nellies

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- 1 Lizzie Stubbins, quoted in *The Mountaineer*, 30.5.1905, cited N. Hoskin, 'A Warning to Hoodlums: "Quite A Respectable Place"'. Representations of the Upper Blue Mountains in the Blue Mountains *Mountaineer* and the *Blue Mountains Echo*, 1894-1914.' B.A. Honours thesis, History, University of Sydney, 2004, p. 73.
 - 2 M. Thomas, *Homage to Catalina*, ABC Radio National, 1999; *The Artificial Horizon: Imagining the Blue Mountains*, (Melbourne: Melbourne University Publishing, 2003), pp. 177-207.
 - 3 N. Parry, 'Lock, Maria, c. 1805-1878', *Australian Dictionary of Biography*, Supplement 1580-1980, pp. 236-237. Prior to publication I shared this work with former resident Lyn Stanger and anthropologist Dianne Johnson. L. Stanger, *Sing You Brave People! Burria nyindi koori muttong!*, (Katoomba: Lynette Stanger/Kim Mooney, 2004); D. Johnson, Report to the Gundungurra Tribal Council concerning Gundungurra Native Title Claim [Federal Court File No: NG606/98], March 2004; D. D. Johnson, *Sacred Waters: the story of the Blue Mountains Gully traditional owners*, (Broadway: Halstead Press, 2007).
 - 4 N. Parry, "My mother told me never to part with them", in D. Johnson, (ed.), *Sacred Waters: the story of the Blue Mountains Gully traditional owners*, (Broadway: Halstead Press, 2007), pp. 151-158.

Glen in Katoomba and at Hartley Vale.⁵ Another Darug settlement with connections to the mountains was established on land inherited by Maria Lock at Blacktown in the 1830s.⁶ There were six Aboriginal reserves in the Burragorang and one in the Megalong, but the Board never sought to install managers on them.⁷ None of these communities received much assistance, or, except in the case of Plumpton, interference, from the APB. It occasionally provided blankets, rations and medical treatment for the elderly, but refused to help people it considered ‘half-caste’, such as Gundungurra elder William Lynch. Neither would it help those who tried to claim selections in the Megalong or Burragorang valleys.⁸

In the 1890s, conditions worsened for Aboriginal people in Plumpton and the Burragorang and some began moving to the Gully, a pre-contact campsite. People from other parts of NSW who wanted to escape the Board’s managed reserves joined them.⁹ The Gully was always a poor community, where people made do and built huts from tin, hessian and recycled materials that were held together with whitewash. Like Cape Barren Island, it was a curious space. Residents had the franchise, and the town had no areas of segregation, but racism still existed, particularly in the schoolyard.¹⁰ Not all the residents of the Gully were black, and not all lived in the camp – some moved into the miners’ cottages that still surround the Gully, and lived amongst white neighbours. But living in or around there without attracting trouble required ‘being discreet, not causing trouble, going unnoticed, not putting yourself forward, being inconspicuous and

5 Johnson, Report to Gundungurra Tribal Council, pp. 61-69, pp. 75-76. p. 107; See also Johnson, *Sacred Waters*.

6 ‘Lock, Maria’, *Australian Dictionary of Biography*.

7 Six reserves covering 904.75 acres (366 hectares) were created in the Burragorang Valley between 1878 and 1906, but progressively withdrawn from the 1920s until the Water Board revoked the last in 1954. All those reserves are now within ‘Special Areas’ of the Sydney Catchment Authority, but most are under water. One of the reserves was unliveable, with no water and no school nearby. Johnson, Report to Gundungurra Tribal Council, p. 55-60; Johnson, *Sacred Waters*, pp. 37-54.

8 AWB Minutes, 4/7108, 4.12.1890; 4/7109, 26.10.1893; 2.5.1895; 3.10.1895; 28.11.1895. The Cooper family were given extra rations at the request of the Megalong Valley Progress Association. One family also tried to secure a 20-acre grant in the Megalong in 1895, but failed. Jack Reilly in the Burragorang Valley made repeated requests for land grants in the early 1890s and was in hardship by 1893. He was denied any assistance from the Aborigines’ Protection Board as he was ‘a half-caste married to a European, and is a selector with the usual means of subsistence ... if they relieved him as suggested there would be numberless cases similar, which the funds at disposal would be wholly inadequate to relieve.’ AWB Minutes, 4/7108, 31.8.1893.

9 J. Smith, ‘Katoomba’s Fringe Dwellers’ in E. Stockton (ed.), *Blue Mountains Dreaming: The Aboriginal Heritage*, (Winmalee: A Three Sisters Publication), 1993, cited Johnson, Report to Gundungurra Tribal Council, pp. 108-111; See also Johnson, *Sacred Waters*, pp. 109-139.

10 Johnson, *Sacred Waters*, pp. 128-129, p. 134.

blending in'.¹¹ At this they were successful, and because Gully residents did not cause any lasting social problems for the townspeople, the Board was never asked to isolate or control them.¹² It also meant residents were isolated from the political activity growing in other Aboriginal communities in NSW. Out of fear that their children would be removed, they did not pass on their languages, and many suppressed their Aboriginality.¹³ Despite these precautions, the Gully has a history of child removal, and many former residents believe Aboriginal families bore the brunt of it.

Removals began at the turn of the 20th century. In 1902, Minnie Shepherd, an Aboriginal single mother, was prosecuted in Katoomba Local Court for beating her seven and five-year-old boys with stones and sticks when she was drunk.¹⁴ Although she protested she had meant no harm, and she had fetched a doctor, other Aboriginal residents of the Gully testified against her. Her boys were committed to the SCRD, along with her toddler, and she was sent to Darlinghurst Gaol because she could not pay the fine for her conviction. She served her three-month sentence and returned to Katoomba, but her sons, classed as white, grew up in the SCRD, and were boarded out in white families in the Hunter Valley.¹⁵ Minnie's case was clear-cut – she had abused her children shockingly and in public; she admitted she had problems with alcohol and she was poor.

A second case, in May 1905, blurs the lines between neglect, poverty, perceptions of morality and race. In May 1905 *The Mountaineer* reported that seven children named Stubbins had been taken to the Katoomba lockup for 'protection' – an interesting choice of words.¹⁶ Their mother Lizzie, who was an Aboriginal woman (of Darug descent),

11 Johnson, *Sacred Waters*, p. 127.

12 Parry, "My Mother told me never to part with them", p. 152.

13 This denial of language was a practice recorded in other areas where Gundungurra people clustered together, such as at La Perouse. Report to Gundungurra Tribal Council, pp. 111-112, pp. 181-182; Johnson, *Sacred Waters*, p. 121.

14 All discussion of the testimony in this case comes from *The Mountaineer*, Friday 10 October 1902; cited Hoskin, 'A Warning to Hoodlums: "Quite A Respectable Place"'. Representations of the Upper Blue Mountains', pp. 63-82.

15 State Records NSW, Department of Community Services, State Children's Relief Department, Index of Wards 1901-1913, CGS 13359, 11/22131-32 and Dependent Children Registry 1883-1923, CGS 13358, 11/22094-130, cited Hoskin, 'Representations of the Upper Blue Mountains', p. 80.

16 *The Mountaineer*, 30.5.1905, cited Hoskin, 'A Warning to Hoodlums: "Quite A Respectable Place"'. Representations of the Upper Blue Mountains', pp. 63-82.

although the newspapers did not bother to report that, pleaded not guilty to the charge that she:

Wilfully and without reasonable excuse neglect[ed] to provide adequate food, nursing, clothing and lodging for the said children whereby such neglect appears likely to result in serious injury to the health of the said children.

Senior-Constable Alexander McDowell prosecuted, testifying that, acting on complaints from local residents, he had taken the doctor and an SCRD Inspector to Lizzie's slab hut, at seven in the evening. He painted vivid images of neglect. The hut was overcrowded. Three of the children slept in a double bed with their mother, a deserted wife, and her Gundungurra partner, James Lynch, described as a 'half-caste'. The other children huddled in the kitchen, on bags and straw mattresses. The children had been truanting. They had no clothes or boots to go to school. They were dirty, and the police were angered to find that Lynch was using blankets they had given the children a few weeks earlier. The children had eye conditions the doctor said were 'caused through neglect'. The only food in the hut was some flour, sugar, jam and a bit of tea, and there was no apparent means of acquiring any more.

Lizzie only made it all worse by telling McDowell that Lynch was the father of the two youngest children. The law could not admit the possibility that he could have been parent or provider of children born to a woman married to someone else and her statement only confirmed the authorities' view that she was immoral. But Lizzie was desperate to keep her children. On the night in question McDowell asked her if she wished to hand them over to the SCRD. Her reply hinted at a family history of child removal, for she said, 'No, I will not, my mother told me never to part with them.' She was given no choice by the court. She was convicted and fined, and the court took all her children.¹⁷ Only some returned, as adults.

It is impossible to say whether the Board knew of these cases, or felt responsible for the Shepherd and Stubbings families, because its minute books from this time do not survive. But the growing presence of Aboriginal people in the Gully was recognised by missionaries, who built a church at the southern end of the Gully in 1910. A few years' later it was taken over by the Aborigines Inland Mission, whose leader, Retta (Dixon)

17 State Children's Relief Agency records, cited Hoskin, *ibid*.

Long, observed the Gully was home to people from all over the state.¹⁸ In 1913 the Board's minutes show the removal of an unspecified number of children named Stubbings from Plumpton and Katoomba because of 'immoral' living conditions.¹⁹ Its annual reports reveal that in the same year the Home-Finder travelled to Katoomba and the Burragorang, and in 1914 she visited Katoomba twice, but it is not recorded whether she went to inspect children in the Gully community or to visit girls apprenticed in the area.²⁰ The SCRD also maintained a strong interest in the Gully; in 1915 President Green said Katoomba was one of the 'recognised' Aboriginal camps, from which children were removed under the Neglected Children's and Juvenile Offenders' Act.²¹ At this time, the Board recorded that 31 people, including six children, lived at 'West Katoomba camp'.²²

Families who arrived in the Gully at this time brought their own histories of child removal. A number of families from Plumpton moved there after epidemics in 1908 left 19 children motherless, six of whom were sent to Bomaderry.²³ Mrs Mary McNally, a young Victorian woman of Scottish descent, who moved to the Gully from Yass in southern NSW, was another who had lost children. She and her baby girl Vicky had been abandoned by her Irish husband at the turn of the century. She never divorced, but formed a relationship with an elderly 'half-caste' Ngunnawal man named John Bell, who owned his own land at Blakney Creek, on the border of Gundungurra country.²⁴ Mrs McNally had six children with Bell between 1904 and 1919, and they and Vicky would be caught between the SCRD and the Aborigines Protection Board. By 1912, as described in Chapter 5, the Yass area was being scoured by both agencies.²⁵ Ardill was a frequent visitor to the region, as he was preparing Cootamundra to his specifications, and he and the Home-Finder handpicked girls from Yass and Edgerton Reserve for the new home.²⁶ In that year Vicky, Mrs McNally's white daughter, was taken to the

18 Johnson, *Sacred Waters*, p. 117, pp. 129-134.

19 AWB Minutes, 4/7122, 18.12.1913.

20 APB Annual Report, 1912, p. 2; APB Annual Report, 1914, p. 6; Ward Registers 1916-1928, 4/8553-8534.

21 SCRD Annual Report 1915, p. 27.

22 APB Annual Report, 1916, not paginated.

23 Johnson, *Sacred Waters*, p. 148.

24 Anne Jackson-Nakano, *The Pajong and Wallabalooa: A History of Aboriginal Farming Families at Blakney and Pudman Creeks*, (Canberra: Aboriginal History, 2002), cited Johnson, *Sacred Waters*, p. 141.

25 AWB Minutes, 4/7122, 18.1.1912; 15.2.1912; 22.8.1912; 21.11.1912; 28.11.1912. The father successfully sought his daughter's release.

26 AWB Minutes, 4/7122, 12.9.1912; 31.10.1912.

Children's Court by the SCRD because her mother was living apart from her husband, with an Aboriginal man, on what was considered (by the Court) to be an Aboriginal reserve. Vicky was sent to Mittagong.²⁷

Mrs McNally held on to her Aboriginal children until 1920, when John Bell died. His farm was given to his children from an earlier marriage, leaving her homeless. In the same year the Board, set on its policies of 'mergence', resolved to treat all Aborigines residing around Yass 'as white people' and asked the SCRD to collect 'octoroon' and 'quadroon' children.²⁸ Two of those collected were Mrs McNally's children Lily and Donald, then aged seven and nine. The Children's Court magistrate said they were neglected, and their mother had an 'immoral character' – a statement probably based on her interracial relationship and her inability to marry. This accusation haunts her daughter, Mary Cooper-King, who remembers her mother as 'a lovely kind person', and questions: 'What was immoral? Her living with an Aboriginal man or not being married to him?' Sharyn Halls, Mary McNally's grand-daughter adds: 'she was treated like a criminal because she was poor. That's what it was really about.'²⁹

After her children were removed, Mrs McNally decided to leave Yass, taking her baby Harold ('Pud') and five-year-old Len (Sharyn Halls' father). Her teenaged children, Abe and Betty, followed. They arrived in the Gully on a cold wet night, and were taken in by the Cooper family (Gundungurra people). Mrs McNally fell in love with Frank 'Essie' Cooper, and he built her a solid two-bedroom hut of timber and corrugated iron. Betty lived in the town, but the boys settled around the Gully. In 1926, Mrs McNally and Essie had a daughter, Alice Mary, who is now known as Aunt Mary Cooper-King.³⁰

During Mrs McNally's time in the Gully more children were removed. Lizzie Stubbins lost custody of a grandson to the SCRD in 1921.³¹ She lost a daughter and two grand-daughters in 1925, and a girl named Emily Hughes disappeared at the same time, while Aubrey and Roy Cooper, cousins and relatives of Essie Cooper, fell foul of the truancy

27 Mary McNally's granddaughter, Sharyn Halls, who is a patient and skilled genealogist, has provided this information.

28 AWB Minutes, 4/7125, 1.9.1920 and 13.10.1920.

29 Mary Cooper-King and Sharyn Halls, as told to Dianne Johnson, *Sacred Waters*, p. 144.

30 *Sacred Waters*, pp. 144. Parry, "My Mother told me never to part with them", p. 156.

31 State Children's Relief Agency records, cited Hoskin, 'A Warning to Hoodlums: "Quite A Respectable Place"'. Representations of the Upper Blue Mountains', pp. 63-82.

system and were sent to Mittagong. The West Katoomba Mission Church confirmed the removals in *Our A.I.M.*, noting, 'we have lost some of our children by removal'.³² In 1930, another child of Lizzie's, named Claude, was recorded by Katoomba Public School as being sent to a 'detention home'.³³ None of these children went to the Protection Board which, ironically, was sending Aboriginal girls from other parts of the state to work as domestics in Katoomba and Leura's boarding houses and private homes.³⁴

Despite this tension, Aunt Mary remembers her childhood in the Gully fondly. Her time there ended in 1935, when her mother died of cancer. Essie, who was not legally recognised as Mary's father, pressed Mrs McNally's gold watch into his daughter's hand. Essie told Mary he could not speak to her any more and said, 'You gotta go.' She went to live with her grown brother Abe in the town, because he was the lightest skinned of the McNallys. Aunt Mary grew up 'in amongst the white people' and forgot her Aboriginality. As she puts it, she was 'washed white'.³⁵

The Gully community itself came to an end in the late 1950s. The last mention of the community in the Aborigines Welfare Board Minutes is in 1950, when it asked the council to 'fix' temporary housing, but there is no indication of whether or not this request influenced council's decision to lend money to a car-racing club who wanted to clear out the Gully and use the land for a race track.³⁶ Gully residents believe families were leveraged out by the threat of removal of their children. The last family to go was named Stubbings: they left in 1957 when the truancy officer told the father the children were about to be removed.³⁷ The bulldozers scarred the Gully almost beyond recognition, and destroyed all the houses. The race-track, which never made a profit because of Katoomba's misty weather, is still there, though races stopped years ago.³⁸

32 *Our AIM*, 20.12.1926, cited Johnson, *Sacred Waters*, p. 117.

33 Sharyn Halls' family research, cited Johnson, *Sacred Waters*, p. 213.

34 June Barker, interviewed by Naomi Parry, September 2000; Joan Cooper, interviewed by Dianne Johnson, *Sacred Waters*, pp. 151; Two girls were sent to Leura addresses; Ward Registers 1916-1928, 4/8553-8534.

35 Mary Cooper-King, as told to Johnson, *Sacred Waters*, pp. 140-145.

36 AWB Minutes, 4/8545, 20.6.1950; Thomas, *The Artificial Horizon*, p. 219; *Homage to Catalina*.

37 Parry, "My Mother told me never to part with them", p. 158, p. 164.

38 Thomas, *The Artificial Horizon*, p. 219; *Homage to Catalina*; Johnson, *Sacred Waters*, pp. 160-165.

These are stories of the elision of Aboriginality, but they end with rediscovery and reclamation. In the 1970s Mary Cooper-King answered a knock at the door and met a dark-skinned woman who introduced herself as Betty, Mary's long lost sister. For Mary, this was the beginning of a journey back into her culture which has culminated in she and her son David occupying key positions on the Gundungurra Tribal Council. Aunty Mary now welcomes strangers to her country at community events.

In another strange twist, Sharyn Halls, the daughter of Len McNally, lives at Cootamundra. Her brother (also named Len), lives there too, because he manages Cootamundra Training Home, which is now Bimbadeen Aboriginal Christian centre. Although lost years can never be regained, both women have a clear understanding of what has happened to their family, not least because of Sharyn's forensic family history skills. Although Aunty Mary felt rejected for many years after her father cut her off and sent her away from the Gully, she now understands he was acting to protect her.³⁹ Sharyn remembers her father stopped visiting the mountains and La Perouse, and eschewed mention of his Aboriginality after the Gully was razed. She suspects he was protecting his children too.⁴⁰

This thesis provides a context for other Indigenous and non-Indigenous families who have suffered separations from their families to better understand their past or, at least, the origins of the policies that led to them being taken away. Child removal was a complex and uneven process that depended on a range of judgements, and it is not always easy to untangle the strands of race, class, gender and ideology. Leaving aside for the moment the fact that Aboriginal children were removed, uniquely, for the purpose of apprenticeship, we can generalise about the motives of welfare agencies. Children were removed because they were – or were considered to be – neglected, orphaned, abandoned, deserted, destitute, or exposed. Some had endured incest or other forms of abuse, or were sick or malformed. Others were perceived to be at risk of exposure to alcohol, prostitution, or associations with 'undesirable' elements, such as Aboriginal or Chinese people. Many were thought to pose a danger to society, and terms such as 'immorality', 'uncontrollability', 'mental deficiency', 'delinquency' and

39 Johnson, *Sacred Waters*, p. 144.

40 Johnson, *Sacred Waters*, p. 168.

‘criminality’ were applied to them. Sometimes children were removed simply because the state refused to support their impoverished parent or parents to keep them. There is no doubt that many of these children were suffering severe deprivation. Sometimes their health and wellbeing – even their lives – were at stake. However, in many cases, the state’s intrusion into family relationships caused pain, and left an indelible sense of longing that was shared by Indigenous and non-Indigenous children.

Former wards and their families need to know that archival materials should not be taken at face value. ‘Neglect’ was a broad category, reflecting a range of assessments, but also judgements. The term ‘uncontrollable’ could be a euphemism for the fact that parents were too poor to keep a child but were not allowed to surrender it unless they could claim an extenuating cause. Girls were called ‘immoral’ whether they were willingly sexually active or had been raped. Mothers who formed unconventional relationships were also tagged as ‘immoral’. Poor single fathers had little hope of keeping their children if there was no woman they could call on for help with child minding. Poor single mothers had to go to considerable lengths to prove themselves fit to have the care of their children or qualify for financial support. All these factors narrowed the choices of poor people. On top of that, inspectors, priests, inspecting nurses, policemen, lady visitors, activist reformers and bureaucrats used various means to coerce families into signing their children over. It is clear that forms that indicate surrender are poor currency for understanding the unbearable pressures placed on poor families, whatever their race.

The ways agencies worked depended very much on the personalities within and around them. Reformers exerted particular pressures for change, good and ill, but only insofar as the bureaucracy and workers could accommodate them. Personalities such as Ardill, Donaldson, Miss Lowe and Pettitt, had a profound effect on the creation and implementation of the policies of the Aborigines Protection Board. Renwick, Mackellar, Green and Bethel all shaped the NSW system. The Tasmanian case files show just how individuals affected practices and children’s experiences. The secretaries worked around legislation, adopting a pragmatic approach that could be compassionate as well as expedient. They did allow children, parents and foster parents a limited say in how the system worked, and communicated with them, in person and in writing. They also cut corners and countermanded policy changes, as did their staff. This subversion of

legislation and written policy reminds us how important it is to read annual reports and other public documents – which, in NSW at least, trumpeted the success of welfare systems – critically and against the grain.

There were many areas of common experience in Indigenous and white welfare. In Tasmania Aboriginal children experienced the same forms of care as white children, even though race does appear to have shaped their care. In NSW they were separated, if dark-skinned enough, but there were some shared characteristics in childcare. Both black and white children spent time in institutions, and there is no evidence to say whether Cootamundra was worse, or better, than the Launceston Girls' Home, St John's Park, the Magdalene Home or Parramatta Industrial School. Kinchela boys had demonstrably terrible experiences, but life at Mittagong, Gosford, Ashley and Yanco was also awful. In any case, Aboriginal children were sent to SCRD and DPI institutions as well as to the Protection Board's homes. Both Aboriginal and non-Aboriginal children experienced the loneliness and long hours of domestic apprenticeship, under the stifling control of various kinds of employers – some good, but some exploitative – and all inescapable. The misery of Tasmanian mothers whose babies were taken from them in the Salvation Army Home under the Mental Deficiency Act is indistinguishable from that of Aboriginal apprentices who became pregnant and were pressured to give up their babies.

None of the child welfare systems was well funded and none of the methods of out-of-home care was ever entirely satisfactory. However, it is impossible to review this process in the two states and conclude that the practices of the Aborigines Protection Board reflected the wider values of the era. The APB did not even try to create the impression it was offering the same care, for it resolutely stuck to apprenticeship and institutionalisation when all state welfare systems were re-evaluating apprenticeship and refining institutions.

When the Protection Board's statistics are compared with those of the NSW SCRD and CWD, and the Tasmanian Department, the discrepancy is obvious. After the Protection Board gained the powers it sought over children in 1915, the average age of removal of Indigenous children was 13 years and nine months, compared to a NSW non-Indigenous average age of seven years and four months and the Tasmanian average of eight years. The Board took mostly girls, whereas boys predominated in all forms of care offered by

other state child welfare agencies. By the mid-1920s, fewer than 20 per cent of state children in NSW or Tasmania were apprenticed, because children themselves chose other forms of employment and the welfare agencies thought domestic apprenticeship limited children's opportunities to become skilled workers. Yet almost half of all Indigenous wards were removed and placed straight into apprenticeship, and another third were sent to institutions to be readied for service. Therefore, 70 per cent of Aboriginal wards were removed for the purposes of apprenticeship.

The quality of care offered to Aboriginal wards was markedly different from what was offered to non-Indigenous children. From the beginning, state welfare systems for non-Indigenous children had a shared ideology, held by reformers and the public service, that boarding-out and the replacement of a child's birth ties with new bonds within the respectable working classes was the solution to childhood misery and destitution, and offered a means of abolishing poverty. In Tasmania, these understandings were extended to the few Indigenous children who came into state care. However, in NSW, the APB took a different route, rejecting boarding-out and using instead a model of institutionalisation and apprenticeship that was based on the personal philosophies of George Edward Ardill.

The execution of that system was not on par with state systems either. Both the state child welfare systems valued perpetual oversight of state children. This was exercised through voluntary and professional systems of inspection that made sure children were at least regularly seen, if not always heard. In Tasmania, the Department kept boarded children close at hand, and although it relaxed its inspection for apprentices, it remained in contact via the police and the post. In NSW, children were fanned out along transport routes, and the SCRD's team of inspectors grew steadily, along with systems of probation.

The APB's inspection systems, on the other hand, were dilatory, at best. Children were dispersed all over the state, and female wards fell pregnant at staggering rates. The Board's oversight of reserves was slapdash, and they became riddled with diseases of poverty and run down. The practice of taking older children left small children to languish in the conditions the Board condemned, yet had itself created. This made a mockery of the Board's stated goals of rescuing Indigenous children – it really was only interested in making them work. There is also no evidence that the concerns of

Aboriginal parents or children guided the system – few Board members ever met Aboriginal people, and the Secretary himself stayed in Sydney and controlled what material was shown to the Board.

It would be easy to say that the Board's approach reflected contemporary attitudes to race, were it not for the contrast with Tasmania. The Tasmanian Government was also confronted by a population that agitators defined as problematic, albeit a small group who mostly resided in one remote place. That the Tasmanian government was concerned is obvious, for it regularly sent public servants to inquire into local conditions. However it never removed the franchise from Islanders. It did not restrict their movements, install permanent control or make them dependent on a lesser form of social welfare than was received by white citizens. Islanders and Indigenous families on the Tasmanian mainland still experienced child removal, but not in any systematic way. While the absence of action in Tasmania stemmed from apathy rather than any clear sense of the Islanders' identity, the government's hesitation to strip rights from Indigenous people is a marked contrast to the Protection Board. Apathy in Aboriginal policy was a feature of both NSW and Tasmanian governments, but the Protection Board, driven by Ardill and his confidantes, was able to initiate practices that had devastating and lasting effects on the Aboriginal community of NSW.

This thesis has shown that the reviews of child welfare undertaken in NSW, as well as other jurisdictions, had little effect on the Aborigines Protection Board's policies or practices. By the early 20th century, welfare agencies and reformers in both states were beginning to realise the importance of children's physical, as well as moral, environment. Progressives set about protecting infant life and humanising children; amongst the results of this approach were children's courts and the probation system. State children's education and experiences became more diverse, even for children classified as mentally deficient, although there was variation on that front between Tasmania and NSW. Pressures from social reformers and MPs, and from bureaucrats within the state system, ensured that the main child welfare systems were regularly reviewed, although a lack of money thwarted change and fundamental rights issues, such as the probity of institutionalising children without reference to the justice system, were never resolved. However, by the 1930s, D.H. Drummond, the Minister in charge of the NSW Child Welfare Department, was counselling against the permanent damage

caused by removal. The Aborigines Protection Board seemed never to have been troubled by any sense that children deserved to enjoy permanent bonds of affection with their families. It deliberately limited the education offered to Aboriginal children.

Importantly, the economic setting of child welfare shifted for non-Indigenous children. Single mothers received payments that increased over time, from a discounted rate of boarding-out allowance and systems of partial charitable support to widows' pensions and endowment, which helped them keep their children. These allowances were not, until the endowment acts were passed, given 'free'. Their price was systems of inspection and supervision over poor families that brought more children under state control, though at less expense to the state than if they had been boarded out with foster parents. We must not forget that they were often inadequate. They were no shield against the loss of a parent or family crisis and fathers rarely received them, so children continued to grow up in out-of-home care. Yet endowments made a difference for a lot of families. Aboriginal parents in NSW were denied them.

Aboriginal families in NSW received rations, and were placed under increasing physical restrictions. Social support for them meant being asked to live on a reserve where they could be supervised, and in this period reserves and stations became carceral. This was a period in which the physical environment and living standards of the poor in most of the nation was improved, via measures such as better sanitation, proper schooling, infant life protection and baby health clinics. However, all the while the Protection Board was removing children to facilitate their absorption into mainstream society, Indigenous families were denied the means of achieving an equivalent standard of living. The poor quality of life on reserves was then used to justify removals, in a cruel circular argument.

However, although welfare for Indigenous children in NSW was different than it was for their non-Indigenous counterparts, the common story is the emotional consequences of separation. The Tasmanian cases, which tell the fullest story of the impact and experience of child removal, reveal haunting episodes in the lives of these families. I think of *Adelaide Shelley*, who wondered if it would do her any good to know of her mother, and of another *Adelaide*, *Adelaide Downie*, who put up with being called 'nigger' and missed her sisters, who suffered in their own different ways. The girls in the New Town Charitable Institution, whose illicit correspondence resulted in a trip to

the Magdalen Home, are stories of spirited survival, which we can also read in the riots and relationships formed in Parramatta Industrial School.

Some of the people I have met who lived through these systems, or those that came after World War II, have told me they felt their parents, who had signed forms of surrender, had abandoned them. The counterpoint to that is the story of *Edie Seale*, who was driven to surrender her children but despaired at their loss and wanted the world to know why she had given them up. While *Edie* eventually got her children home, *Ellen Polson* was just one of many mothers and fathers who never succeeded in reclaiming their children. Her daughter, *Susan*, whose longing for her mother was so marked that it gave the Neglected Children's Department pause, probably never knew her mother tried to get her back. We can explain removal, but not assuage 'Such a longing'.

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