

Dr Rosalind Kidd

HARD LABOUR, STOLEN WAGES

NATIONAL REPORT ON STOLEN WAGES



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Aboriginal and Torres Strait Islander people are respectfully advised that this book contains references to deceased persons and culturally sensitive material.

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Author's Note

Apart from the chapter on Queensland, this work is entirely reliant on the careful research of a range of people around Australia. I urge readers to consult these and other primary texts, and also the submissions to the Senate Committee of Inquiry into Stolen Wages nationally, especially those from Aboriginal people who endured labour and financial controls.

Due to time and energy constraints, this Report is necessarily only a snapshot of a nation-wide, century-long system. My heartfelt thanks to all who contributed; I have greatly valued your expertise and your enthusiasm. Thankyou also to National ANTaR for their moral support and for transforming the work into a publicly accessible document.

Conversions in the text give an equivalence in today's value calculated against annual changes in the retail price index.

The terms 'half-caste' and 'full blood' are today regarded as insulting references used in official records for people of mixed race or of full descent.

For accuracy, they appear in this Report where they were the terminology of the times.

FOREWORD

I feel we have got to try and bring the problems to light. Because of all the things that are happening now; who is right and who is wrong? It's a worrying time.

It's all owing to you and you fight hard for it. I fight for money that's mine, and my brothers and sisters. All of it.

I'm fighting for my mother's money as well. What she was left by my uncle; because I'm the stepdaughter, I've never ever got any, not me or my brother.

The gave my uncle electric shock when he was a young man. He used to sing; but after that, he couldn't speak.

You'd think they would just write a cheque and be done with it. My documents – when you see them – half the page is blacked out, gone.

The full stories are not available; you just don't know. It's worth millions. The government is scared stiff; money talks big lingo.

Just the wages is not enough; it's the Panel that they've got, it takes nothing into account. It should be before the judge. But the judge asks all those questions for a purpose though you see; to take you by surprise, you know. That fellow from South Australia; it took him ten years. He is encouraging others now, to take it to court.

We could have had our own homes from the wages we are owed, and had the ability to set things up for our children. It breaks your heart to see our children still struggling.

They could have sent us home to our families. We could have showed them. We could have worked it out together. But they kept us apart. What was the reason for that? That's how they keep us down, see. If we were all educated, look out!

It's just really tiring. We shouldn't have these things on our minds now; we should all be having a bit of relaxation now at this time in our lives. They just don't realise. The pressure that goes through your soul. I can't cry no more. The counselling took it out of me. After looking after my mother; after my brother passed away. I can't cry. It's just dry. You feel half cold, like you're not human. I hate going to funerals because of it.

Why couldn't they just pay us outright; not like that foundation in Queensland that you have to ask for money, filling out paperwork. It's unsatisfactory. It's like we still have to beg. The churches know enough about what's happened.

They threw us into these places, like Parramatta. It was the doctor there that molested us. That doctor! That had the hide to say that I had syphilis! But there's no record of when I nearly bled to death from a broken nose. We used to hide in the cupboard at night; so that it wouldn't be our turn. The white girls and the black ones. They knew we were being molested, but they'd threaten to cut our throats if we said anything. We were scared stiff.

People need to know that this is what happened to us. They've got to fetch those files out and put them on the table.

The money cannot replace what has been lost. The government needs to know, to understand how much pain we suffered. My pain finding my mum had been left in her house with that breast cancer for all those years, with no one to look after her. The smell. The skin and bone poking through. I came home to that, as an adult. Not as a child. And they had told me she was dead!

We've been through so much. We're still going through so much. They don't know how important our relations are to us, that we can have some sort of comfort.

I think it would be far better for the lot to be dealt with. They should work out some sort of way to come to an agreement, a sum of money to pay to us all.

Marjorie Woodrow

INTRODUCTION

slave: 2. one who works for and is the prisoner of another; one who works under duress and without payment.

slavery: 1. the condition of a slave; bondage. **2.** the keeping of slaves as a practice or institution. **3.** a state of subjection like that of a slave. **4.** severe toil; drudgery.

Source: The Macquarie Concise Dictionary, 1988.

To most Australians, the word “slavery” conjures up images of Africans in chains, being taken across the Atlantic to work the cotton fields of the American deep south.

We struggle to comprehend that slavery is also part of our own nation’s history. Many of us are unaware that the practice here took place in far more recent times.

Governments around Australia controlled wages, savings and benefits belonging to Aboriginal and Torres Strait Islander people for most of the 20th century. Payments withheld included child endowment, pensions and even soldiers’ pay. Much of the money held in trust was never paid to its owners. Trust account funds were transferred to public revenue, or disappeared through fraud or negligence along with many of the records.

Historians estimate that tens of thousands of Indigenous people had their labour controlled by State and Territory Governments during this time.

Among those people was the great Aboriginal leader, Lowitja O’Donoghue, who as a young woman had her wages placed in trust while she worked as a domestic in South Australia. Years later, when Lowitja began her nursing career she sought to have this money paid to her so she could buy uniforms. However, the authorities turned down the request and she never received her money.

In Queensland, Jubilee Jackson worked as a stockman near Mt Garnet for 60 years from the age of ten. His pay was a small amount of pocket money at rodeo time. The rest was held in a trust account. When he died in 1967 there was only \$99 in his government controlled account. The local police sergeant was later charged with multiple counts of fraud relating to several savings accounts. Jubilee Jackson’s

daughter, Yvonne Butler also had her labour and wages controlled. She is still seeking the money owed to her family.

In New South Wales, my friend Rob Welsh's father, Ray was one of 400 young Aboriginal boys between five and fifteen who were taken from their families and sent to the Kinchela Boys Home, near Kempsey between 1924 and 1971. The boys received poor education, an inadequate diet and many suffered beatings and abuse. When they turned fifteen the Kinchela Boys were sent to work as rural labourers. The Aboriginal Welfare Board kept their wages which were supposed to remain in trust for them until they reached adulthood. Most never received any of their trust money.

Across Northern Australia from the Kimberley to Cape York, the unpaid labour of Indigenous workers was used to establish lucrative industries such as beef cattle and pearling.

In Queensland alone, it has been estimated that as much as \$500 million in today's value was lost or stolen from Indigenous families.

Neither, it appears was Victoria immune from this practice. Up to the mid-1960s, workers at the Lake Tyers reserve in Gippsland received only a small cash wage supplemented by rations. It is also likely that part or all of the wages of people under the Aboriginal Welfare Board were paid into trust, as were Commonwealth benefits like child endowment and pensions. More research is needed to determine what became of this money.

Many of these workers across Australia faced a double injustice because they were also members of the Stolen Generations. They were removed from their families, culture and land and then had their wages and entitlements removed from them. The twin practices of child removal and stolen wages took many Indigenous people into a form of cultural and economic exile, denied a place in Indigenous society and then prevented from gaining the economic stake so essential to enabling a decent life in the mainstream.

To date only the NSW state government has responded to this aspect of our nation's past with any decency, establishing an Aboriginal Trust Fund Repayment Scheme to fully reimburse claimants for money identified as still owing, in today's value. In contrast, the Queensland government offered only a maximum \$4000 per person as a

“gesture of reconciliation” to compensate for decades of stolen and mismanaged wages and entitlements.

In other states, Governments have yet to meet their responsibility to ensure elderly and vulnerable Indigenous people finally receive the payments that were denied to them for so many years.

Governments have also yet to face up to their responsibility to end the intergenerational poverty caused by the practice of controlling the labour and withholding wages and other payments from Indigenous workers.

As a result, the unresolved issue of stolen wages remains one of the nation’s greatest barriers to reconciliation and justice for Indigenous people.

Australians for Native Title and Reconciliation (ANTaR) hopes that the publication of this National Report on Stolen Wages will add to the momentum of change needed to remove this barrier. Hopefully then Aboriginal families will finally receive the wages they are owed for their years of hard labour.

ANTaR is indebted to the author of this report, Dr Ros Kidd, whose careful and meticulous research has done so much to put the issue of Stolen Wages on the national agenda.

Ros’s principal research focus has been the state of Queensland. The extensive fraud and negligence she uncovered should form the template or equally thorough investigations in other states and the Territory.

In compiling this report, Ros has been assisted by the research of a number of other historians from other states. In particular, we would like to thank: Susan Greer, Victoria Haskins and Zoe Craven from New South Wales; Cameron Raynes from South Australia; Joel Wright from Victoria; Stephen Gray, Thalia Anthony and David Carment from the Northern Territory; and Fiona Skyring, Anna Haebich and Mary Ann Jebb from Western Australia.

Gary Highland
National Director
ANTaR

1. **QUEENSLAND**

Moreton Bay colony (later Queensland) started as a penal outpost in 1824, opened for free settlement in 1842 and held a European population of around 25,000 in 1859 when it became an independent colony. European occupation of Aboriginal lands spread more rapidly than the systems of law and justice. The key agency of government control, the native police force, was described in the late nineteenth century as ‘a mere machine for murder’¹ as Aboriginal families and tribes were ‘dispersed’ from fertile areas. The original Aboriginal population in Queensland, estimated between 100,000 and 200,000 persons, fell to around 25,000 by the end of the nineteenth century due to assault, starvation and disease.

1.1 ***Controlling work and wages***

Queensland legislators of 1896 knew they were occupiers on Aboriginal land stating, ‘we have come here and taken their land’, and ‘we have taken the entire colony away from the blackfellows’. Of the ‘more than £500,000² per annum of territorial revenue from a country which really belongs to them’ the government spent just 2 per cent for rations, blankets, grants to missions and costs of maintaining the native police.³

Under the *Aboriginals Protection and Restriction of the Sale of Opium Act (1897)* ‘for the better protection and care of the Aboriginal and half-caste inhabitants of the colony’, the government assumed extraordinary discretionary powers over the lives of Aboriginal people. Only half-castes over the age of sixteen and living with, or as whites, were officially exempted, although the government said it would not to interfere with workers employed by ‘trustworthy’ people. Leading police officers in each district were nominated as protectors. They could banish any person or family to a reserve or contract them to a year’s work, without due process or right of appeal. Deprived of the right to control their own circumstances people were entirely at the mercy of government.

The 2000 Aboriginal men, women and children in the workforce could now only be employed on twelve-month work ‘agreements’, negotiated by protectors and listing name, nature of service, work period, accommodation and ‘wages or other remuneration’; cash was not obligatory. Protectors could revoke agreements,

send people to different work or have them deported to a reserve. Regulations in 1899 required employers to provide ‘suitable shelter, blankets, rations (including tobacco), clothing and maintenance during sickness’, but there was no mandatory provision for protectors to enforce these requirements. To stop workers being defrauded by station owners claiming the whole of the wage had been expended over time in goods from station stores, protectors could demand workers’ wages be paid directly to themselves and supervise withdrawals.

In the year to mid-1900 the government contracted 1200 workers but in the absence of mandatory cash wages virtual slavery continued.⁴ An Amendment Act in 1901 formalised the protectors’ right to demand direct control of wages and gave them power to manage Aboriginal property including retaining or selling it. Protectors were instructed to ‘keep proper records and accounts of all moneys and other property’ and were deemed to be public accountants under *The Audit Act (1874)*. This surveillance and control network operated into the 1970s.

A further Amendment Act in 1934 extended government powers over every adult of Aboriginal extraction and all half-caste children to the age of 21 years. The *Aboriginals Protection and Preservation Act (1939)* reverted to the narrower category of Aboriginal/European heritage and established the sub-department of Native Affairs with the chief protector as its director. The government now controlled almost 2500 contracted workers plus an additional 2800 in the pastoral industry.

The *Aboriginal Affairs Act (1965)* ostensibly freed Aboriginal people from state controls, but all reserve residents were deemed in need of official ‘assistance’, as was anyone deemed by a magistrate to need it. Controls were maintained over all personal finances and property, and over the wages, terms and conditions of 5000 workers in the pastoral industry and 2500 on reserves. In 1968 rationing on these communities was replaced by cash economies but wages were set at less than 45 per cent the basic wage – the minimum for survival for white families.⁵

Deportations to reserves ceased only after 1971, when residence required a ‘certificate of entitlement’ revocable by department managers, a strategy to control activists and occupancy. The government now abolished the ‘assisted’ status but maintained the right to under pay its workers. It wasn’t until 1972 that people could apply to manage their personal finances

although thousands of accounts remained under government control.

The *Community Services (Aboriginal) Act (1984)* granted community councils qualified local government powers after a further three-year training period. When councils took control from 1986 most revenue-producing enterprises remained department property leaving councils predominantly dependent on rentals, alcohol profits, federal pensions and CDEP⁶ funding to cover municipal functions and public works. Council budgets require ministerial approval and allocations were based on what the department would have otherwise outlaid to run the local government functions. No provision was made to address the massive infrastructure backlog (assessed nationally in 1991 at \$2.5 billion.)⁷

1.1.1 Child workers

From 1865 any child of an Aboriginal mother could be institutionalised on the grounds of ‘neglect’ under the *Industrial School and Reformatories Act*, although this was applied predominately to lighter skinned children. Like white children, they were given rudimentary training in domestic or farm skills and apprenticed to work from the age of 12, the State retaining control of their earnings. Whereas white children were free from the age of 21, Aboriginal children were controlled for life. Legislation to apprentice ‘neglected’ children remained in place into the late twentieth century.

After 1903 child and female wages were paid direct to the protector. The missions refused to send women and children to work on remote stations but the government strove to fill the insatiable demand for domestic servants: even children ‘rescued’ from rural camps were separated into dormitories for instruction and when ‘of sufficient age’ sent to employment. The government knew regulations were not enforced. *Annual Reports* confirm women and children were commonly worked illegally at mustering and horse-work on remote stations (1903), they were made to do men’s work, were often ill-clothed and paid well below their value (1913).

The government knew the girls suffered sexual assault. *Annual Reports* detail numerous pregnancies among domestic workers.⁸ Of 15 girls confined in 1910 two died in childbirth and six of the thirteen babies died soon after birth; an appalling indication of the conditions endured by these contracted servants. Of 11 confinements in 1911 there were only six live births, three of whom soon died. In general the

babies were institutionalised either at the settlements or in a Home (if paler skinned), with costs taken from the mother's wages (1917). Otherwise mother and child were recontracted at a lower rate (1914). In 1916 the chief protector admitted sexual assaults and pregnancies were a 'grave danger' in an otherwise 'excellent' system.

Even in the late 1950s there was still a 'fair amount' of child labour in the pastoral industry and the chief protector conceded many needed medical attention for broken limbs. He suggested suggested graziers not put 'undersized and weedy' children to hard labour saying: 'We try to look on these people as human beings'.⁹ Domestic service remained a core strategy of Aboriginal policy into the 1970s despite knowledge of the threat to women and children.

1.1.2 Rural workers

The earliest departmental *Annual Reports* noted pastoral stations in outlying areas depended almost entirely on Aboriginal labour which was described as 'more reliable than the general class of white stockmen', 'in a great many instances, better', and 'As stock-riders and bushmen in many cases superior to the general station hands.' But regulations in 1901 set minimum wages at five shillings (\$24) a month, less than one-eighth the white rate.

The wage portion workers received as 'pocket money' during their contract was initially between 50 per cent and 80 per cent 'according to intelligence' (*Annual Report* 1908), and remaining wages were banked separately 'in the name of each native' in the government savings bank 'with the local Protector as trustee'. Swindles continued, particularly in the far west where it was reported pastoralists still held 'a deep-rooted objection to paying the Aboriginals anything for their services, unless it is coming back again through the station store' (1911). Rural workers suffered deplorable work and living conditions, and the chief protector warned that many employers thought 'anything is good enough for a "nigger"' (1913).

In 1914, when male wages were also compulsorily banked, wages in many areas were only 2/6 (\$8.78) a week or just double the 1901 minimum, a sum the chief protector said was 'absurd and unfair' and causing 'great injustice' and hardship for their families.¹⁰ He set a 'graduated minimum wages scale' based on 'fair wages' of around 15/- (\$52.60) a week.

Regulations in 1919 set minimum standards for work, food, quarters and hours (a maximum 48 per week) and pegged Aboriginal pastoral wages at around 66 per cent the white rate, including for children under 18 years, mothers with children (discounted 15 per cent), and child domestics from 12 years who could be legally employed with the chief protector John Bleakley's permission. But the new regulations were ineffective in the absence of regular police patrols and Bleakley admitted children and elderly people continued to be exploited as cheap labour: 'Under existing conditions efficient care and protection are absolutely impossible' (1919).

In 1921 shelter for many Aboriginal workers was said to be 'worse than they would provide for their pet horse, motor-car or prize cattle'. An investigation in 1923¹¹ revealed the department had never inspected the activities of the 81 country protectors, nor the circumstances of the 8000 rural Aborigines and their relief needs. The government did not fund regular employment inspections.

The 1919 regulations had increased the direct pay portion to between 50-80 per cent. To safeguard the remainder, employers were now told to keep a 'pocket money' book with each payment endorsed by workers and witnessed by a third party and protectors could inspect the books six-monthly. But the pocket money books were never checked by head office leaving the system so open to abuse that an investigation in 1932¹² said it could 'quite reasonably be assumed that in many cases the native is not getting the amount of pocket money provided for in the agreement' even when books were itemised and endorsed.

During the 1929-32 Depression protectors described trained Aboriginal stockmen as 'indispensable' compared with the 'often useless' untrained white labour offering in many districts, yet it reduced rates for its 4500 pastoral workers to 40 per cent the award. In 1934 the United Graziers' Association (UGA) reported that on Cape York and the Gulf 'it is not possible to obtain suitable white men [who] would not take the jobs they were offered', yet the government contracted workers at only 53 per cent the award. In 1936, when 90 per cent of stations in some areas were worked by Aboriginal stockmen, the rate was only 48 per cent. And the government rejected calls for special inspectors to check work and conditions. In the early 1940s several police said their role as protectors was a sham because they rarely checked employment conditions. 'It is a well known

fact that Aboriginals employed on agreement, work long hours, and with a lot of employers there are no Sundays ... very often their day's work is nearer 16 than 8 hours. The white man would not endure such hardships and long hours.'

Regulations in 1945 forced wives of pastoral workers to work unpaid for 12 hours each week. The government knew Aboriginal labour was crucial to the pastoral industry, the director stating in 1948 that demand constantly exceeded supply and workers 'continue to prove a valuable asset'. Yet the government sold their labour cheaply: by 1949 the rate was only 31 per cent, an effective loss of almost half the wage entitlement,¹³ causing one protector to warn: 'The wages, more especially to a married Aboriginal, is just a bare existence.'

From this pittance the government knew workers continued to be cheated of their pocket money portion. The Coen protector, one of the biggest labour contractors, described the scheme in the 1940s as 'just a farce, and is playing into the hands of the white people in general ... the employers have not any interest in the natives whatever, and consequently the cash would not get to the natives, their finger prints would be taken in a cash book and the amount credited against the native, which they would not get.' In the late 1940s auditors said the policy of leaving pocket money supervision 'in the hands of the local protectors' left Aboriginal wages at risk. They recommended the books be retained after each work period so visiting audit inspectors could check them for fraud; the department said it would be too costly to provide replacement books.¹⁴ Nothing was done.

In 1956 protectors again reported many employers thought the books were impractical and didn't bother to keep them. Even where books were kept 'the natives invariably state that they thumbprint the books without receiving the money. The employers in such cases state that the natives' account was overdrawn, and this cannot be disputed, as the employer (if he is dishonest) protects himself with false entries in his store account.' The system was 'absolutely beyond control', not least because many workers were unschooled and had no way of knowing what they were 'signing' for. They were 'entirely at the mercy of his employer' who readily concocted the figures and police were too busy to investigate. The director admitted 'that in many instances pocket money is not paid and the Aboriginal thereby deprived of portion of his earnings'. That

‘portion’, since the early 1940s, could be as much as 75 per cent of the wage.¹⁵

In the mid-1950s the department’s rural officer reported most graziers were ‘more concerned with obtaining Aboriginal labour as cheaply as possible than with paying wages in terms of the real worth’, and that fewer white stockmen took work in remote areas and ‘white men of markedly less ability and industry [are] receiving higher wages and better living conditions than Aboriginals who are better workmen.’¹⁶ But when after the UGA threatened mass sackings in 1957 the government shelved a proposed increase in Aboriginal wages. The rise was implemented in 1961, resuming the 66 per cent parity, but the government conceded a reduction in hourly rates leaving many workers with less income than before.

The longstanding ‘slow worker’ category, where people ‘agreed’ with a protector that their skills were limited and their pay discounted up to 40 per cent, was another avenue of exploitation. Against six decades of contrary evidence the UGA alleged in 1964 ‘practically all aboriginals’ came under this category. With department support the UGA defeated a proposal that an industrial magistrate be empowered to assess Aboriginal ability. In his defence the director falsely claimed rates for the 5500 pastoral workers were ‘determined by the Industrial Court’ and were not ‘an arbitrary decision by a Government or a Department.’ But this of course was untrue. Aboriginal pastoral wages had been excepted from the industrial courts since 1919, and were, as auditors had observed in 1943, largely ‘at the discretion of the Director.’ Not until 1968, under a federal ruling, were Aboriginal pastoral workers accorded equal wages. The contract employment regime ceased in 1972.

The government knew Aboriginal workers were essential to the pastoral industry. Yet it failed to adhere even to its policy of the 66 per cent parity with white pastoral workers. Across a workforce of between 4500 to 5500 people in the period 1920-1968, the loss of wage entitlement is probably over \$500 million.

In the last few years of the seventy-year contract labour regime auditors were still saying: ‘The Department appears to exercise no direct supervision over the keeping of these books or of the payment of pocket money by employers.’¹⁷ This flawed system had been operating since 1901. The amount of pocket money known to be open to endemic fraud, calculating at a median rate within the allowable quantum (ie 38 per cent in the quantum 25-50 percent

regulation pocket money due), is over \$600 million in the period 1920-68.

1.1.3 Community workers

Inmates exiled on government settlements were also contracted out to work, the bulk of their wage sent direct to the settlement and recorded in each name on a card index which workers never saw. Credit was expended through 'orders' on community stores. From at least 1907 the government took a 'maintenance charge' from their wage of up to 20 per cent (1908) which was 'paid into revenue' at the Home department (1911), making the settlements 'actually self-supporting' except for staff salaries. The balance of workers' earnings was deposited in a settlement trust account at the Queensland National Bank (1908), operated by head office to receive earnings, maintenance 'contributions' and store profits

By 1941 42 per cent of the 18,000 controlled Aboriginal people were interned on settlements and missions which were built and maintained by Aboriginal labour apart from a few white staff. Government policy since at least 1920 was to fund a limited wage for a set workforce but divide the amount among all key workers, a policy which continued for decades despite the 1923 Report warning this was 'clearly misleading' as to actual wage rates. Work included road construction, power plants, pipe laying, building, heavy machinery, cattle work, farming, butchering and baking, dormitory monitors, teaching and nursing.

The government opposed Commonwealth rationing to residents of missions and settlements during the war asserting Aboriginal needs were much less than for whites.¹⁸ Despite severe food shortages settlement workers were instructed to produce 'surplus' foods for army and factory personnel during the second world war as well as for charitable institutions and hospitals, a practice continued until 1948.¹⁹ Meanwhile the strongest workers were deployed on the manpower program, replacing white farmers in the peanut, cotton, cane, maize and arrowroot industries (1943), a federal initiative which brought their full award wages under department control. Regulations in 1945 required 'every Aboriginal' on a settlement to work up to 32 hours a week without pay.

When it introduced 'wage' economies in 1968 the government paid community workers less than 20 per cent of the massively discounted wage and withheld the remainder as 'value' for amenities provided. Cherbourg builders were paid \$7-

\$14 compared to the state award of \$40. In 1972 200 Palm Islanders petitioned the government saying they couldn't afford to feed their families on 58 per cent the basic wage, and couldn't afford the subsidised rent on new Commonwealth homes despite desperate overcrowding.²⁰ Health surveys warned 'massive loads resulting from substandard living conditions' was the primary cause of gastroenteritis and pneumonia leading to infant deaths 34 times the rate in white children.²¹

Under the 1972 regulations award wages were mandatory except on government reserves where the wage was now labelled a 'training allowance', although many skilled tradesmen had worked decades in their jobs. The government calculated savings of almost \$6 million (\$29 million) compared to the state's minimum wage rate in 1974 alone. After passage of the federal *Racial Discrimination Act* (RDA) in 1975 under payment on the basis of race, sex or creed was illegal. The Queensland government simply ignored the federal law. In 1978 the government calculated a \$6.85 (\$21 million) profit compared to award rates.²² To meet increases in wages workers were sacked, reducing the workforce from 2500 in 1976 to 1463 in 1979, prompting the director to warn further retrenchments would bring essential services below 'a reasonable standard.' The state's *Audit Act* was amended so he could cash personal social security cheques to meet rents owing.²³

Facing a union-backed claim in the industrial relations commission in 1979, the government's legal advisers said 'the award is relevant and binding ... the claim must succeed', and, 'In the net result there is a liability to pay the award rate of wages irrespective of how or where that liability is enforced.'²⁴ The government settled, threatened to sack anyone who applied for award wages, and continued its illegal under payment. In 1980 wages were 52 per cent the award when Cabinet agreed to 'move towards' award levels but again refused to fund wage increases.²⁵

From at least August 1982 Cabinet discussed the fact its under payment of Aboriginal employees breached both state industrial law and the federal RDA, but declared it would neither implement legal rates nor provide funding for wage increases. In 1983, '84 and '86 Cabinet again discussed the fact 'that payment for labour below Award rates is in breach of State industrial law and infringes certain laws of the Commonwealth.' It confirmed the freeze on funding for wage increases and maintained its policy, stripping millions of dollars from community workers.

Early in 1986 community wages were 72 per cent award rates and the government faced writs on behalf of Aboriginal community workers from the ACTU, FEDFA, and the AWU.²⁶ Cabinet decided it would be cheaper to implement award rates than lose costly court actions,²⁷ but again refused to provide funding. After mid 1986, as councils took over local government functions, they were not funded sufficiently to pay award rates without further retrenchments.

Calculating workforce numbers against award wage deficits in each year from 1975 to 1986 reveals an illegal profit to the government of over \$66 million (around \$186 million).

1.2 Trust funds

Government files reveal continuing negligence and misuse of trust funds comprising Aboriginal monies. Trust funds include the Aboriginal Protection of Property Account (APP) established in 1902 to disburse unclaimed wages and estates, the Aboriginal Provident Fund (APF) which operated between 1919-1966 as an unemployment relief fund from levies on wages, the Queensland Aboriginal Account (QAA) started in 1933 to centralise all Aboriginal savings accounts, and the Aboriginal Welfare Fund (AWF) started in 1943 'for the benefit of Aboriginals generally.'

1.2.1 Protectors

Police protectors were the key tier of government agents, handling the earnings and savings of thousands of workers and families. From as early as 1904 the government introduced thumbprints to counteract frauds by employers and protectors. Between 1905-07 the amount of personal savings under protectors' control more than doubled to £3978 (almost \$355,000). Workers were shown no record of dealings on their accounts. Very few police accounts were audited annually yet frauds were exposed almost every year. In 1920 the government was criticised in parliament²⁸ for failing to stem this 'opening for graft'. Workers were routinely charged for tobacco and goods they never received and were not only 'fleeced by their employers' but were at the mercy of protectors who could easily hand over two shillings on a receipt for five pounds. It was asserted Aboriginal workers in some areas never got their banked wages and the few who did had 'no money to speak of' after multiple levies.

The government consequently re-introduced thumbprints ‘as a further safeguard’ for the £172,640 (\$8.5 million) in rural accounts and police were ordered to have all transactions on Aboriginal accounts witnessed by a disinterested third party. In the absence of systemic checks fraud remained remarkably easy to execute. In 1922 the sergeant and constable at Burketown simply made fictitious withdrawals to steal over \$8700, on one occasion taking almost \$5000 from 32 accounts by thumbprinting and witnessing the dockets themselves. Between them they had witnessed each other’s signature during the whole of their period at Burketown.²⁹

Public service inspectors in 1923³⁰ said protectors’ calculations on Aboriginal monies were typically unreliable and they demanded the department pay ‘much greater attention’ to police handling of wages collections and supervision of withdrawals. They recommended Aborigines be given the right to appeal questionable dealings on their monies; the government ignored the recommendation. Frauds continued: at Longreach in 1927 the protector colluded with the local storekeeper to charge ‘exorbitant prices’ for goods, sold second-hand goods and clothes to Aborigines for large amounts, and held a batch of blank withdrawal forms already witnessed yet unsigned.³¹

A further Report in 1932 warned supervision of Aboriginal accounts was ‘totally inadequate’ leaving workers at great risk. There was no verification of wages earned or of deductions by either employers or protectors because the officer in charge in Brisbane exercised ‘very little intelligence’ over an unwieldy card system run under 89 different headings.³² Pilfering on the 4550 accounts was found to be common simply by doctoring the receipts, and continuing over long periods. So long as people were denied the right to check transactions on their accounts the government was warned ‘the opportunity for fraud existed to a greater extent than with any other Governmental accounts.’³³

In response, the chief protector admitted there was no process to ‘ensure the necessary control’ over protectors, currently managing almost £240,000 (\$13.9 million). He admitted ‘dishonesty and laxity’ were inevitable in a system which relied on the keeping of ledger account cards by police ‘many of whom are not trained in clerical work’ and resented the excessive overtime involved in managing Aboriginal employment and accounts. He admitted endemic fraud was exacerbated by ‘the long

times between inspections’, and that ‘the way [was] too open to dishonesty’ because Aborigines could not check their accounts. He conceded a worker ‘compelled to work under departmental control’ should not ‘suffer loss and deprivation through the neglect of officials who are supposed to protect him’. But he did not expand the rural audit regime nor allow people to sight their accounts. Instead the government transferred the bulk of rural savings accounts into a new account (the Queensland Aboriginals Account – QAA) under head office control in Brisbane, leaving only a working balance in each protectorate for daily withdrawals. A system of identification numbers was established to more accurately verify account holders, many of whom shared allotted English christian names. Although the minister claimed these measures ‘will go a long way to minimise fraud by members of the Police Force who are protectors’³⁴ in fact no changes were made at local level.

From 1935 thumbprinting was mandatory for dealings on Aboriginal accounts with duplicates held at head office for checking against monthly remittances. But this was easily rorted. Prints were ‘the only valuable evidence that expenditure is correctly chargeable against individual accounts’ and auditors warned in 1940 they were commonly ‘useless for verification’ being ‘so carelessly taken’. They said that local protectors ‘obviously... do not exercise any check over the legibility’ of storekeepers’ dockets, and it was ‘hardly likely’ that people deliberately cheating on Aboriginal accounts would provide a clear print for verification. Auditors reported head office checked only one-third of the dockets to match thumbprint endorsements with those on the identification cards. And even that procedure was badly in arrears.

In an attempt to reduce fraud by protectors authentication of thumbprints was handed to the Criminal Investigation Branch (CIB) in 1941. Even so Audit Reports are replete with continued criticisms of improper dealings on savings accounts. They warned that acknowledging and witnessing the prints remained ‘a point of difficulty because of the attitude’ of ‘some white men.’ The protector at Gregory Downs drew two cheques in 1941, both witnessed but neither carrying thumbprints.³⁵ At Mossman in 1942 the protector ‘made it a practice’ to get thumbprints on vouchers for goods not yet provided or not supplied at all. He claimed witness signatures were obtained at a later date.³⁶ In 1943 auditors warned protectors were ‘evidently in the habit’ of getting thumbprints or signatures ‘before he is either paid or receives the goods that he has to pay for’. Thumbprints were often so carelessly taken as to be unverifiable

even if facilities were available. The government maintained the system even while admitting ‘some protectors are not carrying out their duties as instructed’.

Despite these constant warnings, for the entire duration of financial management hundreds of workers based on the northern missions were never recorded on the CIB thumbprint database so the department had no way of verifying transactions on their accounts. And transactions on accounts of workers controlled through the Brisbane office or from the settlements, and for almost 3000 child endowment accounts opened since 1942 were never verified because there was no duplicate card system at head office.

Protectors were instructed from the 1940s to issue cheques in workers’ names for all withdrawals over £2 (\$80.80) and anyone requiring clothing or other goods was to be given vouchers on local traders. Yet the government was told in 1949 neither the cheques nor the vouchers prevented frauds by unscrupulous traders and employers: ‘in 90 per cent of the cases the native who is not educated has no knowledge of the amount he should receive’ and if the payee was dishonest ‘there is a better opportunity to do so.’ Regularly the auditors condemned ‘continuing problems’ with proper witnessing of Aboriginal thumbprints and signatures, a procedure of high importance ‘owing to the more or less illiterate condition of natives subject to the Act.’ In 1952 the Aboriginal tracker at Croydon wrote to the chief protector protesting the sergeant forced him to sign blank cheques and failed to supply him and his family with sufficient food: ‘My children are crying they are hungry all the time and my wife and I are begging off friends.’ Subsequent investigations exposed fraud on at least five savings accounts. The protector escaped trial because of ill-health.³⁷

Audits continued to reveal withdrawal sheets filed without verification of thumbprints and ‘in many instances’ department officers failed to follow up discrepancies. In 1964 auditors again called for closer supervision of reconciliations of rural accounts and head office ledgers because ‘some protectors’ were ‘inclined to be lax’. Failure to collect outstanding wages was a constant complaint against protectors, the director admitting in 1958 the department had been ‘held culpable for failing to ultimately collect wages owing to men under agreements’. ‘The position is’, he said, ‘that we have accepted the responsibility of protecting these people by controlling their employment and collecting their wages’. He

said excuses such as time constraints or staff shortages were ‘futile’.³⁸

In the early 1960s auditors warned the ‘fair margin for errors in postings’ would remain undetected so long as the government denied account holders a passbook so they could check balances and entries. They said chances were ‘very remote’ of a worker drawing attention to an erroneous or fraudulent posting. Even in 1965 the wage collection was officially described as ‘too open to abuse’ because wages were only paid on demand by the protector rather than as departmental procedure. ‘Should there be wages due in these cases’, auditors warned, ‘the Department has no knowledge of any particulars, and would be unable to take any action.’

Thumbprints were checked by the CIB since 1941 but the government had no database to verify signatures and therefore no certainty, public service inspectors warned in 1965, ‘that witnesses do, in fact, witness all payments.’³⁹ Protectors would have been well aware of this anomaly, given the frequency they were asked to provide second clearer thumbprints. Alerted to this ‘potential loss by fraud’ the department introduced only sample signature checks. Passbooks and child endowment books were distributed to account holders from February 1966 but only for their information, the department continuing to run ‘all accounting systems’ as before. The inspectors had anticipated this ‘should improve security to some extent’ but warned it would be several years before access to the books afforded ‘sufficient protection’ to the ‘semi-literate’ account holders. Meanwhile – even in the late 1960s – the department continued to accept the validity of signatures ‘purportedly witnessed’⁴⁰ on withdrawal forms.

In 1967 auditors again criticised processing of wages ledgers at head office as ‘unsatisfactory’, a ‘breakdown in internal control procedures’ allowing a \$4000 (\$30,000) fraud by the Mt Garnet protector to continue undetected. Officers were ‘aware of the defects in the system’, auditors said, and procedures relating to withdrawals from the savings accounts should be ‘re-examined’. The accounts section was severely understaffed, none were over the age of 21 or had any experience checking protectors’ withdrawals, therefore no proper checks were made of withdrawals, acquittances and the allocation of interest. In each of these areas, they warned, ‘there is room for fraud.’

In 1970 elementary requirements were still not being observed to safeguard the 10,450 savings accounts. Auditors reported ‘the witnessing procedure is weak’,

with district officers (formerly protectors) still failing to have cash payments independently witnessed, and payments often witnessed and then cancelled or amended. Few signatures had been checked over the previous six-month period despite provision in Internal Control to check all signatures on withdrawal sheets, and 'other necessary reviews are being deferred'. Auditors warned urgent action was necessary to apply 'vital checks' promptly after transactions were completed so that forgeries 'as had happened in the past', could be avoided or deterred.

Only after 1971 could account holders apply to gain control over their own savings, totalling \$1.24 million (\$7.54 million) at June 1972. In 1974 auditors again condemned head office, noting 'established checking procedures have been allowed to lapse' over private savings of almost \$800,000 (\$3.86 million). In June 1986 the government still controlled savings of \$1.2 million (\$1.8 million).

1.2.2 Aboriginal Protection of Property Account

The Aboriginal Protection of Property Account (APP) was opened in 1902 to receive and distribute unclaimed wages and deceased estates of maritime workers said to have died or deserted during a voyage. Regulations in 1904 extended this requirement to mainland workers, declaring that the APP could be used 'in such manner as the Minister may direct, for the benefit of aboriginals generally'. £100 (\$8740) was promptly loaned to the Murray Islanders for a pearling lugger.

Transactions recorded in the department's *Annual Reports* show that Aboriginal benefit and government benefit soon blurred. In 1908, none of the £134 (\$11,250) from 'wages and estates' of deserting or deceased workers was paid to relatives but over £140 was paid to clothe people sent to employment. In 1911 only £13 was distributed to relatives against incoming wages and estates of £180, while £128 (\$10,340), almost half the loans to Torres Strait boats, was simply written off as bad debts, and £100 was paid to Cape Bedford mission for machinery.

Of £444 (\$31,169) paid into the APP in 1914 from deceased estates, none was distributed to relatives but outgoings included £280 for a boiler at the Barambah sawmill, a £140 cutter for the Hull River settlement and £60 for fencing at Cape Bedford, as well as £200 for a new boat loan for Murray Islanders. From 1917 the government began transferring 'inoperative' and 'unclaimed' private accounts into

the APP: £445 (\$25,410) in 1917, £2640 (\$141,293) in 1918, £1323 (\$62,260) in 1919, £459 (\$19,085) for 1920, and £2300 (\$109,434) in 1921. Given workers were arbitrarily contracted around the state and denied documentary evidence of government dealings on their accounts, nor would ‘deserters’ sensibly make a claim on their savings, the appropriation of these monies is highly problematic.

From 1917 APP holdings were used increasingly for settlement development, mainly sawmills, water services and ‘improvements’ – £2550 (\$145,600) in 1917, £880 (1918), £1373 (1919), £1623 (1920), £9650 (1921) and £310 (1922). A further £1035 went to Purga mission in 1920 while under temporary government management. In 1921 the government paid £500 (\$23,790) from the APP as an operational grant to Yarrabah mission, the main detention centre in the north. Meanwhile transfers to legitimate claimants were scant: of the £979 (\$55,900) from estates and deserters’ wages in 1917 only £98 was paid to relatives, only £264 from £1440 (1918), £648 from £3111 (1919), £745 from £1497 (1920), £487 from £1602 (1921). By the end of 1922 the APP held £4044 (almost \$200,000) including outstanding loans of £656 for Torres Strait boats.

The Public Service inspectors in 1923 described as ‘unsound’ the diversion of APP funds for an annual grant to Yarrabah mission for ‘upkeep’. Their counsel was ignored: Yarrabah received its £500 grant from the APP in each year from 1925 to 1932, excepting 1924 and 1930 when it got double the amount. In the eight years to 1930 almost £9000 (\$438,000) was diverted from the APP for development projects, including £2276 (\$109,500) to build the *Melbidir*, a government vessel used only irregularly on Aboriginal department business. A further £7750 (\$377,000) was paid as grants to missions plus an additional £800 loan to Yarrabah, as well as advances between other departmental accounts. Such transactions, and the massive subsidising of the missions, the government knew to be outside proper usage.

Estates absorbed into the APP in the same period totalled £13,247 (\$644,600) plus an additional £16,856 (\$820,213) simply transferred as ‘unclaimed’. Only £4872, or less than 40 per cent of the estates, was distributed to relatives and most of that in the years 1923 and 1924; in 1927 only £19 was distributed. Rather than expend APP holdings across the population generally, as mandated, the government ignored widespread destitution in 1926 to invest an ‘idle’ £6000 in Treasury Inscribed Stock

to generate interest income. The cash balance at 1929 was £5720 (\$269,185).

During the 1929-32 depression 50 per cent of APP income was simply transferred 'to subsidise the Vote' of the Home department: £8173 in 1931, a 'contribution' of £6473 in 1932 and £3231 (plus £733 to the Standing account) in 1933. Other payments were £4726 for 'industrial development of settlements and missions' in 1934 and £2204 in 1935, and loans of £1300 and £1000 to Aboriginal Industries in the Torres Strait in 1935 and 1936.⁴¹ Estates of £10,750 were moved into the APP of which only £3208 or 30 per cent was paid to relatives. 'Unclaimed' accounts brought in £18,369 between 1931-35, compared to £10,316 in the five years 1925-29 and a massive £10,834 in 1930 alone when budget cuts started to bite. In 1931 the £800 loan to Yarrabah, for which there was 'not the slightest hope' of repayment, was simply written off.

In 1939 the chief protector said the APP administered 90 per cent of deceased estates and 'exhaustive inquiries' were made for next-of-kin, funds remaining available for several years for unexpected claimants. 'In no case', he declared, was the APP 'appropriated for other than the general benefit of Aborigines.' Within a week he committed APP funds for a boat for Palm Island. In 1941 the audit inspector reported that £70,105 (\$3.37 million) had been paid out of the APP since 1914 'for purposes other than refunds of estates.'⁴²

By 1941 the APP had a contingent liability of over £74,000 (\$3.6 million) representing almost 4000 'unclaimed' balances, but held only £1110 in cash plus £2765 in loans to meet it. Auditors objected that many claimants listed as 'missing' or with inoperative accounts probably had no knowledge of their funds, and many deceased persons' estates had not been distributed despite records of entitled relatives. The Public Service inquiry in 1941 also condemned the department for failing 'to make proper inquiries' regarding distribution of APP holdings to the relatives of dead or mission persons. Indeed they warned the APP was now so depleted it was in danger of insolvency if claims were made on it by relatives. With the APP balance at under £1580, only now did the department cease its 'approved procedure' of the last twelve years of paying 50 per cent of unclaimed estates to the department's operational account.

From mid-1943 APP transfers and 'unclaimed' monies (now only after a two-year claim period) were lodged in the Aboriginal Welfare Fund (AWF), established 'for the general benefit of Aborigines'. Regulations in 1945 authorised transfer

of estates to the APP⁴³ if unclaimed after five years. In 1946 when auditors suggested transferring to the AWF many of the 1043 undistributed estates of more than 20 years standing holding over £21,000 (\$899,220) the director demurred, citing the trenchant criticisms of the 1941 investigation. In 1950 £5000 from a balance of £7656 in the APP was committed to investment, rising to £8000 by 1954. Transfers of unclaimed estates to the AWF occurred sporadically with £3006 moved across in 1962. A decade later APP holdings stood at \$145,336 and balances prior to 1962 totalling £59,299 were transferred in 1973. Other substantial APP transfers to the AWF were \$88,572 in 1976 and \$13,810 in 1984.

1.2.3 Aboriginal Provident Fund

In 1919 the government started the Aboriginal Provident Fund (APF) as a 'fund for relief of indigent natives'; any worker not already contributing 20 per cent to settlement maintenance funds was now taxed 5 per cent if single or 2½ per cent if married, calculated by the protectors and remitted quarterly to head office. By 1921 the APF held £5896 (\$280,532). 1922 was a year of drought so severe gross earnings slumped £23,000 (\$1.1 million) yet in the first six months only £129 (\$6349) or just 1.5 per cent was distributed in response to 'calls for relief' out of holdings of over £8245. This failure to distribute APF holdings to people in dire need prompted criticism from public service inspectors in 1923, who condemned payment of £117 from the APF to deport 70 people to Cape Bedford mission. Finding 'fully 50 per cent' of protectors' APF calculations were 'wrongly made' the inspectors urged people be given the right to appeal against dubious handling of their accounts. This the government ignored. It also ignored the inspectors' conviction that APF relief expenditure should only be made relative to contributions in each police protector's district.

In 1923 no APF funds were allocated to relief. Instead the government diverted an 'idle' £8000 (\$384,960) to investment. In 1924 it expended just 10 per cent of the takings on relief and nil in 1925. In 1926 a further £6000 was diverted to investment and no relief allocated despite reports by the chief protector of 'distress caused among camp blacks' by a slump in the pastoral industry. In 1927 takings were £1735 and relief outlays were less than 20 per cent of incoming interest of £786. No relief was allocated from the APF in 1928 despite takings of £2665 plus £796 interest but a further £1000 was sidelined in Inscribed Stock. In 1929 relief of £397 was

paid as against interest of £1220 and takings of £1620. In the years 1922 to 1929 the APF increased by £15,936 (\$775,450) in direct levies and £2802 (\$136,345) in interest, money desperately needed by workers mired in poverty. Despite its mandate that the APF relieve this hardship the government had released just £871, or less than 5 per cent of its windfall. By end 1929 cash reserves were £7330.

During the depression the APF 'proved its value' providing an unstated amount of 'assistance' to the missions in 1930 as well as a £12,000 (\$590,640) loan to start a trading business (Aboriginal Industries) in the Torres Strait; neither item of benefit to 'workers and their dependents' suffering mass retrenchments and fractional wages as low as 40 per cent the white rate. Because over £6,100 (\$300,242) had been transferred from the APF to the 'general contingencies vote', the loan was only possible through a transfer of £8000 stock holdings to the APP, said to be 'amply in credit to take this amount over.'⁴⁴

During 1931 a further £8174 (\$448,753) was taken from the APF 'to subsidise Vote', triggering a cash crisis. Bleakley admitted 'working funds are now very small' but his main concern was the APF's ability to meet 'further withdrawals' by the department.⁴⁵ By late 1931 APF cash holdings were 'almost depleted' and a further £5000 in stock was transferred to settlement trust accounts. In 1932 a further £7,977 was taken to 'relieve consolidated revenue' and £1949 in 1933. By 1934 Bleakley had distorted the APF mandate to include 'the industrial development of government settlements and missions' which absorbed £4190; the Torres Strait debt stood at £6500 and investments at £2060.

In the decade 1925-35 £72,032 (\$3.55 million) was 'appropriated for departmental purposes' from the APP and APF, and a further £18,960 (\$933,200) from personal savings. Additional taxes on savings – 5 per cent on all settlements savings balances over £20 and 2.5 per cent on all non-settlement accounts – both ratified by Cabinet in mid-1933 and neither revoked, were still reaping income for the government, as was seized bank interest from savings accounts, averaging £15,000 (\$867,900) annually.⁴⁶ The 1939 Act had repealed existing regulations and new regulations were not gazetted until 1945. In the interim consecutive auditors warned the government all transactions on Aboriginal funds were illegal: 'no authority exists

for, among other things, the percentage deductions from wages for the Aboriginal Provident Fund, transfers of moneys of deceased natives, where there are no beneficiaries, to the Aboriginal Protection of Property Account, transfers from Trust Funds to Standing Account, and for the order in which the estates of deceased natives should be distributed ... the scale of wages and the settlement maintenance charges were not even covered by the regulations under the repealed Acts.’

Early in 1941 Bleakley conceded that many regulations ‘which have governed departmental procedure in the past’ had never been formally gazetted, and admitted there was ‘some doubt as to the legal force of the Regulations made under the earlier Acts now rescinded, under which the department is at present working’. He said over £13,000 (\$625,560) had been appropriated from savings and trust monies in the previous year to offset government expenditure on general maintenance. Although this practice had ‘the cognizance and approval’ of Treasury, auditors since 1939 deemed it ‘wrong in principle’ being ‘without the authority of Parliament.’ He asked for additional revenue of £10,300; Cabinet denied the increase. In a memorandum to his minister Bleakley insisted ‘relief on the one hand and maintenance on the other are definitely charges against the Consolidated Revenue.’⁴⁷

The 1941 investigators confirmed his stand. They noted that the ‘practice of using natives’ funds for the purpose of supplementing the Vote’, introduced in 1930/31, was still continued ‘almost to the same extent’ as during the financial emergency. They said APF deductions for general relief or to support relatives on settlements ‘cannot be regarded as ever having been justified’ since relief and maintenance ‘are definitely charges against consolidated revenue.’ The annual amount involved, they said, was about £18,000 (\$866,160). They recommended the APF be closed down.

After 1943 APF levies went to the Welfare Fund. Where the 1919 regulations specifically excepted from the levy workers already paying maintenance on settlements and missions, the 1945 regulations levied these inmates at double the rural APF rate of 2.5 per cent for single and 5 per cent for married workers. While this suggests a ceiling of 10 per cent for APF deductions many families lost more than this: if both husband and wife worked while some or all their children were retained in dormitories their tax was 15 per cent and in many cases, because of poor record collating and separated working partners each paid the full 10 per

cent. The superintendent at Yarrabah also protested some working families who only visited the mission for rare holidays were taxed the full 10 per cent.⁴⁸

Although the 1945 regulations stated no-one would contribute 'to more than one welfare fund' the struggling missions, which did not benefit from the AWF, could not afford to forgo maintenance charges. In 1946 auditors complained the department was breaching its regulations in allowing the Yarrabah and Doomadgee missions to retain the APF deductions since the payments were clearly not going to 'the general benefit of Aborigines.' They were not swayed by the director's argument that the government subsidy to these missions met only about one-quarter the ration needs. The Yarrabah superintendent warned workers 'strongly objected' to the APF levy since they 'were already liable to Income Tax',⁴⁹ and had only complied on the grounds it would directly benefit their own mission.

Several times in the 1950s mission authorities sought access to AWF funds for development programs but were rebuffed on the grounds that the generality of the AWF remit precluded specific advantage to particular institutions. This is plainly illogical given AWF expenditure on particular settlement projects. So long as missions were denied relief from the AWF, the APF levy on inmates' wages was of benefit only to the State in its Aboriginal operations. In 1955 when four missions again lobbied to retain their APF deductions the amount at stake was almost £3000 (\$62,340).⁵⁰ The government decided against allowing missions 'the benefit of monies contributed by their employed Aborigines' through APF payments.

In 1957 APF levies to the AWF were around £14,200 and Cabinet approved a further tax, of two shillings a week toward the Cairns Aerial Ambulance. Protectors were directed to take this 'voluntary' contribution from the pocket money allowance. APF deductions to the AWF continued until 1966 yielding around \$35,000 (\$271,600) annually.

1.2.4 Queensland Aborigines Account

As early as 1931 the department planned to exploit the £298,700 (\$16.4 million) 'scattered throughout the State' in 4055 savings bank accounts by investing £150,000 in stock and keeping the interest excess over bank rates. The minister said the interest could be paid to the APF 'and used to reduce expenditure'. He anticipated 'a good

portion and probably the greater portion' of savings bank holdings would come to the government anyway through lack of claims on deceased estates.⁵¹ In 1932 the public service inspectors said all the rural funds should be combined in one account in Brisbane, including 'if necessary' the three settlement trust accounts of £17,376. They suggested £250,000 (\$14.46 million) of the £291,487 could be invested through Treasury in Inscribed Stock, enabling the Queensland government to 'retain the use of the money', and reap an interest bonus of £3124. Bleakley was quite clear as to the priorities: 'the main matter at issue is the interest on the investment' of Aboriginal savings which could relieve state finances of approximately £15,000 annually, he said in 1933.⁵² He admitted individuals would be 'deprived of the direct benefit' of that interest. In preparation for the policy change the new Queensland Aboriginals Account (QAA) was set up at Treasury as a 'common fund' in the name of the chief protector.

Disregarding the multiple levies already imposed, Bleakley argued the many people with 'considerable savings'⁵³ should be expected to contribute towards administration costs as well as the burden of supporting unfinancial Aboriginals. Dismissing tightly limited access he said the aggregate dimension of savings proved they 'were in excess of ordinary requirements' of account holders and were 'now more or less idle.' Ignoring the conspicuous entrenched poverty of workers deprived of their savings, the government now invested £200,000 – or 78 per cent of private savings – in Inscribed Stock. Although Bleakley claimed the interest was not used for the government's 'administration or maintenance charges', it was in fact paid into the department's standing account which he elsewhere described as 'the Aboriginal department's Working Account.' When pressed, he admitted it was 'impossible to state for what particular purpose' the interest was used.⁵⁴

Bleakley admitted in 1935 that Aboriginal account holders 'have not either individually or collectively consented' to the interest seizure. He said 'a very large proportion' of account holders were 'illiterate and unable to comprehend the system' of investments and he acted on their behalf 'with a keen sense of fair treatment to which an ignorant native is entitled'.⁵⁵ He claimed a 'precedent' in that inmates on the settlements had for years 'voluntarily forfeited bank interest', a policy he claimed accorded with the 'outstanding tribal custom' that the old, weak and indigent 'shall be a charge on the able-bodied members of the tribe'. This claim fits badly with Bleakley's actual intent – to generate an interest bonus for consolidated revenue. In the 1935/36

year savings bank interest of £7500 (\$428,250) was used to fund capital works ‘in order to relieve the expenditure from Revenue’ plus £10,803 ‘for ordinary services’. The government decided to increase investment holdings from private savings leaving only the £20,000 deemed sufficient ‘to meet all possible contingencies’, effectively less than \$200 (today) for each of the 5785 account holders.⁵⁶

By 1938 the savings accounts had generated almost £50,000 (\$2.67 million) in interest since 1932/33, but only in the first year was interest paid to account holders. The government now decided £17,000 (\$155 per account holder) would constitute a ‘satisfactory working balance’ in QAA to facilitate a loan of £5500 to Aboriginal Industries after the collapse of the marine produce market in the Torres Strait. The 88 per cent of savings frozen in investments and loans⁵⁷ gives the lie to Bleakley’s assertion in 1939 that ‘every worker’s savings are definitely his own property ... always available even to the last penny at the demand of the owner’. His claim that not one penny of the interest was used for administrative purposes is untenable given the interest was paid to the standing account and used for ‘other than strictly trading items’ for settlement stores, a strategy which auditors again warned in 1941 was ‘wrong in principle as they are expended without the authority of parliament.’

The 1941 investigation said all accounts with monthly balances over £50 (\$2200) should be credited with bank interest annually, an amount the department calculated at £6882 (\$331,000) across 90 per cent of the accounts. Yet it was not until 1943 that the government credited savings accounts with the 2 per cent bank interest, transferring the investment bonus into the AWF. In the 1940s £238,000 (\$9.6 million), or 74 per cent of private savings was committed to investment.

On many occasions the department retained control of savings of exempted persons or simply failed to locate relevant files, particularly where the bank balance was large. Auditors in 1943 condemned the practice as having ‘no authority under the Act’ where exemptions were unconditional. In late 1954, asserting rural savings balances were again ‘far in excess of normal requirements’ the government stripped out an additional £40,000 (\$831,200) for investment in something ‘more lucrative’.⁵⁸ This brought investments of these savings alone to £463,000 (\$9.4 million) paying a bonus of £9260 (\$188,000) to the AWF.

In 1955 the government sought better use of the ‘surplus’ private savings balance of

£467,000, amending the 1945 regulations so bulk private savings could be offered to a wider market.⁵⁹ This enabled the department ‘legally to make the money available’ for a planned loan of £50,000 (\$935,000) for expansion of the Mt Lofty hospital.⁶⁰ The interest profit would, as before, go to the AWF. The 1958 *Annual Report* reveals only £87,459 (\$1.6 million), or 13 per cent of total rural savings of £663,218 (\$12.2 million) was available to account holders. Just on 80 per cent of total savings were tied up in investments of £745,900, of which hospital investments comprised £320,000 (\$5.9 million). The department never canvassed the possibility of allowing account holders to benefit from this massive savings stockpile.

In 1960 only £219,424 (\$3.83 million) or 30 per cent of trust monies was available, while £705,130 (\$12.3 million) was invested to profit the government – £220,300 in Inscribed Stock, £60,000 with the Southern Electricity Authority and £424,830 with various hospital boards. Early in 1961 even the ‘cash balance’ of savings and trust funds was invested on the short term money market to attract interest while still being available on daily call. The annual cost to the government of running hospitals on the settlements and Thursday Island was £157,000 compared to £560,227 (\$9.5 million) of Aboriginal savings committed to regional hospital expansion projects in the same period. When news of a loan to the Redcliffe hospital board leaked in 1962 MLA Colin Bennett said it was ‘hard to conceive’ funds would be diverted to investment given entrenched Aboriginal poverty.⁶¹ The *Annual Report* reveals investments of £838,980 (\$14.3 million) leaving savings of only \$1.2 million – just over 9 per cent – available for account holders.

The 1965 *Aborigines Affairs Act* omitted the provision for the director to invest trust moneys in loans on the Treasurer’s behalf but retained the government’s controls over wages and savings by declaring ‘assisted’, and thereby subject to financial controls, all residents of government reserves and anyone else deemed in need of ‘assistance’. At that time investments stood at \$1.53 million (\$12.2 million) bringing ‘surplus’ interest of \$38,200 (\$305,000) to the AWF. Early in 1967 the director said there would be no further investments although funds were still committed to term deposits with various banks. In 1970 the government still controlled 10,450 accounts including 2,160 child endowment and 567 pensioner accounts. Of the \$1.8 million (\$12.3 million) funds pool, over \$1.45 million (\$9.9 million) was ‘invested to produce higher interest rate’, producing \$20,986 (\$143,544) for the AWF. The minister opposed suggestions the government relinquish its

control over the accounts arguing it might face costs of around \$4 million for ‘the less frugal section of the community’ whose supervised savings were currently spent mainly on ‘maintenance and support of the bread-winner and his family’.⁶²

Audit Reports show controlled savings ranged from \$1.2 million (\$5.04 million) in 1974/75 to \$2.3 million (\$5.3 million) in 1980/81 and \$1.15 million (\$1.8 million) in 1985/86. Investments during the same period fell from \$647,825 (\$2.7 million) in 1974/75 (most spread over 12 hospital boards) to \$1.1 million (\$97,420) in 1980/81 and \$37,000 (\$57,720) in 1985/86. The bonus to the AWF of ‘surplus interest – dividends’ was \$23,195 (\$97,420) in 1975, \$81,818 (\$189,000) in 1981 (following zero input in 1980), rising to \$195,607 (\$332,532) in 1985, suggesting liquidation of investments.

It is clear from these figures that the savings of the most vulnerable former wards, those deemed in need of government ‘assistance’, continued to be exploited for government profit into the 1980s. Interest profit to the government between 1966 and 1983 via the AWF totalled \$486,162 (\$2.3 million), rising to \$719,331 (\$1.14 million) in the five years to 1988, and a further \$29,404 (\$35,848) in 1989 and 1990. If, as seems likely, the five year spurt to 1988 also included matured principle, the source of the original investment would need to be identified.

1.2.5 Aboriginal Welfare Fund

The Welfare Fund was established in 1943 ‘for the benefit of Aboriginals generally’ and absorbed income from APF levies, investment interest profit, proceeds from store sales and enterprises on reserves ‘other than mission reserves’, fines fees and penalties imposed on settlement residents, and unclaimed moneys of deceased or missing Aboriginals. As a balancing fund run by Treasury, outlays were governed by revenue. There have never been authorised regulations specifying legitimate expenditure from the Welfare Fund.

From the first years costs previously carried by consolidated revenue were listed against the Welfare Fund. Figures for Palm Island show 85 per cent of the wage bill in 1947 was now charged against the Welfare Fund while government wages allocations were not fully spent, prompting the director to argue the Fund should only pay wages for trading enterprises and not for general settlement operations. He said it was ‘impossible’ for the Welfare Fund

to meet from its ordinary receipts the excessive expenditure charged against it. In 1948 the under secretary complained that the government was charging the Welfare Fund for 'a considerable amount' of 'legitimate Vote expenditure' including 'the cost of removal of Aborigines, indigent, sick, and refractory'.

In 1950/51 salaries and wages debited against the Welfare Fund for Aborigines 'employed mainly in native administration' ('teachers, clerks, trainee nurses, artisans, &c') on the three settlements totalled £19,044 (\$488,288), of which £1728 (\$44,305) was for white staff on the two cattle properties. Almost half the £5034 (\$129,072) improperly charged against the Welfare Fund for removal costs and workers' fares was not repaid from consolidated revenue. In 1954 the director again protested wages and rations for 'native assistants' were improperly loaded onto the Welfare Fund: 'as the natives concerned are Departmental employees, the cost should obviously be transferred to Vote.'

In 1959 heavy drawings against the Fund following severe budget cuts cut the Fund's balance 56 per cent to only £27,800 (\$486,000). The director objected the Welfare Fund was carrying 'considerably more than it is reasonably capable of doing' including 'legitimate charges against the Vote', and the Woorabinda superintendent agreed: 'the Welfare Fund is, as applied many years ago, carrying a major portion' of wages expenditure which was not a legitimate charge against it.⁶³

Increases in government salaries forced further budget cuts in 1960 and the Welfare Fund again had to cover expenditure 'that under happier conditions would have been paid from Vote' such as 'native wages on government settlements' which the director again insisted were a legitimate charge against the government. The department's financial position 'is so serious', said the accountant, that provision for a new launch, tractor, truck and land rover for Palm Island would have to be charged against the Welfare Fund, 'the first time we have provided against Welfare Fund to purchase vehicles.' The director warned the Fund could no longer subsidise state revenue: 'The result of the foregoing was a financial benefit to Contingencies Vote and a drain on Welfare Fund to such extent that the latter is unable to meet similar commitments in future.'⁶⁴

Regulations in 1969 not only broadened the Welfare Fund revenue net to include child endowment, but decreed wages, administration and running expenses of community

and training farms, retail stores and curio shops were to be charged against the Welfare Fund 'except those wages, administration and running expenses met from other funds' such as consolidated revenue. Since parameters for the latter were nowhere defined this left a clear responsibility for the Welfare Fund to cover any and all underprovisions. Wages charged against the Welfare Fund increased from \$25,534 in 1970 to \$161,063 in 1973, \$345,041 in 1976 and \$766,314 in 1981, an increase well in excess of the average \$80 community wage rise of the same period. The department's accountant warned 'cash resources of the Aborigines Welfare Fund are again being seriously depleted.'⁶⁵ (His emphasis).

The director protested it was 'abundantly manifest' that the communities 'are subsidising' state expenditure by covering charges and costs 'which ultimately become levied against the Aboriginal Welfare Fund'. These practices drained \$500,000 (\$1 million) from the Welfare Fund 'and this situation cannot be allowed to extend and must be contained.' He said Welfare Fund resources should not be spent on other than 'specifically approved development programmes' such as retail stores, butcher shops, trade training, cattle farming, pastoral activities and other primary industry projects. He said the 'intention of the Act' for this self-maintaining Fund could be deduced from the 1972 regulations: 'to generate schemes whereby Aborigines may be benefited through income generating projects.' He urged that Welfare Fund projects should be assessed 'in light of the overall profitability or otherwise' of the Fund in general, profitability which was, during the last half of 1983, again 'seriously eroded.'

In late 1983, the executive officer warned the director the cash liquidity of the Welfare Fund was 'alarming', due to a \$1.25 million (\$2.4 million) blow out of expenditure over receipts. In a 'strictly confidential' letter the director told the department's Yarrabah manager the financial position of the Fund 'is occasioning grave concern'.⁶⁶ The Welfare Fund balance for the year fell nearly 50 per cent to only \$1.9 million (\$3.6 million). Estimated Welfare Fund income dropped sharply from the mid-1980s as beer canteens were transferred to council control. In 1986/87 the deficit was almost \$2.75 million in store sales alone, and cattle sales generated only half anticipated profits. Meanwhile unidentified expenditure against the Fund jumped from \$75,612 in 1985 to \$239,006 (\$372,850) in 1986 and \$519,608 (\$696,275) in 1988.

The two largest Welfare Fund enterprises were cattle and housing. Both drained

millions from the Fund and generated constant criticisms from auditors regarding negligent or nonexistent accountability. In 1946 and 1947 the government purchased two properties – an Aboriginal Training Farm (bought through a loan from private savings) and Foleyvale, both to be worked as commercial propositions primarily using Aboriginal labour. Neither farm was the property of the Welfare Fund but ‘for convenience’ the government used the Fund for payments and receipts. Capital development costs were also loaded against the Welfare Fund despite the director’s protests it was ‘neither competent nor eligible’ to meet them.⁶⁷

By 1952 the Welfare Fund had carried losses at the government’s properties for six of Foleyvale’s seven years and every year for the ATF; by 1958 Foleyvale’s losses over 12 years had bled £17,231 (\$316,706) from the Fund plus an additional £21,000 (\$385,980) for white staff salaries. According to the department’s inspector ‘a considerable amount of expenditure’ had been outlaid on loss-making agricultural pursuits.

In 1970 the auditor noted the cattle projects had developed ‘from a mere training scheme into a large business’ and the director boasted the department was one of Queensland’s biggest cattle barons with almost 21,000 head of stock worth \$2 million (\$12.9 million) on 10 of the 16 Aboriginal reserves, and annual sales of over \$250,000 (\$1.6 million a year). This was pure conjecture. This ‘multi-million dollar business’ had produced no financial statements in 25 years of operations – no stock count, no register of purchases or sales, no estimate of natural increase and wastage, no profit and loss account – nothing. In 1979 auditors said there was still no way of assessing ‘the efficiency of these cattle projects’ because the larger holdings had not been mustered; cattle losses in the previous five years totalled \$588,084 (\$2.17 million).

In every year bar one between 1974 and the last detailed records in 1991, the department ran a loss-making venture which impacted heavily against Welfare Fund holdings and thereby the capacity of the Welfare Fund to honour its mandatory commitments to benefit ‘Aborigines generally’. Despite constant auditors’ warnings the department failed to compile accurate records as to the dimension of the asset or to apply standard business practices in stock control or accountability, presiding over annual losses averaging \$688,939 in the eight years to 1991.

The department’s incompetent handling of an ultimately huge welfare housing

enterprise was similarly costly to the Welfare Fund. From the late 1950s deposits for houses were provided periodically from Loan funds and also from the Welfare Fund, including £5000 (\$91,900) in 1957 and £10,000 (\$180,600) in 1959/60, and £6250 (\$106,625) in 1962. Rent was to be deducted directly from wages and credited against the original debt. Once this was liquidated the only charges against rents would be for repairs and maintenance, and ‘the buildings would remain the property of the government.’

Although generation of rental income to Fund from housing programs rose steadily from \$7,227 (\$56,000) in 1967 to \$81,323 (\$556,250) in 1970 by 1972 more than half the \$16,384 (\$99,615) housing debt to the Welfare Fund was listed as outstanding for which little or no follow up action had been taken for several years ‘despite comments in Audit Reports by Inspectors.’ Between 1973 and 1976 the government charged costs of repairs and maintenance of welfare housing against the Welfare Fund, a total of \$39,139 (\$189,040),⁶⁸ but the irregular sums, and the further hiatus until 1981, suggest this was not formal policy. State housing receipts into the Welfare Fund climbed from \$104,091 in 1973 to \$160,426 by 1979.

The Commonwealth Assistance to Aboriginals Fund (CAAF) was established at Treasury in 1968 to receive new Commonwealth funding for Aboriginal housing, health and education, collecting initial payments of \$800,000, \$325,000 and \$325,000 respectively. CAAF funds were provided as a supplement to improve Aboriginal lives and state governments were warned to maintain existing expenditure levels. In 1974 Queensland was criticised for slow building starts and persistent carry overs of unspent housing allocations, and was warned balances still on hand might be deducted from the quarterly instalments.⁶⁹ Unspent balances were retained at Treasury.

Outstanding debts increased 30 per cent in 1976 to \$263,931 (\$976,545) and a further 43 per cent in 1977. Alarmed at the ‘deteriorating position’ auditors demanded to know what action would be taken to reduce the ‘excessive’ rental losses, describing the rental card system as defective. By April 1978 outstanding rents totalled \$395,674 (\$1.2 million): many payments had not been recorded, rental cards had not been balanced since mid 1977 and auditors identified ‘a severe breakdown in internal control procedures’ which could ‘easily lead to loss of revenue’. Indeed 40 tenants owed more than \$1000.

After 1980 CAAF housing funds were managed through the Welfare Fund, including rental debts. The first CAAF payment of \$6.3 million (\$16 million) almost doubled the Welfare Fund balance. From 1981 costs of housing repairs and maintenance – including wages – were debited against the Welfare Fund, merging charges incurred on state welfare housing previously paid from consolidated revenue. By 1982 the Fund was carrying a \$651,838 (\$1.36 million) debt in unpaid rents.

Government policy to retrench community workforces rather than fund wage increases intensified chronic housing shortages and pushed overcrowding past critical levels, exacerbating pressure on substandard amenities and structures. Minimal manpower also compounded delays in desperately-needed repairs and maintenance of what were, in fact, Welfare Fund assets. Unemployment, illegally low wages and contingent poverty further impacted on the Welfare Fund by jeopardising people's capacity to pay rent and electricity. Indebtedness for the former jumped 20 per cent to \$610,583 (\$1.04 million) in 1985, while the electricity debt jumped a massive 65 per cent to \$86,349 (\$147,000) – deficits which directly jeopardised Welfare Fund viability.

From 1980/85 almost \$36.8 million (\$93.5 million) in CAAF housing grants was receipted into the Welfare Fund but only \$33.15 million spent on housing projects; effectively a \$3.65 million (\$6.1 million) profit to Treasury which invested surplus holdings on the short term money market, returning at that time around 14.7 per cent. Meanwhile charges against the Welfare Fund for repairs and maintenance on state housing rose from \$490,425 (\$1 million) in 1982 to \$1.45 million in 1984 and \$2.46 million (\$3.8 million) in 1986. Income lost through rental debts increased 81 per cent in the 1985/86 alone.

By 1990 outstanding housing and rental debts, electricity and hostel charges were \$2.55 million (\$2.96 million), almost 13 per cent up on the previous year, a debt burden auditors warned did not accord with requirements for accountable officers under Public Finance Standards. Procedural controls to recover debts were 'generally unsatisfactory': almost \$1 million was 'aged' debt and half that owing more than 6 months, yet there was little evidence of any decision to recover it. Cairns and Townsville, the two areas of most desperate need, were put on a basis of emergency maintenance only, a policy flagged for the whole state to prevent a 'severe depletion' of the Welfare Fund balance.⁷⁰ Audit reports listed rental housing at 2583 in 1989,

2615 in 1990 and 2569 in July 1991, when the CAAF rental housing program was transferred to the consolidated fund. Rent receipts and maintenance expenditure were transferred to the department of Housing in December 1992.

In 1993 government dealings on the Welfare Fund were frozen after concerted Aboriginal lobbying. With accumulated interest the current balance of \$9.3 million is held at Treasury 'for the benefit of Aborigines generally'. The government is keen to wind up the fund and distribute the residue. Aboriginal people doubt the residue represents the potential value of the Fund.

1.3 Controlling Commonwealth benefits

1.3.1 Maternity Allowances

The Commonwealth government paid a maternity allowance after 1912 including to mothers 'with a preponderance of white blood' as an initiative to improve the lives and health of Australian children. The initial amount was £5 (\$360). From 1934 this increased five shillings for every additional child to a maximum extra £5. Since at least 1928 it was department policy to take 80 per cent of the allowance from mothers living in settlement dormitories and 50 per cent from those in settlement camps, a policy which continued despite warnings in 1943 that no ministerial authority could be found authorising the seizure.⁷¹ Mothers receiving limited provisions for their new babies were told it was a gift from the government.

From July 1942 all Aboriginal mothers exempted from state control could also claim the allowance which was increased in 1943 to £15 (\$636) and up to £17/10/- for mothers with three or more children. Only 'lighter-skinned' mothers under state control were eligible, their allowance retained as before by the department which persistently lobbied that the exclusion of controlled 'full-blood' mothers from the allowance be dropped. In 1953 federal Treasury claimed 'lack of finance' for this anomaly; from 1959 all Aboriginal mothers were due the payment, although the allowance was repealed universally between 1978-1996.

1.3.2 Child endowment

Child endowment was paid by the Commonwealth from June 1941 and Aboriginal mothers not leading nomadic lifestyles were eligible. Initially 5 shillings (\$12) per week (\$624 per annum), it was due until a child reached 16 years. All endowment was paid direct to the department for distribution. By 1942 the Queensland government had successfully applied to have its settlements defined as ‘institutions’ so it could receive the bulk quarterly payments on behalf of settlement mothers. Immediately the government anticipated the endowment would reduce state expenditure on maintenance costs. Settlement superintendents were directed to use the endowment for fruit, milk and better clothing, but also for books and equipment for indoor and out door games, which allegedly remained ‘the property of the endowed child’.⁷² No child or adult was ever informed of such possession.

In the first four months to November 1942 over £1148 (over \$50,000) was deposited in the department’s suspense account; by September 1944 this income had risen almost 500 per cent. Flush with funds, settlements were informed ‘the whole or any part of’ the endowment did not have to be expended in any given period.⁷³ The government authorised deductions from endowment accounts to pay child outpatients’ fees for local hospitals although access to Queensland’s public hospitals was free for other citizens since 1944. From mid 1947 the government retained all endowment due for settlement children under 5 years claiming it provided ‘complete maintenance’ plus ‘luxury food and clothing over and above the ordinary ration’; all supplies for baby welfare centres were reimbursed from child endowment.

The government also profited by cutting grants to missions by the same amount as incoming endowment revenue. Whereas the Presbyterian mission committee had anticipated using the £926 (\$40,000) quarterly payment to improve housing, education, dormitories and schools, they were forced to apply endowment to maintain the ill and elderly as their subsidy was cut to ‘the smallest fraction of one penny per head per day.’⁷⁴ In 1952 the director admitted the missions ‘desperate position’ forced them to use endowment for general relief.

In the mid-1940s chronic malnutrition, lack of bedding and a total absence of washing facilities were blamed for infant mortality rates fifteen times the Queensland average on the three government settlements. The senior Health department official said

child diets were grossly deficient in milk, vegetables and fruit. Infants routinely contracted septic sores during hospital treatment where cots and mattresses were filthy and crawling with cockroaches.⁷⁵ Yet by 1949 the government held over £7000 (\$239,600) in institutional child endowment, spending some on radios and refrigerators for the dormitories. In 1951 Cabinet approved £2000 (\$51,280) from the endowment of Cherbourg mothers to build a child welfare clinic.⁷⁶

Very few rural births were registered until endowment provided an economic advantage to do so; protectors were also directed not to commit children under 16 to employment ‘because child endowment payment contributes to a considerable degree to their maintenance.’ Individual accounts were opened for mothers not on reserves and were controlled through head office or by rural protectors. Contrary to ‘the expressed policy of the Commonwealth government’ the Queensland government withheld bank interest due on private endowment accounts.⁷⁷ As with savings accounts, knowledge of endowment balances and access to withdrawals were dependent on the discretion of protectors. By 1950 rural endowment accounts totalled almost £18,500 (almost \$564,000), with many individual balances over £100 (\$3350). At no time did the department implement any checks of the thumbprinting or signing of withdrawals from Brisbane-based child endowment accounts.

On government settlements, where mothers could access only a fraction of the payment, the government held £20,000 (almost \$420,000) for Palm Island mothers alone by 1953 – as the director said, the superintendent had ‘that much money, you don’t know what to do with it.’ He was concerned of reprisals if the Commonwealth ‘finds out we are holding that money’. Despite admitting endowment ‘was not to be utilised to relieve consolidated revenue’ they allocated £2500 (\$52,000) apiece to build domestic science and manual training centres.⁷⁸

In 1954 a further £8000 (\$166,240) from Palm Island child endowment funds was used to build a hostel at Aitkenvale near Townsville (as against only £1500 from loan funds). Another £3100 (\$57,970) was diverted in 1957 to complete the project.⁷⁹ When budget cuts in 1959 reduced Baby Welfare funds by one-third settlement superintendents were simply instructed to meet the deficit from their child endowment holdings.⁸⁰ In the two years 1962-64 the total endowment held by the government jumped three-fold to £16,278 (\$170,215).

APF levies into the Welfare Fund ceased after 1966, but these were amply replaced after 1968 by the quarterly endowment payments, netting \$80,354 (over \$587,000) for the years to 1967 and 1968. This money in part funded development on the government communities. Meanwhile a contemporary medical survey revealed malnutrition as the key factor in deaths of 50 per cent of children under three and 85 per cent of children under four on the communities. Premature baby deaths were more than four times the rate for white babies. Half of all newborn infant deaths and 47 per cent of deaths under sixteen years were from gastroenteritis or pneumonia, or both.⁸¹ After 1971 when the Commonwealth began direct payments to mothers endowment into the AWF dropped dramatically. Of the total \$275,000 (\$1.67 million) absorbed into the Welfare Fund between 1968-77 only \$180,000 or 65 per cent is recorded as distributed for endowment. No payments were listed in the AWF between 1980 and 1983; the last was in 1983/84.

1.3.3 Pensions

Despite years of intense lobbying from the Queensland government, the Commonwealth refused to pay aged, widows and invalid pensions to Aborigines controlled by the state. In the mid-1950s rural protectors were directed to identify aged persons 'now existing on the bare necessities to maintain life', apply for their exemption from the Act, claim the pension and then 'safeguard their interests' by retaining control of their accounts.⁸² When a change of federal policy was signalled in 1959 the director immediately sought advice on how the impending pensions could be 'diverted to revenue'.⁸³ The government simply reduced indigent relief by £2 per person in rural areas to save £71,136 (\$1.3 million).

As with child endowment, the government planned to further cut grants to missions to reflect the new income. Rejecting this as politically imprudent given the missions' dire circumstances and 'continuous appeal for funds', it was decided to recoup the amount by 'adjusting' subsidy levels to bring an additional £59,132 (\$1.07 million) into government coffers. Only one-third of the pensions was paid to settlement inmates as 'pocket money', the government retaining 57/- (\$51.50) for the state as maintenance which was 'paid to consolidated revenue', a profit they calculated at around £35,568 (\$642,360).⁸⁴ The director was furious to learn Commonwealth officers visited the northern missions to make separate arrangements for pension distribution. A 1960

letter disparaging ‘malcontents’ from Cherbourg who had written to the prime minister protesting confiscation of most of their pension, revealed that ‘somewhere about £30,000’ (\$524,400) of aged, invalid and widows’ pensions ‘goes direct to Revenue’.⁸⁵

Amounts of £38,773 (\$659,140) in 1962/63 and £42,323 (\$719,490) in 1963/64 were diverted from pension entitlements. In 1964 auditors warned there was no provision in the Acts or regulations for ‘contributions’ from Aboriginal pensioners to consolidated revenue rather than to ‘the special welfare funds’ but the government argued inmates of Eventide Homes were also relieved of their pensions.

Audit Report figures show pension income to consolidated revenue of almost \$100,000 (\$776,000) for 1965/66 and \$114,145 (\$855,000) in 1966/67. In 1968 a group of women pensioners complained to the visiting justice at Yarrabah that they could not survive on the allowance, despite receiving rations. One woman living with her son-in-law received only \$9 per fortnight of her pension, another caring for three grandchildren received only \$16.70, another living on her own received \$11. The pension at that time was \$28.⁸⁶

* *This chapter relies heavily on primary research by Zoe Craven, Susan Greer, Victoria Haskins. Unless otherwise noted, primary records were identified by Susan Greer.*

2. *NEW SOUTH WALES & AUSTRALIAN CAPITAL TERRITORY**

The arrival of Europeans at Sydney Cove in 1788 triggered reprisals by local Aborigines against destruction of bushland, killing of game and eviction from country. Settlers organised punitive expeditions to avenge the plundering and burning of property, destruction of crops and spearing of stock. With the rapid advance of European occupation came violence and sexual exploitation, and destitution and disease among the dispossessed. Even so, a high proportion of the Aboriginal population survived the initial violence.⁸⁷

In 1816 the government reserved five areas of land for Aborigines near Sydney and provided six months of seed, tools and clothing to families who settled there. Land was granted for a mission to Aborigines at Lake Macquarie in 1824 and in 1835 the Dughutti people from the north coast were herded onto the Bellwood reserve near Kempsey. The government formalised Aboriginal reserves under the 1842 *Land Act* and by 1850 there were 40 reserves in the new pastoral districts. By the 1890s the original population, estimated at around 200,000 people, had fallen to only around 9,000.⁸⁸

2.1 *Controlling work and wages*

As convict labour diminished from the 1830s many pastoralists retained their workers by coercion and bribery; Aboriginal cattle and stock workers were described as essential to survival of the industry.⁸⁹ By the mid 1800s Aborigines were in regular work on farms and stations, and as domestics and casual labour in towns. A few were paid the same wage as white workers,⁹⁰ but most received only rations. Aboriginal stock workers replaced white labour which departed for the gold rushes of the 1850s, earning high praise for skills with both sheep and cattle.

As white settlement spread into rural areas resentment intensified against Aboriginal workers employed in positions available to white labour. From the Maloga mission, established in 1874 on the Murray River to absorb the dispossessed and destitute, missionaries dispensed rations and christianity. Although many families had settled on reserves by the 1880s, around 80 per cent of people were self-

sufficient, living in pastoral camps or supplementing casual work with traditional food sources.⁹¹ In 1881 a ‘high level’ of Aboriginal employment was reported throughout NSW. Around the Clarence and Richmond River valleys men pulled maize, stripped sugar cane, ringbarked trees and cleared and burned scrub; on the south coast they worked on farms, saw mills and shifting cargo on the wharves; in the interior many station workers got ‘fair wages’ for shearing, shepherding, boundary riding, horse breaking, and the women worked as domestic servants.⁹²

The government appointed a protector of Aborigines in 1881 and established an Aborigines Protection Board in 1883 to ‘provide asylum for the aged and sick ... and of at least equal importance to train and teach the young, to fit them to take their places amongst the rest of the community.’ The Inspector-General of Police was one of the six original Board members, and police were closely involved with supervision of missions and reserves. The APB administered funding to the Aborigines Protection Association which established a mission in 1886 on the Brewarrina reserve in western New South Wales. During the severe droughts and nation-wide depression of the 1890s increasing numbers of families moved to stations and unsupervised reserves. In 1896 the Board took control of the former missions at Cumeragunja, Maloga, Brewarrina and Warangesda where it built a Girls Dormitory in 1893.

Under the *Aborigines Act (1909)* an ‘Aboriginal’ was defined as any person of full-descent or ‘apparently having an admixture of Aboriginal blood’ receiving government rations or assistance or living on a reserve. The Board was reconstituted as a statutory body with the Inspector-General of Police as chairman. It had the power to refuse non-‘Aboriginals’ entry to a reserve or station unless they needed rations or assistance and eject anyone deemed capable of earning a living elsewhere. The Board had authority ‘to exercise general supervision and care over all Aborigines’ and could indenture any Aboriginal child or any ‘neglected’ part-Aboriginal child, make regulations for their care, custody and education, and control their earnings.

There were 17 managed stations and 170 unsupervised camps in New South Wales in 1914 when the Board ordered station managers to evict all mixed-race boys over the age of 14 to find work⁹³ and to transfer all girls over 14 to the Girls’ Home at Cootamundra, established in 1911. The *Aboriginal Protection (Amendment) Act (1918)* removed Board powers of people deemed less than ‘half-caste’ enabling the

expulsion of any lighter skinned families from managed stations and missions. Many moved to the unsupervised reserves, although the Lands Department aggressively lobbied for these reserves to be revoked for soldier settlements, a policy unopposed by the Board. Between 1911-1927 half the reserve land, much of it cleared and cultivated for decades by Aboriginal families, passed into white tenure.⁹⁴

The *Aborigines Protection (Amendment) Act (1936)* authorised deportation to a reserve of anyone 'living in unsanitary and undesirable conditions' and local police were delegated to enforce removals. Any family that refused orders to transfer to a reserve was threatened with removal of their children; any child who refused employment could be institutionalised. After 1936 Board powers were extended over any person of Aboriginal heritage 'temporarily or permanently resident' in NSW, rendering an additional 5000 people (around 50 per cent of the population) not living on reserves or stations vulnerable to Board interventions and control.

Significantly, the 1936 Amendment Act could direct an employer of any Aboriginal – not only indentured children or reserve residents – to pay their wage to the Board⁹⁵ or nominated officer. Their earnings were to be spent solely for the benefit of the wage earner and an account of expenditure was to be kept by the relevant officer. The Board placed many people in employment on stations and as domestics; most were not paid directly and the majority were paid below award wages.⁹⁶

Debates around the 1936 Amendment Act suggest many rural and pastoral workers were not paid award rates unless they were Union members; the Board could remove workers where a 'reasonable wage' was not paid. A motion that award rates be paid where applicable was defeated, the 1936 Amendment requiring only 'fair and proper treatment' and 'a reasonable wage', largely at the employers' discretion.⁹⁷ As well as enlisting as soldiers during the Second World War, Aboriginal men worked as labourers on army settlements and camps, and others worked on the Manpower programs to replace soldiers in essential industries. Under union pressure, Manpower workers were paid award wages. Although it was conceded in 1944 that exclusion from the Station Hands Award applied only to 'full blood' workers, few non-union pastoral workers were paid according to the award. By 1948 only 21 per cent of the Aboriginal population lived on controlled stations; 96 per cent of Aboriginal men were employed.⁹⁸

The Board's powers to institutionalise part-Aborigines and to remove apprentices

from employment were abolished under the 1963 Amendment Act. Adult wages were no longer controlled and people were now free to leave the state. From 1968 the Commonwealth department of the Interior administered the removal of children from families in the ACT who were now placed in local residential care rather than apprenticed or fostered to NSW families.

Following a Joint Select Committee report, *The Aborigines Act (1969)* abolished the NSW Welfare Board, vesting all property and monies in the Minister who was constituted as a corporation sole to represent the interests of the Crown. In 1975 title to the former missions and reserves was transferred to the NSW Aboriginal Lands Trust, and the functions of the Directorate were transferred to the Commonwealth government.

2.1.1 Child workers

A Native Institution was started at Parramatta in 1814 ‘to civilise, educate and foster habits of industry and decency in the Aborigines’ but closed in 1820 as parents realised its intent to alienate their children from family and culture. After 1881 the State Children’s Relief Board could remove ‘neglected’ children for rudimentary training before apprenticing them to work. From its inception in 1883 the Aborigines Protection Board followed an aggressive policy to remove children from families into state control. Against parental resistance the Board used persuasion and threats, withholding rations or at times offering free rail passes to parents to leave the reserves without their children.⁹⁹ ‘Full-blood’ children were to be institutionalised on stations, missions and Homes, and lighter-skinned children were to be merged into the wider community through ‘boarding-out’ to white families as domestic servants and gradual ‘absorption’ through intermarriage. Training Homes at Brewarrina and Warangesda prepared children for menial work as apprentices, the Board opening a Trust account in 1898 for their wages.

The Board activated provisions under the 1901 *Apprentices Act* which allowed for removal of children without parental consent if deemed neglected by a magistrate, and their indenture from 14 to 21 years of age. Subsequently definitions of neglect under the 1905 *Neglected Children and Juvenile Offenders Act* included lack of visible means of support or fixed abode, sleeping outdoors,

insufficient 'proper' food – leaving Aboriginal families critically vulnerable to child removal. Many children were taken as babies only a few months old.¹⁰⁰

In country areas much domestic work was organised through casual arrangements with local families and the Board persistently lobbied the government to gain control of children's earnings: 'Parents of the Aboriginal servants and apprentices sent out from the Board's stations will not consent to the wages being banked, showing the necessity for legislation to enable the Board to control such matters in the interests of the children.'¹⁰¹ The Board asserted children were languishing in unhealthy camps while potential employers could not get servants, and argued that employment of children would reduce government maintenance costs of rationing on reserves.¹⁰² By 1909 around 300 children had been processed through Warangesda.¹⁰³ It was Board policy to forbid their return to their families.

The 1909 *Aborigines Protection Act* empowered the Board to remove children from their families and indenture them from the age of 14 to 21 years at a wage ranging between 1 shilling and 6 pence to 5 shillings (\$6.30 to \$21) for first to four year apprentices, compared with the white child servant wage of 10–20 shillings.¹⁰⁴ Apart from pocket money for personal use (around 20 per cent of the wage), the wages were banked in the Board Trust Account to be expended 'in the interest of the child as the Board saw fit' or paid out on completion of the apprenticeship 'or such other time as approved by the Board.'

After the Australian Capital Territory (ACT) was formed in 1911 the Board used provisions under the 1905 *Neglected Children Act* to remove children from that area to its control. Many families – including some farming on land grants – were simply deported to the Yass mission until its closure in 1913, and subsequently to Hollywood mission after 1934. Children removed from the ACT were fostered around NSW or institutionalised for training as servants.¹⁰⁵

When the Cootamundra Girls' Home opened in 1911 a 'Homefinder' was appointed to canvass suitable placements with middle class white families, especially for lighter skinned children. Regulations in 1915 dictated 'fair-skinned' girls be sent to white homes while 'dark skinned' girls were to be placed closer to their families because their 'opportunities for intermarriage' were far fewer. New regulations in 1916 directed all girls over 14 years be sent to service, although records show

20 per cent of children were only 11 or 12 years when they were indentured.¹⁰⁶ After 1916 it was Board policy, although not always practice, to allow girls to return to their reserves after five years' service, as an opportunity for marriage.

The *Aborigines Protection Amending Act (1915)* gave the Board 'full custody and control' of any Aboriginal child if it was 'satisfied' such control was in the best interests of the child's moral and physical welfare, ignoring warnings by one Board member in parliament that this effectively marked a reintroduction of slavery in NSW.¹⁰⁷ Parental consent or neglect were no longer necessary criteria: children were now removed simply 'for being Aboriginal' or 'being 14 years'. Effectively, parents now had to demonstrate their suitability to retain their own children.¹⁰⁸ The Board no longer conformed to requirements under the *Apprentices Act* and there was now no minimum age for servitude of Aboriginal children; any who refused work could be removed to training homes or forcibly indentured. During the 1914-18 War the Board removed the children of some of the 400-500 Aboriginal enlisted soldiers fighting overseas.¹⁰⁹

By 1918 the Board controlled 180 children in employment. Girls wages ranged between 3/6 (first year) of which 2/6 was paid to the Board to 7/6 (fourth year) of which 5/- went to the Board. First year boys wages were the same, rising to 10/6 in the fourth year with 8/- to the Board. At that time the Board's trust account held over £2000 (\$107,040) of child wages. Older boys were deemed a problem given their ability to secure employment outside Board controls; girls who refused to comply with controlled employment were charged as 'incorrigible' and sent to the Parramatta Industrial School or the Roman Catholic Orphanage.¹¹⁰

In 1918 the Board established the Kinchela Training Institution for boys aged between five and fifteen, relocated to Kempsey in 1924. Subjected to poor education by often unqualified teachers, the boys were worked long hours on vegetable and dairy farms run on the reserve. They commonly suffered beatings and emotional torment, and were sent to work as rural labourers at age fifteen, the bulk of their wage controlled in the Board's trust account. Over 400 boys had suffered under this system by the time the institution closed in 1970.¹¹¹

By 1921 over 80 per cent of child removals were girls.¹¹² At Cootamundra they were instructed to 'think white, look white, act white' and disparage their own people. Communication with families was forbidden, and many were

told their parents were dead; some were even given forged death certificates.¹¹³ Their training was characterised by emotional abuse, repression, physical punishments and harsh authoritarianism. It was an offence to leave the Home, or employment, and many boys and girls were punished with isolated detention, beatings and fatigue duties. One register for the years 1916-28 shows a death rate among girl wards of almost eight per cent, commonly from tuberculosis from sub-standard living conditions. A 1938 list recorded children from as young as seven who had died within a few years of being interned.¹¹⁴

Around 70 per cent of the 1600 children taken from their parents in NSW between 1912 and 1938 were girls aged between ten and fourteen who were sent to service.¹¹⁵ One register of wards dated 1916-28 contains 800 removal forms, 570 for girls working for over 1200 employers in city and country areas.¹¹⁶ But the Board failed to supervise their conditions or treatment despite frequent reports of physical and sexual abuse. Pregnancies were frequent, the babies routinely adopted to white families.¹¹⁷ As a witness to a 1937 Select Committee Inquiry attested, the girls were 'easy marks'. Supervision of wages was similarly deficient; one case cited in parliamentary debates around the 1936 Amendment Act referred to a domestic servant who worked ten years without pay. Only after political pressure from Aboriginal activist groups did the Board allow child apprentices to return to their communities after their term of indenture after 1921, although many had no idea of their right to do so and continued their servitude for many years.¹¹⁸

The Board admitted in 1937 that station managers who indentured the children had no time to check their circumstances, leaving their moral and physical well being dependent on employers' integrity. Lacking any avenue of support or complaint, many children resisted by rebelling or absconding. Arrested by police, children were either returned to employment or dealt with through the courts and institutionalised, a fate suffered by around 70 per cent of female apprentices. Girls were confined in the dormitory at Brewarrina to break their defiance; records show others girls were sent to the Parramatta Girls School, to Long Bay Gaol for a few days or to convents. Around one in 20 wards spent time in mental hospitals.¹¹⁹

Despite criticisms by the 1937 Select Committee regarding its failure to vet children's employers the government continued to utilise training homes and

apprenticeships as the most effective way to train Aboriginal children, although the termination of indenture was lowered from 21 to 18 years of age.

After 1939 Aboriginal children were removed under the mainstream *Child Welfare Act (1939)*, under which the definition of ‘neglect’ now included destitution and failure to attend regular school, a major hazard for families given many schools excluded Aboriginal children. Children from the ACT continued to be institutionalised under the *1905 Neglected Children Act* until a 1954 Commonwealth Welfare Ordinance embodied similar provisions. Provisions under the 1943 Amendment Act required any Aboriginal child reaching minimum school leaving age to be apprenticed or placed in employment. During the 1950s and 1960s there was a rapid increase of institutionalised children, from 170 in 1951 to 300 a decade later.¹²⁰

In 1966 rates for child apprentices were set under awards under the Commonwealth *Conciliation and Arbitration Act* of 1904, rather than the Board, although the Board maintained the employment contracts and its direct control of wages, apart from pocket money. NSW children under Board directives were sent to the ACT and the Northern Territory and children from both areas apprenticed or fostered in NSW. After 1969 employment agreements were made under the *Child Welfare Act*. The almost 1000 Aboriginal child wards in institutional or family care¹²¹ now became wards of the state, rather than wards of the Board, administered through the new Directorate of Aboriginal Welfare. The Homes at Kinchela and Cootamundra were closed shortly thereafter, but the Home at Bombaderry operated until 1980. An estimated one-third of child removals between 1883 and 1969 never re-established links with their families and communities.¹²²

2.1.2 Employers

The *Aborigines Act (1909)* set minimum rates for wages and pocket money, applicable where ‘no other agreement’ was made. The Board did not check whether the pocket money portion was properly paid nor did it prevent the substitution of inferior items for goods charged against wages at full price.¹²³ The Board made little effort to pursue defaulting employers in rural areas and made no restitution to apprentices whose non-payment breached contract terms; wages owing by three employers were simply written off as irrecoverable in the first half of 1928.¹²⁴ At

times apprentices were refused the right to buy goods when due wages had not been paid.¹²⁵ Wages were written off against alleged property damage, and on at least one occasion, for compensation.¹²⁶ There was no requirement to inform, or get consent from, the person whose money it was. Although employers were required to pay for clothing and medical needs, records show the Board frequently approved employers making withdrawals against servants' accounts for these items.¹²⁷

There were 850 white employers listed in Board registers for 1934 but many others were also known to have Aboriginal servants. Despite the high demand for Aboriginal servants among better class white homes, particularly as white servants declined during the early to mid twentieth century, the Board continued to indenture the girls at discounted rates. The fact that many domestics working independently of the Board earned higher wages indicates Aboriginal servants – disempowered by their servitude and uniformly unable legally to leave employment – would have attracted higher rates.¹²⁸

A Select Committee Inquiry into the Board in 1937 tabled many allegations of mistreatment and sexual abuse of girls by employers, poor working conditions and non-payment of wages and/or pocket money. To stem pocket money abuses the 1940 Amendment directed all clothing for wards under seventeen be supplied by the Board, the cost deducted from personal savings. The full pocket money was to be paid in cash and receipted in a pocket money book available for inspection by Board or police officers, yet non-payment of pocket money continued.

It is clear from surviving correspondence that employers frequently lobbied the Board on behalf of their servants to access savings during, or at times after, their indenture ended. Many servants continued working after termination of their apprenticeship, either unaware of their freedom or choosing to remain with the only people they knew. Sympathetic employers then paid wages directly to them, and at times, particularly from the 1920s, agitated for return of all controlled wages, a campaign which commanded media attention during the 1930s. There was an assumption by many employers that wages paid to the Board would readily be returned on their request for a ward who had reached maturity. The Board could, and did, remove apprentices from activist employers, at times sending them interstate.¹²⁹

By the 1950s in theory adult Aboriginal workers were paid full wages, but a 1955

inquiry by the Commonwealth department of Labour exposed underpayment, sometimes by 50 per cent, in many areas of northern NSW. Even in the early 1960s underpayment continued in remote areas.¹³⁰

2.1.3 Community workers

The 1909 Act required able bodied men on stations and reserves to ‘go out and obtain employment and be made to understand that they must support themselves and their families’. Although some local pastoral and stock work was available to reserve residents based at Brewarrina and Warangesda, land around Cumeragunja mission was already under wheat and mixed farms, forcing workers to travel hundreds of miles for shearing or pastoral work. Regulations in 1910 stated rations and clothing were supplied free only for the aged, infirm or sick on reserves; people persistently refusing to work were denied rations and threatened with expulsion.

The Board could control how proceeds from collective work on reserves would be ‘apportioned amongst or for the benefit of persons residing therein’ although individual workers could use the proceeds of their crop on reserves to support themselves and their family. Anyone in external employment had to pay a weekly maintenance levy to support families remaining on the reserve; their earnings could be placed in the Board’s trust accounts and distributed as the Board saw fit. Provision for regulations to control the spending of adult inmates on reserves and stations appears not to have been exercised.¹³¹

The 1915 regulations required residents on the ten missions and stations to do a ‘reasonable amount of work’, initially two hours but later two days weekly, to be paid at a rate set by the manager, but generally double rations in lieu of cash. In 1916 the free blanket issue was cancelled and meat supply ceased in areas where hunting and fishing was possible. Weekly wages on reserves and stations during the 1929-32 depression were only 41 pence (\$8.60).¹³²

With authority to withhold rations and blankets and allocate scarce resources, managers had power of life and death over station inmates. Rations in 1938 were only 8 pounds (3.6 kg) of flour, 2 pounds of sugar, 1 pound (450 g) of tea and one shilling’s worth of meat per week.¹³³ By 1939 there were over 180 reserves in NSW, most with no formal management or basic amenities, but all subject to police surveillance and fear the

children would be taken.

The 1940 Review recommended reserve workers should be paid in cash rather than rations, but instructions to managers in 1941 suggest the policy of ration substitution regardless of monetary value of labour continued. This was, of course, the cheaper option. Outlays on rations then averaged only 10 pounds (\$504) per person per year, or under \$10 a week today, whereas Aboriginal labourers working off the reserve were getting around 1 pound 5 shillings (\$68.60) a week (30 per cent of the white wage in similar occupations.)¹³⁴

The 1941 instructions stated rations would be supplied free to the aged, infirm and sick, to wives whose husbands could not support them, to non-endowed children (see section 2.3.2 below) whose fathers could not support them. Able-bodied unemployed men and unmarried women were to be given rations only in return for two seven-hour days of work on the station. Managers inspected work before issuing rations, and copies of work sheets recording work, duration and proficiency were sent to head office.¹³⁵ Workers in outside employment were listed in a separate work book showing their name, employer details, nature and period of work and wages actually received. Those who refused waged employment were also refused rations, although – so it was stated – their families would not be penalised. Rationing for wage earners varied: those earning less than 20 shillings (\$48) a week were rationed, husbands were excluded if they earned 25 shillings (\$60.15), both parents were excluded if the wage was 30 shillings (\$72.20).

Policy guidelines for the new Aboriginal Welfare Board in 1943 stipulated more ‘comprehensive techniques of surveillance’, particularly of residents on the government stations.¹³⁶ By 1948 96 per cent of men were employed and only 21 per cent of the Aboriginal population lived on controlled stations.¹³⁷ The provision to arbitrarily control the wages of any Aboriginal person was not revoked until 1963.

2.2 *Trust funds*

When the Board opened an interest-bearing Trust account for child wages in 1898, it added the £171 (\$17,865) held by the Aborigines Protection Association for Warangesda child workers to over £107 (\$11,217) accumulated from Brewarrina children. By 1899 wages in the Board’s Trust account had more than doubled to

over £245 (\$23,314), and £284 (\$26,435) in 1904.¹³⁸ Government management of Aboriginal money was regulated by the *Audit Act 1902* and subsequent legislation which regulated the payment, collection, audit and inspection of revenue, trust and other monies held by State government entities, including the Aborigines Protection Board.¹³⁹

Under the 1909 *Aborigines Protection Act* the Board was responsible for the conditions of apprenticed children and recovery of wages payable. With the consent of the Minister, the Board could ‘apportion, distribute, and apply as may seem most fitting, any moneys voted by Parliament and any other funds in its possession or control, for the relief of Aborigines.’ Wages paid quarterly direct to the Board could thus be expended at the Board’s discretion in the interests of the child, the balance paid to the child at the end of their apprenticeship ‘or such other time’ as approved by the Board. Parents would be denied access to their children’s savings. Trust Account ledgers for 1922 show the Board was holding 62 accounts dating from before 1910.¹⁴⁰

By 1917, with wages in Trust of £1999 (\$114,143) the Board transferred £1000 (\$57,100) to investment in War Certificates,¹⁴¹ and the following year it applied unsuccessfully to take direct control of wages of all independent workers. In 1921 the Board was authorised to put money into a ‘special deposits account’ which was used to cover deficits in general expenditure.¹⁴² In 1922 Salary Registers were started listing each person’s cash payments from employers and other receipts such as endowment; a total of over £5288 (\$260,275) from 437 accounts was transferred from the ledgers.¹⁴³ Interest was credited annually. In 1923 the central Trust Account was transferred from the Savings Bank department to the Rural Bank department within the Government Savings Bank.¹⁴⁴ Wages of children indentured under the 1923 *Child Welfare Act* rather than the Aboriginal Acts were put in a separate Fund controlled by the Minister for their ‘benefit and maintenance’ which could be used to cover expenses ‘incurred in respect of administration of the Act.’

Child workers were given no evidence of wage payments or accumulated funds; few were even aware of their right to terminate both employment and Board control of their finances after the age of 21 years (age 18 after 1937). Technically free but estranged from family, many girls continued in service. Although some gained direct control of their wages and savings, others battled for years, sometimes assisted by

white supporters who were themselves threatened with police inquiries into their character.¹⁴⁵ The Board consistently opposed financial independence for single ex-servants: one woman who had worked for nearly a decade till the age of twenty-five was refused her money, receiving only an interim payment of £5 (\$236).¹⁴⁶ Girls who married seemed to fare better in requests to gain control of their savings.

Facing criticism in 1926 over the average sixpence (\$1.20) weekly pocket money payments to wards, the government boasted that over £1200 (\$57,000) had been allocated to apprentices from their accounts during the previous eight months, and most savings balances were £60 (\$2855) or more.¹⁴⁷ It reported 'some hundreds' had 'substantial amounts' to their credit and would be in a better position after their term of employment than if they had unsupervised access to their savings. The 1927 *Annual Report* stated balances ranged from £40-£100 (\$1925-\$4812) were 'available for them when they attain their majority.'¹⁴⁸

Analysis of the period 1922-1934 shows delays of 2-3 months for many wages entries. While it appears entries in the Register were audited and cross-checked with cash book debits, the majority of payments were made to police or station managers and are not proof the money was received by the account holder.¹⁴⁹ In the period 1922-34 sixty per cent of accounts on the Register belonged to female wards.¹⁵⁰ The records show very few lump sums were paid out. One official in 1934 admitted this was unofficial policy, the preference being to pay the money out 'in dribs and drabs' when it was needed.¹⁵¹ This policy condemned ex-wards to the very poverty and destitution it was intended to alleviate, even for the many who had accumulated considerable earnings. If the woman died the remaining balance was paid to her relatives.¹⁵²

The 1940 Amendment gave the Board discretion to distribute monies allocated by Parliament 'and any other funds in its possession or control, for the relief or benefit of Aborigines or for the purpose of assisting Aborigines in obtaining employment and of maintaining or assisting to maintain them whilst so employed.' The Board's statutory duties were defined by a 1940 Public Service Board inquiry into its role: to be the authority for the protection and care of Aborigines under the Act, to exercise general supervision and care over the interests and welfare of all Aborigines, and to 'protect them against injustice, imposition and fraud.' Records were, however, said to be not 'as complete as they should be.'

The 1941 instruction manual set guidelines for handling the trust accounts of apprentices, confirming the *Audit Act 1902* and contingent Treasury regulations continued to apply. Regulations the same year required wages to be paid to the Board monthly, and 1944 regulations broadened the Board's discretionary powers over 'any moneys' held on behalf of a ward or ex-ward which could be expended 'towards the maintenance, advancement, education, or benefit' of that person; the balance to be paid to the ward on reaching 21 years. Apprentices seeking to withdraw from their savings were vetted by police as to their intentions. Claims, even for urgent requests, were routinely prolonged or ultimately refused. One such request, for £10 for children's winter clothing, took four months to process.¹⁵³

The 1943 regulations required the Board to inform wards who completed their apprenticeship of the termination of state guardianship and the amount held for them in trust and how to recover it. However records show the Board at times did not comply with this statutory provision. At times finances were denied on the grounds records could not be found, prompting Aboriginal activists such as William Ferguson to claim the Board had destroyed them.¹⁵⁴

Correspondence in 1944 refers to Treasury Bonds held by the Board on behalf of Aboriginal account holders, and from 1948 the accountant was requested to forward to the Board opportunities to invest monies from the Trust in Commonwealth Bonds.¹⁵⁵

Although the 1963 Amendment relinquished control of non-ward's wages the Board continued to send children to apprenticeship or employment and take direct control of wages. The 1969 *Aborigines Act* dissolved the Board, transferring control of Aboriginal wards to the Minister responsible for the *Child Welfare Act*, in whom it vested all properties and monies of the Board. A new account, the Aborigines Assistance Fund, now receives the wages of wards, but no specific provisions were detailed to deal with monies previously managed by the Board. The Public Interest Advocacy Centre (PIAC) concludes the liabilities of the Board are now the liability of the Minister.

2.3 Controlling Commonwealth benefits

2.3.1 Maternity Allowances

Under the Commonwealth *Maternity Allowance Act 1912* a £5 (\$360) cash grant was paid to parents of a newborn child, including Aboriginal mothers with ‘less than 50 per cent Aboriginal blood’, whether living on a reserve or not. Officers and police were advised to apply promptly within the three month registration period, and were told in 1919 that mothers could be encouraged to relinquish control of the allowance to the Board.¹⁵⁶

At the first national conference on Aboriginal Welfare in 1937 the NSW Board justified withholding the maternity allowance on the grounds mothers receiving rations and clothes plus child endowment of 30–40 shillings a week (\$82.35–\$110) should not ‘expect’ more.¹⁵⁷ A resolution that the maternity allowance be paid ‘in trust’ to the relevant State authority rather than direct money order payments to mothers, did not succeed in changing Commonwealth policy. A 1941 Manual to station managers in NSW stressed mothers’ spending of the allowance should supervised to make sure they ‘met [their] obligation to hospitals etc.’

State governments consistently lobbied for pensions and the maternity allowance to be paid to all Aborigines. The 1937 *Social Services Consolidation Act* extended pensions, unemployment and sickness benefits, and the maternity allowance to those who met the required standard of ‘character, intelligence and social development’ and the 1942 *Maternity Allowance Amendment Act* extended the benefits to ‘aboriginal natives living under civilized conditions whose character and intelligence qualified him to receive a pension’. Commonwealth criteria were altered slightly in 1947 to allow payment of pensions and the maternity allowance to any person exempt from State controls or meeting a certain standard of ‘character, intelligence and social development’. From 1948 the Maternity Allowances Office in NSW was absorbed into the Department of Social Services.

2.3.2 Endowment

The *Family Endowment Act (1927) (NSW)* imposed a 3 per cent levy on due wages to establish the Family Endowment Fund. Employers providing board and lodging in lieu

of wages had to contribute one pound (\$48) per week. Endowment Fund payments went into a Special Deposits Account at Treasury and were allocated to mothers at 5 shillings (\$12) per week for each child in families with incomes less than the official 'living wage', plus £13 (\$625) per year for each child. The Act provided for payment to someone other than the beneficiary, including guardians of Aboriginal wards, and allowed the Board to control payments to Aboriginal families on stations and reserves.

As drastic budget cuts hit during the depression, the Commissioner for Family Endowment proposed all payments to Aboriginal mothers be directed through the Board. While the Board conceded this might be implemented for mothers 'in which large payments of arrears are involved' to ensure the windfall was spent on the children, it expressed doubts as to the advantage of acting as conduit for all payments given the increased supervision and control required. Pressed further by the Commissioner, the Board sought legal advice in 1929 regarding the proposed measure and agreed to list all people who would be entitled to endowment.¹⁵⁸

In February 1930 the Board took receipt of the first direct payment of endowment into a Trust account at the Rural Bank. This windfall offset increased costs of rationing unemployed families on government stations¹⁵⁹ and in its *Annual Report* for 1930 the Board stated control of endowment 'must result in a considerable saving to the consolidated revenue' as the family benefit subsidised previously free issues. This saving was calculated at £27,982 (\$1.38 million) for that year alone.¹⁶⁰ The 1932 *Annual Report* said the increase in administrative work was 'amply' repaid by the saving of public expenditure.

Reserve managers and rural police were issued with special endowment order books and advised orders could be given to mothers for anything of direct or indirect benefit to the child – clothing, food, bedding, dental and medical treatment, school needs etc. The Board decided against discontinuing free rations to children, instead charging 2 shillings and 6 pence (\$6.30) each week against the endowment.¹⁶¹ Sums of unspent endowment, some as much as £100 (\$4922) were discussed with local officers, and could be diverted to cover rent owing. Of the £10,114 (\$497,810) banked by the Board to early June, only £2438 (\$120,000) had been spent on behalf of 300 children.¹⁶² And only five mothers, after 'favourable police reports', received their endowment in cash.

Evidence was given in the 1937 Select Committee Inquiry that many mothers

did not receive the endowment benefit. It was asserted endowment was used for other Board commitments, such as construction of substandard housing then leased or sold to Aboriginal people for profit, and that accumulated funds were at times applied for construction and maintenance of station facilities, including managers' homes.¹⁶³ At the same time, the Board was refusing free rations on its reserves and stations to children receiving endowment, a practice the 1940 Public Service Board Review said should cease. The Review found only 197 (or 30 per cent) of mothers received endowment directly, the Board retaining the funds of the remaining 60 per cent. Calculating say two eligible children per family (no payment for first child) at 5 shillings each weekly plus £13 per child per year, the Board benefited by around \$1,336 per three-child family per year.¹⁶⁴ Although the Board was not criticised for its policy of issuing orders in lieu of cash endowment, it was urged to more regularly assess the eligibility of endowees given the 'valuable incentive' cash payments presented to deserving mothers.¹⁶⁵

Child and family endowment constituted a significant income revenue to the Board, generally over 40 per cent of the annual budget. In 1938 endowment of £21,175 (\$1.13 million) represented 44 per cent of the budget.¹⁶⁶

The final report of the 1940 Review recommended 'cleaning up' and reducing the accumulated endowment Trust monies. There is no indication this occurred before the State program was replaced by the Commonwealth child endowment scheme the following year when the new endowment was 'simply credited' to existing Trust accounts.¹⁶⁷

The Commonwealth *Child Endowment Act (1941)* allotted a cash payment to mothers – including foster mothers and adopting mothers, but excluding nomadic mothers – for children under 16 years other than the first born, excepting children wholly maintained in institutions. The Commonwealth conceded that mothers could be paid through store orders in all but 'approved cases', and gave the Board authority to pool entitlements of children on reserves and missions towards their 'general maintenance, training and education'.

The Commonwealth agreed that mothers on reserves could be paid through store orders in all but 'approved cases', and gave the Board authority to pool entitlements of children on reserves and missions towards their 'general maintenance, training and

education'. However any child rationed by the Board was deemed to be dependent on the state and thereby ineligible for endowment. The Board countered by instructing managers and police to remove eligible children from ration lists and claim the endowment, after which rations could be reinstated and the cost – 2 shillings and 3 pence (\$5.40) per half ration – deducted from mothers' weekly endowment.¹⁶⁸ While the state – through the Board – thus recouped the cost of child rations on the reserves, most mothers would have been unaware of the scheme and their reduced endowment entitlements. The Board expelled other families from stations and reserves, registered the children for endowment, but continued the voucher system in lieu of cash. Evidence suggests in some instances the NSW Board controlled endowment of interstate children living on its border stations and reserves.¹⁶⁹

The 1941 Manual of Instructions to reserve managers stated endowed children were excluded from free rations, as were non-endowed children unless the father's earnings were insufficient to support them. Baby outfits were supplied free to those getting endowment, and further clothing issues could be recouped by endorsing the order 'Cost recoverable from Family Endowment'

After the Commonwealth *Payroll Tax Assessment Act (1941)* required them to contribute a levy on wages provided, which could include meals and accommodation valued at one pound a week, the NSW Graziers Association applied to collect endowment for children living on pastoral stations. Arguing their current outlay for these 'services' for say '20-30 natives' might be six or seven pounds a week (\$290-\$337, effectively between \$10-\$16 per person per week) they claimed entitlement to endowment to offset the deficit.¹⁷⁰

From 1950 endowment was also paid with regard to first-born children. Guidelines issued in 1957 to station managers, supervisors and welfare officers again affirmed that endowment paid into the Board's Trust Account in the name of the endowee was to be allocated through the endowment order book as vouchers for goods and services for the benefit 'directly or indirectly' of endowed children. A record of credits and debits was recorded daily on separate cards issued to field officers, and kept available for inspection by officers from the Accounts branch. Full cards were returned to head office and replacements issued. If direct payment was approved, head office checked the card and finalised the account, the credit balance paid to the endowee by cheque.¹⁷¹

The Board retained the authority to receive child endowment payments on behalf of Aboriginal people until it was abolished in 1969.

2.3.1 Pensions

In New South Wales Aboriginal people living ‘under civilised conditions’ were eligible for pensions under the Commonwealth *Invalid and Old Age Pension Act (1908)*. From 1922-34 pensions of station residents were receipted through the Board’s Salary Registers. The NSW *Widows Pension Act (1925)* included Aboriginal widows resident in NSW regardless of caste or ‘standard of social development’; they were paid 1 pound a week, plus 10 shillings for each dependent child under 14 years. The Board was registered as warrantee for the pensions, and although managers and field officers were directed to sign up widows it appears few pursued this option. Direct control of pensions was a topic discussed by authorities at the 1937 Welfare Conference, where it was noted pensioners in institutions received only 40 per cent of their 13 shillings 6 pence (\$37) pension. The 1940 Review noted only 12 widows received the pension and 6 of those were paid direct, a procedure reliant on Board approval. Magistrates were empowered to deny the pension if they suspected the allowance was misused or the woman was not of ‘good moral character and sober habits’.¹⁷²

The NSW Act was superseded by the Commonwealth *Widows Pension Act (1942)* which retained the same eligibility criteria for Aboriginal widows whose marriages had been formally registered, as did amendments the same year to the *Invalid and Old Age Pension Act*. The Board was empowered to act as trustee for the pensioners, their money paid into the Trust account from where 11 shillings was transferred to consolidated revenue and the remainder given to the pensioner. In contrast, the Board was specifically denied control of military pensions due to Aboriginal soldiers serving in Australia or overseas.¹⁷³ Research suggests some Aboriginal soldiers were denied access to measures to help ex-servicemen to adjust to civilian life such as pensions, gratuities, allowances.¹⁷⁴

The Commonwealth *Unemployment and Sickness Benefits Act (1944)* incorporated earlier legislation for old age, invalid and widows pensions, unemployment, sickness and maternity benefits, restricting Aboriginal entitlement to those whose ‘character, standard of intelligence and development’ convinced the Director General that the

benefit should be paid. The *Social Services Consolidation Act (1947)* amalgamated all welfare provision, retaining the restrictions for Aboriginal people under State control if deemed not to meet character and social development standards. These restrictions were repealed until 1959, except for those following a 'nomadic or primitive' lifestyle.

3. NORTHERN TERRITORY

The South Australian *Northern Territory Act (1863)* separated the Northern Territory from New South Wales and gave administrative powers over it to South Australia (until 1911). The Act provided for a government Resident in Palmerston (later Darwin), and a part-time protector was instructed to win the confidence and respect of Aborigines and explain to them their legal rights as British subjects. Surveyors arrived in Darwin harbour in 1869. The first cattle were brought into the Territory to provide meat for workers on the Overland Telegraph Line, constructed in the early 1870s. Speculative pastoral leases covered nearly three-quarters of the Territory by 1881 although many stations had been abandoned by 1900.

The town of Alice Springs (known as Stuart until 1933) began as a telegraph station in 1871. The Lutherans established the Hermannsburg mission on the Finke River in 1877, and the Jesuit-run Daly River mission operated between 1886-1889 (another reopened in 1955). During the nineteenth century much of the Territory was regarded as a wild and lawless area; there was terrible loss of life as stations were occupied. D J Mulvaney estimates between 500 and 1000 Aborigines were shot in the Alice Springs pastoral district in the decade to 1881, compared with 16 Europeans killed by Aboriginal action in the twenty years to 1892.¹⁷⁵ The South Australian inspector of police for Central Australia reported in 1882 that Aboriginal people were often ‘treated as treacherous savages’ rather than human beings, and most of the violence was an outcome of the capturing of Aboriginal women.¹⁷⁶ Depopulation in the Victoria River area between 1880-1939 was estimated at between 86-93 per cent.¹⁷⁷ At the turn of the century the Aboriginal population was estimated between thirteen and fifty thousand. This compared with the white population in 1910 of 1729, of whom less than 300 were women.¹⁷⁸

3.1 Controlling work and wages

It is likely Aboriginal labour was used in the aborted British settlement attempts on the north coast from the mid 1820s, just as the local Larrakia people helped clear the Port Darwin township from the 1870s, stripping bark for settlers’ huts, chopping wood, and carting water. Game and seafood were traded for flour, tea, sugar and clothing. As the town expanded girls and women were employed as

domestics and men as 'house boys'. An office of protector operated from 1874, but with little practical effect given the difficulty of travel outside Darwin.

Buffalo hunting developed in the Alligator Rivers region in the 1880s, employing many Aborigines in the dry months to stalk and flush out beasts which were then shot by European horsemen. The hides were cleaned in local waterholes and salted by Aboriginal women, a process repeated over several days before drying and packing. There was no attempt to regulate rural labour. The police inspector reported pastoralists in need of workers routinely captured men, women and children by simply 'running them down' on horseback and confining them on the stations.¹⁷⁹

The demand for workers in the towns could not be filled and workers who absconded could be whipped or imprisoned under *Masters and Servants* laws.¹⁸⁰ In 1871 the South Australian government set a cash wage for cooks, servants and boatmen at one shilling a day (\$4.55), around 15 per cent the white wage, although few were paid. There was no requirement to pay wages outside the towns; the common currency was minimal rations, tobacco and perhaps clothing, sometimes for close relatives.¹⁸¹

In 1874 police killed more than 50 Aboriginal people after two murders at Barrow Creek repeater station, there were brutal dispersals following the deaths of three miners on the Daly River in 1885. Further reports of punitive expeditions – on Brunette Downs, Newcastle Waters, Eley and the Roper River¹⁸² – led to calls for protective legislation. In 1899 the government Resident was invited to draft a Bill, following his report into the prevalence of kidnapping, assaults and slavery of Aboriginal women, and brutal summary justice against men, often for minor offences. The Bill, for the 'protection and care of the Aboriginal and half-caste inhabitants of the province of South Australia', echoed Queensland legislation of 1897. Controlling workers by physical punishment was described as the custom of the Territory and the Bill provided for regulated employment through permits to 'trustworthy' whites, written agreements, and inspections by protectors. There were penalties for supplying liquor, and for sexual congress with Aboriginal women, with or without consent. But the Bill was defeated: pastoralists argued that licences would be almost impossible to acquire given vast distances from the main towns, and the government said it would be impossible to enforce given the minimal police presence.¹⁸³

By 1900 pastoralists were almost entirely dependent on Aboriginal labour. In

addition to domestic work – scrubbing, washing, ironing, cooking, child-minding – women on Territory stations commonly worked the stock – mustering and tailing – as well as other men’s work such as slaughtering, fencing, road building and droving.¹⁸⁴ Although the 1910 Act (below) supposedly precluded women from stock work by making it an offence for an Aboriginal woman to wear men’s clothing, lack of effective inspection rendered the clause meaningless.

In 1910, with the half-caste population in the Territory at around 200 compared with 300 whites in Darwin, the South Australian parliament passed the *Northern Territory Aborigines Act* a few weeks before control passed to the Commonwealth in January 1911. This established an Aboriginals department under a chief protector, allowed for the gazetting and control of reserves, and regulated intermarriage. Employers were now required to obtain a yearly licence from their local protector which could be cancelled if they were deemed unfit. Every licence holder had to submit a six-monthly report showing each employee and the wages *or* remuneration they received.

Wages due to any Aboriginal worker on a ship or vessel who died or deserted were to be paid to the harbourmaster; pastoralists were similarly directed to send to the protector any due wages or property of deceased workers. Protectors could direct that wages of any Aboriginal or female half-caste be paid to himself or another police officer for lodging in a trust account, such wages to be spend ‘solely on behalf’ of the employee with the protector keeping an account of all receipts and expenditure. Protectors could ‘take possession, sell or dispose of’ any real or personal property. People could now be relocated from one area to another and confined on reserves; they were banished from towns unless living with their employer.

Regulations under the 1910 Act gave the chief protector power to refuse employment licences where wages and conditions were unsatisfactory. All wages were to be paid in cash, no items could be deducted from wages without the chief protector’s consent, and he could demand wages be paid directly to his officers. Since there was no stated minimum wage employers could pay no cash component, a situation which prevailed except in areas of high employment demand.¹⁸⁵

The 1911 *Aboriginals Ordinance* incorporated the 1910 Act, and allowed the chief protector to delegate his powers to police officers. Grounds for the chief protector to cancel employment licences were extended, but the requirement for regular

reports on employees and remuneration were omitted. In 1913, with white labour described as unprocurable, expensive and unreliable, the Northern Territory's Administrator formalised payment of wages to Aboriginal employees of the government, starting at 25 shillings a week (\$90.70) of which 10 per cent was paid into a trust account, the remainder paid in kind.¹⁸⁶ The chief protector estimated costs of between 17-18 shillings a week to feed, clothe and house a servant and in 1914 suggested an additional 3 shillings weekly be paid into the trust account. Access to trust monies was controlled by issuing vouchers on particular stores.¹⁸⁷

In the pastoral industry, however, where the chief protector admitted that withholding wages meant 'all the difference between working the stations at a profit or a loss', the government did not pursue payments to workers.¹⁸⁸ Although most pastoral stations were largely dependent on Aboriginal workers, the chief protector said that payment of cash wages would pervert their attitude to work.¹⁸⁹ From 1914-1918 the position of chief protector was abolished, his duties devolving to the government secretary.¹⁹⁰

Under the 1918 *Aborigines Ordinance* any female Aboriginal could be institutionalised from any age and sent to work, as could all half-caste males under 18 years (extended to 21 years in 1924) or any male who, in the chief protector's opinion, needed guardianship. All women of Aboriginal descent could now be controlled as 'Aborigines' for life at the government's discretion unless they married a man 'substantially of European origin'. Protectors could deny female workers to particular employers, and all town employers now needed monthly employment licences costing two shillings and sixpence (\$6.70), a move intended to prevent workers from leaving work where they were needed. Wages were set at 5 shillings a week plus clothing and food; 2 shillings of the wage went directly into the trust account administered by protectors and police.

The government agreed with pastoralists that rural workers were better paid in food and clothing,¹⁹¹ although rural employers required a 10 shilling licence. This entitled them to employ unlimited workers; wages and housing were optional if employers supported worker's relatives or dependants, or if the workers were classified as 'temporary'. Licences bound workers to their employer, denying them the right to travel, to bargain over wages and conditions or to refuse work.¹⁹²

A 5 shilling pastoral wage was introduced in 1927 but pastoralists blocked it on

the grounds their maintenance of dependants amply covered remuneration.¹⁹³ The Northern Territory Pastoral Lessees Association estimated it could feed two Aboriginal workers for the price of one white, although estimates on some stations reveal outlays for maintenance at only one-quarter the white wage. Station owners often exaggerated the goods supplied and under calculated numbers of workers,¹⁹⁴ some stations, such as Victoria River Downs, inflated store prices for Aboriginal workers at 300% above town rates.¹⁹⁵ Rations were routinely withheld as a disciplinary measure. Police rarely inspected stations, usually speaking only to the managers. Abuses of Aboriginal workers continued, one police officer reporting from Daly River that workers were fed mainly on cobs of corn and an occasional handful of peanuts; they 'were lucky if they got a clay pipe and stick of tobacco when the year's work was done'.¹⁹⁶

An investigation in 1928¹⁹⁷ concluded the pastoral industry employed 80 per cent of Aboriginal labour; an estimated 2500 workers plus 1500 listed as dependants, many of whom worked for their rations,¹⁹⁸ including cooking, fencing, gardening, managing dairy cattle, building roads and shelter and digging dams.¹⁹⁹ Dependency on Aboriginal labour was so absolute it was said most holdings would have to be abandoned without them. Yet in many instances shelter comprised old bags and discarded tin, there was no provision of safe water or sanitation, some stations refused to supply dependants, forcing starving women into prostitution. The Minister for Home Affairs described the system of unpaid work as 'a form of slavery'.²⁰⁰ For a 10 shilling licence plus maintenance rural employers could work several men who might otherwise each command the same fee for a week's work on the railways. On some stations near the Queensland border which competed with interstate waged labour, competent stockmen got £2 weekly. So lax was the system that the docked wages of many itinerant drovers were retained by employers rather than paid into trust funds.²⁰¹

In an attempt to force pastoralists to train and pay for half-caste boys from the institutions the government introduced the *Apprentice (Half-Castes) Regulations (1930)*. These required wages of between 19 shillings and 6 pence to 34 shillings and 6 pence, much of it paid direct to the trust account. After opposition from the pastoral industry the rate was cut in 1932 to 10 shillings 'or such sum as the local protector may consider', 6 shillings paid direct to the apprenticeship fund,²⁰² although youths over 18 years who joined the Australian Workers Union were legally due the same wage as white apprentices. Drovers were entitled to weekly

wages of up to £1.10.0 (\$74) although many pastoralists refused to pay and none were prosecuted.²⁰³ The regulations were not enforced in Central Australia leading the chief protector to describe forced employment as ‘analogous to slavery’.²⁰⁴

The *Aboriginals Ordinance* of 1933 empowered the government to set minimum conditions. Rural wages were unchanged at 5 shillings weekly of which 2 shillings went to the trust account, although non-payment on the grounds of maintenance of dependants remained the norm. The chief protector described many station managers as ‘unscrupulous’ in their exploitation of Aboriginal workers, and police as unreliable in assessing wages for half-castes.²⁰⁵ Although police were required to lodge quarterly reports on conditions, workers rarely complained, fearing punishment from managers or banishment from family and country.

During World War II many Aboriginal men enlisted, and over one thousand more worked for the army in maintenance and construction where they were paid around 6 shillings (\$14.50) cash a week plus full army rations for all dependants and proper amenities. This contrasted with rural labour where records show the Commonwealth government failed to intervene despite knowledge of starvation and deaths among workers and their families. In 1934 the government was notified that on one station ex-workers were starving to death, but it refused to supply rations arguing this was the responsibility of station management.²⁰⁶ In 1938 anthropologist W E H Stanner again reported workers and dependants on several stations were at high risk of diseases caused by deficient diets; he said on one station only ten children survived from 51 births between 1925-1929.²⁰⁷ In 1942 a patrol officer reported that workers at the Granite gold mines ‘finished in a state of exhaustion due to the hard labour on the diet of flour only’, there was ‘not a vestige of food’ in the camp of twelve women in ‘wretched’ emaciated condition who fell upon a piece of unleavened damper ‘like starving dogs’. He cancelled the employer’s licence, but was overruled by his Canberra superiors who laid no charges against the owner.²⁰⁸ In the mid-1940s a survey²⁰⁹ reported all ration recipients were forced to labour, including the aged, women and children, although their presence was used as justification to avoid the 5 shilling wage; and many stations in the central-west ruled their workers through violence and fear.²¹⁰ The survey confirmed malnutrition was endemic and excessive maternal and infant deaths were ‘destroying the race’; of four births at Wave Hill during a two-month period three of the babies and two of the mothers died.²¹¹

Aboriginal workers in Darwin went on strike in 1947, demanding full wages and full access to their wages and savings. Despite further strikes in 1948, 1950 and 1951 the minister for the Interior refused to intercede in the operations of the *Aboriginals Ordinance*.²¹² Although the *Welfare Ordinance (1953)* exempted all half-castes from employment and financial controls, the government could declare anyone a ward in need of assistance, a category automatically including around 15,700 'full blood' people on the grounds they had no voting rights. Under the *Wards Employment Ordinance (1953)* male wages doubled to £2 (\$80.80) weekly plus rations and clothing; but as the major employers of half-caste wards, neither the missions nor the Welfare Branch were bound to comply with the new provisions.²¹³ Wages for wards rose to three pounds ten shillings in 1957, part-paid direct to the trust fund.

A 1947 conference between the government and pastoralists, but excluding union representatives, agreed to increase wages to drovers to between £1 and £1.15.0 weekly; pastoralists were to support the wife and one child of a worker while the administration covered costs of additional children. Few workers received the full amount: wages could still be credited against station accounts, and workers could be classed as 'incompetent'. In 1948 an application that Aboriginal workers be included under the pastoral industry award was rejected by the Commonwealth Conciliation and Arbitration Commissioner as interfering between the Northern Territory government and the pastoralists.²¹⁴ Regulations in 1949 set a male pastoral wage of £1 (\$40.40) weekly.²¹⁵ The £2 weekly wage under the *Employment Ordinance (1953)* was only one-fifth the white rate; Aboriginal workers were accorded half the annual leave and less than 35 per cent the food items as rations. As stations continued their practice of booking wages against exorbitantly priced store goods, patrol officers noted it was 'not at all uncommon' for workers to receive no pay at all.²¹⁶ With only 6 officers to inspect 230 properties abuses continued unreported.²¹⁷

Wages for wards increased in 1957 to £3.10.0 weekly plus keep, but the director retained the power to direct part-payment to the trust fund, and retained controls on access. In 1961 many skilled stockmen with three years' experience were still paid only £1 plus keep compared to £14 for white stockmen.²¹⁸ In 1963 there were 6000 Aboriginal people reliant on pastoral work for their survival, yet between 1959-64 not one cattle station was prosecuted for failing to comply with mandatory wages, shelter, rations and work conditions.²¹⁹

Although the *Social Welfare Act (1964)* lifted restrictions on wards relating to movement, legal rights and financial controls, wages set under the *Employment Ordinance* prevailed. In 1965, when 51 per cent of general station hands were paid around one-quarter the white rate and 34 per cent around one-third, the director admitted only 20 pastoral stations had even attempted to meet their legal employment requirements.²²⁰ Aboriginal drovers were similarly underpaid.²²¹

Equal wages were proclaimed in 1966, although the Commission suggested it would be almost three years before they were fully implemented. This prompted mass walk-offs at Newcastle Waters and Wave Hill, although there had been a series of defiant actions and small strikes on Northern Territory stations since 1946, relating to freedom of movement and job choice, rations and wages.²²² Workers subsequently rejected an offer of \$35.70 per week for workers classed as 'fully efficient', which would have left many government wards struggling on the *Ordinance* rate of \$4. When equal wages came into effect in December 1968 the 'slow worker' clause enabled much exploitation to continue.²²³ In the early 1970s the minimum wage for a ward, including clothing, was less than half the unemployment benefit.²²⁴

3.1.1 Child workers

Under the *Aboriginals Ordinance (1844) (SA)* the protector was declared legal guardian of any child of Aboriginal descent whose parents were dead or unknown. Children could be sent to work until the age of 21 years; there was no provision for wages. Guardianship could extend over any Aboriginal child with consent of one parent, a very uncertain safeguard given contemporary power relations. In 1892 the Darwin protector applied to bind two 7-year-old children for 14 years, however the attorney-general in Adelaide likened this to slavery and the minister refused to ratify the application.²²⁵ In 1899 the protector argued an industrial school should be established to receive and train the children. Indenturing children under the *Masters and Servants Act* was seen as a poor option due to the propensity of children to run away.²²⁶ A major focus of the aborted 1899 legislation was the growing number of half-caste children.

From 1905 the new government Resident invoked the 1844 Ordinance to take control of half-caste children and indenture them to white families. His successor in 1907 argued the protector should be able to take all half-caste children into

institutional care, and a reformatory school was again proposed.²²⁷ The 1910 Act made the chief protector legal guardian of every Aboriginal or part-Aboriginal child under 18 years; the 1911 Ordinance gave him 'care, custody and control' of any child of Aboriginal descent, a power retained until 1957. In 1912 the Plymouth Brethren mission in Darwin closed and 16 child inmates were relocated to huts on the Kahlin Compound just outside Darwin, initially gazetted as a reserve for 'full blood' people working in the town. In 1914 two allotments next to the police station in Alice Springs were set aside for half-caste children who were housed in an iron shed, soon known as the Bungalow. The aim was to take children from camp life at an early age and instruct them in carpentry and stockwork for boys, and domestic work for girls, with only the basics of formal schooling.²²⁸

From 1916 girls from the Bungalow were sent as servants to Adelaide, the employer to supply food, clothing, accommodation and medical attention. Although bonded on 2-year contracts (the employer to pay costs of their return), many workers were retained interstate for far longer periods. In 1925 the police commissioner confirmed that NT contracts were neither legal nor binding on children sent interstate to work, and the federal minister for Home and Territories conceded there was still no person officially responsible for the welfare of these child workers.²²⁹ Children were paid 5 shillings weekly which went direct to the Alice Springs' protector for lodging in a savings account; withdrawals needed permission of the chief protector. Their wages were substantially lower than South Australian child servants and there were no inspections of their conditions to match the quarterly checks by the State Children department of South Australia.²³⁰ Children who protested or misbehaved were threatened with banishment to a reformatory. If a servant absconded the employer was refunded all paid wages.²³¹

Uptake of children increased during the 1920s. After protests from Darwin residents concerned for continued availability of servants, the government refused to allow children to be removed to the Methodist mission on Goulburn Island mission to relieve overcrowding at Kahlin compound.²³² Instead all half-castes were lodged in a Home adjoining the compound in 1924, where better domestic conditions and closer supervision was intended to instil greater social responsibility and reduce the instance of young girls returning pregnant from contracted employment. Not until after 1927 were employers vetted

as to their attention to the moral and material welfare of their servants.

Girls and women were arbitrarily moved to work in other states. By 1925 18 girls from the Northern Territory were indentured in Adelaide as domestics, and at least one in Melbourne. Girls who fell pregnant were returned to Alice Springs.²³³ In 1925 one South Australian mother whose children had been processed to work through the Bungalow had herself been worked for 11 years in Alice Springs without holidays or wages.²³⁴ By 1926 24 girls and 4 boys from the Bungalow were working as servants in Adelaide, and the protector suggested wages be increased to 8 shillings weekly after two years' service with 3 shillings paid directly to the protector's control, although for girls over the age of sixteen this was banked with the South Australian chief protector in Adelaide for easier access.²³⁵

From 1931 it was government policy to institutionalise all 'illegitimate' half-caste boys and girls under 16 years, as well as young single women, increasing removals by 70 per cent during the decade for training in 'industrial life'.²³⁶ While the girls were processed to work through Kahlin and the Bungalow, many boys were left in camps to be trained by the pastoralists. Boys in the Kahlin compound were transferred to Pine Creek in 1931. After temporary relocation to Jay Creek late in 1928, the Bungalow children were established in the old telegraph station outside Alice Springs where they were joined by the boys from Pine Creek in 1933, under control of superintendents who previously ran the Forrest River mission. The superintendent was charged with control of every half-caste male under 21 years south of the 20th parallel, whether in the institution or in employment. Boys were to be contracted to work including – until 1936 – children under 14 years, with the superintendent as authorising officer to withdraw money from the trust accounts, ensuring the boys were not defrauded or wasting their money. It was his responsibility to make deductions from wages in the trust accounts for the Medical Benefit Fund and to check employers of half-caste workers insured them under the Workmans Compensation Ordinance. The superintendent was 'directly responsible' to the chief protector in the execution of these duties.²³⁷

By the mid 1930s girls in the Kahlin Compound were producing bulk clothing and bedding items for the Home, compound, gaol and leprosarium, as well as for sale at the compound canteen. In 1936 three seamstresses earned 10 shillings

weekly while 10 others shared profits of £59 (\$3370) less a 5 per cent commission for the compound. Women operating a laundry service were also paid.²³⁸

In 1936 it remained government policy that children be sent to work from the age of 14 years, the boys to be trained by the pastoralists and the girls to domestic service,²³⁹ despite reports that most girls were extremely vulnerable to sexual assault, very few having even a room to sleep in. In the three years to 1935 there were 12 pregnancies and eight cases of gonorrhoea.²⁴⁰ The policy of sending girls to Adelaide as servants was discontinued in the late 1930s, although there were abortive attempts to send girls to Canberra in 1937.²⁴¹

After the Second World War patrol officers were instructed to remove all half-caste babies and children to institutions.²⁴² The pattern of child removals indicates the focus on meeting employment requirements: of the 263 boys and 320 girls taken between in the twenty years from 1932, the intake to the Darwin Half-Caste Home was 70 per cent girls for the domestic service market, while the intake to the Alice Springs Home was 60 per cent boys for the pastoral industry. Most children were taken young to maximise training potential: 15 per cent were under 4 years old, 66 per cent under 12 years; only 1 per cent of child removals were teenagers.²⁴³

By the early 1950s almost 360 half-caste children, most of those in the Territory, were confined, in the mission homes at Croker Island and Garden Point, or at Retta Dixon in Darwin and St Mary's Hostel in Alice Springs.²⁴⁴ Under the 1953 *Ordinance* Aboriginal children could still be institutionalised although for half-caste children this needed parental permission. Between 1954 and 1972, the government, the missions and the pastoralists all continued to benefit from cheap Aboriginal labour and minimal work conditions.²⁴⁵ For a decade from 1955 children were again sent to the south, some for foster homes and others to church institutions.²⁴⁶ By 1974 when the Aboriginal children's Homes had closed there were 400 children living in foster homes, and in mainstream institutions, from where the apprenticing of children continued.²⁴⁷

3.2 *Trust funds*

It appears the first Aboriginal trust account was started in 1913 to take ten per cent of wages paid to Aboriginal employees of the government,²⁴⁸ if a servant absconded the employer was refunded all paid wages.²⁴⁹ By the time Treasury legitimised this procedure in 1915

improper usage of the trust accounts was already apparent.²⁵⁰ Employers of children sent as servants to Adelaide were required to supply food, clothing, accommodation and medical attention; children were paid 5 shillings weekly which went direct to the Alice Springs' protector for lodging in a savings account and withdrawals could only be made with the chief protector's permission.²⁵¹

By 1917 the government held 481 accounts worth £1448 (\$82,680).²⁵² The *Ordinance (1918)* directed a portion of rural wages be paid direct to protectors or police. In the same year unclaimed wages in 500 accounts, with a total value of £1202 (\$64,330), were simply transferred to Treasury.²⁵³ Evidence to the 1919/20 Royal Commission revealed it was easy to corruptly access trust monies especially since many workers were illiterate and endorsed withdrawals with a cross, and at times cash was released simply on the word of someone in authority. Other monies earned by workers were not banked in the trust account. Despite the fact that stockpiles of unclaimed money showed workers did not know of their wage entitlement nor how to claim it, immediately after the Royal Commission £1184 (\$82,680) of unclaimed money was paid into consolidated revenue.²⁵⁴

Men over 21 years did not necessarily gain control of their earnings; in 1921 a 22-year-old man who had worked since he was 14 and had savings of over £220 (\$10,470) was denied permission to have a passbook on the grounds he was a 'spendthrift'.²⁵⁵ Recovery of wages remained a low priority, as did administration of the Trust account. Despite attempts by the chief protector to have unclaimed money made available for general Aboriginal benefit it was decided sums unclaimed after 6 years would revert to Treasury.²⁵⁶ The government reaped the interest on controlled savings, and, according to Ann McGrath, the Aboriginal trust fund was one of the few government schemes which made a profit.²⁵⁷

The 1927 *Ordinance* empowered the chief protector to retain control of the savings of adult men, and after 1928 the savings of half-caste workers with more than £20 (\$962) could be transferred to interest bearing bank accounts.²⁵⁸ From 1929 a medical benefit fund required half-castes to contribute 6 pence weekly for single workers or 1 shilling for those with dependants, plus one shilling weekly from employers; although contributions were optional for white workers who, in any case, received free medical treatment. This deduction was in addition to

an employer-financed Aboriginal Medical Benefit Fund which absorbed periodic wage increases and was never fixed by ordinance or regulation,²⁵⁹ but was a measure to raise revenue for the government medical service provoking criticism in Darwin and Canberra, according to Tony Austin. Large sums accumulated in the Aboriginal benefit fund at Treasury which the chief protector argued should be used to build Aboriginal hospitals rather than subsidise free medical care for half-castes already covered by the general benefit fund. He was overruled.²⁶⁰

In breach of regulations requiring trust monies be lodged in a single account, the Alice Springs protector opened individual accounts for Adelaide servants; by 1925 one girl's account held £83 (\$3950), and total savings under the protector's control was £1516 (\$72,130).²⁶¹ The *Aborigines Ordinance* of 1933 increased wages of female town workers to 6 shillings weekly, all of which was paid into the trust account,²⁶² and mandated employer contributions to the Medical Benefit Fund. In the 1930s the trust account held over £3000 (\$173,580);²⁶³ official complaints about branch accounts and trust account books continued.²⁶⁴ A sum of £15.12.0 (\$768) was found missing from one account between 1930/32 and only partially repaid, the girl's claim weakened by the absence of any employment contract.²⁶⁵ After 1937 it was possible for half-caste girls over the age of 18 years to be released from state controls if deemed capable of managing their own affairs.

Within a few years of its introduction under the *Apprentice (Half-Castes) Regulations (1930)* the public was questioning misuse of the trust fund into which most of their wage was paid; Rowley mentions a housing scheme operated in 1932 for employed half-castes 'on the basis of subscriptions from the Trust Accounts'.²⁶⁶ S 41 of the *Wards Employment Ordinance (1953)* empowered the director to retain a portion of the wages for payment into a trust fund. Money paid into such an account was deemed to be the property of the ward but it could only be spent by the ward if the Director or an authorised welfare officer approved although it seems this was not commonly enforced in Darwin following the union/Aboriginal agitation of the late 1940s. The *Wards Employment Ordinance* was amended in 1964 to repeal s 41, but there is no certainty monies held in trust to that date were distributed to account holders. Given the laxness of the trust accounts system it is likely frauds occurred as was the case in other national jurisdictions.

Under the *Intestate Wards (Distribution of Estates) Ordinance* of 1962, the Public Trustee could control and manage the property of any wards who died intestate.²⁶⁷

3.3 Controlling of Commonwealth benefits

The Commonwealth *Maternity Allowance Act 1912* paid a £5 (\$360) cash grant parents of a newborn child, including Aboriginal mothers with ‘less than 50 per cent Aboriginal blood’, whether living on a reserve or not. Under the Commonwealth *Child Endowment Act 1941* a cash payment was paid to mothers of children under 16 years; 5 shillings for the first child and 10 shillings for each additional child. Children wholly maintained in institution or children of nomadic mothers were excluded. Invalid and Old Age pensions, unemployment and sickness benefits, were similarly denied those whose lifestyle was characterised as ‘nomadic or primitive’. The 1947 *Social Services Consolidation Act* amalgamated the various benefits but retained the exclusions. Under this latter Act part or whole entitlements could be paid to an authority to manage on behalf of the pensioner, either to the manager of the institution or to the director of Welfare.

In the 1945/46 year 12 Northern Territory missions received endowment of £28,152 (\$1.2 million) for the 1057 children in their care.²⁶⁸ Under the 1947 arrangement to split maintenance costs of children on pastoral stations, pastoralists were paid endowment for the first child and the Territory administration claimed endowment for additional children which was held in trust and from which it paid their maintenance.²⁶⁹ The 5 shilling endowment was intended to provide benefits in addition to the support pastoralists were providing as part of the discounted wages, and the government suggested it should be paid into a special trust fund for the child’s benefit, or credited directly to the mother or child’s account.

In 1949 the director of Native Affairs suggested missions could use endowment on ‘the establishment of schools, dormitories, hospital and clinics, the pre-natal and post-natal care of mothers, the equipping of training centres in arts and crafts’, as well as proper diet and the education of children – all items rightly the responsibility of the government.²⁷⁰ Given only three missions did any educational or welfare work for children, the director stated it was impossible to certify to the department of Social Security that endowments were legally expended. Yet

because missions were not required to account for endowment expenditure he said there were no grounds to recommend payments be terminated.²⁷¹

Endowment was also a boon to stations. In 1952 the director of Social Services admitted there was 'nothing to prevent' stations using the endowment for wages, or simply to reimburse outlays for basic items they were obliged to cover themselves.²⁷²

Neither the Mission Station Authorities, nor the Cattle Station Managers, are using child endowment payments solely for the benefit of the children in respect of whom it is paid. Child endowment payments are now being used to reimburse Cattle Station Managers for expenditure previously borne by them, ie in the feeding, clothing etc. of the natives; therefore no benefit is derived by the natives from such payments.

By 1959 pastoralists were receiving endowment for 225 children and there was official concern as to the authenticity of some claims, given the movement of families between stations.²⁷³ Periodical checks by patrol officers and quarterly reports by station managers as to how endowment was disbursed did not guarantee the income was properly applied. In 1960 endowment increased to 10 shillings weekly for second or subsequent children and the Territory administration decided from 1961 to reduce maintenance payments for those children by the same amount.²⁷⁴

In 1959 the government said aged pensions were very rarely paid to pastoral stations for distribution. However this was standard practice on the missions where the revenue was used to subsidise houses and 'amenities such as toilets, showers and ablution blocks, and if necessary the provision of more adequate water reticulation and other amenities like that which go to make the pensioner's life on the mission a better one.'²⁷⁵ From 1962 pensions could be distributed through pastoralists,²⁷⁶ and in 1965 it was reported that managers at Wave Hill were withholding pensions of £9000 (\$143,820).²⁷⁷

4. *SOUTH AUSTRALIA*

Whalers and sealers visited the shores of South Australia since the early 1800s, living on Kangaroo Island and abducting women from the mainland. The British parliament passed the *South Australia Act (1834)* to provide for the colonisation of the 'waste and unoccupied lands' of the province. When the first white settlers arrived in December 1836 South Australia was home to an Aboriginal population estimated at 15,000 people in 50 distinct groups;²⁷⁸ the Kaurna people of the Adelaide Plains numbered between 300-500.²⁷⁹ Late in 1839 a native school run by German missionaries was built at the Location, along with five cottages 'for the natives'.

A part-time protector of Aboriginals was appointed in 1837, full time from 1839. Settlement in the south was said to be relatively peaceful at first and by 1840 eleven areas had been declared Aboriginal reserves, although most were leased to white farmers. Bloody clashes and punitive reprisals occurred in outer areas from the 1840s as thousands of head of stock and sheep were overlanded down the Murray River from New South Wales, and as pastoralists spread from the north-east of the colony in the 1860s and 1870s. Aboriginal families were forced from waterholes and fertile areas; there were hundreds of deaths through introduced disease and starvation. Distress intensified after the new government of South Australia in 1857 abolished the chief protector's office and many of the ration stations which had hitherto distributed 'a little flour and a few blankets'²⁸⁰ (the office was re-established in 1861). In the 2800 square miles around Adelaide Aboriginal numbers fell from 650 in 1841 to only 180 in 1856;²⁸¹ in 1860 the protector said the 'Adelaide tribe' had nearly died out. By the 1880s white occupation was complete except in the far north-west. At the turn of the century the Aboriginal population numbered around 4000 full-bloods, with 820 half-castes, mainly situated in the south.²⁸²

4.1 *Controlling work and wages*

From the earliest days local Aboriginal people were described as honest and 'often extremely useful'. They fetched wood and water, picked and bagged potatoes, threshed and winnowed grain, laboured at fencing and road making. By the mid 1840s Aboriginal gangs were reaping hundreds of acres of wheat and in the early 1850s, in some areas, were employed to shepherd 200,000 sheep.²⁸³ In the south

east it was reported ‘nearly the whole of the natives have left the Murray and lakes to assist at the harvest’, and several workers were paid 2 shillings a day plus food. Others worked the steamers in return for clothes, blankets, flour and tobacco, or traded cockatoos, possum skins, ducks and kangaroos. On many northern stations most of the work was done by Aboriginal labour which was described as ‘indispensable at present’ especially on sheep farms, and they were paid in food and clothing.²⁸⁴

In the 1860s the ranger at Tarpeena and the storekeeper at Goolwa both reported many white farmers reneged on promised payment to Aboriginal workers; the storekeeper suggested a form of work agreement be introduced, signed in his presence, so he could enforce proper payment.²⁸⁵ This was not implemented; in fact the office of chief protector lapsed between 1868-1888. During the Victorian gold rushes, Aborigines filled the places of shepherds and stock workers who left for the fields. A Native Training Institution was established in 1850 at Poonindie north of Port Lincoln, the Point McLeay mission started in 1859 as a refuge for people of the Murray Lakes and Coorong area, and the Point Pearce mission was established in 1868 on the Yorke Peninsula.

During the 1880s Aboriginal families supported themselves through farm and domestic work, rations and traditional food gathering. Although many workers negotiated payment for their labour they continued to be cheated by unscrupulous employers at the turn of the century. One pastoralist on the Nullarbor Plain stated he paid his Aboriginal shearers the same rate as white labour,²⁸⁶ which was in short supply. When one man was promptly swindled of his pay for a few bottles of grog the pastoralist managed to recoup most of the money for him. It was reported that Aboriginal doggers near Lake Eyre were given a ticket to the races in place of their wage cheque, and white kangarooers on the Nullarbor Plain employed Aboriginal shooters to do the work and abused their women at the camp; the workers were paid mostly in rations and clothes while the kangarooers kept the profits.²⁸⁷

The South Australian government passed the *Aborigines Act (1911)* specifically to regulate Aboriginal lives. This established an Aborigines department and appointed a chief protector, allowed provision to fund institutions such as missions and gave the government the right to confine people on reserves, unless they were legally employed. The Act applied to all full bloods and any half-caste living or associating

with full bloods and all half-castes under 16 years of age. The chief protector was made legal guardian of every child of Aboriginal descent until 21 years of age and could control the property and finances of any Aboriginal or half-caste.

Police officers were empowered to inspect workers and their conditions. Pastoralists were forbidden to entice labour from other employers, had to inform the protector of the death of a worker and send to him the property or wages owing to the deceased. Although the new law directed the department 'to protect [Aboriginals] against injustice, imposition, and fraud', the only provision relating to protection of workers was a clause forbidding female Aborigines from wearing men's clothing, an attempt to stop the practices of using women for men's work and disguising sexual companions. The South Australian law omitted²⁸⁸ key employment regulations which the government had mandated in the Northern Territory under the recent *Northern Territory Aboriginals Act (1910) (SA)* – particularly the licensing of employers, regular returns of employees, and payment of wages to a protector. This left Aboriginal workers at the mercy of employers. From Innamincka the protector wrote of five women working on a station who received only 'a slice of dry bread and a piece of meat each meal', although two women also received a dress after two and a half years' work; two lads aged 16 got no wages. Women working the wool scourer on another station received only a dress each and rations. The protector said: 'I think it is about time that slavery is put a stop to among the natives of Australia.'²⁸⁹

Regulations in 1917, 1918 and 1919 related primarily to the management of Aboriginal families on missions and stations (Point Pearce and Point McLeay were taken under government control in 1915 and 1916 respectively). Legislation in 1923 and 1934 (see 4.1.1 below) tightened controls over Aboriginal children but Aboriginal employment remained unregulated. In the closer settled areas of the south the preference was for white labour, and in remoter areas where Aboriginal labour predominated, pay was poor, if at all. In 1925 the chief protector reported great dissatisfaction among workers regarding low wages in some districts; on one station the manager would not pay a wage nor cancel debts, forcing the men to leave unpaid and take up dogging instead. In the late 1920s Todmorden station (central north) paid only 5 shillings (\$12) plus clothing and rations, while stations near Ernabella paid 30 shillings.²⁹⁰ Anthropologist Herbert Basedow, chief protector in the Northern Territory in 1911, said in 1927 that Aboriginal pastoral workers

in South Australia 'are kept in a servitude that is nothing short of slavery'.²⁹¹

In the 1930s Dr Charles Duguid reported that cruelty against Aboriginal workers was common practice, with many 'breaking in' their workers as though they were 'taming wild animals'.²⁹² The Newcastle protector said wages of stockmen were mostly recouped through the station store before settlement; clothing costs absorbed at least 4 weeks wages at £1 (\$58) weekly and many station managers signed workers only on short term contracts.²⁹³ The missionary at Oodnadatta said in 1939 workers got only 'what their employers care to give them' and without legal safeguards workers could only walk off unpaid or continue to endure exploitation.²⁹⁴ From Ernabella the missionary warned some pastoralists were so abusive they should be banned from employing Aboriginal labour.²⁹⁵ Exploitation of Aboriginal labour – failure to pay wages or provide liveable conditions – was at times a matter of life and death for workers and their families. Many remote stations would not employ men with large families, and there was always the risk the children would be taken into state care while men were away droving or fencing.²⁹⁶ Exploitation was so dire the missionary from Ernabella said some pastoralists should be banned from employing Aboriginal labour.²⁹⁷

The *Aborigines Act Amendment Act* of 1939 abolished the office of chief protector, replacing it with an Aborigines Protection Board to administer the Act. The system of regional protectors continued. The 1939 Act broadened the definition of an Aboriginal subject to government controls to include 'all persons' of Aboriginal descent, thus including half-castes who were previously free, although individuals meeting particular criteria could apply for exemptions. There was no attempt to regulate employment. During World War II many men were conscripted and others enlisted in the armed forces from the missions and government stations, receiving full training, pay and conditions. With the shortage of manpower there was almost full employment for Aboriginal workers on farms and stations, railway maintenance and charcoal burning, and also for the army camps in the north, again with equal pay, conditions and training.²⁹⁸

While the *Aborigines Act Amendment Act (1939)* widened government controls to include all persons of Aboriginal descent and continued management provisions over Aboriginal property and finances it fixed no employment safeguards. Records for

the early 1940s show the Board was told several times of gross cruelties but declined to act stating it had no authority to prohibit the hiring of Aboriginal labour.²⁹⁹ In urban areas equal wages theoretically applied although the Aborigines department could approve a lower rate for employees not considered fully proficient.³⁰⁰

In 1947 the chief protector suggested implementing the £1 (\$40.40) weekly pastoral wage, including keep for a wife and child, which was agreed between the federal department of Native Affairs and Northern Territory pastoralists.³⁰¹ He also proposed Board control of wages in remote areas through special trust accounts.³⁰² Continued failure to implement inspections enabled the overcharging of goods against workers who were paid, many stations thus paying no wages for months at a time; yet the government still did not license employers. In 1950 police in the eastern border region reported stations were charging workers double for their clothes and blankets, thus avoiding for months payment of the £4 (\$122.30) weekly wage. He said many small holdings only survived because they paid little or no wage to their Aboriginal workforce.³⁰³

Under the *Aboriginal Affairs Act (1962)* the minister took responsibility for Aboriginal administration, rather than the renamed Aboriginal Affairs Board. However employment conditions were virtually unchanged; there was still no effective regulation of pastoral abuses. Following a decision by the national Conciliation and Arbitration Commission, equal wages were proclaimed in 1966 for introduction after 18 months, although the 'slow worker' clause enabled much exploitation to continue.

4.1.1 Child workers

The 1844 Ordinance, which provided for the 'protection, upbringing and maintenance' of orphans or destitute Aboriginal children, nominated the protector as legal guardian of all children of mixed descent. Any two justices, with consent of the Governor or one parent, could indenture half-caste children until the age of 21 years. After problems with children absconding from the Adelaide school, 'just when fitted for employment as apprentices or domestic servants', a Training Institution was established at Poonindie near Port Lincoln and in 1852 18 children were transferred there away 'from the influence of their parents'.³⁰⁴ Children were subsequently indentured from the missions at Point McLeay and Point Pearce.³⁰⁵ Aboriginal

children could also be institutionalised under the *Destitute Persons Relief Act (1872)* which allowed two justices to commit to an Industrial School or orphanage children deemed 'destitute or neglected'. Aboriginal children were very vulnerable to removal: destitution was defined as being without sufficient means of subsistence or having relatives in indigent circumstances; neglect applied to children wandering, sleeping in the open air, or without a home or settled abode, among other criteria.

By the 1870s many European families had Aboriginal child servants, having 'persuaded' parents to leave children in their care. In the late 1880s the Point McLeay superintendent argued legislation was needed to keep the children in school, a measure which would also prevent parents retrieving them 'contrary to the rules' of the mission. He asked two such girls be arrested as neglected children, and his successor was granted permission to refuse rations to parents unless their children remained at the school. The *State Children's Act (1895)* continued definitions of neglect which left Aboriginal children at risk of removal, although it was infrequently used in this regard, despite official acknowledgement that the 1844 Ordinance was 'virtually a dead letter'.³⁰⁶ A Bill introduced in 1899 to extend protection in the Northern Territory included provisions to apprentice Aborigines to white employers, but was defeated.

In 1905 there were calls for legislation to 'better control and manage' Aborigines, particularly young half-caste boys and girls who refused to leave missions for indentured work. From 1909 the State Children's department was persuaded to take control of half-caste children under the 1895 Act, and there was a push to institutionalise 'all wandering half-caste children'³⁰⁷ for schooling and training in useful trades. A police list identified 766 half-castes in South Australia, exclusive of the Northern Territory.³⁰⁸ By mid 1911 removals of children between one and seven years of age accelerated, attention particularly focusing on girls.³⁰⁹

The *Aborigines Act (1911)* named the chief protector as legal guardian of every child of Aboriginal descent under 21 years, except those committed to state care under the *State Children's Act*. Any child could be sent to an institution or industrial school and apprenticed to work until the age of 21 years, although these provisions were not rigorously implemented, and most children continued to be taken under the 1895 Act.³¹⁰ From 1912 families were removed from the city and interned at Point McLeay. In part, the government takeover of Point Pearce in 1915 and Point McLeay in 1916 was to

facilitate the indenture of children to work.³¹¹ Child domestics at this time were paid 5 shillings (\$15) weekly.³¹² The *Aborigines (Training of Children) (1923)* allowed the chief protector to have a child institutionalised under the *State Children's Act (1895)* until the age of 18 years, and applied to illegitimate children of any age if deemed neglected, or legitimate children over 14 years. Regulations under the *Aborigines Act (1911)* in 1926 directed every person in an Aboriginal institution to find employment from the age of 14 years, although those under 16 years could remain at school instead.

Although the 1923 Act was informally suspended in 1924 after considerable negative publicity, its provisions were gradually reintroduced and retained in consolidating legislation in 1934³¹³ which amalgamated both the 1911 and the 1923 Acts, retaining the chief protector's powers to institutionalise children until the age of 18 years or, with the governor's approval, control females until 21 years. Many of the girls were sent to Colebrook Home which was established at Quorn in 1927 but moved to south east Adelaide in 1943 (350 children were processed through Colebrook between 1943-72.³¹⁴) An Aborigines Protection Board was created under the *Aborigines Act Amendment Act (1939)*, and was designated the legal guardian of all Aboriginal children in place of the chief protector (now secretary to the Board).

Records reveal missions drew up 'agreements' between their child wards and employers, and frequently asked the chief protector to pressure wards, or their families, to abide by them, despite knowledge the agreements had no legal standing, and the chief protector no legal authority, to enforce them.³¹⁵ In the 1930s the chief protector condoned the sending of girls from the Lutheran mission at Koonibba to work as domestic servants for German families as far away as Victoria, often at discounted rates.³¹⁶ In the 1940s he knew women were being kept at Koonibba long after they were 18 years old. After one woman demanded release of her 30-year-old sister from Koonibba the chief protector conceded only that she could have a one month holiday. Controlling women after the age of 18 years was known at Koonibba as the '21 rule'.³¹⁷

Apprentice labour, especially of girls retained many years after legal maturity, provided useful income to the missions, which took direct receipt of most of their wages. In the 1950s one 17 year old girl from Colebrook received only 10 shillings (\$10.45) weekly in wages, while the United Aborigines Mission took four times that.³¹⁸ Many girls were overworked and suffered in poor conditions,

their primitive living quarters exacerbating their vulnerability to sexual predators, as pregnancies in the younger girls attest.³¹⁹ The numbers of children in state control doubled from 199 in 1957 to 412 in 1959,³²⁰ with 260 in institutions and 152 working in private homes. Under the *Aborigines Affairs Act (1962)* Aboriginal children were to be dealt with under mainstream legislation, although the governor retained the authority to regulate the conditions for apprenticing Aboriginal children or sending them to service. An Amendment in 1968 repealed sections relating to the training and institutionalisation of Aboriginal children.

4.1.2 Community workers

During the late 19th century the missions and government stations became settled farming communities, developed through Aboriginal labour including harvesting, shearing, land clearing, fencing and building. Many men took outside contract work to help support their families on the reserves. Parents were compelled to send part of their wage to the mission or government station to support children confined there; at times they were threatened the child would be made a ward of state if they failed to forward the payment.³²¹ Workers on Point Pearce went on strike in 1901 over the poor education available to their children and over reduction of weekly wages from 9 shillings to 4 shillings (\$41 to \$18) plus rations.³²²

In 1915 a boot factory was started at Point McLeay, and a saddler was employed in 1923 at Koonibba to train apprentices.³²³ Regulations in 1917, following government takeover of Point McLeay and Point Pearce, stipulated a minimum 45 hours work per week (October-March) and 40 hours (April-September), and allowed for expulsion from reserves for a range of behaviours including laziness, insolence, insubordination, and 'being an able-bodied person over the age of 14 years' who fails to seek external employment. In 1919 David Unaipon had worked for three years in the Point McLeay store for a weekly wage of 30 shillings (\$70.30) and applied for a rise; this was rejected on the grounds the benefits of living on the reserve (house, firewood, medicines) added a further 11 shillings value.³²⁴ In 1924 the average wage on the government stations was less than half the white wage, insufficient to feed and clothe a family.

After sixty-five men from Point Pearce petitioned their local member of parliament in 1941 protesting their low wages among other concerns, the Protection Board

recommended an increase from 5 to 6 shillings a day (\$12 to \$14.45).³²⁵ Girls worked as maids in staff houses, paid around two shillings daily.³²⁶ In September the same year the shedhands struck for award wages.³²⁷ From 1947 managers at Point Pearce and Point McLeay were directed to make a list of single and young married men who could be ordered off the stations and compelled to take external work.³²⁸ Between 1937-1977 the department operated a card file on every Aboriginal on the missions and stations which listed wage earnings among other personal details.³²⁹ Weekly maintenance payments levied for Colebrook children in 1944 were £1 (\$43) per child. In 1950 married workers on the stations were paid 50 shillings (\$126) weekly, about one-third the general wage for white males.³³⁰ A petition by 70 Point Pearce residents in 1952 called for wages to be increased to £7 (\$153), but the Board decreed wage rates were a matter for station managers.³³¹ Regulations in 1960 continued the requirement that inmates work a 40-hour working week. Estimates suggest 400-800 inmates of the two stations were penalised by low wages and financial controls.³³²

4.2 Trust funds

The *Aborigines Act (1911)* empowered the chief protector to take control the property and finances of any Aboriginal or half-caste and receive property and wages owing to any deceased person. Under this law and also the *State Children's Act (1895)*, children could be institutionalised and then sent to employment until the age of 21 years (reduced to 18 years after 1923), their earnings controlled by the government. Wages of children sent to work from the missions were controlled by those institutions. Men working outside the government stations were required to send money to the stations for the maintenance of their wives and children: it is not known whether station managers controlled this revenue. Between 1939 and 1962 the government could control the finances of all people defined as Aboriginal, even those not living on missions or stations until 1962. Only those granted an exemption from state control were allowed to operate private bank accounts. According to Raynes, many accounts were opened without the consent of the beneficiary, to receive inheritances, compensation or gratuities. In 1939 the chief protector was granted control of a returned serviceman's pension of two shillings and threepence weekly.³³³

In 1940 the Board held 'a number of accounts' at the Savings Bank of South Australia in the joint names of the chief protector of Aboriginals and person to

whom the money belonged,³³⁴ it is not clear what restrictions were placed on clients accessing these savings. In 1942 the chief protector refused to transfer £125 (\$5518) from a deceased estate to the beneficiary unless the man exempted himself from the Act (which would have prevented him from returning to a reserve without a permit, and disbarred him from relief from the Board). The chief protector admitted he had ‘no power to retain the money without the consent of the Aborigine concerned.’³³⁵ In 1951 the chief protector successfully applied to control a military Gratuity due to a recently widowed mother and her two children.³³⁶

In 1953 45 Aboriginal trust accounts holding £2375 (\$49,590) were consolidated into a single interest bearing account in the name of ‘Trust Fund – Aborigines Protection Board’.³³⁷ In 1954 one man was advised he had a balance of almost £257 (\$5340).

4.3 Controlling Commonwealth benefits

Under the Commonwealth *Maternity Allowance Act 1912* a £5 (\$360) cash grant was paid to parents of a newborn child, including Aboriginal mothers with ‘less than 50 per cent Aboriginal blood’, whether living on a reserve or not. The 1942 *Maternity Allowance Amendment Act* extended the benefits to ‘aboriginal natives living under civilized conditions whose character and intelligence qualified him to receive a pension’. With Aboriginal department authority, half the allowance was deducted to cover hospital costs of confinement, a procedure apparently not applied to non-Aboriginal mothers.³³⁸ The *Child Endowment Act 1941* allotted a cash payment to mothers – including foster mothers and adopting mothers, but excluding nomadic mothers – for children under 16 years other than the first born (for all children after 1950), excepting children wholly maintained in institutions. It appears the Board was delegated to disburse endowment payments to mothers confined on missions and stations, as the department did in Queensland.

Evidence for South Australia suggests similar government policies to control individual endowment and access bulk endowment payments as revenue for the missions, extending to coercion of mothers, at times with official complicity. It was policy at Koonibba not to forward endowment to parents while children were on holidays, until the children were returned to control of the mission.³³⁹ In 1944 the mission did not forward child endowment to an ex-inmate and gained the cooperation of the

chief protector who alerted local police to pressure her to return to the mission.³⁴⁰

Indeed when three large families left Koonibba the missionary contacted the deputy commissioner of Child Endowment arguing they should not be allowed to receive the payment unless they returned their children to the mission school; he refused to forward the money in anticipation that the families' destitute circumstances would force their return. Local police threatened families that their children would be taken from them, forcing one family to return.³⁴¹ In 1945 it appears only part of endowment owing was paid by the department to a mother in dire need.³⁴² In 1946 the APB Secretary agreed that the Finnis Springs mission should withhold endowment due to a mother who refused to work in the mission laundry.³⁴³ Endowment was supposed to be spent at the mission of the endowed mother, but was often misapplied by mission boards: the Oodnadatta missionary complained that none of the endowment income for resident mothers was spent at that mission, a practice in which it appears the government was complicit.³⁴⁴ It is not known how much endowment was withheld by the government and the missions, and for what purposes these sums were expended.

In 1941 the chief protector threatened he could notify the Defence department to review one mother's pension, or have her children removed, if she did not comply with directives.³⁴⁵ Commonwealth criteria were altered slightly in 1947 to allow payment of pensions and the maternity allowance to any person exempt from State controls or meeting a certain standard of 'character, intelligence and social development'. From 1960 aged, widows and invalid pensions were paid to Aborigines controlled by the state. It must be ascertained whether these payments were also intercepted by authorities, as happened on Queensland settlements.

5. WESTERN AUSTRALIA

From the early 1800s sealing and whaling crews visited the south coast of Western Australia, at times abducting Aboriginal women as sexual partners. British settlement commenced in 1826 at Albany and the Swan River settlement (Perth) was founded three years later; the colony extended to the entire western third of the continent in 1832 and was officially called Western Australia. In the same year the native mounted police force was formed to suppress Aboriginal retaliation against white expansion; governor James Stirling led a deadly reprisal assault against people on the Murray River south of Perth in 1834. As occupation expanded Aboriginal resistance continued through burning of grasses and huts and killing of stock. Settlement of Geraldton in the 1850s, the north-west from the mid-1860s and the Kimberley from the 1880s was characterised by open warfare. Even in the early twentieth century there were no effective controls in frontier regions.³⁴⁶

In 1839 ‘guardians of Aborigines’ were posted at Perth and York to mitigate hostilities, but were so aligned with white expansion they were renamed ‘protectors of settlers’ in 1849, a position that was abolished in 1855.³⁴⁷ In an attempt to regulate inter-racial relations the British parliament established an Aboriginal Protection Board under the *Aborigines Protection Act (1886)* to distribute limited relief to destitute Aborigines, to manage Aboriginal reserves and to recommend measures for the care and control of Aboriginal children, including child workers. Each of the five Board members was named a protector. Although self-government was accorded in 1889 the British withheld colonial control over Aboriginal affairs until 1897. By 1900 the Aboriginal population in Western Australia had fallen from an estimated pre-occupation 52,000³⁴⁸ to around 24,000, including 1000 half-castes³⁴⁹ who represented more than half the population in the south.³⁵⁰

5.1 Controlling work and wages

From 1839 governor John Hutt offered bounties to settlers who employed and trained Aboriginal workers and in some southern areas, prior to the introduction of convict labour in 1850, there was sporadic dependence on Aboriginal workers as shepherds, herdsmen and reapers. After the government introduced 3-month work agreements in 1854 those who broke contract could be arrested

and gaoled for 3 months under *Masters and Servants* laws. By the 1860s Aboriginal labour camps were essential to station operations north of the Murchison river, where convict labour was barred. In the 1880s some contracted servants in the Gascoyne district were paid 5 shillings (\$20) a month.³⁵¹

The *Pearling Act (1870)* and subsequent legislation in 1873 mandated contracts for men employed in the northern trade and banned the employment of women and children. By 1881 over 2000 Aborigines were employed in the pastoral industry where the *Aborigines Protection Act (1886)* set the age for contracted labour at 14 years (although squatters had sought a minimum of 10 years), with optional contracts to be verified by justices of the peace or protectors; cash wages were not stipulated nor was there a set term of service.³⁵² This Act applied to every Aboriginal and every half-caste associating or living with Aborigines.

Under the *Aborigines Act (1897)* the Aborigines department replaced the earlier Protection Board, and in 1898 the Western Australian government assumed control of Aboriginal affairs through the relevant minister; a chief protector of Aborigines was appointed but without legal status.³⁵³ The 1897 Act was heavily influenced by the pastoral lobby to secure a stable workforce and punish Aboriginal 'depredations' such as cattle killing. It continued the optional work contracts of the 1886 Act, but now excluded Aboriginal workers from *Masters and Servants* Acts, replacing the 3-month maximum gaol term for breach of contract with a possible 5-year gaol term and the option of whipping for absconding boys and men.

By 1903 an estimated 75 per cent of the Aboriginal population in the south lived in the Avon, Medlands and Great Southern districts,³⁵⁴ combining hunting with seasonal employment on stations and farms, shearing, land clearing, cutting fence posts, and road and railway construction. Women could earn between 5 shillings (\$23.30) a day and 5 shillings a week at domestic work, although many worked with the men, often in family-based groups doing contract work for local employers.³⁵⁵

Commissioned in 1904 to inquire into Aboriginal administration, Dr Walter Roth (chief protector of Aborigines in Queensland) described cruelty in the 'unsettled districts' as intolerable and police treatment of Aborigines 'brutal and outrageous.'³⁵⁶ The 4000 employed outside the system received no wages and no safeguards against abuse and exploitation; stations in the north-west used predominately Aboriginal

labour and most Aboriginal groups were entirely at the mercy of station management. Only 369 workers had the minimal protection of work contracts and some were below the minimum age of 14 years compared with. Despite the lack of contract it was common practice to set the police to bring back absconders or arrest agitators; children as young as 14 were rounded up for absconding, as witnesses or for cattle killing, and chained over distances of hundreds of miles, with some police profiting handsomely from the daily ration allowance. Although Roth recommended a minimum monthly wage of 5 shillings this was rejected by the chief protector on the grounds it would provoke mass dismissals of workers from the stations; one parliamentarian described the current system as 'another name for slavery'.³⁵⁷

The *Aborigines Act (1905)* upgraded the Aborigines department. It introduced single or general employment permits or agreements for all full-blood Aborigines, and all half-caste females and half-caste boys under 14 years of age, and forbade employment of women or children under 16 years on vessels. Despite Roth's condemnation unpaid local police protectors remained the main agency for Aboriginal protection and their powers to allocate rations enabled them to dominate and manipulate the labour pool.³⁵⁸ There was no priority for travelling inspectors to ensure fair treatment and conditions and no way to ensure protective duties were properly executed. Unemployed Aborigines could be confined on reserves, and the chief protector had the power to manage Aboriginal finances and property, with or without their permission. The 1905 Act again set no minimum age for pastoral workers, nor did it specify cash wages. In 1908 the chief protector again rejected a minimum wage for Aboriginal workers.

Despite requirements under the 1905 Act for mandatory contracts employment in the south continued largely unregulated; only 5 permits were issued in 1908 and only 59 permits were in force by 1913. Scant attention was paid to employers who breached contractual conditions through non-payment, but absconders were assiduously pursued and arrested.³⁵⁹ While the chief protector failed in a bid for closer control over Aboriginal wages in the south in 1911, interception by the department became an increasingly common practice.³⁶⁰ (He did succeed in establishing a system of personal files on Aboriginal individuals.³⁶¹ Over 15,000 were created, operating until 1972.³⁶²) In a push to enforce employment provisions, the number of contracted workers increased from around one-third of the workforce in 1916 (with only 34 contracts in the south) to over 200 contracts in 1917 for the south-

west alone.³⁶³ Some employers objected to the inconvenience of permits and agreements for those workers paid the same wage as whites; a few threatened they would not employ Aboriginal labour. It was at this time that the new chief protector demanded control over all the private bank accounts of people contracted to work from the missions, in many cases continuing control into workers' adulthood.³⁶⁴

In 1913 748 men and 530 women were under permit in the Kimberley, most under general permits costing £2 which allowed an unlimited labour supply; by 1918 the labour force had risen to 2279.³⁶⁵ Between 1916-1928 proposals by the chief protector for a minimum pastoral wage were defeated either before reaching Cabinet, or by Cabinet itself, no less than five times, the last after pastoralists argued such a measure gave the department too much power to interfere with their affairs.³⁶⁶ Abuses and cruelty continued largely unchecked, notwithstanding the appointment of a travelling inspector in the Kimberley between 1924-1929. After the Forrest River massacre in 1927 the chief protector conceded a system like semi-slavery continued in the north through the coercion, if not outright cruelty, of many employers.³⁶⁷

In 1932 when the travelling inspector was dismissed in 1932 there were over 1040 Aboriginal workers in the Derby area alone, employed under 30 general permits. Challenged as to government inaction in 1933, the Minister claimed his department did not have the legal power 'to introduce an improved and effective system relating to the employment of natives throughout the State'. Yet the department had a clear mandate to promote the welfare of Aborigines.³⁶⁸

During the depression only 100 people were listed in regular employment in the south. Many unemployed were refused access to work relief schemes on the basis of their colour.³⁶⁹ Hardship was compounded as Aborigines controlled by the department were deemed ineligible for the 7 shillings (\$20) a day sustenance allowance paid their white colleagues, instead they were given rations valued at one-third the white allowance.³⁷⁰

In 1934 after inspecting several east Kimberley stations, police magistrate R D Moseley³⁷¹ concluded the 2000 people living on 70-80 cattle stations in the Kimberley were 'happy' because they received clothes and shelter and were free to move around 'in their natural state'. Although workers were unpaid he said they had no use for money, and he deplored payment of wages in the Pilbara. He noted stations were

responsible for rationing the young, ill and elderly but did not equate this role with the shocking state of general health and high mortality, instead advocating non-interference because the young provided a necessary labour pool given the dearth of white stockmen in the Kimberley. With respect to the growing half-caste population in the south and the squalid conditions of many of the camps where people were forced to congregate, Moseley recommended the camps be broken up and families sent to community settlements where adults would work the land or take local jobs, and children separated into dormitories and trained for future employment.

The *Native Administration Act (1936)* granted these greater powers, now encompassing anyone of Aboriginal descent except for ‘octoroons’ and ‘quadroons’ over 21 years of age; child labour continued although the chief protector’s permission was needed to employ children under 14. The 1936 Act abolished fees for one-month employment permits and reduced casual permit fees. Employers were to provide sanitation, bedding and mosquito net ‘if so required’, and suitable food, drinking and bathing water but, as before, very few stations were checked for compliance. Control of private earnings and property continued; 75 per cent of the wage could be directed to the department (although an Inquiry in 1948 suggests this regulation was rarely activated.³⁷²) Meanwhile wages remained optional: blankets, boots and clothing could be supplied in lieu. The new minister for Native Affairs, leader of the pastoral lobby since 1924, assured pastoralists implementation of the Act and regulations depended entirely on his judgement and would only be applied ‘if circumstances required it’. In 1935 the local protector at Munja warned the commissioner (previously chief protector) the Act was impossible to police in the Kimberley north of the Ranges.³⁷³

Commissioner A O Neville warned a 1940 Royal Commission into the beef industry that there would be trouble in the Kimberley if Aboriginal people were not paid for their work.³⁷⁴ The Commission heard that shortages of Aboriginal labour in the pastoral industry in part resulted from the high incidence of bone breakages and permanent maiming: the commissioner responded that serious injuries occurred so commonly that they were no longer recorded on departmental files.³⁷⁵ Yet the travelling inspector, re-appointed in 1944, reported from the north that local tribes did not require departmental assistance: he said they chose to live in remote areas and were accustomed to surviving on very little. Although token payments had been introduced for station workers in 1940, these were rarely policed. On many stations

wages purportedly 'paid' were in fact engineered through book entries for stores; department officers noted this was still common practice in the Kimberley in 1949.³⁷⁶

Although limited wages and conditions were introduced in 1944 under the State Farmworkers award, this applied only to workers in the south-west³⁷⁷ where demand was high and many were already paid wages for seasonal work including unskilled labouring, shearing and housekeeping. Despite submissions in 1944 to the Commonwealth Arbitration and Conciliation Commission detailing the many responsible positions filled by unpaid pastoral workers in the north, 'full-blood' station workers were again excluded from the pastoral industry award, the commissioner endorsing the view of the pastoral industry that money would be of no use to Aboriginal workers.³⁷⁸ Although the Pilbara protector reported in 1945 that workers in his district were too disorganised to threaten the pastoral industry, in May 1946 800 people walked off the stations, a great many staying out until 1949.³⁷⁹ Stockmen from three stations near Broome had also planned to strike, and workers in the Derby area threatened to do so.³⁸⁰

At a national conference in 1948, Western Australia was the only state failing to support a recommendation that a minimum cash wage be paid direct to all pastoral employees. In 1948 the Bateman Royal Commission acknowledged the pastoral industry was 'almost entirely dependent on native labour' and recommended a small cash wage paid as credits through station stores.³⁸¹ Like the pastoral industry, Western Australia's Goldfields would also not have prospered without the virtual slave labour of Aboriginal workers.³⁸²

While most protectors only consulted station managers, a new protector in the Kimberley in 1949 spoke with camp inmates, many of whom demanded better living and working conditions. He found that the young, elderly and women were commonly worked without wages, many of the latter at full time stock work, and he urged the department to enforce the 1936 Act and regulations.³⁸³ Discrediting pastoralists' claims that Aboriginal workers were too primitive to understand money, he questioned how 'a lot of unintelligent people could completely run sheep and cattle stations as they are doing throughout the Kimberleys' and said 'there is no doubt at all that the natives themselves want wages'.³⁸⁴ But in 1950, despite severe shortages of white labour, Aboriginal stockmen were still paid only £2 (\$61)

weekly (one quarter the white rate), and most were 'in debt' to station stores.

Kimberley pastoralists rejected any official intervention over work agreements, conditions, wages or trust accounts. In 1950, when an informal agreement was crafted between the department and the pastoralists setting monthly pocket money of £1 (\$30.50) to drovers and 10 shillings to women and all other workers, pastoralists were told even this cash component would not be enforced,³⁸⁵ the 'pocket money' could be paid as store credits or rations at the managers' discretion. (Award wages for station hands were then £9.13.0; the old age pension was around £3.)³⁸⁶ For many key pastoral workers the set rate was much lower than wages previously negotiated.³⁸⁷ Town workers in the north had no security of wage rates with many domestics paid 5 shillings weekly, working without breaks and provided shoddy accommodation.³⁸⁸

In 1952 the commissioner of Native Welfare said the 'native contribution' to the state's economy was in direct ratio to the value of the pastoral industry, which he put at £26 million (\$568 million),³⁸⁹ yet the department's officer reported workers had the status of slaves.³⁹⁰

The resources of this country have been developed at the cost of the labour employed. Men have added to their worldly possessions at the cost of other men. Such development has only one true name, and that is exploitation.

The *Native Welfare Act (1954)* marked the end of employment permits and a range of restrictions but it did not address the failure to pay wages in the north. Station managers were now required to keep a written record of goods sold to Aboriginal employees in lieu of wages but in the north many large stations simply economised by cutting rations and living conditions to the bare minimum. Increased patrols in the 1950s and 1960s reported that rations and amenities were commonly appalling.³⁹¹ Although wages were listed on many station reports workers say they never got any money: 'the people themselves existed in an entirely cashless economy.' It is clear the state government not only knew of the 'semi-slavery' endemic to the pastoral industry but supported it.³⁹²

In 1962 and 1963 demand for pastoral workers exceeded supply in the Kimberley³⁹³ and many workers moved off the stations to the towns where wages were ten times higher, although it was reported in 1965 that people who refused work at below-

award wages were denied unemployment benefits.³⁹⁴ In 1966 the head stockman on Kimberley Downs earned only \$10 (\$71) a week, and domestics were paid half that; several workers from this station threatened to walk off in 1968 over poor rations and the working of women without pay.³⁹⁵ Implementation of the 1967 decision to include Aboriginal workers in the national Pastoral Industry Award was deferred in the Kimberley until the 1969 work season, and applied only to union members and full-blood Aborigines holding a certificate of citizenship; domestic workers were excluded. By 1970 only around 50 per cent of Kimberley workers were paid equal wages and very few were unionised; a large percentage worked for partial wages under the 'slow worker' tag, the department maintaining it had no jurisdiction over its application.³⁹⁶ Many 'slow workers' were paid only \$20 weekly; Mt Elizabeth station paid every stockman only \$15.³⁹⁷ Although legislation in 1972 lifted the last restrictions from full-blood people in the Kimberley, including the pre-requisite of citizenship status for exemption from government controls, some stations continued to maintain that award wages were not due to non-union labour.³⁹⁸ Records suggest the department failed to follow up constant complaints of underpayment of wages, some persisting over many years.³⁹⁹

5.1.1 Child workers

Mission schools in 1838 (at Middle Swan) and 1840 (Perth) attempted to teach and domesticate Aboriginal children with little success. In 1841 a home for Aboriginal children was started at Guildford to train children for service but 11 of the 23 pupils died within a few months from introduced diseases. Another school opened in 1842 at Fremantle with 15 pupils – most girls – but also failed due to sickness and death. To prevent families reclaiming their children legislation in 1844 made it an offence to remove a child from school or work without consent of the protector or the employer.⁴⁰⁰ In 1846 the Benedictine monks started the New Norcia mission north of Perth to 'christianise and civilise' Aborigines in the Victoria Plains area; by the 1860s it trained children from the south in domestic and farm work, hoping they would stay on the mission to create a new community.

The Swan Native and Half-Caste (SNHC) Home opened in Perth in 1871 and a small farm home opened in 1898 at Ellensbrook on the Margaret River. These institutions operated predominately as orphanages under the 1874 *Industrial*

Schools Act (1874) which applied to orphaned or surrendered white children, and to every person of Aboriginal descent ‘apparently’ under 21 years who surrendered themselves, or was surrendered into institutional care by a parent ‘or apparent guardian and friend’. Aboriginal orphans, or children not living under the guardianship of either parent, could also be institutionalised by direction of a magistrate. Wards under the 1874 Act were trained and sent into service without parental permission between 12 and 21 years of age.

After 1886 Aboriginal children were institutionalised under the *Aborigines Protection Act (1886)* which charged the Aborigines Protection Board⁴⁰¹ with the ‘care, custody and education’ of Aboriginal children. Children could be sent to service from any ‘suitable’ age rather than the minimum age of 12 under the Industrial Schools Act; in 1904 Dr Roth reported that the chief protector considered Aboriginal children should be indentured from the age of six.⁴⁰² Children over 14 years were indentured under binding 12 month contracts. In the north children as young as five were captured from parents, signed as servants for several years and treated like slaves; any who ran away were punished mercilessly and faced imprisonment. Horrific abuses continued, particularly in the northern pastoral and pearling industries where children were indentured from as young as ten, sometimes for a decade of unremitting labour. After 1890, children in the north could be removed to Beagle Bay mission. As one magistrate protested in 1905, child servants received neither education nor payment for their work, and employers were ‘apparently responsible to nobody.’⁴⁰³

After the Aborigines department was created in place of the Board under the *Aborigines Act (1897)*, government focused primarily on the ‘near white’ children in the south. In 1902 122 children were already under state control when the chief protector demanded he be notified of half-caste children who might be persuaded to move to a mission or institution.⁴⁰⁴ His argument that he needed the power to dispense with parental consent so children could be collected from camps and trained as useful workers was endorsed in 1904 by Roth, who recommended the chief protector be made legal guardian of all Aboriginal children under 18 years and given control of all Aboriginal institutions. This power was accorded under the *Aborigines Act (1905)* which made the chief protector guardian of all children of Aboriginal descent to the age of 16 years. Education of Aboriginal children was now the responsibility of the Aboriginal department, and many

state schools in the south subsequently expelled Aboriginal children.⁴⁰⁵

Children of any age could still be employed, although official permits were required for boys younger than 14 years and for all half-caste girls. Rowley noted the chief protector advocated a minimum age of 6 years, and squatters argued that children should be treated as adult workers from the age of ten.⁴⁰⁶ In 1906 the missionary at Beagle Bay requested police round up children in his area, stating there were 200 'obvious cases' who could be sent to the mission. Asked to report in 1907 on half-caste children in the north, the travelling inspector recommended all boys over 12 years of age should be left with the pastoralists, young girls should be sent to missions, and girls over 16 years should be put on contracts so they couldn't be 'enticed away'.⁴⁰⁷ In 1909 police were required to list all half-caste children, and authorised to summarily remove all who were over 8 years of age, despite the fact this conflicted with legislation requiring parental consent.⁴⁰⁸ An Amendment Act in 1911 removed the requirement for parental consent for all 'illegitimate' half-caste children; given few unions were formalised most children were vulnerable to this provision.

In the south children were sent either to the SNHC Home or to the New Norcia mission. From the former institution, boys were sent out from age 14 as farm labourers with a starting wage of 5 shillings (\$20) and girls were sent from age 17 as domestics, paid between £1-£2 (\$80-\$160) a month. Children at New Norcia were put to work on the mission from around 13 years, paid a token monthly wage, and encouraged to marry and settle on the mission. In 1910 the government purchased a cattle station in the east Kimberley (Moola Bulla) which it ran as a ration depot and detention centre for people arrested or ejected from pastoral stations. Here the children were trained as domestics and stockmen for local employers. The government established new settlements (Carrolup in 1915 and Moore River in 1918) to intensify the training of children in the south and limit subsidies to the missions; by 1919 New Norcia was the only remaining southern mission.

From the 1920s children from around the state were sent to Moore River to be processed into the wider community as servants from the age of 14, and many were happy to escape the settlement and have some semblance of independence. Records suggest the high demand for domestic servants drove the indenturing of girls from the settlements, and that girls were at times refused permission to marry because this

would void their employment capacity.⁴⁰⁹ Demand was stimulated by the department's willingness to hire settlement trainees at low wages. The department took direct control of the whole wage of children under 16, but older children were given some pocket money in hand. In the 1930s this was around one-third of the weekly wage of 7 shillings and sixpence (\$21.70), although experienced servants could earn up to 25 shillings (\$61).⁴¹⁰ Requests to withdraw from personal savings were rarely approved.⁴¹¹ Records suggest that the department took money from private wages medical expenses, clothing costs, and transport and police escort costs for domestics despite the fact these costs by regulation should have been met by employers.⁴¹²

At work girls were exposed to sexual assault, and others entered sexual relationships in good faith. In 1921 30 girls returned pregnant to Moore River. Mothers were sent back into the workforce after two years, their children taken from them,⁴¹³ the lighter-skinned babies processed through Sister Kate's Quarter Caste Children's Home which opened in 1933. At Sister Kate's children were taught to reject their Aboriginal heritage, and were sent out to work from around 14 years of age.

The *Native Administration Act (1936)* extended the commissioner's (previously chief protector) guardianship over all legitimate and illegitimate children, whether or not their parents were living, from 16 years to 21 years. Regulations in 1939 continued the indenturing of children under 14 years, although this now required the commissioner's approval.⁴¹⁴ Full blood children were rarely removed in the north, being considered an employment resource on the stations, and the commissioner admitted the department had no idea how many half-caste children were worked on Kimberley stations because many pastoralists feared the loss of child workers⁴¹⁵ and refused to declare them or negotiated informal exemptions from departmental controls. Removals of Aboriginal children from the late 1940s were more frequently processed under the *Child Welfare Act (1947)* which allowed children defined as destitute or neglected to be taken into state care and boarded out or put into service until the age of 18 (for boys) and 21 (for girls). Pastoral station records from the 1950s show children as young as eleven listed as workers.⁴¹⁶

In 1948, as minimum wages were debated in the Kimberley, the matter of child workers on the missions was raised by the pastoral lobby. The department declared complaints about working conditions were irrelevant because mission children

were not ‘commanded’ or ‘ordered’ to work and therefore were not ‘employed’ in a legal sense under *Masters and Servants* laws.⁴¹⁷ In 1958 it was estimated almost 25 per cent of Kimberley children were confined on the missions.⁴¹⁸ Although the *Native Welfare Act (1954)* revoked the removal powers of the Aboriginal commissioner he remained guardian of Aboriginal children until 1963.⁴¹⁹

5.1.2 Community workers

In 1899 the government started the Welshpool reserve near Perth, to be run on similar lines to New Norcia with families granted houses and blocks of land and working to support costs of running the settlement; the wage paid to workers on the reserve in 1903 was £1 (\$44) weekly. Northern missions such as Moola Bulla, Marndoc, and Beagle Bay (which took mainly half-caste children) were more concerned to establish permanent communities rather than merely supply labour needs in the Kimberley. (Pastoralists complained, into the 1940s, that by supplying rations and security the missions unfairly competed with them for labour.⁴²⁰)

Until 1905 the Aborigines department had no control over treatment and conditions of children sent to New Norcia, the SNHC Home or the Ellensbrook Farm Home, which all operated under the *Industrial Schools Act (1874)*. At Ellensbrook the children spent most of their time at farm and domestic duties, receiving schooling only one day a week before they were old enough to be indentured.⁴²¹ The work environment was similar at New Norcia: the boys growing and carting produce for the other orphanages and colleges; the girls cleaning, washing, ironing and embroidering as well as sewing clothes for the various institutions. Around 1910 the department considered setting up a range of settlements to absorb the population in the south, operating as ‘clearing houses’ by separating children from their parents and training them for outside employment.⁴²²

Expanding white occupation in the south and budget cuts after 1917 forced the closure of many rural ration depots and increased movement to the settlements; between 1915-1920 around 500 people were sent to the settlements, representing one-quarter of the Aboriginal population in the south.⁴²³

The settlements and missions were developed with Aboriginal labour – land clearing and fencing, stock and farm produce, sheep and cattle, road making and

bridge building. Regulations in 1916 demanded inmates perform all work and duties required, and obey all reasonable instructions of superintendents. Granting of rations was linked to willingness to work and work was only paid in rations, even for those who had for years commanded good wages in the community. Food production, along with the making and supply of clothes to other state institutions, further reduced government outlays. By 1918 the manufacture of clothing on the settlements was a major income source, girls from about 13 years of age working up to 30 hours a week without pay, their production in 1920 of 7500 garments cutting the department's clothing costs by 50 per cent.⁴²⁴ Once on the settlements the children were retained in the dormitories from school age and adults could not leave without the minister's permission.

The department intensified its settlement policy from 1920, establishing southern reserves at a sufficient distance from white towns to allay white demands but close enough to supply labour; ninety youngsters were sent out to domestic work in 1928 alone. Women from Moore River were paid only five shillings (\$12) for a day's work ironing, scrubbing and polishing floors and they were forbidden to use private employment agencies to seek better positions and pay.⁴²⁵ In the 1930s male workers on settlements such as Moore River were still paid in extra rations and tobacco, only those in the few key jobs getting up to 10 shillings (\$29) weekly to spend at the settlement store.⁴²⁶ The department also profited from gold mining on some reserves: a file from 1934 relates to the 'percentage held in trust for the natives'.⁴²⁷

5.2 Trust Funds

Under the 1897 Act one of the duties of the Aboriginal department was to protect Aborigines from injustice and fraud. The 1905 Act empowered the chief protector to manage Aboriginal finances and property, with or without their permission. From 1909 people contracted through the department, or those indentured from the children's Homes and missions, were pressured to put part of their wages into trusts accounts supervised by the department. A 1910 file is titled 'Aborigines Account – Trust Monies received on behalf of individual Natives – re disposal of',⁴²⁸ but the department had no power to force this arrangement and controlled only 8 accounts at that time. The department could use powers under the 1905 Act to take control of the property of Aborigines who died intestate and apply it to the needs of

dependants. Evidence suggests it overstepped this power to handle personal affairs even where a will existed, and to the detriment of the beneficiaries.⁴²⁹ From 1910 all Aboriginal 'trust moneys' controlled by the chief protector were paid into the 'Colonial Secretary's Aboriginal Account' in Perth from where lump sums were withdrawn by cheque for distribution to the individual savings accounts controlled by the chief protector. Records give no indication that individuals were consulted about this practice; certainly they could not access their savings without permission.⁴³⁰

Under regulations in 1916 the department imposed fees for employment permits and agreements, payable by employers. Employers were now also pressured to pay part of the wage direct to department control for deposit in individual trust accounts, despite objections from both workers and employers. By 1919 the department managed 53 such accounts with a total balance of over £1555 (\$73,200).⁴³¹ From 1922 a separate account, the 'Deputy Chief Protector's Trust Account' was opened to absorb wages from workers in the south-west of the state.⁴³² The number of controlled trust accounts increased rapidly during the 1920s, and many people subsequently claimed they never received these earnings.⁴³³ In the 1930s, the amount directed to the department from domestic wages was 5 shillings (\$14) (two-thirds the wage) for first year workers and half that again, for second year girls; the wage doubled again for experienced workers.⁴³⁴

Head office vetted all requests to access private savings, and frequently denied them. It was not department policy to provide young workers with details of transactions on their savings, even when requested. By 1934 the department held 173 trust accounts totalling over £2300 (\$134,920) with a further £2400 (\$140,785) sidelined in investments.⁴³⁵ After opening a hostel in Perth to accommodate girls travelling from the settlements to paid employment, or between jobs, the department charged them 25 shillings a week plus one shilling for each meal, equivalent to the full weekly wage of experienced domestics, as well as demanding the girls maintain the premises. Over 170 women were rostered there in any one year.⁴³⁶ Other charges against girls' accounts included train fares, medical treatment, and costs of the 'escorts' who took girls to compulsory employment.⁴³⁷

The Crown Solicitor ruled that Aboriginal workers were covered by the Workers Compensation scheme, but in 1928 the chief protector advocated instead that he

be appointed to act as their agent, as was the case in Queensland, so that payments would be made to him to be applied for the general benefit of all Aborigines. Alternatively he recommended all employers be required to contribute to a medical fund for Aboriginal workers like in the Northern Territory, currently a requirement only for workers under contract. These measures were part of the defeated 1929 Bill⁴³⁸ but were included in the *Native Administration Act (1936)*. This established a Aborigines Medical Fund for station workers, comprised of an annual £1 fee for each permanent worker and all dependents, 10 shillings for trainees and 5 shillings for casual workers. Those who contributed to the voluntary fund did not have to provide workers compensation insurance.⁴³⁹ This system continued until the *Native Welfare Act (1954)* which terminated the voluntary medical fund; all workers then reverted to full workers compensation cover.⁴⁴⁰ Records show the department at times refused to pay out substantial trust holdings: in the 1930s one account holder was told she could not withdraw amounts greater than £3 (\$180) despite the fact her investment of £600 (\$36,000) was returning £22 monthly.⁴⁴¹

This policy was also followed with inheritances. The 1936 Act empowered the Aboriginal department to officially control all property of intestate wards, previously controlled by the curator of Intestate Estates. By 1940 it held a ‘substantial amount’, including one estate of £400 (\$20,150) which it refused to pay to the beneficiary despite numerous requests.⁴⁴² The department was also aware many beneficiaries knew nothing of the inheritances it held for them. After 1936 the department claimed the wages of any absconding or deceased workers which, with the estates, went into a special trust fund for the benefit of Aborigines generally.⁴⁴³ In 1940 the commissioner of Native Affairs admitted: ‘Our trusteeship of the moneys is a delicate matter ... so we must be extremely careful in all our actions.’⁴⁴⁴ In 1944 the department controlled 560 private accounts holding £2862 (\$122,550) with a further £6550 (\$280,470) held in investments. A file for 1959 lists ‘Natives in Possession of Cash and Investments in Trust’. The department was still dispensing from the ‘Special Trust Account’ in the 1970s.⁴⁴⁵

Records suggest that people who defaulted on mortgage payments under the State Housing Commission scheme of the 1960s were denied recovery of funds paid in over several years.⁴⁴⁶

5.3 *Management of Commonwealth benefits*

Child endowment was paid by the commonwealth from June 1941 and Aboriginal mothers not leading nomadic lifestyles were eligible. Initially 5 shillings (\$12) per week (\$624 per annum), it was due until a child reached 16 years. Within months the Graziers Federation Council of Australia applied to the commonwealth to have all child endowment paid direct to station managers, claiming they were already supporting the children for parents who were incapable of handling money.⁴⁴⁷ The request was denied, the commonwealth adhering to its policy of paying endowment only to 'detrified' mothers who were exempt from state controls and did not live on reserves or institutions. After 1944 endowment was paid to mothers on government stations as bulk amounts direct to the department. In the first twelve months this brought £3000 (\$128,460) for children on southern reserves and a further £4500 (\$192,690) for those on settlements and missions – almost half the £15,000 budget for rations and relief for the year.⁴⁴⁸ The endowment income was used by the government to open a station at Udialla on the Fitzroy River, to ration local people and train half-caste boys for station work; staff wages were paid from the endowment, prompting condemnation from the commonwealth.⁴⁴⁹ Meanwhile children living with their families on northern pastoral stations were excluded from the welfare payment.

In the south the department controlled women's access to endowment by delegating local police protectors as trustees for the mothers to purchase rations for distribution from the bulk endowment income. The commonwealth criticised the department for using endowment as a surveillance and disciplinary mechanism to foster industrious habits among eligible mothers, and also for relying too much on police rather than welfare officers.⁴⁵⁰ After 1948 children on pastoral stations also became eligible for endowment and a few mothers were paid direct if a department officer or police protector vouched for their capability to handle it. But most mothers were deprived of their endowment and remained trapped in poverty on the stations, losing custody of their children to the missions to which their entitlement was then paid in full. In 1950 the missions reaped endowment of £12,000 (\$366,960) which the director admitted was essential to their survival; endowment was, he said, 'a great saving to the state.'⁴⁵¹ By 1958 it was estimated half the children in the Kimberley were confined on missions, subsidised through endowment. In 1962 the missions banked child endowment of £31,480 (\$537,050) for 1703 children.⁴⁵²

For many pastoral stations endowment provided substantial revenue. Vesty's claimed endowment for 65 children in 1950 and 72 in 1960 on its five pastoral stations in the east Kimberley. It was not until after 1960 that patrol officers routinely questioned how the money was applied and many stations used the bulk revenue to cover rations previously supplied from station accounts, reaping a profit from the endowment.⁴⁵³ Even so, the possibility of financial independence in an industry which had denied it for decades was significant: endowment brought 10 shillings (\$15.30) a week for one child, compared with 10 shillings a month paid to women workers and 5 shillings a week pocket money for stockmen under the recent wages 'agreement'. A stockman with three children received three times more in endowment than he was paid in wages. Rather than lobby for increased wages the director complained that women's direct control of endowment after 1959 exploited stations and missions.⁴⁵⁴

Eligibility after 1959 for Aboriginal people to receive the maternity allowance and old age, widows and invalid pensions further fractured dependence on station rations and increased the movement to town reserves in the Kimberley, particularly families with children confined on the missions. Within six months of pension availability claims were processed for over 660 people bringing an estimated £5000 (\$85,000) fortnightly to the Kimberley; Mary Anne Jebb states this was a financial boon to the department which discontinued rationing for towns and missions: 'Social Security funds now completely financed ration allowances to Aboriginal adults in the Kimberley'.⁴⁵⁵ On the stations managers were nominated as 'warrantees' for pensioners, initially passing on only 10 shillings and retaining the remaining £9 'for pensioners' maintenance and improvements in accommodation and general welfare.' The balance of the pension was paid into station accounts which were at times controlled by interstate management.⁴⁵⁶ In 1960 stations in the Kimberley were directed to bank £2 in the name of pensioners.

Missions similarly passed on only a fraction of the pension although maternity allowances were paid direct to superintendents for distribution to the mother in cash or goods. Kalumburu mission kept the whole pension payment; and £9 of the pensions for people at Mowanjum mission was retained by the Melbourne head office, leaving only 10 shillings for pensioners.⁴⁵⁷ Cundalee mission kept the pensions of people who moved away for long periods for work or ceremonial purposes; it withheld two-thirds of pensions of mission residents in 1960, ostensibly to be applied on their behalf, yet after 15 months all that had been supplied was a few tents.⁴⁵⁸

The requirement to accurately nominate station families for social security entitlements revealed greater numbers of station dwellers from the early 1960s as native welfare officers were instructed to check station books to verify outlays on amenities and rations. Because of their conflict of interest town storekeepers were barred from being warrantees for social security payments, but there was no such protection against exploitation by station stores and 1962 regulations against inflating prices applied only to goods supplied to employees. Many stations not only inflated costs of rations supplied but deducted additional fees for providing stores and amenities.⁴⁵⁹ In southern rural areas Native Welfare officers ran a pension bank account for bulk payments, and individual accounts for some pensioners which were subject to audit after 1963. There is evidence the department exploited its trusteeship of welfare benefits: in 1962 and 1966 it threatened to withhold pensions for elderly people who refused to relocate from Sunday Island and Forrest River, respectively.⁴⁶⁰

In 1963 the pension was £19.10.0 (\$331.50) or three times a stockman's wage in the north; yet some bulk-paid stations spent only £4 (\$68) fortnightly on pensioner rations. Welfare officers reported many stations retained pensions but provided no improved amenities for pensioners and some stations used pension accounts to pay wages. It was reported pensioners on some stations were barely alive forcing mothers to use limited endowment cash on food and necessities for extended families. Although Aboriginal workers were eligible for unemployment benefits, from 1964 most Kimberley workers were excluded because they lacked a formal work or wage history due to the legacy of general permits and unpaid labour. After 1964 guidelines for station use of pensions tightened to exclude provision of general housing and 'community uplift'. In 1965 it was alleged large pastoral companies might be withholding pensions on a scale similar to the £9000 (\$143,820) said to be held by managers at Wave Hill in the Northern Territory.

In 1965 the director of Social Security warned the Native Welfare department that pensioners in the Kimberley rarely received 'reasonable benefit' from their pensions, in part because wages were so low in comparison to the full benefit: 'instead of Commonwealth pension moneys benefiting the pensioner only, they are undeservedly and unnecessarily benefiting the station'.⁴⁶¹ He proposed responsibility for welfare payments be transferred from the Aboriginal to the welfare department. One station manager had claimed for a pensioner who had died two years earlier, and for another

who had lived elsewhere for almost a year; it was common to use pension income for general station improvements while many pensioners endured dire conditions. In 1967 close inspection revealed no accounting of \$9840 (\$73,702) deducted from pensions on one station while \$2000 had been paid into the station account and a further \$5500 had been claimed for freight – for nine pensioners.⁴⁶² Other stations kept no accounts at all to certify allocation of pension monies. Records suggest misappropriation of benefits was widespread on Kimberley stations, and probably other remote areas also.⁴⁶³

A full survey of pensioners in 1967 was hampered by managers who refused to allow inspection of their books on legal advice they were trustees for the pensioners, not for the Social Security department. Many pension account books were described as ‘very inadequate’ or ‘carefully doctored’; while the impoverished condition of pensioners generally attested to their failure to benefit from the payments.⁴⁶⁴

The district officer in the Kimberley concluded both the stations and the missions were ‘making a quid out of pensioners.’⁴⁶⁵ It was common practice on the missions to register a nil balance in the name of deceased pensioners; the commissioner declined to intervene because the missions held no individual accounts, processing bulk pension payments through their general accounts.⁴⁶⁶ In 1966 Social Security made direct payments of \$9 of the \$23.50 pension to 433 recipients, whether on church, government or pastoral properties. By 1967 most town pensioners received their full pension direct into their accounts, but on some stations people still complained in 1968 they received neither the maternity allowance nor their endowment.⁴⁶⁷ After 1968 Native Welfare officers were instructed not to act as trustees nor to interfere with how pensioners spent their money. By 1969 all pensions were paid direct to the individual concerned. Commonwealth welfare benefits compared well with non- or underpaid wages, enabling people to move to the towns to be near their children and elderly relatives.

6. VICTORIA

The Aboriginal population suffered catastrophic waves of smallpox and venereal diseases in 1789 and 1829 which spread into central and western Victoria. Probably only half the original population of around 30,000 people had survived by the time Edward Henty landed at Portland in 1834 and John Batman arrived west of Melbourne in 1835. Occupation of the Port Phillip District was swift with most of the central and southern state under sheep farming by the mid 1840s. Slaughtering of sheep herds caused the temporary abandonment of several farms. Violent resistance, particularly in the western district and Gippsland, resulted in many hundreds of Aboriginal deaths. Disease, starvation and low birth rates left only 2000 Aboriginal people by 1850.⁴⁶⁸

Britain formed the Port Phillip Protectorate in 1838 with George Robinson as chief protector, and four assistant protectors each in charge of a separate area. The protectorate was charged with ensuring the protection and civilisation of people in the Port Phillip district by minimising conflict with settlers, promoting Christianity, educating the children and teaching adults farming skills and European culture.⁴⁶⁹ Travelling through the western district in 1841 Robinson detailed atrocities he said ‘would not be allowed in civilised society’. Four corps of native police were established between 1842-1853 at Narre Narre Warren, the western districts, Gippsland and the central gold fields.⁴⁷⁰ In 1859 a select committee appointed by the Victorian government to inquire into Aboriginal living conditions recommended reserves be formed on former hunting grounds, to be managed by missionaries under supervision of a Central Board.⁴⁷¹

In 1886 the Aboriginal population numbered only 833 people, of whom 233 were half-castes, predominately children.⁴⁷² By the turn of the century all those defined as half-castes had been banished from missions and reserves, to make their way in the mainstream community.

6.1 Controlling work and wages

From the first days of occupation the Kulin people watched and increasingly assisted the Europeans building on the Yarra. They traded possum skins and lyrebird feathers, and worked as labourers, boatmen, fishers and food-suppliers, to be rewarded with

bread and meat. As early as 1837 most farms in the western district employed Aborigines as shepherds and domestics in return for food and clothing. In outer areas local Aborigines acted as guides, and also ferried sheep across rivers, cleared ground for huts, cut timber for sheep yards and bark for huts. By the 1840s several hundred Aboriginal men worked in the pastoral industry. The Loddon protector reported Aborigines were 'frequently employed' at washing sheep, stripping bark and harvesting potatoes, and as domestics, shepherds, stock-keepers and bullock drivers; from Mount Rouse it was stated a 'considerable number' did casual work, and on some farms in the Wimmera most of the shepherds were Aboriginal.⁴⁷³

Although most Aboriginal workers were paid only in rations and clothing, some received the same wage as white labour, including a man at Lakes Entrance in 1844 and several workers along the Murray. Yet many were dissatisfied with their pittance: people refused to work on Melbourne's first mission (see 6.1.1. below) because they could get better money in town. In 1852 reapers on the Plenty Ranges earning between 10-15 shillings (\$38-\$57) a week threatened to go on strike for the full 25 shilling wage. At Mt Cole Aboriginal sheep washers earned 12 shillings a week during the shearing season, and three bullock drivers were paid £1. In some areas pastoralists preferred Aboriginal workers, avoiding the high wage demanded of whites.⁴⁷⁴

Many local elders joined the Native Police force, reformed with five Aboriginal constables in 1842 after an abortive venture between 1837-1839. This unit operated until 1852, at times with as many as 45 Aboriginal troopers. The troopers received horses, uniforms, weapons, food and accommodation, including rations for their families; although promised a wage it appears only the European officers were regularly paid. Their main work was in tracking lost settlers and escaped convicts, carrying messages and dispatches to remote outposts, acting as escorts for travellers and patrolling the goldfields.⁴⁷⁵

In 1849 the Protectorate was disbanded, deemed to have largely failed to bring 'civilisation' to the Aborigines; one of the deputy protectors was subsequently appointed Guardian of Aborigines. The 1859 Inquiry observed that occupation had deprived Aborigines of their hunting grounds and means of living, and recommended a system of reserves in outlying areas.⁴⁷⁶ In 1860 a Central Board for the Protection of Aborigines was formed 'to watch over the interests of Aborigines', then numbered

at around 2341 and slowly dying out from their wretched conditions and introduced diseases. The Board was charged with supervising local protection committees, distributing rations and funds and proclaiming reserves. It directly managed Framlingham (1861) and Coranderrk (1863), and oversaw the missions of Ebenezer (1859), Ramahyuck (1861), Lake Tyers (1861) and Lake Condah (1867). Local guardians were appointed to supervise several small reserves and ration depots.

Tenancy on reserves was not compulsory and only one-quarter of the Aboriginal population used these amenities in the late 1860s.⁴⁷⁷ The *Aborigines Protection Act (1869)* empowered an Aborigines Protection Board to more tightly control the lives of all full-bloods and all half-castes habitually associating with Aborigines. It could dictate where people lived, control their employment and take custody of their children, and local committees and guardians could be appointed to enforce the Act. A system of Work Certificates and contracts was introduced, outlining the terms and duration of employment, description of work, and wages paid. Workers and employers could be fined if Certificates weren't held.⁴⁷⁸ Regulations in 1871 allowed for wages to be paid directly to the local guardian, and the Board could use these earnings for administrative needs.⁴⁷⁹

In 1877 a Royal Commission was set up to inquire into the 'present condition' of Aboriginal people and concluded people were healthier on the government stations than elsewhere; it recommended all people be moved under direct control. In 1884, however, the Board argued half-castes should be evicted and forced to make their own way in the wider community.⁴⁸⁰ The *Aborigines Protection Act (1886)* declared only full-bloods, half-castes over 34 years of age and children were allowed to live on the reserves; those evicted could apply for money, rations, clothing and blankets for periods of up to seven years while they established themselves. Although trained as rural labourers, competition from white workers and discrimination made employment difficult, and prevented many from accessing housing, and schools. As rationing ended in 1893 the worst economic depression ever cast 30 per cent of workers out of jobs. Without social welfare competition for private charity was intense. The population fell from 1907 in 1863 to 870 in 1882 and only 586 in 1921, due largely to diseases and high infant mortality.⁴⁸¹

The *Aborigines Act (1910)* extended Board controls to cover all half-castes, and

regulations in 1916 evicted from government stations every part-Aboriginal male over 18 years. They were banned from returning although brief visits to family were allowed at the manager's discretion. In 1917 the Board decided to concentrate all people on Lake Tyers in Gippsland, declaring people living elsewhere would not qualify for government assistance.⁴⁸² By 1923 this was the only surviving staffed station. Meanwhile many families in the general community supported themselves with seasonal work and bush foods, living in shanties on the fringes of rural towns and denied welfare assistance available to non-Aborigines. In 1937 the Victorian minister attended the national welfare conference only as an observer, declaring his state had already 'solved the problem.'⁴⁸³

A further inquiry in 1955,⁴⁸⁴ by retired stipendiary magistrate Charles McLean, estimated 1346 Aboriginal people in Victoria, most living in squalid humpies in rural areas, and in overcrowded and condemned slums in Melbourne. Only Framlingham and Lake Tyers provided reasonable housing. He said lack of housing, jobs, education and poor health were due in part to white prejudice. His main recommendations – a new Board, the assimilation of Lake Tyers people into the wider community, and provision of housing, education and employment as the key to 'raising' Aborigines to higher standards – were incorporated into the *Aborigines Act (1957)*. This Act extended Aboriginal Welfare Board control to encompass persons with any degree of Aboriginal descent and aimed to assimilate Aboriginal people into the white community; sub-standard housing was provided in some towns.⁴⁸⁵ The Welfare Board was phased out under the 1967 *Aboriginal Affairs Act* which created a ministry of Aboriginal affairs to coordinate organisations involved in Aboriginal welfare.

6.1.1 Child workers

From the earliest years settlers took Aboriginal children by coercion or force to work as servants.⁴⁸⁶ In response to clashes as Melbourne town developed, government support was provided in 1836 to missionary George Langhorne to establish the Yarra Aboriginal mission at the current Botanic Gardens site. Adults were encouraged to work on the mission for rations while their children were fed and educated. It lasted only three years, parents rejecting the indoctrination of their children against Aboriginal ways, a stated aim of the chief protector. A second school opened at Merri Creek in 1845, teaching 20 children but failing by 1851

as children were removed by their parents.⁴⁸⁷ Controls over children intensified with the development of the missions and stations in the late 1850s and 1860s.

Under the *Neglected and Criminal Children's Act (1864)* any child under 15 years found begging, wandering about, sleeping in the open air or without means of subsistence could be apprehended by police and committed by two or more justices for detention in an industrial school for up to seven years. Aboriginal children were generally transferred to the dormitory at Coranderrk. The Coranderrk manager also took children from camps and communities in the area, although he had no legal power to do so⁴⁸⁸ prior to the *Aborigines Protection Act (1869)* which gave the Board responsibility for the care, custody and education of Aboriginal children. The Board reported in 1875 'the children are being removed one by one and sent to the stations, where they are cared for and taught in schools.'⁴⁸⁹

A range of regulatory measures intensified the training of Aboriginal children. The *Neglected Children's Act (1874)* enabled the boarding out or apprenticing of children until the age of 16 years. Regulations in 1880 under the *Aborigines Protection Act (1869)* allowed for the removal of any Aboriginal child deemed to be neglected or unprotected to missions or stations or to industrial schools or reformatories to be trained for 'useful employment'.⁴⁹⁰ On the missions and stations, boys under 14 years and unmarried girls under 18 years could be taken from the parents and confined to the dormitories. Regulations in 1890 under the *Aborigines Protection Act (1886)* directed that children deemed 'neglected' could be transferred to the department of Neglected Children, which sent the boys to be trained at the Salvation Army farm school and the girls to one of the domestic service training Homes.⁴⁹¹ Further regulations in 1899 enabled the transfer of all part-descent Aboriginal children from government stations for training and indenture to work from the age of 14 – the boys on farms and the girls as domestics.⁴⁹²

Institutionalisation and indenture of Aboriginal children was a key component of the Board's assimilation objective. During the twentieth century families struggling in poverty moved constantly in an effort to keep their children from the gaze and grasp of authorities, although the inertia of the Board from the 1930s to some extent stemmed the flow of children into state care and institutionalised work. In the few decades prior to the 1950s Aboriginal children were mainly taken under mainstream child welfare

legislation and after the 1957 *Aborigines Act* the Board had no direct power over child removals, but could instruct police to act.⁴⁹³ One study suggested there were over 150 children in state institutions in the 1956/57 year, around 10 per cent of the Aboriginal child population.⁴⁹⁴ Removal of Aboriginal children as a state policy ended officially in 1968.

6.1.2 Community workers

The missions and stations were built and developed through Aboriginal labour – building houses, schools, dormitories and churches, clearing and cultivating land, ran cattle. Coranderrk inmates were renowned as farmers, growing vegetables and cash crops of arrowroot and hops, and were touted as the model for all stations. The stations were used as a base as people moved away to take seasonal work, or returned to visit family in lean times.

Workers on the stations were mostly paid in rations. Workers at Coranderrk demanded wages after a profitable hop harvest in 1873, and several key workers were paid from 1874, but at one-third the white rate.⁴⁹⁵ An 1881 inquiry into the Board's management of Coranderrk criticised the ration system, noting many families were without food.⁴⁹⁶ At Lake Condah the missionary gave rations only to those who worked, but after many protests a nominal wage was paid after 1887 to key workers.⁴⁹⁷

It is not clear to what extent people taking external work controlled their own employment and wages. In the 1880s the missionary at Lake Condah refused to provide Work Certificates so station inmates could take jobs on local farms.⁴⁹⁸ This suggests some stations acted as employment agents and might have negotiated wage rates and perhaps partly controlled access to savings, as in other states.

In the mid 1880s only Coranderrk was self-supporting. Chronic under funding mired other reserve communities in destitution and ill-health. The eviction of half-castes under 34 years of age following the *Aborigines Act (1886)* all but destroyed them; the population at Framlingham fell from 94 to 35, and at Coranderrk the population halved to 60, leaving only 10 able-bodied men. In 1917 the Board decided to move all people of full descent to Lake Tyers, and refused assistance to any remaining in the general community.⁴⁹⁹ By 1923 the Board had closed down and sold all the reserves excepting Coranderrk and Framlingham,

where a few people refused to leave, and Lake Tyers, which was expanded in the early 1920s to receive the 230 people transferred from elsewhere.⁵⁰⁰

Life for station inmates was ordered under regulations of the *Aborigines Act (1915)* authorising managers to control conduct and work. Movement off the reserve required the manager's permission, as did visits by those evicted under the Act.⁵⁰¹ Richard Broome records that Lake Tyers workers were outspoken, agitated publicly about the limited Aboriginal rights, and at times went on strike. Into the mid 1960s workers received only a small cash wage, supplemented by rations.⁵⁰² The McLean inquiry in 1957 recommended the dispersal of able-bodied adults from Lake Tyers although after strong protests this did not become official policy.⁵⁰³

6.2 Trust Funds

The *Aborigines Protection Act (1869)* introduced a system of work certificates and contracts; regulations in 1871 allowed for wages to be paid directly to the local 'guardian', and the Board could use these earnings for administrative needs.⁵⁰⁴ The *Aborigines Act (1910)* extended Board controls to cover all half-castes. Children were institutionalised under either Aboriginal and mainstream legislation, to be indentured to work and their earnings controlled. Following procedures in other states, it is likely that part or all of the wages of adults employed under Board work certificates were controlled by the Board. If this is the case, management of those trust accounts should be investigated.

6.3 Commonwealth benefits

Child endowment was paid by the commonwealth from June 1941 and Aboriginal mothers not leading nomadic lifestyles were eligible, although it was only after 1944 that endowment was payable to mothers living on Aboriginal reserves. In other states payment for these mothers was managed by the relevant Board or department, evidence suggesting this constituted a profitable source of income which was not fully expended for the benefit of endowed children. Similarly, old age, widows and invalid pensions were similarly intercepted in other states when the commonwealth lifted exclusions against Aboriginal people in 1959. There is no reason to assume that Victorian authorities and institutions did not intercept and exploit endowment and pensions as happened in other states.

7. *TASMANIA*

Aboriginals in Tasmania experienced contact with various European maritime explorers around the south-eastern coastline after 1642, and more detrimentally, with sealers along the north coast after 1800.⁵⁰⁵ Convicts were brought to Risdon Cover in 1803. In a fatal misunderstanding, forty Aboriginal people were shot and killed on the outskirts of the settlement in 1804.⁵⁰⁶ After the arrival of free settlers from 1807, and with increasing numbers of escaped convicts and military deserters ranging the hinterland, bushranging and the kidnapping of Aboriginal women was widespread.

The European population rose rapidly from 2000 in 1817 to 13,000 in 1824 and 23,500 in 1830,⁵⁰⁷ and vast areas of land were cleared and stocked with sheep. European occupation was characterised by brutality and violent resistance. The decade to 1834 has been described as one of unremitting frontier conflict⁵⁰⁸ as the occupiers used deadly force to secure their properties against Aboriginal presence and local groups retaliated, firing grasses and huts, killing shepherds and farmers, and slaughtering sheep for food and vengeance. Early in 1828 Aboriginal people were ‘cleared’ from the settled districts and required a passport from the government to travel within the area; within months martial law was declared with orders to shoot on sight any resisters.⁵⁰⁹

In 1829 the government employed George Robinson (later chief protector in the Port Phillip district) to run a mission on Bruny Island south of Hobart for ‘friendly Aboriginals’ and survivors were removed from the settled districts. In 1830, with a bounty of £5 offered for each captured adult and £2 for each captured child, the ‘Black Line’ of over 3000 men attempted to sweep surviving Aboriginals into the Tasman peninsula. An 1836 article in the *Hobart Town Times* stated: ‘They have been murdered in cold blood. They have been shot in the woods, and hunted down as beasts of prey.’⁵¹⁰ As conflict continued Robinson travelled to contested areas, negotiating with survivors to take refuge under his protection away from the mainland. By 1835 over 200 people had transferred to Wybalena settlement on Flinders Island where most succumbed quickly to disease exacerbated by inadequate food and shelter.⁵¹¹ In 1847 the 48 survivors were moved to the Oyster Cove reserve, from where all people of mixed descent were evicted in 1855 when Tasmania became self-governing and expenditure on Aboriginal welfare was halved. The last person of this group died in 1876.⁵¹²

Meanwhile a separate community, the descendants of Aboriginal unions with whalers and sealers, continued on Cape Barren Island. By 1876 people in the Cape Barren community were the only survivors of the estimated 3000-4000 Aboriginals living in Tasmania prior to white occupation.⁵¹³

7.1 *Controlling work and wages*

Aboriginal people bartered with many seasonal sealers and whalers who visited regularly each year. Women and children were traded or kidnapped for sexual purposes and as workers, supplying food and procuring and drying kangaroo skins. In the early years of white occupation free settlers drew mostly on the convict pool for their labour needs. Although many children were kidnapped and brought up as servants in homes and pastoral properties (see below), my brief research has not uncovered evidence of payment.

At the Flinders Island settlement, despite endemic sickness and multiple deaths, inmates worked as labourers, the women carting heavy loads of thatching for the roofs and the men at construction and road work, Robinson describing Aboriginal workers as superior compared to their white counterparts.⁵¹⁴ In return they were given clothing and rations; due to deadly conditions and inadequate rations this community gradually died out.

In 1871 the government gave the Cape Barren Islanders exclusive use of the mutton-bird rookeries on two neighbouring islands; a missionary was appointed in 1890 to oversee the community.

7.1.1 *Child workers*

So common was the kidnapping of Aboriginal children to be used as servants that successive lieutenant-governors from as early as 1810 warned the ‘robbery of their children’ would incite bitter retaliation by parents.⁵¹⁵ Although some children were ‘lent’ in return for provisions, most were taken by whites on the pretext it would save them from barbarism and starvation. There was a disproportionate number of kidnapped girls, several of whom were exploited as prostitutes.⁵¹⁶ Widespread kidnapping continued and by 1817 there were at least 50 children in settlers’ homes.⁵¹⁷ In 1819 the lieutenant-governor ordered magistrates and district

constables to list all children and youths held by whites, detailing how they were 'obtained'. All children taken without parental consent were to be sent to the Orphan School in Hobart,⁵¹⁸ although it appears only around a dozen had been relinquished to the school by 1820,⁵¹⁹ with many regarded as personal property of their masters. By 1830 there were around 90 Aboriginal child servants,⁵²⁰ isolated and unhappy workers enduring long hours without payment.⁵²¹

As people were hunted from their land in the early years the seizure of children continued. Official lists concede perhaps 89 children taken between 1810-36, but the total would certainly be much higher.⁵²² Writing in 1829, Robinson said of the seizure of children that the evil far outweighed any good consequences, and children should only be taken if parents agreed.⁵²³ In 1832 boys aged between six and nine years were transferred from the island missions to the Orphan School.⁵²⁴ At the Wybalena settlement on Flinders Island, children were taken to live with officials and many of the girls worked as housemaids. When the few survivors were relocated to Oyster Cove in 1847 the children were sent to the Orphan School where conditions were harsh and many died. Records suggest over 60 Aboriginal children between three and sixteen years of age were processed through the Orphan School⁵²⁵ which operated from 1828 to 1878. Like white child wards, they were trained and sent to work between the ages of 12 to 18 years;⁵²⁶ in 1855 two Aboriginal boys were apprenticed to a whaling ship.⁵²⁷ As child workers many children suffered cruel mistreatment. Absconders were punished or committed by the courts to a term in the gaol or reformatory.

In 1890 Cape Barren reserve was home to around 110 descendants of whalers and sealers; by 1908 the population had risen to 250.⁵²⁸ The Island community was blighted by chronic under funding; substandard conditions and malnutrition caused much illness and high mortality. In 1922 the secretary for lands sought to remove all the children from Cape Barren Island but was advised this was illegal without parental consent.⁵²⁹ Appointed a special constable in 1928, the head teacher was given police powers to have children removed from the island on the grounds of neglect. Such children were processed through mainstream institutional care, which included the option of indentured servitude.

The *Infant Welfare Act (1935)* allowed for removal of any child under 17 years deemed 'neglected', a category which included underfeeding, or lacking sufficient

clothing or medical care. Children removed under this Act became wards of the director of Social Services and could be institutionalised, boarded-out or indentured to work. A government inquiry in 1945 called for all those of mixed descent to be absorbed into the white population. The *Cape Barren Reserve Act (1945)* empowered the surveyor-general to ‘exercise a general supervision and care’ over the welfare of reserve residents, and pressure increased to have all children removed to boarding schools. After the reserve was closed in 1951 lack of government funding caused conditions to deteriorate further, leaving families at risk of having their children taken under mainstream welfare legislation; parents charged with neglect could be imprisoned, losing custody of remaining children.⁵³⁰

7.2 *Trust Funds*

Tasmania ran no separate institutions to receive Aboriginal children taken from their parents. The income of working child wards and reserve inmates was likely to have been controlled as it was in mainland states and territories. Those trust funds, and government transactions upon Aboriginal money including workers compensation and inheritances, should be investigated.

7.3 *Commonwealth benefits*

Child endowment was paid by the commonwealth from June 1941 and Aboriginal mothers not leading nomadic lifestyles were eligible, although it was only after 1944 that endowment was payable to mothers living on Aboriginal reserves. In other states payment for these mothers was managed by the relevant Board or department, evidence suggesting this constituted a profitable source of income which was not fully expended for the benefit of endowed children. Similarly, old age, widows and invalid pensions were similarly intercepted in other states when the commonwealth lifted exclusions against Aboriginal people in 1959. I do not know whether the practice of intercepting commonwealth benefits applied also in Tasmania.

Footnotes

- ¹ *G W Rusden, History of Australia, Vol 3, (1883) p 231.*
- ² *Equivalent today to over \$50 million.*
- ³ *Queensland Parliamentary Debates, November 1897.*
- ⁴ *Annual Report, Northern Protector of Aboriginals, 1900, 1.*
- ⁵ *Rosalind Kidd, The Way We Civilise, St Lucia, 1997, 246.*
- ⁶ *Community Development Employment Program; bulk unemployment benefits are paid to councils which distribute them as wages for municipal work.*
- ⁷ *Towards Self-Government, Legislation Review Committee Inquiring into legislation relating to the management of Aboriginal and Torres Strait Islander Communities in Queensland, 1991, 34.*
- ⁸ *Of the girls controlled through Brisbane office: 15 pregnancies in 131 girls (1910), 11 in 169 (1911), 13 in 137 (1914), 13 in 131 (1915), 7 in 127 (1918).*
- ⁹ *QSA TR1227:258 23.1.57 – United Graziers Association (UGA) meeting with Minister and director.*
- ¹⁰ *Annual Report.*
- ¹¹ *DAIA RK:129, 15.3.23 – Report on the Office of the Chief Protector of Aboriginals.*
- ¹² *QSA A/58856 9.11.32 – Report on the Inspection of the Office of the Chief Protector of Aboriginals.*
- ¹³ *Weekly pastoral award £6/9/-; 66 per cent this award £4/5/-; Aboriginal rate £2. A loss of 45/- per week or £117 (almost \$4000) per worker in that year compared to 66 per cent parity. Across workforce of 4500 the annual loss was £526,500 (\$17.6 million).*
- ¹⁴ *QSA SRS 505-1 Box 196, 8.7.49.*
- ¹⁵ *In the late 1950s the weekly Aboriginal wage was £8/10/-, so the amount at risk was around £331/10/- per person per year. A potential loss across the 4500 pastoral workforce of £1.5 million (\$27.9 million) per year.*
- ¹⁶ *QSA SRS 505-1 Box 16, 22.10.56.*
- ¹⁷ *Audit Report 1964-65.*
- ¹⁸ *QSA TR254 1A/119 11.6.42 – O’Leary to under secretary.*
- ¹⁹ *QSA SRS 505-2 Box 95 31.1.42.*
- ²⁰ *QSA SRS 505-1 Box 436 23.3.72.*
- ²¹ *Queensland Institute of Medical Research report, 1970.*
- ²² *QSA SRS 505-3 A/69705 2.5.78.*
- ²³ *QSA TR254 1L/1 13.9.79.*

- 24 ***QSA SRS 505-3 A/69705 2.2.79.***
- 25 ***QSA SRS 505-3 A/69705 2.2.79.***
- 26 ***Australian Council of Trades Unions; Federated Engine Drivers & Firemen's Union;
Australian Workers Union.***
- 27 ***DAIA 001-007-006 6.4.86.***
- 28 ***Queensland Parliamentary Debates 1919/20, pp 2564-2570.***
- 29 ***Attorney General's Report (1922).***
- 30 ***QSA TR1227:128 15.2.23 Report on the Office of the Chief Protector of Aboriginals.***
- 31 ***QSA TR1227:233 6.6.27.***
- 32 ***One compensation claim generated 21 separate registrations.***
- 33 ***QSA A/58856 9.11.32 Report on Chief Protector of Aboriginals Office.***
- 34 ***QSA TR1227:129 14.11.33.***
- 35 ***Audit Report (1941).***
- 36 ***Audit Report (1942).***
- 37 ***QSA SRS 505-1 Box 257 11.5.52.***
- 38 ***QSA SRS 505-1 Box 205, 8.6.58.***
- 39 ***Report on the Head Office, Sub-Department of Native Affairs, Department of Education, 22
November 1965, QSA TR 1320/1 Box 518:1781M.***
- 40 ***Audit Report 1967/68.***
- 41 ***QSA A/70627.***
- 42 ***Repeated in Audit Reports for 1954 and 1962.***
- 43 ***Although officially renamed 'The Aboriginals Estates Trust Account' under the 1945
regulations, successive audits and correspondence held to the old label.***
- 44 ***QSA SRS 505-1 Box 48 1.10.30.***
- 45 ***QSA SRS 505-1 Box 48 25.6.31.***
- 46 ***QSA A/58856 15.3.33.***
- 47 ***QSA A/69634 25.5.41, 3.4.41, 3.9.41.***
- 48 ***QSA SRS 505-1 Box 272 4.10.50.***
- 49 ***From 1942 workers paid Commonwealth income tax which was deducted by protectors or
superintendents from the banking portion.***
- 50 ***Doomadgee £1582 (\$32,116), Hopevale £103, Yarrabah £939, Mona Mona £370.***
- 51 ***QSA A/69634 15.3.33.***
- 52 ***Ibid.***
- 53 ***He said some were as high as £800 or £900 (\$48,240 or \$54,270).***

- 54 *QSA A/69470 18.9.34.*
- 55 *Ibid, 4.7.34.*
- 56 *QSA A/69634 30.3.36.*
- 57 *Annual Report 1938: £204,000 in Commonwealth stock plus £9000 in loans of a savings total of £242,574.*
- 58 *QSA SRS 505-1 Box 48 2.2.54.*
- 59 *To 'any local body within the meaning of The Local Bodies' Loans Guarantee Acts, 1923 to 1936, or otherwise.'*
- 60 *QSA TR254 1A/188 14.9.56.*
- 61 *QSA SRS 505-1 Box 48 2.5.62.*
- 62 *QSA SRS 505-1 Box 73 Cabinet Submission, undated, 1970.*
- 63 *QSA SRS 505-1 Box 91 18.9.59.*
- 64 *QSA 01-057-007 11.10.60*
- 65 *QSA SRS 505-1 Box 550 16.9.81.*
- 66 *QSA SRS 505-1 Box 277 10.11.83.*
- 67 *QSA SRS 505-1 Box 605 23.6.47.*
- 68 *\$5734 in 1973, \$15,832 in 1974, \$615 in 1975 and \$17,258 in 1976.*
- 69 *QSA SRS 505-1 Box 150 8.8.74.*
- 70 *QSA 01-111-002 29.3.90.*
- 71 *QSA SRS 505-1 Box 37 19.8.43.*
- 72 *QSA SRS 505-1 Box 196 19.2.43.*
- 73 *Ibid.*
- 74 *Presbyterian Archives, Brisbane. Minutes of the General Assembly, May 1941.*
- 75 *QSA TR254 1D/133 19.9.43; TR 254 3D/8 10.3.44.*
- 76 *QSA A/58865 19.4.51.*
- 77 *Audit Report (1942).*
- 78 *QSA A/58879 5.10.53.*
- 79 *After 1969 Palm Islanders were refused access to the hostel.*
- 80 *QSA SRS 505-1 Box 91 23.9.59.*
- 81 *Queensland Institute of Medical Research, Annual Report, 1970.*
- 82 *QSA SRS 505-1 Box 91 8.11.56.*
- 83 *Ibid, 17.3.59.*
- 84 *Ibid, April 1959.*
- 85 *QSA 1C/88 12.10.60.*

- ⁸⁶ *QSA SRS 505-1 Box 1046.*
- ⁸⁷ *Heather Goodall, 'New South Wales' in Ann McGrath (ed), Contested Ground, Sydney, 1995, 59.*
- ⁸⁸ <http://www.alc.org.au/resources/History/history.htm> .
- ⁸⁹ *Goodall 1995, 68.*
- ⁹⁰ *Goodall 1995, 70.*
- ⁹¹ *Goodall 1995, 74.*
- ⁹² *Henry Reynolds, With the White People, Penguin Books, 1990, 159.*
- ⁹³ *Ann McGrath, Reconciling the Historical Accounts: Trust Funds Reparations & New South Wales Aborigines, Research Report, 2004, 7.*
- ⁹⁴ *Goodall 1995, 77, 78.*
- ⁹⁵ *Under the 1940 Amendment Act the Protection Board was replaced by the Aborigines Welfare Board. A further Amendment in 1943 incorporated the Board, appointed the under secretary of the Chief Secretary's department as chairman in place of the police chief, and appointed two Aborigines to the Board.*
- ⁹⁶ *Public Interest Advocacy Centre (PIAC), Submission to the Panel on the Aboriginal Trust Fund Reparation Scheme, 2004, 18.*
- ⁹⁷ *Zoe Craven, draft Submission, 2005, 16, 17.*
- ⁹⁸ *Goodall 1995, 89.*
- ⁹⁹ *HREOC 1997, 40.*
- ¹⁰⁰ *Anna Cole, 'Would have known it by the smell of it', Institute of Commonwealth Studies, Autumn 2002, 157.*
- ¹⁰¹ *Annual Report 1906.*
- ¹⁰² *Victoria Haskins, '& so we are "Slave owners"!': Employers and the NSW Aboriginal Protection Board Trust Funds', Labour History, No. 88, May 2005, para 18.*
- ¹⁰³ *HREOC 1997, 40.*
- ¹⁰⁴ *Inara Walden, 'To Send her to Service', Indigenous Law Bulletin, 1995, Vol 3, No 76.*
- ¹⁰⁵ *HREOC 1997, 44.*
- ¹⁰⁶ *Walden 1995, endnote 24.*
- ¹⁰⁷ *Victoria Haskins, '& so we are "Slave owners"!': Employers and the NSW Aboriginal Protection Board Trust Funds', Labour History, No. 88, May 2005, 19.*
- ¹⁰⁸ *Public Interest Advocacy Centre (PIAC), Submission to the Panel on the Aboriginal Trust Fund Reparation Scheme, September 2004, 9.*
- ¹⁰⁹ *New South Wales State Archives, 'An Administrative History of Contact between the*

- government of New South Wales and Aboriginal people', <http://www.records.nsw.gov.au/publications/aboriginalguide/aboriginalguide-12.htm>
- 110 **Queensland State Archives TR1227:215 3.1.1918 – Acting Secretary APB.**
- 111 <http://www.dreamtime.net.au/indigenous/family.cfm>
- 112 **HREOC 1997, 43.**
- 113 <http://www.dreamtime.net.au/indigenous/family.cfm>
- 114 **Walden 1995, 3.**
- 115 **Doreen Mellor & Anna Haebich, *Many Voices. Reflections on experiences of Indigenous Child Separation, National Library of Australia, 2002, 254.***
- 116 **Walden 1995, 2.**
- 117 **HREOC 1997, 44.**
- 118 **Zoe Craven, *Research data 2005, Apprentices & Child Labour.***
- 119 **Walden 1995, 3.**
- 120 **Goodall 1995, 90.**
- 121 **Human Rights and Equal Opportunity Commission (HREOC), *Bringing Them Home, National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from their families, 1997, 49.***
- 122 **Walden 1995, 4.**
- 123 **Zoe Craven, *draft report for ILC submission, 2005, 3.***
- 124 **Haskins 2005, para 29.**
- 125 **Ann McGrath, *'Reconciling the Historical Accounts: Trust Fund Reparations & NSW Aborigines', July 2004, 9.***
- 126 **Haskins 2005, para 9.**
- 127 **Haskins 2005, para 9.**
- 128 **Haskins 2005, paras 5, 9.**
- 129 **Haskins 2005, para 27.**
- 130 **Jack Horner, *Seeking Racial Justice, ASP, 2004, 84.***
- 131 **Zoe Craven, 2005, 4 footnote 15.**
- 132 **Zoe Craven, *research 2005.***
- 133 **Abo Call, *September 1938.***
- 134 **Zoe Craven, *'Introduction', 2005, 5 footnote 27.***
- 135 **Zoe Craven, *research 2005.***
- 136 **Ella Hiscocks, *'Would have known it by the smell of it', in Anna Cole, Victoria Haskins, Fiona Paisley (eds) *Uncommon Ground: White women in Australian history, Canberra, 2005,****

153.
137 *Zoe Craven, research, 2005.*
138 *McGrath 2004, 8.*
139 *PIAC 2004, 8.*
140 *New South Wales State Records 4/8558-8559, Trust Account Ledgers, 1897-1922..*
141 *New South Wales State Records, Aboriginal Protection/Welfare Board Minute Books, vol*
5, 26.7.17.
142 *Haskins 2005, para 9.*
143 *New South Wales State Records*
144 *Haskins 2005, para 8.*
145 *Haskins 2005, para 29.*
146 *Haskins 2005, para 25,*
147 *Haskins 2005, para 24.*
148 *Cited in McGrath 2004, 8.*
149 *Susan Greer, Opinion 2005, Research Archives and Holdings.*
150 *Haskins 2005, para 7.*
151 *Haskins 2005, para 34.*
152 *Ibid, para 34.*
153 *New South Wales State Records, Correspondence Files 1947, 8/2759B-2761A, Reel 3393, 28.*
154 *Haskins 2005, para 43.*
155 *New South Wales State Records, Aboriginal Protection/Welfare Board Minute Books, vol 6, 17.*
156 *New South Wales State Records, 4/7128, Reel 1853, Letters Sent 1914-27, 15.10.1919.*
157 *Zoe Craven, draft report for ILC submission, 2005, 11.*
158 *New South Wales State Records, Aboriginal Protection/Welfare Board Minute Books, vol*
5, 85, 26.7.29.
159 *Goodall 1995, 84.*
160 *Annual Report 1931.*
161 *New South Wales State Records, Aboriginal Protection/Welfare Board Minute Books, vol*
5, 133, 20.12.39.
162 *New South Wales State Records, Aboriginal Protection/welfare Board Minute Books, vol 5, 87.*
163 *Zoe Craven, draft report for ILC submission, 2005, 33.*
164 *Five shillings per week equals around \$1310 today annually for two children, plus \$26.*
165 *PIAC 2004, 48.*
166 *McGrath 2004, 9.*

- 167 *Zoe Craven, draft report for ILC submission, 2005, 8.*
- 168 *Zoe Craven, draft report for ILC submission, 2005, 8.*
- 169 *Zoe Craven, draft report for ILC submission, 2005, 10.*
- 170 *Zoe Craven, draft report for ILC submission, 2005, 9.*
- 171 *Zoe Craven, research data 2005 – child endowment.*
- 172 *Zoe Craven, draft report for ILC submission, 2005, 13.*
- 173 *Zoe Craven, draft report for ILC submission, 2005, 19 footnote 77.*
- 174 *Zoe Craven, Research data 2005 – army pensions.*
- 175 *D J Mulvaney, Encounters in Place: Outsiders and Aboriginal Australians, 1606-1985, 1989, 128.*
- 176 *Tony Austin, I Can Picture the Old Home So Clearly, Canberra, 1993, 33.*
- 177 *Anna Haebich Broken Circles, Fremantle, 2000, 190.*
- 178 *Ann McGrath, Born in the Cattle, Sydney, 1987, 49.*
- 179 *South Australian Inspector of Police for Central Australia, 'Report on Aborigines 1882-1899', National Archives of Australia, cited in 'Aboriginal Australia: The Unfinished Business',*
http://www.abc.net.au/federation/fedstory/ep4/ep4_events.htm
- 180 *Austin 1993, 35.*
- 181 *Stephen Gray, The 'stolen wages' issue in the Northern Territory: a historical summary, unpublished draft PhD chapter, 2006, 4, 5 – with acknowledgements to Dr Thalia Anthony and Dr Steve Farram for archival research.*
- 182 *C D Rowley, The Destruction of Aboriginal Society, Sydney, 1986, 213.*
- 183 *Gray 2006, 7.*
- 184 *McGrath 1987, 52.*
- 185 *Rowley 1986, 233.*
- 186 *Austin 1993, 68.*
- 187 *Austin 1993, 67.*
- 188 *Cited in Thalia Anthony, 'Unmapped Territory: Redressing wage denial for Indigenous cattle station workers', article pending for AILR, 2006, 16.*
- 189 *Tony Austin, Never Trust a Government Man, 1977, Darwin, 31.*
- 190 *Rowley 1986, 234.*
- 191 *McGrath 1987, 124.*
- 192 *Thalia Anthony, 'Submission to the Senate Legal and Constitutional Committee Inquiry into Stolen Wages', July 2006 [2006 (a)], s 7.*
- 193 *McGrath 1987, 124.*

- 194 *McGrath 1987, 139.*
- 195 *Anthony 2006 (a), s 9.*
- 196 *Austin 1977, 94.*
- 197 *The Bleakley Report, cited in Rowley, 1986, 261-4.*
- 198 *The 1926 Census showed 285 of around 600 people of part-descent were in employment.*
(Austin 1993, 95).
- 199 *Anthony 2006 (a), s 8.*
- 200 *Cited in Anthony, 2006, 7.*
- 201 *Anthony, 2006 (a), 10.*
- 202 *McGrath 1987, 138.*
- 203 *McGrath 1987, 138.*
- 204 *Austin 1993, 140.*
- 205 *Andrew Markus, Governing Savages, Darwin, 1990, 95.*
- 206 *Markus 1990, 95, 63.*
- 207 *Markus 1990, 64.*
- 208 *Markus 1990, 20-1.*
- 209 *RM and CH Berndt, Aboriginal Labour in a Pastoral Area, 1946, cited in Rowley, 1986,*
334.
- 210 *Markus 1990, 61.*
- 211 *Markus 1990, 65.*
- 212 *Gray 2006, 17.*
- 213 *Haebich 2000, 463.*
- 214 *Rowley 1986, 338.*
- 215 *Anthony 2006 (a) s9.*
- 216 *Anthony 2006 (a), 39.*
- 217 *Peter Read, 'Northern Territory' in McGrath 1995, 288*
- 218 *Sue Taffe, Black and White Together, St Lucia, 2005, 65.*
- 219 *Taffe 2005, 153.*
- 220 *Read 1995, 288.*
- 221 *Taffe 2005, 149.*
- 222 *Read 1995, 291.*
- 223 *Commonwealth Department of Aboriginal Affairs, 'Report of the Committee to Review the*
Situation of Aborigines on Pastoral Properties in the Northern Territory', December 1971.
(Copy in author's possession.)

- 224 *Rowley 1986, 348.*
- 225 *Gray 2006, 6.*
- 226 *Austin 1993, 36. The Masters and Servants Act (1863) SA was still current in the late 19th century.*
- 227 *Austin 1993, 36.*
- 228 *Haebich 2000, 19.*
- 229 *Victoria Haskins, 'Domestic Service and Frontier Feminism: the call for a Woman Visitor to 'Half-Caste' girls and women in domestic service, Adelaide, 1925-1928', Frontiers vol.28, nos.1-2 (Spring 2007), (proof) 3,6.*
- 230 *Austin 1993, 81,82.*
- 231 *Austin 1993, 103.*
- 232 *Austin 1993, 89.*
- 233 *Markus 1990, 25.*
- 234 *Haskins 2007, 5.*
- 235 *Austin 1993, 80, 82.*
- 236 *Haebich 2000, 194.*
- 237 *Austin 1993, 160.*
- 238 *Austin 1993, 189, 190.*
- 239 *Austin 1993, 171.*
- 240 *Austin 1993, 173.*
- 241 *Austin 1993, 187.*
- 242 *HREOC 1997, 142.*
- 243 *Haebich 2000, 474.*
- 244 *HREOC 1997, 142.*
- 245 *Haebich 2000, 465.*
- 246 *Austin 1993, 217.*
- 247 *Haebich 2000, 477.*
- 248 *Austin 1993, 67.*
- 249 *Austin 1993, 103.*
- 250 *Austin 1993, 68.*
- 251 *Austin 1993, 82.*
- 252 *Gray 2006, 15.*
- 253 *McGrath 1987, 138.*
- 254 *Austin 1993, 68.*

- 255 *Austin 1993, 86.*
- 256 *Gray 2006, 21.*
- 257 *McGrath 1987, 139.*
- 258 *Austin 1993, 123.*
- 259 *Austin 1993, 187.*
- 260 *Austin 1993, 187-9.*
- 261 *Austin 1993, 83.*
- 262 *Austin 1993, 187.*
- 263 *McGrath 1987, 138.*
- 264 *Austin 1993, 126.*
- 265 *Austin 1993, 83.*
- 266 *Rowley 1986, 281; see also Anthony 2006 (a) s10.*
- 267 *Gray 2006, 27.*
- 268 *Haebich 2000, 451.*
- 269 *Gray 2006, 31.*
- 270 *Haebich 2000, 451.*
- 271 *Haebich 2000, 451.*
- 272 *Cited in Gray 2006, 32.*
- 273 *Gray 2006, 31.*
- 274 *Gray 2006, 32.*
- 275 *Cited in Gray 2006, 30.*
- 276 *Gray 2006, 30.*
- 277 *Jebb 2002, 264.*
- 278 *S J Hemmings and P A Clarke, Aboriginal People of South Australia, Canberra, 1997, 2.*
- 279 *Christobel Mattingley (ed), Survival in our Own Land, Adelaide, 1988, 5.*
- 280 *Cited in Hemmings and Clarke 1997, 18.*
- 281 *Statement by Matthew Moorhouse, protector from 1839-58, cited in C D Rowley, The Destruction of Aboriginal Society, Victoria, 1986, 203.*
- 282 *Anna Haebich, Broken Circles, Fremantle, 2000, 196.*
- 283 *Richard Broome, 'Aboriginal workers on south-eastern frontiers', Australian Historical Studies, 26, 1994, 212.*
- 284 *Mattingley 1988, 117, 118.*
- 285 *Cameron Raynes, 'A Little Flour and a Few Blankets', State Records of South Australia, Adelaide, 2002, 18.*

- 286 *Mattingley 1988, 128.*
- 287 *Mattingley 1988, 127.*
- 288 *C D Rowley, The Destruction of Aboriginal Society, Ringwood, 1986, 219.*
- 289 *Mattingley 1988, 129.*
- 290 *Mattingley 1988, 131.*
- 291 *South Australia, House of Assembly Debates, 1927, vol 1, 332.*
- 292 *Markus 1990, 61.*
- 293 *Raynes 2002, 47.*
- 294 *Mattingley 1988, 130.*
- 295 *Cameron Raynes, The Last Protector: the removal of Aboriginal children from their parents in South Australia under W R Penhall, 1939-1953, unpublished ms, 2004, 63.*
- 296 *Raynes 2004, 124.*
- 297 *Raynes 2004, 63.*
- 298 *Raynes 2004, 47.*
- 299 *Raynes 2006, further research, GRG 52/1/1940/25A, GRG 52/1/1945/78.*
- 300 *Raynes 2004, 64.*
- 301 *Raynes 2002, 52.*
- 302 *Raynes 2006, further research, GRG 52/1/1947/53.*
- 303 *Raynes 2002, 53.*
- 304 *Mattingley 1988, 119.*
- 305 *Raynes 2002, 18.*
- 306 *Raynes 2002, 29, 30.*
- 307 *Raynes 2002, 34.*
- 308 *Raynes 2002, 34.*
- 309 *Raynes 2004, 99.*
- 310 *Haebich 2000, 199.*
- 311 *Raynes 2002, 36.*
- 312 *Mattingley 1988, 120.*
- 313 *Haebich 2000, 320.*
- 314 *From <http://www.southaustralianhistory.com.au/colebrook.htm>.*
- 315 *Raynes 2004, 121.*
- 316 *Raynes 2004, 175, 204.*
- 317 *Raynes 2004, 184, 188.*
- 318 *Raynes 2004, 174.*

- 319 *Raynes 2004, 174.*
- 320 *Haebich 2000, 535.*
- 321 *Raynes 2004, 43.*
- 322 *Cameron Raynes (b), 'Strikes, Petitions and Deputations: Protest by Aboriginal Workers at Point Pearce Station, 1941-1952', History Trust of South Australia, 15th State History Conference, May 2006, 2.*
- 323 *Mattingley 1988, 119.*
- 324 *Mattingley 1988, 132.*
- 325 *Raynes 2006 (b), 4.*
- 326 *Cameron Raynes, 'Submission to the Senate Inquiry into Indigenous Workers (Stolen Wages), July 2006, [2006 (c)], 2.*
- 327 *Raynes 2006 (b), 3.*
- 328 *Raynes 2002, 52.*
- 329 *Raynes 2004, 42.*
- 330 *Raynes 2004, 73.*
- 331 *Raynes 2006 (b), 8.*
- 332 *Cameron Raynes, Evidence to Senate Inquiry into Indigenous Workers (Stolen Wages), November 2006, [2006 (d)], 2.*
- 333 *Raynes 2006 (c), 4.*
- 334 *Raynes 2006, GRG 52/1/1940/48.*
- 335 *Raynes 2004, 43.*
- 336 *Raynes 2006, GRG 52/1/1951/76.*
- 337 *Raynes 2006, GRG 52/1/1953/114.*
- 338 *Raynes 2006 (c), 4.*
- 339 *Raynes 2004, 201.*
- 340 *Raynes 2004, 129.*
- 341 *Raynes 2004, 196,196.*
- 342 *Raynes 2004, 146.*
- 343 *Raynes 2004, 56.*
- 344 *Raynes 2006 (c), 5.*
- 345 *Raynes 2004, 44.*
- 346 *C D Rowley, The Destruction of Aboriginal Society, Ringwood, 1986, 67, 192.*
- 347 *Rowley 1986, 66, 18.*
- 348 *Rowley 1986, 384.*

- 349 *Anna Haebich, Broken Circles, Fremantle, 2000, 186.*
- 350 *Anna Haebich, For Their Own Good, Perth, 1988, 48.*
- 351 *Rowley 1986, 189.*
- 352 *Rowley 1986, 190.*
- 353 *Haebich 1988, 61.*
- 354 *Haebich 1988, 9.*
- 355 *Haebich 1988, 35-41.*
- 356 *Rowley 1986, 190-194.*
- 357 *Haebich 1988, 81.*
- 358 *Haebich 1988, 94, 95.*
- 359 *Haebich 1988, 121.*
- 360 *Fiona Skyring, Attachment to Aboriginal Legal Service of Western Australia Submission to Senate Legal and Constitutional Committee Inquiry into Stolen Wages, (submission 30 A), 2006 (a), 12.*
- 361 *Haebich 1988, 159.*
- 362 *Lauren Marsh and Steve Kinnane, 'Ghost Files. The missing files of the Department of Indigenous Affairs Archives', Studies in Western Australian History, No. 23, 2003, 121.*
- 363 *Mary Ann Jebb, Blood, Sweat and Welfare, Perth, 2002, 160, 161.*
- 364 *Stephen Kinnane, Evidence to Senate Inquiry into Indigenous Workers (Stolen Wages), November 2006, 49.*
- 365 *Jebb 2002, 80.*
- 366 *Jebb 2002, 78.*
- 367 *Jebb 2002, 133.*
- 368 *Fiona Skyring, Further Submission from ALSWA to Senate Inquiry into Stolen Wages (submission 30B), 2006 (b), 9.*
- 369 *Haebich 1988, 286.*
- 370 *Haebich 1988, 288.*
- 371 *Rowley 1986, 300-303.*
- 372 *Skyring 2006 (b), 35.*
- 373 *Jebb 2002, 158.*
- 374 *Jebb 2002, 222.*
- 375 *Jebb 2002, 160.*
- 376 *Skyring 2006 (b), 6, 11.*
- 377 *Jebb 2002, 165.*

- 378 *Jebb 2002, 164.*
- 379 *Jebb 2002, 207.*
- 380 *Jebb 2002, 215.*
- 381 *Jebb 2002, 210*
- 382 *Craig Muller, Evidence to Senate Inquiry into Indigenous Workers (Stolen Wages),
November 2006, 31.*
- 383 *Jebb 2002, 217.*
- 384 *Jebb 2002, 219.*
- 385 *Jebb 2002, 223.*
- 386 *Skyring 2006 (b), 13.*
- 387 *Jebb 2002, 223.*
- 388 *Jebb 2002, 228.*
- 389 *Skyring 2006 (a), 15.*
- 390 *Jebb 2002, 241.*
- 391 *Skyring 2006 (b), 15.*
- 392 *Fiona Skyring, Evidence to Senate Inquiry into Indigenous Workers (Stolen Wages),
November 2006, 18,19.*
- 393 *Jebb 2002, 281, 283.*
- 394 *Skyring 2006 (b), 21. From 1965 a file was kept entitled ‘Employment of natives, wages and
working condition – Awards affecting employment’ (Skyring 2006 (a), 4).*
- 395 *Jebb 2002, 255.*
- 396 *Jebb 2002, 288.*
- 397 *Skyring 2006 (b), 23.*
- 398 *Jebb 2002, 278.*
- 399 *Skyring 2006 (b), 19.*
- 400 *An Act to prevent the enticing away the Girls of the Aboriginal Race from School or from any
Service in which they are employed.*
- 401 *The Board was abolished under the Aborigines Act (1897) when the Aborigines department
was created.*
- 402 *Rowley, 1886, 193.*
- 403 *Haebich 2000, 211, 212.*
- 404 *Human Rights and Equal Opportunity Commission (HREOC), Bringing Them Home,
National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from
their families,1997, 102.*

405 *Haebich 2000, 252.*
406 *Rowley 1986, 193, 190.*
407 *Haebich 2000, 239.*
408 *Haebich 2000, 243.*
409 *Skyring 2006 (b), 37.*
410 *Haebich 1988, 214.*
411 *Skyring 2006 (b), 33.*
412 *Kinnane, 2006, 47.*
413 *Haebich 2000, 281.*
414 *Jebb 2002, 158.*
415 *Jebb 2002, 164.*
416 *Skyring 2006 (a), 11.*
417 *Jebb 2002, page 220.*
418 *HREOC 2000, 111.*
419 *HREOC 2000, 112.*
420 *Jebb 2002, 159.*
421 *Haebich 1988, 70.*
422 *Haebich 1988, 147.*
423 *Haebich 1988, 175.*
424 *Haebich 1988, 178, 194.*
425 *Haebich 1988, 251.*
426 *Haebich 1988, 216.*
427 *Skyring 2006 (a), 4.*
428 *Skyring 2006 (a), 4.*
429 *Haebich 1988, 123.*
430 *Skyring 2006 (b), 27.*
431 *Haebich 1988, 162.*
432 *Skyring 2006 (b), 27.*
433 *Haebich 1988, 162.*
434 *Haebich 1988, 213.*
435 *Haebich 1988, 214, 251.*
436 *Haebich 1988, 252.*
437 *Skyring 2006 (b), 36.*
438 *Haebich 1998, 277.*

- 439 *Jebb 2002, 157.*
- 440 *Jebb 2002, 242.*
- 441 *Skyring 2006 (b), 39.*
- 442 *Skyring 2006 (b), 38.*
- 443 *Haebich 1998, 345*
- 444 *Skyring 2006 (b), 39.*
- 445 *Skyring 2006 (b), 41, 2, 42.*
- 446 *Muller 2006, 29.*
- 447 *Jebb 2002, 208.*
- 448 *Jebb 2002, 209.*
- 449 *Jebb 2002, 209.*
- 450 *Jebb 2002, 229.*
- 451 *Jebb 2002, 229.*
- 452 *Haebich 2000, 520.*
- 453 *Jebb 2002, 230.*
- 454 *Jebb 2002, 230.*
- 455 *Jebb 2002, 260.*
- 456 *Skyring 2006 (a), 4.*
- 457 *Jebb 2002, 256.*
- 458 *Muller 2006, 27.*
- 459 *Jebb 2002, 263.*
- 460 *Jebb 2002, 271.*
- 461 *Jebb 2002, 268.*
- 462 *Jebb 2002, 266.*
- 463 *Skyring 2006 (a), 20.*
- 464 *Jebb 2002, 269.*
- 465 *Jebb 2002, 269.*
- 466 *Jebb 2002, 271.*
- 467 *Skyring 2006 (b), 46.*
- 468 *Richard Broome, The Aboriginal People of Victoria, Canberra, 1990, 6-8.*
- 469 *C D Rowley, The Destruction of Aboriginal Society, Ringwood, 1986, 56, 62.*

- 470 <http://www.prov.vic.gov.au/nativepolice/background.html>
- 471 *Richard Broome, 'Victoria', in Ann McGrath (ed), Contested Ground, Sydney, 1995, 134-5.*
- 472 *Anna Haebich, Broken Circles, Fremantle, 2000, 164.*
- 473 *Richard Broome, 'Aboriginal workers on south-eastern frontiers', Australian Historical Studies, 26, 1994, 212.*
- 474 *Broome 1994, 215-7.*
- 475 <http://www.prov.vic.gov.au/nativepolice/background.html>
- 476 <http://www.museum.vic.gov.au/encounters/coranderrk/legislation/index.htm#Legislation>
- 477 *Broome 1994, 136.*
- 478 http://abc.net.au/missionvoices/general/missions_and_reserves_background/default.htm
- 479 *Public Records Office, Victoria, Finding Your Story, 2005, 85.*
- 480 *Public Records Office 2005, 85.*
- 481 *Broome 1994, 140, 141.*
- 482 *Public Records Office 2005, 86.*
- 483 *Haebich, 2000, 168.*
- 484 *Public Records Office, 88.*
- 485 *ibid.*
- 486 *Broome 1994, 213.*
- 487 *'Yarra Mission School in Wurundjeri country', <http://www.vaeai.org.au/timeline/1823.html>*
- 488 *Human Rights and Equal Opportunity Commission (HREOC), Bringing Them Home, National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from their families, 1997, 58.*
- 489 *Cited in <http://www.museum.vic.gov.au/encounters/coranderrk/legislation/index.htm#Legislation>*
- 490 *Public Records Office, 87.*
- 491 *Broome 1995, 140.*
- 492 *Haebich 2000, 167.*
- 493 *Haebich 2000, 500.*
- 494 *Broome 1995, 150, 151.*
- 495 http://abc.net.au/missionvoices/general/missions_and_reserves_background/default.htm
- 496 *ibid.*
- 497 <http://www.walkabout.com.au/locations/VICLakeCondah.shtml>
- 498 http://abc.net.au/missionvoices/general/missions_and_reserves_background/default.htm

499 *Public Records Office 2005, 86.*
500 *Broome 1994, 142.*
501 *Broome 1994, 142.*
502 *HREOC 1997, 59.*
503 *Broome 1994, 149.*
504 *Public Records Office, Victoria, Finding Your Story, 2005, 85.*
505 *Lyndall Ryan, Aboriginal Tasmanians, New South Wales, 1996, 66.*
506 *C D Rowley, The Destruction of Aboriginal Society, Ringwood, 1986, 45.*
507 *Ann McGrath, 'Tasmania', in Ann McGrath (ed), Contested Ground, Sydney, 1995, 315.*
508 *McGrath 1995, 317.*
509 *McGrath 1995, 320.*
510 *Cited in McGrath 1995, 321.*
511 *Human Rights and Equal Opportunity Commission (HREOC), Bringing Them Home, National Inquiry into the Separation of Aboriginal and Torres Strait Islander children from their families, 1997, 92.*
512 *HREOC 1997, 92.*
513 *McGrath 1995, 309.*
514 *McGrath 1995, 323.*
515 *Anna Haebich, Broken Circles, Fremantle, 2000, 81.*
516 *McGrath 1995, 315.*
517 *Haebich 2000, 81.*
518 *C D Rowley, The Destruction of Aboriginal Society, Ringwood, 1986, 44.*
519 *Lyndall Ryan, Aboriginal Tasmanians, New South Wales, 1996, 78, 79.*
520 *Haebich 2000, 85.*
521 *Haebich 2000, 88.*
522 *Haebich 2000, 86.*
523 *Rowley 1986, 50.*
524 *Haebich 2000, 105.*
525 *Haebich 2000, 106.*
526 *HREOC 1997, 92.*
527 *Haebich 2000, 125.*
528 *HREOC 1997, 92.*
529 *Ryan 1996, 244.*
530 *Haebich 2000, 496.*



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