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Enter the bureaucrats, 1916

By 1916 the New South Wales Aboriginal Protection Board (APB) had functioned for 33 years and 37 members had served.¹ Apart from *The Report from the Select Committee on the Condition of the Aborigines* in 1845, commissioned by the New South Wales Parliament, the New South Wales Government did not undertake a major inquiry into the status or the needs of its Aboriginal population up to the establishment of the Board in 1883.² After the creation of the Board, this path of indifference continued well into the twentieth century and the Board carried out its operations with little interference or oversight.

Historically this was unusual. Victoria had its first Select Committee ‘into Aborigines’ in 1859, followed by a Royal Commission on ‘Aborigines’, and then a report on the Aboriginal settlement at Coranderk in 1882. Queensland provided a Select Committee report into the ‘Native Police and Aborigines’ in 1861, there were two more reports into the condition of Aboriginal people at Mackay (1874 and 1876), and a Select Committee on the ‘Aboriginals of Queensland’ held in 1896. Western Australia had no fewer than 11 Select Committees and reports on the ‘Aboriginal Natives’ up to 1904, with a full Royal Commission in 1905. South Australia had its first Select Committee on ‘The Aborigines’ in 1860, a second one in 1866 on the ‘Management of Northern Territory Expedition’ and a Royal

1 See Appendix 1 for full list of Board members and short profiles.

2 *The Report from the Select Committee on the Condition of the Aborigines, with appendix, minutes of evidence, and replies to a circular letter*, commissioned by the New South Wales Parliament, Legislative Council in 1845, was mainly in response to the failed Port Phillip Protectorate. The only other Select Committee was in 1858, but with a narrow focus on the murders of whites by Aborigines on the Dawson River.

Commission on 'The Aborigines' in 1913.³ In stark contrast, New South Wales had no official major inquiries.⁴ The 'mother state' would wait until 1937 and 1938 to have its first official inquiries undertaken by a Select Committee and then by the Public Service Board, respectively, into the New South Wales APB. Put another way, from 1859 to 1916 there were 23 significant inquiries concerning Aboriginal populations across Australia, but *none* were staged in New South Wales. To press the point a little further, the opinions of the secretary of the New South Wales APB, Robert Henry Beardsmore, on Aboriginal people and policy direction are found, not in any New South Wales archive, but between questions 2118 and 2144 of the 1913 Royal Commission 'on the Aborigines' in South Australia.⁵

There is a paradox here. Although other jurisdictions had many inquiries into 'Aborigines', this did not mean that Aboriginal people in other states had better outcomes. On the contrary, Victoria, the first to undertake such inquiries, was in fact the first colony to impose the most coercive legislation: the *Aborigines Protection Act 1886*.⁶ The very fact that no major inquiries took place in New South Wales may have helped cocoon its Aboriginal population from an early onset of punitive legislation. As Heather Goodall notes, the Aboriginal people of New South Wales had successfully acquired 31 reserves (for their own use) between 1861 and 1864, whereas by 1869 the Victorian Board had strict management control over *all* six Aboriginal reserves.⁷ John Chesterman and Brian Galligan remind us that after Federation Aboriginal people 'had no share in the rights and entitlements that ordinary citizens enjoyed'.⁸ State scrutiny brought more control, not less, over Aboriginal people.

3 These reports, select committees and Commissions, are found on the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) website, 'To Remove and Protect': aiatsis.gov.au/collections/collections-online/digitised-collections/remove-and-protect.

4 Thornton's Report, in 1882, was significant in the NSW context but it was mostly statistical and, in part, a defence of his own policies. The Fosbery/King two-page report on Maloga and Warangesda, 1882, was the result of the opinions of two people only, both of whom became inaugural Board members.

5 Correspondence Files VPRS 1694/P0000/15, Question 2127, South Australian Royal Commissions, 1913, Public Records Office Victoria (hereafter PROV), 107–10.

6 Christie, *Aborigines in Colonial Victoria*, 178–204.

7 Christie, *Aborigines in Colonial Victoria*, 179–80.

8 Chesterman and Galligan, *Citizens Without Rights*, 2–3.

Just like the absence of any inquiries into its own Aboriginal population prior to the establishment of the Board in 1883, for the next 33 years there had been no official analysis or inspection of the Board's functionality or effectiveness. The Board's only requirement was an annual report to the colonial secretary, which it produced diligently, but the reports, and the Board's overall policy directions, were never questioned.

However, the government suddenly intervened in 1916. Virtually overnight, without warning, it replaced all the private individuals on the Board with a membership predominately composed of senior public servants. The events leading up to the restructure and the ramifications of the government's decision to do so is the subject of this chapter.

Ardill's elevation to vice-chair

The *Aborigines Protection Act 1909* (NSW) came into force on 1 June 1910. Robert Donaldson had done much of the promotional work, regularly articulating his views in public and through the parliament. George Ardill, on the other hand, focused on the administrative work of the Board and his enthusiastic approach in the carriage of his duties was rewarded with his rise to the vice-chair, a position made available under the new Act on 23 June 1910.⁹ Donaldson may have been an obvious choice for vice-chair but his sporadic attendance and role as a parliamentarian may have excluded him. Perhaps he did not want the position. He preferred to be his own boss, expressing his views freely. Ardill, the always-present fixer, was better suited to the position. In August 1910, Ardill presented a minute to the Board outlining a reorganisation of the office. He suggested the appointment of an 'Inspector and Secretary', a 'competent Clerk', a typist, a 'Home finder and a superintendent of Apprentices'. He raised the issue of apprenticing children and advocated the removal of all able-bodied 'Quadroon' and 'Half-castes' from the Board's stations and reserves. This was the first major policy articulation recorded in the available Board minutes since 1883. The Board accepted his proposal about the clerk and typist but postponed indefinitely all other issues.¹⁰ Why the other Board members present did not accept all his

9 APB Minutes (hereafter *APBM*), 23 June 1910, Item 1. All *APBM* accessed via: Minute Books (Aborigines Welfare Board), NRS 2, NSW Department of Aboriginal Affairs, Sydney.

10 *APBM*, 11 August 1910, Item 1.

suggestions is unclear. They may have felt that he was being too forceful too early in his tenure as vice-chair, or they needed more time to consider the more important issues of his proposals.

Ardill opened on another front: he recognised that the *Aborigines Protection Act 1909* still did not allow for the easy removal of children. An entry in the minutes of a late July Board meeting in 1910 flagged the problem for the Board. A Mrs Bain had requested an Aboriginal apprentice and the Board response was 'Instruct the manager [of the Aboriginal station] to endeavour to persuade the girl's mother to allow her to accept the situation'.¹¹ The Aboriginal girl was under the age of 14 so the Board had to either cajole the mother to release her or apply to the courts to have her removed. Ironically, now that the Act was in place, the Board felt more pressure to operate within the bounds of the law. As mentioned previously, informal removal 'arrangements' had taken place for years, with scant consideration for age or anything else, but now that the Board had legislation it was constrained to work within it. Ardill realised that nothing less than a full legislative mandate to remove all children, regardless of age or reason would be acceptable.

In November 1911 Ardill raised the issue again and presented to the Board a comprehensive array of policy recommendations. He proposed the appointment of an inspector and a homefinder; the establishment of a training home for Aboriginal girls and boys; wider powers to control Aboriginal children; the transferral of government money from the Department of Instruction to the APB; the Board to appoint all teachers to its stations; the closure of the smaller reserves; and the forced removal of able-bodied 'half-castes' and 'quadroons' from all reserves after 12 months' notice.¹² The Board again deferred almost everything that Ardill had proposed. But it did agree to

wait upon the minister and urge the appointment of an inspector ... [and approve] the steps being taken to induce the aborigines on smaller reserves to remove to larger reserves where there are managers and teachers.¹³

Ardill had not achieved all he wanted, but, importantly, he was given licence to proceed with his suggestions and to draft changes to the Act.

11 *APBM*, 21 July 1910, Item 7. (It is unclear as to which Aboriginal station the minutes referred.)

12 *APBM*, 30 November 1911, Item 11.

13 *APBM*, 30 November 1912, Item 11.

He responded quickly and in early 1912 presented several changes, which all were carried by the Board. His proposals were extensive. Over the last three decades of the life of the Board this was the first instance where such a detailed program for change had been tabled in the Board minutes.¹⁴ As far as Aboriginal children were concerned, Ardill recommended that the Board should have full control and custody of the child of 'any aborigine', that the Board have discretion to make its own terms and conditions and not abide by those of the NSW *Apprentices Act 1901*, that if any child refused a Board placement then the Board could remove that child to any home or institution, that any child absconding from a placement by the Board would be dealt with as a 'neglected child' under the *Neglected Children and Juvenile Offenders Act 1905* (NSW), that the Board have control over the finances and appointment of teachers, and that a training home for 'the lads' be established at the earliest possible date.¹⁵

In April 1912, all these points were accepted by the Board and Ardill's proposals formed the basis of policy. John Ramsland declared: 'on a single day he turned the Aborigines Protection Board into a ministry of fear' by advocating a rigid 'prison like universe for all Aboriginal adults who were unfortunate to be living on the state's Aboriginal Reserves and Stations'.¹⁶ Ardill and Donaldson were given the task of framing policy and preparing regulations in connection with the amending Act. They were unlikely bedfellows – two dominant men with quite different personalities – but their shared focus on child removals led to productive collaboration. After Ardill and Donaldson's deliberations, a deputation called upon Fred Flowers MLA to put the Board's case for changes to the 1909 Act – chiefly to increase its powers to remove children.

The Board formally met with Fred Flowers on 13 May 1912.¹⁷ The deputation comprised Mr Ernest Day, Police Commissioner (APB chair), Robert Scobie, George Ardill, Robert Donaldson and R.H. Beardsmore (secretary). The Board sought a paid inspector to visit the stations, reserves and camps to provide a consistent approach across the state; the

14 There may have been an equally extensive submission in the lead-up and drafting of the *Aborigines Protection Act 1909* (NSW), but unfortunately the minutes are missing for that period.

15 *APBM*, 18 April 1912, Item 2.

16 Ramsland, 'Ardill, George'.

17 Fred Flowers was not the colonial secretary (he had been, but for only 19 days in 1911); in May 1912 he was not even a minister, although he was Minister for Public Instruction for a brief period up to February 1912. It is curious that he – and not the current colonial secretary, James McGovern – met the deputation. However, the Board may have felt Flowers would be more sympathetic to their agenda.

establishment of a homefinder position to secure domestic situations for the Aboriginal children; and the power to remove children from the camps.

Apart from Beardsmore, each member made a submission. Day informed Flowers that the Board wanted an inspector to visit all the stations and reserves so that the 'treatment of aborigines throughout the whole of the state [would] be uniform'. An inspector could launch snap visits that would have a 'salutary effect'.¹⁸ He also requested the establishment of a female 'Homefinder' who could obtain 'particulars of suitable children' and 'find suitable homes in which to place them'.¹⁹ Ardill conflated several issues. He admitted that many of the camps 'had not been visited by the Board', that visits had been 'haphazard', and the condition of some of the camps 'reflected credit on neither the Board or the Government'. He proposed that the Board should be able to apprentice children from the age of 12 and that the Board should have 'full control over the children'.²⁰ Ardill also advocated for Board-directed Aboriginal education, and stated that Aboriginal children 'need not be educated right up to the standard of the white population'.²¹ Robert Scobie presented a more humanitarian, even progressive, perspective. He declared that 'aborigines were not given the same privileges and rights that they should get in this democratic country'. Education was vital, but once educated 'there was no opening for them in the white population of the country'.²² He then fell in with the prevailing Board views regarding the 'deplorable state of the aboriginal communities' and he feared for the children exposed to the 'low class white population'.²³ Donaldson remained focused on the children. He claimed that the camps were established 25 years previously to provide 'relief to the old darkies, but they had gradually drifted into breeding grounds for half-castes'. The only way 'out of the trouble was to take the white children away and merge them into the general population'. If the girls were removed from the camps it would reduce the financial burden on the

18 APB Deputation to the CS, 13 May 1912, Colonial Secretary's In-Letters (hereafter CSIL), 1913, 5/7165, 1-2100, Item 12.134, 1-2, State Records of New South Wales (hereafter SRNSW).

19 APB Deputation to the CS, 13 May 1912, CSIL 1913, 5/7165, 1-2100, Item 12.134, 3 (SRNSW).

20 APB Deputation to the CS, 13 May 1912, CSIL 1913, 5/7165, 1-2100, Item 12.134, 4 (SRNSW).

21 APB Deputation to the CS, 13 May 1912, CSIL 1913, 5/7165, 1-2100, Item 12.134, 4 (SRNSW).

22 APB Deputation to the CS, 13 May 1912, CSIL 1913, 5/7165, 1-2100, Item 12.134, 5 (SRNSW).

23 *Maitland Daily Mercury*, 13 May 1912, 5.

state and eventually the camps could be abolished.²⁴ Fred Flowers found the whole discussion a ‘revelation ... especially those [points] made by Mr Scobie and Mr Donaldson’.²⁵

Cracks appear between the Board and government

Flowers agreed to bring the matters before Cabinet and to have their statements typed up and sent to every minister of the Crown.²⁶ However, the necessary funding was rejected by Colonial Secretary James McGovern, citing the ‘need for economy’.²⁷ Soon after, the Board sought funding to cover the costs of their own members to carry out the inspections.²⁸ The minutes of 14 August 1913 record that the new colonial secretary, William Holman, refused permission for Board members to visit the stations and reserves, would not consider any payment of members and had not responded to the Board’s entreaties on the matter.²⁹ In the past the police had undertaken the bulk of inspections, so the colonial secretary could argue that it was unnecessary for members to duplicate that state-funded role. Interestingly, as Naomi Parry remarks, Ardill was the only Board member without a salary and ‘was in financial strife’ from operating his various Homes across Sydney.³⁰

The Board, exasperated by continued funding rejections, reacted dramatically, Ardill proposed:

That in view of the discourtesy shown ... by the minister in failing to reply to the request [to visit] Stations and Reserves to secure necessary information ... without which ... the Board cannot judiciously or satisfactorily deal with the conditions

24 APB Deputation to the CS, 13 May 1912, CSIL 1913, 5/7165, 1-2100, Item 12.134, 6 (SRNSW).

25 APB Deputation to the CS, 13 May 1912, CSIL 1913, 5/7165, 1-2100, Item 12.134, 6 (SRNSW).

26 *Sydney Morning Herald* (hereafter *SMH*), 14 May 1912, 7.

27 *Protection of Aborigines: Report of the Board* (the APB Report: hereafter *APBR*) 1913, 3. Accessed via ‘NSW’, To Remove and Protect, AIATSIS: aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/23014.pdf.

28 *Daily Telegraph*, 11 October 1913, 13.

29 *APBM*, 14 August 1913, Item 1; James McGowen (Labor) was colonial secretary from 27 November 1911 to 29 June 1913.

30 Parry, ‘Such a Longing’, 281.

prevailing ... and the further discourtesy shown ... in failing to reply ... the Board decline to proceed with any further business until the minister has made a suitable reply.³¹

The Board went on strike. The matter was noted across the border in Victoria, where *The Age* wrote:

The Board for the Protection of Aborigines has passed a resolution declining to proceed with any further business until some notice is taken of its action to visit the aborigines' reserves ... The [Board] sought Ministerial authority for an expenditure of £25 in connection with [the] proposed visits but this was declined.³²

The *Richmond River Express and Casino Kyogle Advertiser* explained that Board members were purely 'honorary', attended 'weekly meetings and gave a large amount of time on matters submitted to them' and that the only costs to the government for recent visits to the reserves and stations were 15 shillings per day allowance and train fares. In response to the strike the colonial secretary said that he 'was perfectly willing to receive the deputation' but only when the 'current session of parliament is over'.³³

It is unknown whether the Board was happy with the colonial secretary's guarantee but Ardill and the APB returned to work. However, Board member Dr Walter Hull handed his resignation to the chair on the following grounds:

That the Minister has refused to authorise without giving any reason the payment of disbursements incidental to the inspection of Aboriginal Stations under the control of the Board and has not suggested any other means of inspection.

That the Board is not justified in attempting to manage these stations unless it is able to inspect them from time to time as it considers the necessity of doing so arises.³⁴

Medical doctor Walter Hull had replaced retiring Board member Dr Robert Paton on 10 April 1913. Hull had only spent seven months on the Board before he resigned over the stand-off on inspection payments. From 28 meetings he attended 23, an attendance rate of 82 per cent, so he appeared to be an interested replacement and felt the issue important

31 *APBM*, 13 October 1913, Item 1.

32 *The Age*, 13 October 1913, 10.

33 *The Richmond River Express and Casino Kyogle Advertiser*, 17 October 1913, 6.

34 *APBM*, 20 November 1913, Item 1.

enough to resign over.³⁵ Notwithstanding the deputation, the government in 1913 held firm; it was unprepared to fund the role of an inspector or pay members to undertake inspections.³⁶ The government never paid members to inspect the stations. The issue over funding had seen the first real ‘crack’ in the relationship between the Board and the government.

Full control of the children

In 1914 the Board put forward an amendment to the *Aborigines Protection Act 1909* (NSW) to allow the removal of Aboriginal children from their families without referral to the courts. If the Act was passed, the Board could remove any Aboriginal child, with no age restriction, as it saw fit. The managers of stations, or police, or any agent of the Board, could decide to remove a child. Aboriginal people would have redress to the courts only after the event.³⁷

In the Legislative Council, Fred Flowers introduced the amendment as a ‘small alteration of the law with the object of dealing with the younger members’ under the *Aborigines Protection Act 1909*.³⁸ Flowers was so impressed with Donaldson’s submission in 1912 that he quoted directly from it. He informed the council that currently there were ‘five half-castes for every two full-bloods’. In seeking increased powers to remove biracial children, the Board planned ‘to put things in train on lines that would eventually lead to the camps being depleted of their populations and finally the closing of the reserves and camps altogether’. Consequently, the ‘charge upon the State would disappear’. This would only be possible if the ‘children were removed from the low surroundings of the camps and placed in a position where they would be sought after for healthy occupations’. In this way, the ‘children would be saved and the camps abolished’.³⁹

35 Analysis of *APBM* for Hull’s tenure on the Board.

36 Refusing members permission to visit the reserves and stations is curious. It is unclear if the colonial secretary had any other concerns about Board members visits but it can only be assumed that financial constraints were the issue.

37 *Aborigines Protection Amending Act 1915* (NSW), Section 4. New South Wales would have been aware of Victoria’s move to yet again pass another *Aborigines Protection Act* in late 1915. However, the Victorian focus was not on the removal of children. It consolidated the repeal of the *Aborigines Acts* of 1890 and 1910, but it spawned some 56 regulations in 1916 that ‘extended the Board’s coercive powers over the lives of Aboriginal people’ and mirrored many of the New South Wales regulations already in place. See Broome, *Aboriginal Victorians*, 202.

38 NSW, *Parliamentary Debates*, Legislative Council, 24 November 1914, 1353 (Fred Flowers).

39 NSW, *Parliamentary Debates*, Legislative Council, 24 November 1914, 1353 (Fred Flowers).

Flowers apprised the Legislative Council that the Board was requesting to become 'parents to the children' and that from 'whatever age' they could be removed from the 'civil influences of the camps, and apprenticed out or adopted as is thought fit'. He reminded members that currently the Board could only remove children over 14 and under 21 to be apprenticed but only with the permission of the 'child and its parents or guardians'. He advised that determining neglect can be 'unnecessarily cumbersome and ineffective' and that when actions had been instigated 'parents have removed children across the border into Victoria ... [defeating] ... the object of the Board'.⁴⁰

He pointed out that a 'Home Finder' should be appointed to the Board and that 'this lady' (Miss Alice Lowe) had already undertaken visits to the camps encouraging mothers to give up their children. The mothers had refused, raising 'frivolous objection and withheld their consent'. Flowers pressed that the Board was now 'compelled' to push for change that would give them

absolute control in *loco parentis* over every aboriginal child whose moral or physical welfare is, in the opinion of the Board, being imperilled by remaining, as they are to-day, under the influences of camp life.

Flowers again stressed the difficulty of proving neglect and the need to bypass the courts, saying that the 'difficulty of proving neglect where children are fairly clothed and fed is insurmountable'.⁴¹ The crusade that Donaldson began in 1904 was coming to fruition.

Though Edmund Fosbery, as chair of the Board, had supported the removal of Aboriginal people from La Perouse in 1900, in 1914 he got to his feet to defend the camps. He did not consider that Flowers had been very fair in his depiction of them and encouraged fellow members to visit them for themselves, saying they would find that the 'moral condition of the camps has been in no respect neglected'. He informed members that there were schools and 'instruction classes for the female children' and other 'suitable employment for the male children'. But he could hardly argue against the amendment when it was he who proposed the measure

40 NSW, *Parliamentary Debates*, Legislative Council, 24 November 1914, 1354 (Fred Flowers).

41 NSW, *Parliamentary Debates*, Legislative Council, 24 November 1914, 1354 (Fred Flowers).

back in 1883, some 32 years prior.⁴² He added, ‘it had always been the intention of the Board to almost entirely ... absorb these half-castes and quadroons into the general community’. In a word of caution, he alerted members to the impending difficulties of the removal of Aboriginal children from their families. He stressed that there was a ‘fervent and strong affection between the parents and relations of these half-caste and other children – an affection quite as strong as that exists amongst any of the white population’. He warned that Aboriginal parents would resist any attempt to remove their children, but claimed the only ‘one proper way’ to do this was to give the Board the authority to do it.⁴³ As in 1909, Fosbery was in two minds: he probably felt the need to defend his own legacy but had always been opposed to punitive measures. Though he had planted the seeds for removal three decades ago, it seems that he found the reality unpalatable.

The debate in the Assembly was much more robust. Colonial Secretary J.H. Cann introduced the amendment.⁴⁴ Although the voices of dissent were few, it was immediately attacked by Mr McGarry (member for Murrumbidgee) who interjected that the Act would ‘steal the children away from their parents’.⁴⁵ McGarry’s electorate took in the southern central part of New South Wales where there were significant numbers of Aboriginal people, including the long-established Aboriginal station of Warangesda. Cann defended his position by stating that it was not a question of stealing but of ‘saving them’ from immorality and placed the blame on Aboriginal women by innuendo, saying that a ‘young girl of 13 may be an asset to an Aboriginal woman’. Cann concluded that the removal of the children would give them a fair chance in life and they would be ‘reared in such a way as will enable them to merge into citizens amongst the white people’.⁴⁶

McGarry continued at length and his arguments best reflected the limited opposition to the amendment. He stressed that current legislation to prove neglect was available and that the Board should be satisfied to

42 The very first Board report sought control, as in *loco parentis*, of the children. *APBR* 1883–84, 2. Accessed via ‘NSW’, To Remove and Protect, AIATSIS: aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/22818.pdf.

43 *NSW, Parliamentary Debates*, Legislative Council, 24 November 1914, 1355.

44 John Cann became colonial secretary from 29 January 1914, so perhaps he had assumed carriage of this amendment before taking up his official position (i.e. he was speaking in the debate two days before his appointment).

45 *NSW, Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1951 (McGarry).

46 *NSW, Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1951 (J.H. Cann).

invoke it if needs be. He then spoke of the injustice of separation: 'I have heard of a measure of this kind talked of for years, but I never expected to see it submitted to parliament'. We have 'over-run their country and taken away their domain. We now propose to perpetrate further acts of cruelty upon them by separating the children from their parents'.⁴⁷ He reminded members that it would be almost impossible for an Aboriginal parent to fight the removal of a child through the court system as 'who will listen to her?' He agreed that the children should be controlled but that the 'child should not be separated from the mother' and made the point that society would 'never improve the child by taking it away from the parent'.⁴⁸ He concluded his major speech with another serve at the unscrupulous:

We are going to hand over these children to merciless, grasping, cruel people, who are looking for cheap labour all the time.⁴⁹

McGarry had exposed what had been happening for many years: the use of Aboriginal labour, both adult and child, without appropriate remuneration and indeed with cruelty. He even suggested that policemen may be 'in league' with squatters who sought absolute control of a child to 'use him as a slave'. He also raised the issues of prejudice from Board officials in dealing with the matters of child separation and suggested that managers and teachers on the stations were of limited ability or worse. He was certainly correct about the latter, as Tracey Bell's research has shown.⁵⁰

Robert Scobie, member for Murray and a Board member, opposed the amendment too, but his contribution was muddled and contradictory. He did not believe the Board should have such powers, that 'these people' [the Aborigines] should be under the control of the Inspector-General of Police, then, confusingly, suggested a 'Protector' should be appointed, and complained that the parliament did not provide enough money to the Board.⁵¹ He opposed the summary removal of Aboriginal children.⁵²

47 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1952–53 (McGarry).

48 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1952–54 (McGarry).

49 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1955 (McGarry).

50 Bell, 'A Benevolent Tyranny – The Role of Managers on Aboriginal Stations in New South Wales 1880–1965', 141. Bell reveals how the responsibilities of managers of Aboriginal of stations were far too broad and not all could be carried out competently.

51 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1964–65 (Robert Scobie).

52 Doukakis, *The Aboriginal People*, 109.

The member for Naomi, George Black, raised several concerns. There were risks in leaving such decisions in the hands of ordinary Board officials. He expressed concern that the nation had neglected its duties towards the 'aboriginal owners' of the country and that Australia fared unfavourably to the comparative treatment of the original owners of New Zealand and America.⁵³ He stressed that the whole system of boarding-out the Aboriginal girls was wrong as many were left alone on isolated stations amongst young white men with obvious consequences. He also thought it was an act of 'cruelty to deprive a mother of her daughters'. Mr Fern, member for Cobar, agreed with Black, citing that he had many requests from people in his district for a young girl to be apprenticed to them but that he noted, in the case of a 'black child', she is 'generally hooked on to a plough or swings an axe' and nobody 'cares what becomes of her'.⁵⁴ Black was equally concerned that the police had to act on many things and one could not expect them to always act with 'humanitarian feelings'. He agreed with McGarry that they should 'return them to their original territory', with their families intact and supported 'to make a good living'.⁵⁵ Strangely, Black voted for the amendment but, as Naomi Parry points out, as a Cabinet government member, he was obliged to vote with the government.⁵⁶

Scobie, Fern and McGarry voted against the amendment and there were 35 votes in favour.⁵⁷ All three men were 'rural Labor men who knew Aboriginal people well'.⁵⁸ Once again, as in the debate over the *Aborigines Protection Act 1909*, Board member Scobie voted against Board policy. Though he hardly ever engaged with the Board over his 16 years as a member, attending only 33 meetings from a possible 399 (see Appendix 1), he took a stand on key issues.

In the end it made no difference. The clear majority supported the amendment either because they firmly believed that it was right for the Board to be able to remove Aboriginal children without reference to the courts, or through indifference. The 1915 amendment gave the Board unprecedented powers.

53 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1957 (George Black).

54 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1962–63 (Fern).

55 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1958 (George Black).

56 Parry, 'Such a Longing', 277.

57 NSW, *Parliamentary Debates*, Legislative Assembly, 27 January 1915, 1967.

58 Parry, 'Such a Longing', 276.

Ardill pushes to expand Board jurisdiction

With the Board's new-found powers, an ever-vigilant Ardill recognised that the identification, removal and placement of young Aboriginal girls and boys into service required increased Board activity. He put forward a motion to the new colonial secretary, George Black, suggesting that due to an 'increased workload' the 'time had arrived' to pay members for their attendance at Board meetings.⁵⁹ While George Black ruminated over the request, Ardill pushed for Board control over the education of Aboriginal children on reserves and stations. On 15 July 1915, he put forward a motion to a special Board meeting:

it is not deemed necessary by the Board that the full schedule of lessons laid down by the Department of Public Instruction should be given to these children, and as the Board is desirous of placing managers in charge of these various reserves, they wish to have the full control of all employees, so that such managers may also be appointed as school teachers, thus occupying the dual position.⁶⁰

The Board had always considered that Aboriginal children should only require a basic education. The 1894 Board report stated:

The usual standard for Public School is scarcely applicable for schools for Aboriginal children, at the suggestion of the Board, the subjects now taught are confined to reading, writing, dictation, and arithmetic.⁶¹

Ardill's motion sought full control by the APB of the curriculum and the appointment of teachers. Inherent in this proposal was that because the manager had to run the station, they would only need to teach a limited curriculum. The Board maintained that because Aboriginal children were only ever going to be domestic servants and labourers they were in no need of any higher education.⁶² Ardill's motion also included a clause that asked that all moneys given to the Department of Education for the

59 *APBM*, 24 June 1915, Item 1. George Black (Labor) was colonial secretary from 15 March 1915 to 15 November 1916.

60 *APBM*, 15 July 1915 (special meeting), Item 23.

61 *APBR* 1894, 3. Accessed via 'NSW', To Remove and Protect, AIATSIS: aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/22879.pdf.

62 Fletcher, *Clean, Clad and Courteous*, 100.

teaching of Aboriginal children be transferred to the Board.⁶³ In another instance of Board friction, Henry Trenchard dissented from Ardill's motion on education.⁶⁴

These were extraordinary requests. The Department of Education had allowed the Board to build the schools on stations and reserves, but the teaching component was its domain. Peter Board, the Director of Education (and previous APB member from 1907 to 1911), and James Dawson, chief inspector of schools, were unimpressed by Ardill's push for complete control. Both men were

convinced that for historical reasons Aboriginal education was a government responsibility and a professional field which should not fall into the hands of men or boards who had not given adequate thought to the proper education of such children.⁶⁵

However, as we shall see, Peter Board's commitment to Aboriginal education wavered over time. Ardill's insistent requests in an area considered outside the Board's brief added another point of tension between government and Board.

Donaldson loses by one vote

Although it failed in its bid to exercise more power over education, and the government was silent on payments for Board members, the Board finally convinced government of the need for an inspector.⁶⁶ The appointment, however, drew considerable controversy and most certainly contributed to the decision to reconstitute the Board. The Board considered that a full-time paid inspector, who would be free from weekly meetings and other work commitments, could focus fully on visiting all the stations and reserves around the state and provide a consistent policy approach. The duties, drawn up by Ardill and Board chair Garvin, were varied and broad: the inspector would visit and inspect all reserves, camps and stations; provide a full inventory regarding population, health, sanitation and buildings; examine the station manager's books; afford opportunities

63 *APBM*, 15 July 1915 (special meeting), Item 23.

64 *APBM*, 15 July 1915 (special meeting), Item 23.

65 Fletcher, *Clean, Clad and Courteous*, 100.

66 Requests for the appointment of an inspector can be found in the following Board reports (all accessed via AIATSIS: aiatsis.gov.au/collection/featured-collections/remove-and-protect): *APBR* 1912, 3; *APBR* 1913, 2; *APBR* 1914, 2; *APBR* 1915 (a deputation to the colonial secretary), 2.

for local boards and residents to state any complaints; provide appropriate advice to managers; enforce the Act regarding removal and guardianship of children; from 'time to time' visit each apprentice; endeavour to interview each resident on the reserve and station; enquire into the employment and treatment of Aboriginal people; receive no inducements; account for all expenses; and attend the Board office each day when in Sydney.⁶⁷

The advertised position drew, incredibly, 511 applications, one of which was from Board member Robert T. Donaldson. A Board subcommittee (Ardill, Garvin and Alfred Hill) dealt with the applications and reduced the list to 24.⁶⁸ After interviews, the 10 remaining applicants underwent an exhaustive ballot by the full Board.⁶⁹ Mr A.L. Swindlehurst of Goulburn secured the position over Robert T. Donaldson by one vote.⁷⁰ It was astonishing that Donaldson did not win the ballot by a significant margin. He had been on the Board for the last 11 years, was instrumental in securing the passage of both the *Aborigines Protection Act 1909* and the amendment to the Act 1915, had been a policy driver and was conversant with operations on the ground. Swindlehurst was a complete outsider. At the time of his appointment he was the shire engineer in the Goulburn district, a prominent member of the St Saviour's Catholic Council and choir and a member of the Prisoners' Aid Society. A press release noted he would be greatly missed in many circles in Goulburn.⁷¹ It is certainly interesting that he was chosen over Donaldson. One can only speculate that at least half of the Board did not embrace either Donaldson's views on Aboriginal matters or his 'operational style', or both.

George Black, colonial secretary in the Holman Labor Government, opposed Swindlehurst's appointment and wanted the Board to reconsider.⁷² The Board passed a motion maintaining its position to appoint Swindlehurst and reminded Black that the Board had the power to do so. But there was also division within the Board. The new Board chair, James Mitchell (who joined in late 1914), and Robert Scobie (with a rare appearance on the Board) dissented from the motion.⁷³ Swindlehurst, recognising that

67 *APBM*, 24 June 1915, Item 1.

68 Alfred Hill had joined the Board in January 1914.

69 *APBM*, 24 June 1915; 22 July 1915, Item 1; and 28 July 1915, Item 1. The minutes reveal that there were eight applicants on 22 July, but another two were added at the Board meeting of 28 July.

70 *APBM*, 28 July 1915, Item 1.

71 *Goulburn Evening Penny Post*, 11 September 1915, 4.

72 *APBM*, 12 August 1915, Item 1.

73 *APBM*, 19 August 1915, Item 1. It is interesting that Scobie dissented, indicating that he was in fact a supporter of Donaldson, or that he felt the colonial secretary had the right to overturn a Board decision.

Black preferred Donaldson, was clearly uncomfortable with the whole situation and wrote to the colonial secretary, but the content of the letter is unknown.⁷⁴ A proactive Ardill broke the deadlock and suggested two appointments be made, and that Donaldson, who was second in the ballot, be appointed along with Swindlehurst.⁷⁵ The colonial secretary agreed. It appeared that George Black was prepared to fund two positions – in times of financial constraint – to secure his desired candidate. The outcome, however, was expensive, and relations between the Board and the colonial secretary must have been at breaking point. Fuelling this tension was the fact that George Black owned the newspaper the *Australian Workman*, which had campaigned against George Ardill's use of women laundry workers and alleged improprieties within his Homes.⁷⁶

During the inspector furore, there was further friction within the Board. Henry Trenchard, not averse to dissent, voiced his opposition to Board practices regarding the appointment of Board subcommittees. He did not specify but he may have wanted to be considered for one. Subcommittees were appointed from time to time. For example, Ardill and Garvin drafted the duties of the inspector. Trenchard wrote to the Board and claimed that he had also sent a copy to the colonial secretary.⁷⁷ Uneasy with this situation, the new Board secretary, Walter Charles Pettitt, wrote to the minister's department inquiring about Trenchard's letter.⁷⁸ Whether Trenchard sent the letter to the colonial secretary is unclear.⁷⁹ At the first APB meeting in January 1916, in Trenchard's absence, the Board passed a resolution to the effect that all 'remarks of ill treatment' by Trenchard were 'quite unwarranted'. But in the same resolution the Board offered a more conciliatory gesture; it conveyed its regret in connection with Trenchard's recent illness and advised him that the 'business transacted at to-day's meeting was of a general nature and that all the sub-committee's recommendations are submitted to the full Board for ratification or amendment'.⁸⁰

74 APBM, 2 September 1915, Item 5. His letter was tabled at this Board meeting, but the content was not revealed, and it could not be located in the colonial secretary's correspondence.

75 APBM, 14 September 1915, Item 1; Read believes that Donaldson probably convinced the Board to have two positions: Read, *A Hundred Years War*, 62.

76 See Chapter 3.

77 APBM, 16 December 1915, Item 1. The content of Trenchard's letter was not recorded in the minutes.

78 APB to colonial secretary, 17 December 1915, CSIL 1915, 5/7324, Item 15.162 (SRNSW).

79 The letter could not be located in the colonial secretary's correspondence.

80 APBM, 6 January 1916, Item 15.

The upshot of these continuing strains within the APB and the overarching ambition of Ardill, combined with the atmosphere of general financial restraint due to the war effort, was that the government reconstituted the Board in February 1916.

The reconstitution

At the beginning of 1916, the Board carried on as usual, apparently unaware of the pending government action. From the Board's perspective, it had achieved much. The Board's usual promotion of its 'achievements' were on show in the report for the year ending 1915. It boasted that it had finally achieved the appointment of two inspectors when it had only sought one; it had secured two pieces of legislation; the homefinder had 'placed 80 girls in situations' over the year and 'all were enjoying the comfort of good homes'; the 'progress of the children at school was satisfactory'; and 20 local Protection Boards across the state assisted the station managers in the carriage of their duties.⁸¹ On 6 January 1916, George Ardill was again unanimously elected vice-chair, and all appeared normal. For the next month of meetings, no changes appeared to be imminent except that its most regular attender, Ardill, was missing for two weeks. Then at the 17 February Board meeting members were informed that the resignations of George Ardill, Thomas Garvin and Alfred Hill had been accepted by the colonial secretary. The three members had either got wind of the coming changes or had been asked to resign by the colonial secretary.⁸² Naomi Parry observes that the government 'extracted Ardill's resignation in February 1916'.⁸³ Incredibly, over the next six weeks the remaining members carried on as normal or, most likely, some had been informed of the reconstitution and were asked to remain until new members were appointed. We learn that when Henry Trenchard attended the 30 March meeting, the reconstitution was complete but he had not been informed.⁸⁴ The minutes record that Mr Trenchard 'not being aware of the completion of the re-constitution of the Board attended the meeting'.⁸⁵

81 APBR 1916, 1–8. Accessed via *NSW Legislative Assembly: Aborigines Report of Board for the Aborigines 1915–1922*, Q572.991 N, State Library of New South Wales (hereafter SLNSW).

82 I have researched widely to locate the resignations letters but without success. They may not have survived or have been put in an obscure location, or they were never written. Alfred Hill had joined the Board in July 1914.

83 Parry, 'Such a Longing', 281. The circumstances around these resignations remain very uncertain.

84 Doukakis, *The Aboriginal People*, 112.

85 APBM, 30 March 1916, Item 1.

It must have been an embarrassing moment for Trenchard. The three members in attendance – James Mitchell, Robert Scobie and T.H. Abbott – passed a resolution thanking Trenchard for the ‘great assistance’ he had given the Board over the 17 years and for the interest he had ‘always manifested towards the Aborigines generally’. It was a messy affair. Jim Fletcher remarks that the ‘reconstitution of the Board came at the end of a nine-month battle ... between the Board and the colonial secretary, which led to the resignations in protest of Ardill, Garvin and Hill’.⁸⁶ A minimal reference to the reconstitution appeared in the Board report: ‘In March 1916, the Board as previously constituted was disbanded.’⁸⁷

On 6 April 1916 the reconstituted Board sat for the first time. Its members were James Mitchell, chair and Inspector-General of Police (he was retained, carrying on the long-held tradition of the top policeman as chair); James Dawson, Chief Inspector of Schools; Hugh Ross, inspector, Department of Agriculture; Robert Paton, Director-General of Health (second time on the Board); and Edward B. Harkness, the Under-Secretary of the Colonial Secretary’s Department. Both politicians, William Millard and Robert Scobie – one from each side of politics – were retained. Robert Scobie died later in 1916 leaving only six members on the Board in 1917. Hugh Ross attended one Board meeting but never appeared again, with no explanation given.⁸⁸ A.W. Green, president of the State Children’s Relief Department, had been appointed by June 1917. The Board was now almost entirely populated with high-ranking public servants.

Publicly, the government used financial constraints as the pretext to dissolve the Board. George Black informed the Cabinet that recent requests had been made that ‘fees should be paid’ to the non-salaried Board members, that the Board had been increasing its staff during the last few years and expenditure had been mounting.⁸⁹ A snapshot of Board expenditure between 1909 and 1915 does not entirely support Black’s claims and strengthens the argument that other reasons were also important.

86 Fletcher, *Clean, Clad and Courteous*, 101.

87 *APBR* 1916, 1. Reference to the new Board also appeared in the *APBM*, 6 April 1916, Item 1.

88 *APBM*, 6 April 1916.

89 *SMH*, 23 February 1916, 12.

Table 5.1: Board expenditure for years 1909–1916.⁹⁰

Year ending	Overall expenditure	Secretary & staff component
1909	£24,744.6.9	£150.11.2
1910	£24,899.12.0	£315.0.0
1911	£24,565.5.6	£330.0.6
1912	£28,579.4.4	£336.13.7
1913	£28,777.2.10	£312.13.10
1914	£21,009.12.1	£377.2.10
1915	£24,805.16.11	£497.2.0
1916	£27,629.8.0	£1,821.0.0

Source: Author's analysis of *APBR* from 1909 to 1916.

As Table 5.1 indicates, George Black did have a valid argument in that the salary component increased by more than 30 per cent for 1915. The overall financial picture, however, was not too disturbing. The irony was that in reconstituting the Board the government sought to save money on salaries and staff, but by allowing two inspectors positions (costing £800) and other obvious increases, the salaries bill at the end of 1916 had blown out from £497 to £1,821, an increase of 266 per cent from the previous year.

Nevertheless, money had been an issue prior to 1916. The government may have considered that pressure to pay Board members was going to be a perennial one. Sacking the Board and putting their own salaried men in their place would prevent the problem re-emerging in the future. A *Sydney Morning Herald* report mentioned nothing of the Board controversies but simply noted that Cabinet had decided 'to substitute a board of men already receiving salaries from the Government for the present board'.⁹¹ It was a nice piece of lateral thinking by the government. Also, decision-making would be easier with such high-level bureaucrats who directly represented their respective departments. However, Jim Fletcher points out that 'Department Board members' were now compromised. If they did not agree with a Board or government decision, it would be difficult to challenge it as paid public servants. Thus, the new Board 'lost much of its earlier independence of thought and action'.⁹² This suited the purposes of the government; it had sought compliance and had achieved that goal.

90 All figures from *APBRs* for those years ending are found in the appendices of Board reports.

91 *SMH*, 23 February 1916, 12.

92 Fletcher, *Clean, Clad and Courteous*, 101.

Although the government had successfully reconstituted the Board and transformed it into a compliant body, it had not foreseen that the bureaucratic members would have little to do with Board policy direction and daily operations. The one main constant in the whole structure was Robert Donaldson, who remained an inspector. Heather Goodall observes that Donaldson was ‘now in a position of unchallenged power’. The old-style philanthropists were gone.⁹³

Susan Greer asserts that the new Board was designed to engage several government departments more directly in the governance of Aboriginal people in order to assimilate them more rapidly. The additions of the under-secretary to the colonial secretary, the president of the State Children’s Relief Department and the departments of Education and Health all strengthened the bureaucratic input; A.W. Green’s appointment provided extra focus on the removal of children.⁹⁴ Whether the government had such specific intentions is unclear. A more compliant Board was perhaps uppermost in the government’s mind and the Cabinet had never formally prepared (to the author’s knowledge) any policy advice to the Board. However, the reconstitution certainly changed the nature of the Board. Board meetings were now dominated by public servants used to delegating. This is exactly what happened. An environment was created where a small group of non-Board officials could control the day-to-day running of the Board. A severe reduction in the number of Board meetings and less reporting of Board activities increased the ‘distance’ between the public servant Board members and events on the ground. This had a profound impact on the Aboriginal communities of New South Wales.

A cabal

Whether by design or convenience the primary functions of the Board fell to the secretary, the two inspectors, the homefinder and, to a lesser extent, Board member and under-secretary E.B. Harkness. Within six months the Board had been transformed, not by chair James Mitchell, or by the collective wisdom of the Board public servants, but mostly by secretary Arthur Charles Pettitt. Former prominent member Robert Donaldson, having resigned as a Board member to become an inspector, was now

93 Goodall, *Invasion to Embassy*, 2008, 147.

94 Greer, ‘Governing Indigenous Peoples’, 57.

totally committed to his statewide inspectorial role with a strong focus on the identification of Aboriginal children to be sent to institutions or to service. He and the second inspector, Swindlehurst, along with the homefinder, Miss Lowe, were the three most important people on the ground. This cabal carried on the day-to-day functions of the Board.⁹⁵ The full Board met so infrequently that appropriate oversight and awareness of the issues by Board members was severely limited, if not totally out of reach.

These officials became the drivers of the Board's agenda. Secretary of the Board Arthur Charles Pettitt came out from England as a child and spent most of his youth in Inverell. On coming to Sydney, he went to Fort Street Model School and sat the public service exam.⁹⁶ Pettitt had had no contact with Aboriginal people up until the time of his appointment as a junior clerk to the Board in March 1910 on a salary of £65.⁹⁷ He was appointed as secretary on 1 July 1914 and remained in that position until the end of the Board, and then served the new Aborigines Welfare Board for two years. Effectively, he dealt with Board matters for 32 years – longer than any Board member or other official. Pettitt's position as secretary became increasingly powerful. He determined the agenda of meetings, filtered information to Board members, dealt with the day-to-day running of the Board and was intimately involved in policy issues. When Jim Fletcher interviewed Pettitt in 1977, he did not disagree with Fletcher's proposition that he, Donaldson, Swindlehurst and Lowe got together and 'thrashed out a new policy'.⁹⁸

Edward Burns Harkness (Figure 5.1) the under-secretary to the colonial secretary, was elected vice-chair of the new Board and remained in that position for the life of the Board.

The duopoly of Pettitt and Harkness was the longest of any personnel combination throughout the entire 57-year life of the Board. All APB matters, of any significance, went to the Colonial Secretary's Department via E.B. Harkness. Harkness had the bureaucratic skills to deal with myriad issues emanating from many government departments. The Protection Board was only one small function of his role.

95 Goodall, *Invasion to Embassy*, 2008, 147.

96 A.C. Pettitt, interview by J.J. Fletcher, 1977, J01-018426, PMS 5380, AIATSIS.

97 Appointment of A.C. Pettitt as a clerk to the Board, 11 March 1910, CSIL, 1910, 5/7073, Item 10.93 (SRNSW).

98 A.C. Pettitt, interview by J.J. Fletcher, 1977, J01-018426, AIATSIS.



Figure 5.1: Edward Burns Harkness.

Under-secretary to the colonial secretary, New South Wales Government. Seen here as the returning officer for the liquor referendum, at his desk, New South Wales, September 1928.

Source: National Library of Australia, picture obj.162031836.

Although Harkness dealt with all major Board issues and was the conduit between the Board and the colonial secretary, his knowledge of the day-to-day Board operations was questionable. In 1934 (18 years after the reconstitution) an exchange took place between Harkness, Pettitt and Joan Kingsley-Strack that exposed Harkness' ill-informed position. Some

details of this exchange are instructive. Kingsley-Strack had an Aboriginal girl in her care as a domestic servant under the Board's apprenticeship scheme.⁹⁹ This domestic servant had been physically assaulted in a public park and the perpetrators had not been arrested. Mrs Kingsley-Strack had called upon the Deputy Police Superintendent William MacKay, who advised that the matter would be investigated in time. Unhappy with MacKay's response, she was advised (by vice-president David Stead of the Association for the Protection of Native Races) to call upon vice-chair of the Board E.B. Harkness.¹⁰⁰ In speaking with Mrs Kingsley-Strack, Harkness was curious to hear what she thought of Homefinder Miss Lowe as he had heard 'she might not be the best person'. Kingsley-Strack told Harkness she had a very poor opinion of Lowe. Surprisingly, Harkness revealed that he had never even met Miss Lowe who had been in the Board's employ for 20 years. Upon hearing Mrs Kingsley-Strack's very negative reports regarding her performance, he suggested that 'there was a bit of a dictatorship going on here'.¹⁰¹ Harkness summoned Pettitt, and, in Mrs Kingsley-Strack's presence, had a frank exchange with him. He castigated Pettitt for being 'in the pocket' of this Miss Lowe and not insisting that she treat the girls in a 'humane and kindly manner'.¹⁰²

The exchange could be viewed in two ways. Kingsley-Strack had been a persistent 'thorn in the side' of the Board. She accused the Board of stealing girls' wages, taking poor care of them and failing to investigate allegations of abuse.¹⁰³ Harkness, meeting Joan Kingsley-Strack in person, may have been intimidated by her and sought to sheet the blame home on Pettitt; or Harkness could have feigned surprise and annoyance at Pettitt for the benefit of Mrs Kingsley-Strack to get her off their back. Pettitt had to simply endure the dressing down until she left the meeting. This last explanation holds some water as Harkness did not deliver on promises of redress made to Kingsley-Strack and dismissed her later complaints about

99 Joan Kingsley-Strack was an active feminist and campaigner for Aboriginal rights. After taking on the Aboriginal girls as apprentices (like many other North Shore upper-middle-class women), she became alarmed at the Board's withholding of their wages and by its general lack of 'duty of care'. She fought a long campaign to redress many issues faced by such girls. See Haskins, *One Bright Spot*.

100 Haskins, *One Bright Spot*, 117.

101 Haskins, *One Bright Spot*, 117.

102 Haskins, *One Bright Spot*, 118.

103 Joan Kingsley-Strack Papers, MS 9551, Series 7, Folders 5 and 6, National Library of Australia (hereafter NLA).

two policemen arriving late in the evening with a ‘warrant’ to put the Aboriginal girl on a train back to her home.¹⁰⁴ Two weeks later, irritated with her persistence, Harkness quipped:

I’m sorry Mrs Strack, I can’t do anything – you must not go against these people, now be sensible or you will be in serious trouble you had better let her go [home] I only saw you because Mr Childs [Inspector-General of Police and Board chair] was away ... you’d better see Mr Childs now this is a matter for him.¹⁰⁵

It is also interesting that Harkness referred to them as ‘these people’. As vice-chair of the Board he had the power to direct all matters regarding Aboriginal people. He now intimated he had nothing to do with such events. This episode reveals Harkness’s complete indifference to events as they occurred on the ground and adds weight to the fact that the other Board members probably knew even less of Board matters. The fact that E.B. Harkness had never met Miss Lowe reflected the nature and structure of Board operations in place for 18 years. The complete disconnection is compounded by the fact that Harkness, over his time on the Board, had four Aboriginal boys apprenticed to him! In his closing remarks to a station managers’ conference in January 1938, Harkness said:

We all know the Aborigines ... I have had Aborigines indentured to me, I have one now. During the last fourteen or fifteen years I have had three boys trained by Mrs McQuiggan, and the boys are typical of the work that Matrons are doing throughout the country.¹⁰⁶

The exchange between Harkness and Kingsley-Strack cannot be completely understood but, generally, it typifies the Board’s disengagement, arrogance, tardiness, readiness to cover up, and lack of compassion and understanding of the impact of its policies during the last two decades of its life.

Little is known about Miss Lowe, even though she spent 24 years in the employ of the Board and undertook one of its most controversial functions. Anna Cole notes that Miss Lowe or the ‘Homefinder’ was the ‘first direct employee of the Board, hired to “find” girls for training and

104 Haskins, *One Bright Spot*, 120.

105 Joan Kingsley-Strack Papers, MS 9551, Series 7, Folder 5 (Doris Henry) (iii) (NLA).

106 Bate, ‘Conference on the Plight of the Aborigines 1938’, 24–26 January 1938, JaHQ 2014/1905, 84, Mitchell Library (hereafter ML).

domestic service'.¹⁰⁷ In doing so she was required to act as a go-between between the Board and Aboriginal parents and help secure the 'consent' of the latter.¹⁰⁸ From her appointment in 1912 until 1915, the Board could gain custody of children by two means. First, it could obtain a magistrate's order under the *Neglected Children and Juvenile Offenders Act 1905*; second, if it obtained the consent of the parents, it could remove a child under the conditions of the *Apprentices Act 1901*. Miss Lowe did not hesitate to apply pressure to Aboriginal families to give up their children. After the 1915 amendment that gave the Board power to remove without reference to the courts or the parents, her job was made easier. Alice Lowe moved quickly into her role. Naomi Parry observes that Miss Lowe had 'been given *carte blanche*' to take speedy action on the girls.¹⁰⁹ The 1915 Board report summarised her efforts:

This Officer continues to do excellent work, and has been successful in placing many girls in situations during the year, in addition to securing the transfer of several others to Cootamundra homes. Sixty-two (62) girls are now enjoying the comfort of good homes, and are being kept under strict supervision, the Home-Finder visiting them at frequent intervals to ensure that they are being properly cared for ... These will not be allowed to return to their former associations, but will be merged into the white population.¹¹⁰

The Board's rosy picture was far from the truth. Life at the Cootamundra Training Home for Girls was harsh and unpleasant.¹¹¹ Many girls were forcibly removed to Cootamundra and significant numbers absconded from their domestic situations.¹¹² When girls absconded the police were informed, and when 'captured' the Board was notified; Miss Lowe would then pay the girl a visit and advise the Board of appropriate action. Her 'detached' style and approach are reflected in a report from an Aboriginal station to the Board.¹¹³ Her abrupt style was matched by her meanness. Mrs Kingsley-Strack's diaries and notes portray Lowe as a ruthless operator who lacked any compassion and humanity for the Aboriginal

107 Cole, 'The Glorified Flower', 69.

108 Cole, 'The Glorified Flower', 69.

109 Parry, 'Such a Longing', 277.

110 *APBR* 1915, 6.

111 Kabaila, *Home Girls*.

112 Walden, 'That was Slavery Days' provides a detailed analysis of the privations and difficulties faced by Aboriginal domestic servants.

113 *APBM*, 14 January 1915, Item 3.

girls. One entry records, that Alice Lowe lectured one of Kingsley-Strack's apprentices who was desperately ill, threatening that if she 'didn't eat she would be sent to an asylum'.¹¹⁴ Miss Lowe would have been an imposing and frightening figure among the Aboriginal families of New South Wales and indeed among some of the white families who apprenticed the girls. Joan Kingsley-Strack's diary entry noted that she and the 'public in general' thought that Miss Lowe 'was the board!'¹¹⁵

Inspector A.L. Swindlehurst was only four years in the job; he never gained a reputation like Donaldson. In fact, it is hard to find many references to him. He was mentioned on a few occasions in the press. The *Yass Courier* noted that he was on a visit to Yass on 'dusky' business.¹¹⁶ In 1917 he visited the Cumeroogunga Mission Station and found everything in 'good order'.¹¹⁷ Swindlehurst resigned his inspectorial position in March 1921.¹¹⁸ With Swindlehurst's departure, the position was advertised, but never filled. The Board informed the minister that it 'was never the intention of the Board that more than one inspector should be appointed'.¹¹⁹ It is strange that the Board opposed a replacement – why would it not embrace more resources? Most likely, the cabal/Board did not replace Swindlehurst because Robert T. Donaldson was a dedicated officer but not a team player.¹²⁰ He preferred to act alone.

Rounding out the cabal was Robert Donaldson (Figure 4.1). With no parliamentary responsibilities he devoted himself fully to his inspectorial duties. For the next 14 years he travelled the state. Considering some places were hundreds of miles from Sydney, it was a gruelling task; in some cases, it took up to a full week to achieve one inspection. Donaldson was up to the challenge. Goodall describes Donaldson's work ethic as

a relentless routine of travels around the State, selecting children for removal. Known as the 'Kid's Collector' [sic], he was feared and hated by Aboriginal people more than any other.¹²¹

114 Haskins, *One Bright Spot*, 84.

115 Haskins, *One Bright Spot*, 117.

116 *Goulburn Evening Penny Post*, 14 October 1916, 4.

117 *Echuca and Moama Advertiser and Farmers Gazette*, 5 June 1917, 4.

118 *APBM*, 2 March 1921, Item 2.

119 *APBM*, 5 October 1921, Item 1. J.P. Cochran applied for the position but was not deemed suitable by the Board and then the Board withdrew the position.

120 See Chapter 4.

121 Goodall, *Invasion to Embassy*, 2008, 147.

In 1924 Donaldson spread the same message about the need to remove girls from the camps, as he had done prior to the *Aborigines Protection Act 1909*. In his inspection report of the Purfleet Reserve (Taree), as recorded in the *Northern Champion*, Donaldson stated that it was ‘no use educating a girl until she reached the age of 20, and then allowing her to drift back on to the reserve to become a common gin’. He explained that the girls were not allowed to return to the reserve, while in service, unless for serious illness of a relative, or exceptional circumstances. He extolled the virtues of the Home at Cootamundra that trained the girls to be ‘useful domestics, to observe cleanliness, to speak the truth, and to respect property’, and he was pleased to record that the Board held over £800 in wages from the girls who had been working in home placements. He also held firm to the view that the camps would eventually not be required, as the ‘full-bloods’ would ‘die out’ and the girls continued to be removed.¹²²

He applied himself to the task of inspecting, selecting children for removal and ensuring consistent policy implementation across the state. Perhaps his rigorous run of inspections had taken its toll, on 1 February 1929, Donaldson resigned due to ill health. The Board accepted his resignation ‘with much regret’ and conveyed to him the Board’s ‘sincere appreciation of his energy, honesty of purpose and loyal service’.¹²³

At a special function in May of the same year, Secretary Pettitt presented Donaldson

with an easy chair, a wallet of notes on behalf of the head office staff, the managers and matrons of the various Aboriginal stations, and teachers of Aboriginal schools throughout the State, together with gifts from the Aborigines and Aboriginal children.¹²⁴

Pettitt had the greatest admiration for him, remarking:

[Donaldson] said what he thought ... he was a fine character and a very close friend of mine, he had a convincing manner ... Full of Irish wit, you know, a delight to be in his company.¹²⁵

¹²² *Northern Champion*, 13 September 1924, 8.

¹²³ *APBM*, 1 February 1929, Item 3.

¹²⁴ *Gundagai Times and Tumut, Adelong and Murrumbidgee District Advertiser*, 14 June 1929, 2.

¹²⁵ A.C. Pettitt, interview by J.J. Fletcher, 1977, Audio-tape J01-018426 and 018427, PMS 5380, AIATISIS.

At his farewell function, Pettitt recalled how ‘universally his departure would be regretted’ and Donaldson remarked how he had ‘loved his work’ that he had always ‘endeavoured to conscientiously carry out’. He noted that ‘although at times it was necessary for him to deal firmly with them, he was still able to retain their affection and regard’. The residents at Brungle Station ‘forwarded a fountain pen and a redwood tray made by a boy attending the school’.¹²⁶

There is a complete disconnection here but an obvious one. The Board’s praise for Donaldson is understandable as he was the one who had the will, the determination, the drive and the tenacity to carry out the Board’s policies on the ground. Yet there was clearly another perception of Donaldson. Apart from his positive recollections of the inland tribes he spoke of at the Catholic Convention in 1910 (see Chapter 4), most of his recorded comments about Aboriginal people and the camps were negative. He continually spoke of the vile and evil surroundings of the camps, the idleness, the immorality and the degradation. He never mentioned, in the public arena, any aspects of Aboriginal culture, family life, farming endeavours or individuals in a positive light. By inference he blamed Aboriginal people for their predicament. Goodall asserts that Donaldson was a man

repelled by Aboriginal social and cultural life ... and he took up the goal of gaining power over adolescent girls as a crusade [and that he] made no mention of any positive aspect to life on Aboriginal reserves or farms.¹²⁷

Jack Horner, himself close to many of the Aboriginal activists as secretary to the Sydney-based Aboriginal Fellowship during the 1950s, said of Donaldson:

Nobody doubted his admirable sincerity; the trouble was he could never see the Aboriginal point of view. To send a girl by train from a mean humpy to a job in Sydney, hundreds of miles away, was (as far as he was concerned) a change for her own good. But the Aboriginal parents did not understand this view, and, judging for themselves what became of these girls, came to distrust him.¹²⁸

126 *Gundagai Times and Tumut, Adelong and Murrumbidgee District Advertiser*, 14 June 1929, 2.

127 Goodall, *Invasion to Embassy*, 2008, 145.

128 Horner, *Bill Ferguson*, 11.

Donaldson was the personification of the arrogant, paternalistic crusader who largely prosecuted his own agenda across the state of New South Wales. It was upon his insistence that the removal of girls from the camps became the primary focus of the Board. The effects were devastating for hundreds (if not thousands) of Aboriginal families across New South Wales. The reconstitution of the Board was the perfect platform for Donaldson's vision to be implemented. Haskins maintains:

the restructuring of the Board reflected a definitive move away from a missionary-style preoccupation with the 'moral' reclamation of fair-skinned Aboriginal girls towards a rigorous secular policy aimed at the most effective dismantling of the reserve populations.¹²⁹

Donaldson was initially replaced by Thomas Austin, on probation, in July 1929; two months later, Austin was replaced by the permanent appointment of Ernest Charles Smithers.¹³⁰ Smithers had been the manager of an Aboriginal station for the last 14 years. Like Donaldson, he was also a controversial character, as witnessed through the findings of the 1937 Parliamentary Select Committee Inquiry into the Board (discussed further in Chapter 8).¹³¹

A streamlined Board

Arthur Charles Pettitt set the tone early and from April 1916 the Board operated in a very perfunctory manner. Pettitt prepared all agenda items and insisted on précised reports, that all questions be submitted in writing in advance of meeting and that all minor matters be dealt with by the secretary.¹³² The frequency of Board meetings were dramatically reduced from close to 50 per year (i.e. weekly) to an average of only nine per year from 1917 onwards (Figure 5.2).¹³³ In 1930, only five meetings were held. Who made this important decision is unclear, but there may have been a prevailing view that it was unnecessary to 'drag out' the highly paid public servants once a week when Pettitt and the inspectors could carry on the work of the Board.

¹²⁹ Haskins, *One Bright Spot*, 32.

¹³⁰ *APBM*, 26 July 1929, Item 1; 28 September 1929, Item 1.

¹³¹ Smithers was heavily involved in the forced relocation of the Aboriginal people from Angledool to Brewarrina in 1936, intimidating the residents by carrying a gun. See Goodall, *Invasion to Embassy*, 2008, 243–45.

¹³² *APBM*, 6 April 1916, Item 1.

¹³³ Analysis of minutes from relevant years. From 1917 to 1939: 207 meetings divided by 23 years is nine per year.

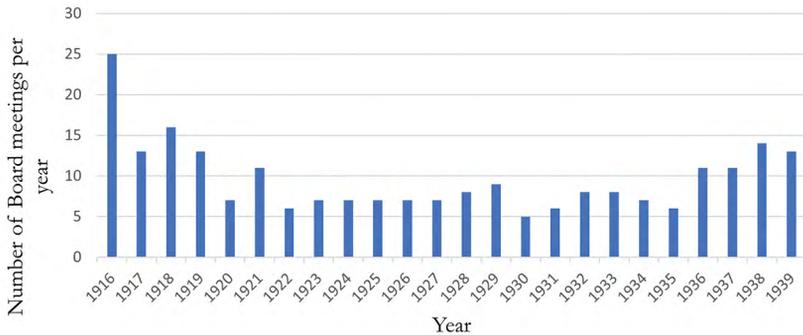


Figure 5.2: Number of Board meetings held each year by the ‘new’ Board from 1916 to 1939.

Source: Analysis of Board minutes for the appropriate years.

As can be seen in Figure 5.2, the ‘new’ Board, for its entire existence (1916 to May 1939), met for a total of 232 times. Contrast this record with that of the ‘old’ Board, which, over an equivalent 23-year period, met for a total of 1,128 times.¹³⁴ The reduction in meetings sent a clear message: less commitment to, and engagement with, Aboriginal people.

Another indication of the growing disconnection with Aboriginal people were the yearly Board reports. After 1916, each contained far less information and provided little detail. A typical report *before* the reconstitution comprised general comments about Board appointments; minor reports from local Protection Board committees;¹³⁵ census, revenue and expenditure summaries; breaches of the Act; mission work; general health of the Aboriginal population; an educational summary furnished with extensive reports by inspectors from the Education Department on every Aboriginal school; lists of improvements to reserves and stations; a list of inspection visits by Board members (after 1909); and sizable reports from each Aboriginal station. The appendices included every census location across the state (over 200) and an expenditure analysis at every location point including medical outlays, and expenditure outlays

¹³⁴ From 1883 to 1916, during the 12 full years of available records, the ‘old’ board met 589 times; an average of 48.9 times a year. Therefore, 589 established meetings (over 12 years) plus a further 11 (years) x 49 (rounded average) = 539 + 589 = 1,128 (*APBM* for all recorded meetings).

¹³⁵ Local Board reports first appeared in the *ABPR* of 1896. They were comprised of interested local people of the district (approved by the Board) and served to help with the overall management of the Aboriginal station and reserves in the district. *APBR* 1896, 3. Accessed via *Journal of the Legislative Council*, Q328.9106/7, *NSW Parliamentary Papers, Consolidated Index* (hereafter *Journal of LC*), Vol. 55, Part 1 (SLNSW).

at each Aboriginal school and station. The annual reports generally ran upwards of 20 dense pages. Although rich in statistical information, the reporting lacked any critical appraisal of the Board's performance or policy, had no Aboriginal input or perspective, and contained generous doses of Board 'spin'. Despite the obvious spin, on reading, one gets a sense of the Board's desire to report across the state, attention to detail and an overall 'interest' in what was happening on the ground.

The annual reporting post-1916 contrasted starkly to the preceding 33 years. The report for the year ending 1916 comprised only 11 pages, about half the length of the average report before the reconstitution. It contained similar obligatory summary information on inspections, census, employment, revenue, new buildings on reserves and stations, information on the Cootamundra Training Home for Girls and appendices on expenditure, stations, medical and school outlays – but all with much less detail.¹³⁶ Subsequent reports became even less informative, almost worthless. The reports from 1923 to 1938 averaged three pages. For the last two decades of the Board their annual reporting was totally inadequate. No one reading these reports could gain any detailed knowledge or understanding of what was happening to the Aboriginal population under the Board's control. By any measure, they were a totally inadequate account of the Board's interaction with Aboriginal people for any given year.

One can only speculate as to why this gross negligence occurred. At best, perhaps the Board members did not feel the need to meet so often, and report in detail, as its vice-chair – under-secretary E.B. Harkness – was the direct link to the Colonial Secretary's Department. Also, as members were high-ranking public servants, their first responsibility was to their departments – the Board commitment was likely an unwanted extra for these men and were indifferent to Board accountability. Further, the Board parliamentarians were historically poor attenders and with only two permitted on the Board after 1916 there was a reduced exposure to the parliament.¹³⁷ At worst, there was a clear intention, either by the cabal and/or some Board members, to keep matters regarding conditions on the stations, the removal of children and the holding of the moneys of apprentices in trust concealed from the public. Or overall indifference, negligence and incompetence.

¹³⁶ *APBR* 1916.

¹³⁷ For example, for the year ending 1911 there were four parliamentarians on the Board, *APBR* 1912. Accessed via: aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/23014.pdf.

Board policy curtailed by the parliament

In 1917 the Board pursued even greater authority. It sought to change the definition of an 'Aborigine' to include 'any full-blooded or half-caste aboriginal who is a native of New South Wales'.¹³⁸ In other words, all those classed as 'quadroons' and 'octoroons' would not be considered 'Aborigines'. By law they would be expelled from the reserves and stations.¹³⁹ The Board had emulated the Victorian *Aborigines Protection Act 1886*. Although under the Victorian legislation, those who had to move into the general community could, at least, apply for rations, clothing and blankets for seven years to assist in the transition into the wider community.¹⁴⁰ The New South Wales version was far more drastic: all 'quadroons' and 'octoroons' were to be removed with no transitional period and no ability to receive rations. The Board had already gained powers in this area in 1915 when Regulation 28 of the Act was changed to read: 'Anyone persistently refusing to work ... shall be liable to be removed from the station'. Regulation 28a allowed a fine of up to £10 for 'entering and remaining' on a reserve or station without permission. And a new Regulation 28c required all 'quadroon', 'octoroon' and 'half-caste' men 18 years or over to leave the Board's stations and reserves on or before 31 May 1915.¹⁴¹ But it wanted more.

The Board was driven by two factors: finances and the quest to enforce assimilation. The Board minutes of July 1916 were the first indication that a change was underway:

The Secretary was instructed to write to the Crown Solicitor and request him to furnish the Board with the definition of the words 'Aboriginal' and 'Half-Caste' in an enactment which would be designed with a view to cutting off from the assistance of the Board, all persons of less than half-caste Aboriginal blood.¹⁴²

It is unclear who drove these changes. Secretary Pettitt had joined the Australian Infantry Forces in late 1916 and was in Europe, so presumably had little influence on the preparation of the amendment.¹⁴³ Although

138 *Aborigines Protection (Amendment) Act 1918* (NSW), Section 2(1)a.

139 Read, 'The History of the Wiradjuri People of NSW 1909–1969', 112–13.

140 McGrath, ed., *Contested Ground*, 139–40.

141 *NSW Government Gazette*, No. 97, 2 June 1915, Management of Stations, 3072–73 (SLNSW).

142 *APBM*, 13 July 1916, Item 9.

143 S.A. Maddocks was appointed secretary on 2 November 1916 but resigned soon after, for by 17 February 1917, T.J. Foote was appointed acting secretary to the Board. CSIL 1917, 5/7483, 1-845, Items 17.42 and 17.65 (SRNSW).

Donaldson's name does not appear in the promotion of this change, there is little doubt of his input as he was in close contact with the stations and reserves. In 1916 he was responsible for the expulsions of 12 boys from Brungle Station in a single day.¹⁴⁴ However, the financial imperative, compounded by the war effort, was a key factor in prosecuting the amendment. E.B. Harkness, in advice to the Department of Attorney General and Justice, stated:

while the full bloods and half castes should receive every possible assistance, the board should have the power to determine what others who may have aboriginal blood are to receive ... This is rendered even more necessary owing to the present financial conditions.¹⁴⁵

Peter Read asserts that the amendment was designed to toughen up the expulsion orders. The Board recognised a weakness in the 1909 Act: 'there was no-one to police the unmanaged reserves, there were administrative bungles, and the Aborigines resorted to tricks like using false names'.¹⁴⁶ The Board wanted increased powers to exclude more Aboriginal people. Read points out that the 'Government's answer to everything was the "considerable economy" that would follow when the reserves, and ultimately the managed stations, were closed'.¹⁴⁷ Read observes:

The people now excluded from hotels on the grounds that they were Aborigines were now to be excluded from the reserves on the grounds that they were not.¹⁴⁸

Although the New South Wales Parliament agreed to a change in the definition of an 'Aborigine', the potential summary expulsion of several thousands of Aboriginal people from their homes was a step too far for parliament.¹⁴⁹ The parliament passed its own amendment that gave the Board power to 'permit any member of quadroons or octoroons, if they

144 Donaldson expelled the boys because they 'should be earning a living away from the station': *APBM*, 21 January 1916, Item 8.

145 E.B. Harkness to Under-Secretary Department of Attorney General and Justice Department, 14 May 1917, CSIL 1918, 5/7956, 1-800, Item 17.93 (SRNSW).

146 Read, *A Hundred Years War*, 62–63.

147 Read, *A Hundred Years War*, 63.

148 Read, *A Hundred Years War*, 63.

149 For the year ending 1918 the Board determined that there were 5,041 men, women and children who were 'half-castes'. It was from this sizable group that individuals could be forced off the stations and reserves. *APBR* 1919, 2. Accessed via aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/23673.pdf.

see fit, to still remain on the reserves'.¹⁵⁰ While this amendment did not limit the power of the Board absolutely, it deliberately did not extend powers to exclude. Rather, parliament insisted that agents of the Board have discretion to exercise a little more humanity.

In the parliamentary debate, member for Allowrie and former 'old' Board member Mark F. Morton was uneasy with the 'new' Board. He stated, 'I am not satisfied that the members of the present board carry out this work quite as sympathetically as the members of the old board did', but was comforted by the amendment.¹⁵¹ William Millard, the member for Bega and current Board member, took offence at Morton's comments about the 'new' Board and assured the Assembly that the 'civil servants [on the Board] are just as sympathetic to these unfortunate people as the old board were'.¹⁵²

The subsequent amendment had placed the onus on the Board not to be too harsh. The Board appeared to be cognisant of this but seemed more concerned with potential criticism than the well-being of those it sought to exclude. The APB minutes record:

Suggestion that the [census] returns be handed to the Inspectors with instructions that action be taken, with a view to discontinuance of aid to quadrooms and octoroons, and their removal from Reserves, was approved, – each case, however, being dealt with on its merits to ensure that no undeserved hardship be inflicted, thus obviating the possibility of any criticism for harshness.¹⁵³

Despite the apparent willingness to comply with the parliament's more compassionate amendment, expulsions were a regular occurrence. According to the Board's minutes from 1916 until May 1940, there were 255 expulsions. Sixty-seven per cent – 171 expulsions – occurred between 1919 and 1930. There was a drop-off from 1930, which coincided with Donaldson's retirement in 1929.¹⁵⁴

150 NSW, *Parliamentary Debates*, Legislative Council, 5 February 1918, 2392.

151 NSW, *Parliamentary Debates*, Legislative Assembly, 5 March 1918, 3256 (Mark Morton).

152 NSW, *Parliamentary Debates*, Legislative Assembly, 5 March 1918, 3256 (William Millard).

153 *APBM*, 14 July 1920, Item 1.

154 Analysis of Board minutes for that period. It must be noted that not all expulsions may have appeared in the minutes.

A free hand to intrude

At the turn of the century the direction of the Board had been predominately set by George Ardill and Robert Donaldson. The restrictive measures of the *Aborigines Protection Act 1909* and the amendment of 1915 had cemented that course. As Bain Attwood notes, the ‘reshaping’ of Aboriginal people had begun.¹⁵⁵ Even if the Board had not been reconstituted, there was no indication that this path would have varied. Most alarming was the fact that the ‘old’ Board foundered, not because the government held it accountable for failing Aboriginal people or imposing harsh measures on the population, but for its own lack of cohesion, government irritation and impatience with its persistent demands, and a controversy over the appointment of a Board inspector. The restructure had nothing to do with the welfare of Aboriginal people.

With fewer independent thinkers and a lack of accountability due to severely reduced yearly meetings and token reporting, the Board seemed more disconnected from Aboriginal people than ever before. Unsurprisingly, and yet ironically, this detachment ushered in the most destructive and intrusive period (1916–40) for Aboriginal families across the state. Perhaps unwittingly, but culpable nevertheless, the government’s reconstitution of the Board enabled the worst excesses upon the Aboriginal communities of New South Wales.

The only ‘brake’ applied to the Board came from the parliament. Its efforts to temper the 1918 legislative amendment showed clear disquiet with the Board power to remove all ‘quadroons’ and ‘octoroons’ from the reserves and stations. But the amendment created a discretion for the Board to act with constraint – it was not a requirement. Alarm bells should have alerted the government, but there was no collective will to reassess the direction of Aboriginal affairs.

For the next two decades after 1916, the newly shaped Board acted as it pleased. With no external examination of its operations, the Board bureaucrats attended the less than monthly meetings, and the cabal carried out the day-to-day operations unhindered. It is interesting to note that the Victorian Board was also reconstituted in 1916, although for different reasons. Richard Broome explains that Victorian Board membership

155 See Chapter 2.

had dwindled to three, was run by the secretary alone, had not met for two years and had not issued any reports to parliament for four years. The reconstruction saw parliamentarians who had an Aboriginal reserve in their electorate placed on the Board. The performance of both Boards says much about governments, and the public, that allowed these bodies to be very much unaccountable and secretive.¹⁵⁶

The focus for the next chapter explores the Board's most invasive impact on Aboriginal communities: the increased removal of Aboriginal children from their families. However, it also highlights another Board policy failure.

¹⁵⁶ Broome, *Aboriginal Victorians*, 206.

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