

Conclusion

The story of the Board for the Protection of Aborigines is mostly troubling. In its very early stages, it had shown itself to be a cautious and, in some ways, a compassionate entity tasked with assisting and supporting an Aboriginal population that had been devastated by a brutal dispossession. However, by the turn of the century the Board, driven by some forceful individuals, was squarely focused on a legislative agenda that sought policies to control, segregate, expel and remove. Through the last 20 years of its life, the Board allowed its punitive measures to be driven by a small cabal of non-Board officials who were virtually unaccountable. In the 1930s when the Board was finally challenged by Aboriginal and non-Aboriginal groups seeking its abolition, it had become moribund, paranoid and secretive and it railed against all detractors.

This examination of the Board over its 57-year tenure that ended close to the middle of the twentieth century has exposed several Board traits. First was the fact that the Inspector-General of Police, or later, the Police Commissioner (of which there were six), always chaired the Board. This tradition both reflected and reinforced the inextricable involvement of police with the Aboriginal people of New South Wales. Local police carried out Board policy on the ground – it was they who primarily interacted with Aboriginal people and not the Board. For Aboriginal people, the police ‘became the Board’. Even though this ‘heavy-handed’ approach was recognised in 1940 and discontinued under the new Aborigines Welfare Board, the police continued to be very visible in New South Wales Aboriginal communities.

Second, the Board’s loose structure, absence of protocols and lax attendance requirements underpinned another lasting feature of its history – it allowed powerful individuals to control the agenda and others to disengage. As documented earlier in this book, George E. Ardill, who was appointed in controversial circumstances, was a catalyst for the Board

to embark on a more ‘hard-edged’ policy direction. From the moment he appeared on the Board in 1897, he brought his intense and obsessive character to bear on several of the Board’s pressing issues and facilitated the removal of Aboriginal children into his established network of Homes, well before the Board acquired legislation to do so. Also, where possible, he tried to influence policy positions from outside Board structures. Equally, Robert T. Donaldson’s persistent and public pronouncements, without obvious Board approval, did much to convince the broader community to accept his views and for the parliament to pass Board-initiated legislation. While only attending one third of all Board meetings, he spoke widely in public on Board issues and pressed doggedly on one matter – the removal of the girls from the camps. Then, as an inspector for the Board, freed from any Board commitments and with no obvious protocols, oversight or requirements to maintain records, he traversed the state to identify children for removal. This process went to the heart of a significant Board failing – its lack of accountability. The Board also permitted lamentable attendance practices for its meetings. As a result, many Board members did not effectively engage in Board matters at all. Serial offenders in this were the parliamentarians on the Board who made up almost one third of all members.

Third, major policy positions of the Board such as the creation of segregated reserves and stations, the establishment of separate Aboriginal schools, the removal of Aboriginal children from their families and the regular expulsion of Aboriginal people from the reserves and stations were never fundamentally challenged. Apart from occasional dissent from parliamentary Board member Robert Scobie on the removal of children, or Board member and justice of the peace Henry Trenchard on the removal of the Aboriginal community from La Perouse, these big policy platforms were not disputed by Board members, and only occasionally contested by non-Aboriginal members of the public.

Fourth, the Board reinforced the marginalisation of Aboriginal people from mainstream Australian society. Aboriginal people were accepted in white society, for short periods of time to undertake domestic duties and some forms of employment, but were unable to participate as full members of New South Wales society.¹ This is most clear in the exploration of Aboriginal exclusion from local public schools. Five high-ranking public

1 Goodall, *Invasion to Embassy*, 2008, 108.

servants in education served on the Board, one of whom was considered the most progressive and thoughtful educators of his time.² Yet, all these men allowed, and indeed facilitated, the removal of Aboriginal children from public schools because white parents objected to their presence in the classroom. Moreover, for 57 years, as the exclusions continued at many locations across the colony and state, the Department of Public Instruction (later Education) contravened its own legislation that required *all* children in New South Wales to receive free and equal education at a public school.³ When the Aboriginal children were ‘locked out’ of the classroom, their families had to home educate their children or move to another district where their children may be accepted at the local school.

Lastly, underpinning all the above was the Board’s basic premise: its collective belief that Aboriginal communities had no worth. The Board never acknowledged kinship, the importance of family, claims to Country, language, spirituality, clan connections or the need for Aboriginal people to maintain employment and educate their children. This ignorant, arrogant and paternalistic mindset caused the Board to fail to implement some policy positions. In 1900, the attempt to remove the La Perouse community failed, not only because of stringent opposition, but because the Board dismissed Aboriginal attachment to Country and the need for the residents to maintain employment and education for their children. Similarly, in its bid to have Aboriginal families at Bombaderry removed to Roseby Park, the Board failed because it railed against the mobility of Aboriginal people in what were considered to be ‘white spaces’ and ignored Aboriginal employment that was crucial to white farmers. When its education policy of allowing small numbers of Aboriginal children to attend public schools was challenged by the prejudice of white parents, the Board raised concerns but never demanded their right to stay – in the end, the Board saw no requirement for Aboriginal children to have full and equal access to education. Also, the Board could not stop Aboriginal girls from returning to their communities after their apprenticeships. Put simply, it never accepted that Aboriginal families loved their children just as much as white families. This remains the most ruthless and pitiless policy of the Board, and the fact that it continued into the early 1970s stands as one of the greatest indictments on white Australia and successive governments of New South Wales.

2 Peter Board, director of education, see Chapter 7.

3 *The Public Instruction Act 1880* (NSW).

From 1940 under the new Aborigines Welfare Board, many difficulties for Aboriginal people remained. Winding back the policies of the old Board was a slow process. Some gains were made such as Aboriginal representation on the Board in 1943.⁴ But the postwar period brought little comfort to Aboriginal communities. Housing shortages and a 'slump in employment opportunities drove many from the cities and towns to camp on reserves and riverbanks as they had done in the 1930s'.⁵

The new policy of 'assimilation' emphasised finding employment for station residents and selecting 'suitable' families for removal into the white community.⁶ An instrument of rehousing under assimilationist policies was 'pepper-potting'. In rural towns Aboriginal families were placed in houses next to white families, separate from other Aboriginal people, and encouraged to lose their Aboriginality. Aboriginal families in these situations complained of the stress of keeping the 'dog quiet', their 'relations away' and the 'children from running on the neighbour's lawn'.⁷

Unfortunately, the legacy of lawless managers and rough justice on the stations and reserves took time to abate. Sonny Simms reflected that as a 10-year-old in 1953 on the mission at La Perouse, his Dad had beaten up the local 'mission policemen' called Beecroft who was trying to arrest him for drunkenness. After the incident Beecroft was forever after Sonny and his brothers. The policeman could come onto the mission at any time and do whatever he liked. Sonny recalled:

we kids were up on the golf course looking for balls and Beecroft come after us but we would run away and hide in the bush – we knew all the tracks through the bush. Then we would see the smoke and flames and Beecroft had set the bush on fire trying to flush us out! But we were up on the hill watchin' him! On Sunday he would come home from church and he would shoot the dogs on the mission from his side car!⁸

4 The 1943 amendment to the Act allowed for one position to be filled by a 'full-blood' and the other a 'half-caste'; Walter Page and William Ferguson were the first two Aboriginal representatives on the Aborigines Welfare Board. See Miller, *Koori: A Will to Win*, 174. New research by Victoria Haskins and John Maynard will soon reveal that these Aboriginal representatives were restricted by the Aborigines Welfare Board in their access to the stations and reserves. It appears they were still considered 'suspect' like William Ferguson, Jack Paten and Pearl Gibbs during the late 1930s. Victoria Haskins, Workshop presentation, *Protection and Institutions*, 17 May 2018, University of Technology Sydney.

5 Horner, 'Pearl Gibbs: A Biographical Tribute', 16.

6 Read, *A Hundred Years War*, 99–100.

7 Read, *A Hundred Years War*, 109–10.

8 Sonny Simms (a Bidjigal man, from La Perouse Aboriginal Reserve, now living in Nowra), interview by the author, 28 June 2016, Nowra.

A lingering legacy?

Controlling Aboriginal lives was a constant theme during the life of the Board. Yet white interference in Aboriginal life has been constant ever since. The intrusion of the 2007 Howard Government's controversial Northern Territory Intervention was a case in point. Mick Dodson lamented at the time:

Why do you keep doing this? What's the problem with you people that you always feel you have to come in and fix things rather than support us to fix the things?⁹

Sarah Maddison argues that white Australia persists with what she terms 'the Colonial Fantasy'. Just like the Board had wanted the 'problem' of an Aboriginal presence to disappear, Maddison contends that the mainstream view that the idea of 'Australia as a colony', with its attended history of violence and acceptance of *terra nullius*, ended with Federation is false. As a result, the survival and obvious presence of Indigenous communities today does not sit well with white Australia – it is a 'constant reminder that settler society has been imposed on Indigenous lives and territories'.¹⁰ Just like the fundamental policies of the Board were never challenged, Maddison believes that the time has come to jettison the continued interference in the lives Indigenous Australians. Answers to 'entrenched issues' can only be 'located outside of settler control' and in the 'hands of Aboriginal and Torres Strait Islander people themselves'.¹¹

The New South Wales Aboriginal people have paid a heavy price for being Aboriginal. The period of the Board explored here is just one episode in their long journey of survival and resistance. Ann Curthoys and John Docker's observation that the 'temptation to declare that the historian can objectively establish the truth about the past is to be resisted' is relevant here.¹² The complete truth about the New South Wales Board for the Protection of Aborigines will never be fully known, but some light has been shed on a body that has remained hidden. Incremental knowledge of this past leads us closer to the resolution of the big issues that still confront us as a nation. The Board never allowed Aboriginal people to be

9 Maddison, *The Colonial Fantasy*, 109.

10 Maddison, *The Colonial Fantasy*, xix.

11 Maddison, *The Colonial Fantasy*, 234.

12 Curthoys and Docker, *Is History Fiction?*, 5.

Aboriginal. Archie Roach's seminal song 'Took the Children Away', which has the lyric 'we were acting white but feeling black', is still pertinent. Our country will never be calm until we, as a nation, acknowledge and accept the past, remove the trappings of our colonial past that fails to fully include and recognise Indigenous Australians as equal citizens and their pre-eminent place prior to European contact, and provide the platforms for all of us to have a voice concerning governance, treaties and healing.

This text is taken from *Power and Dysfunction: The New South Wales Board for the Protection of Aborigines 1883–1940*, by Richard Egan, published 2021 by ANU Press, The Australian National University, Canberra, Australia.