

This man's tracks: Laurie O'Neill and post-war changes in Aboriginal Administration in Western Australia¹

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At the end of August 1951, the local officer for the Western Australian Department of Native Affairs, Laurence (Laurie) O'Neill, drove to the Kalgoorlie cemetery and took his own life. What drove him to do so is not known. What is known is that his brother Jim had been buried there two months earlier after a sudden illness. Certainly O'Neill had had his share of personal tragedy, both his children having died at birth in Halls Creek in the state's north in the mid 1930s. But it may have been the case, too, that he had struggled to adjust to the shifting culture of 'native administration' in Western Australia. When he joined the department in 1941 the skills and experience he brought with him from 12 years as a mounted policeman in the Kimberley made him eminently suited to a role in 'native administration', a Perth newspaper asserting that 'Native Affairs Branch is lucky to have so competent and experienced a representative'.² By the end of the decade, however, O'Neill's approach in dealing with Aboriginal people was no longer viewed as appropriate for a Native Affairs officer, and his views were described as being 'diametrically opposed to those of the department'.³

The post-war shift in Western Australia's Aboriginal policy began with the appointment in 1948 of Stanley Guise Middleton as Commissioner of Native Affairs, a chief administrator largely overlooked in the history of Aboriginal administration, as Anna Haebich notes.⁴ Geoffrey Bolton refers to the changes that took place with the appointment of Middleton as 'remarkable', although Haebich argues that his success in achieving his 'reformist vision' was limited by a number of factors including insufficient finances and entrenched racism.⁵ Peter Biskup believed that the changes instituted by Middleton were less significant than they may appear, being essentially a continuation of a dictatorial form of administration.⁶ This reflects a view, expressed with regard to the history of Aboriginal administration more broadly, that stresses continuities in practice

1 I am grateful for the assistance of a number of people who provided information and feedback on this paper, including Victoria Haskins, John Bucknall, John Wilson, Amanda Nettlebeck, Adrian Day and Ann Curthoys.

2 *Daily News*, 24 May 1946: 6.

3 Commissioner of Native Affairs, SG Middleton, cited in Biskup 1973: 237.

4 Haebich 2005: 201.

5 Bolton 1983: 153, Haebich 2005: 201-220.

6 Biskup 1973: 265.

rather than contrasts, particularly with regard practices such as that of child removal.⁷ Others have argued, on the other hand, that the policy changes that took place throughout Australia at that time were significant.⁸ Certainly men recruited into Aboriginal administration after the war believed their approach was a radical departure from earlier practices.⁹ Leslie Marchant, for example, criticised the *Bringing Them Home* report into the separation of Aboriginal children from their families for its failure to differentiate between pre- and post-war practices. Having worked during the 1950s as a patrol officer in Western Australia, he argued that the 'new generation of young scholar-administrators' spawned by the war had not returned home from fighting for democracy overseas 'to deny freedoms and practice genocide here'.¹⁰ The appointment of patrol officers in the Northern Territory lessened to some extent the Commonwealth Government's dependence on the police to administer its Aboriginal policies, in what Mark Finnane and Fiona Paisley describe as a move away from the 'hard policing of the frontier' to 'the softer administration of the patrol officer'.¹¹ In Western Australia, too, post-war changes included a shift away from the use of police in Aboriginal administration.¹² Writing of the Kimberley region of Western Australia, Mary Anne Jebb refers to the significant shift that took place in the 1950s as the Department of Native Affairs attempted to differentiate the role of its officers from that of the police.¹³ It is this feature of the changes that took place in the post-war years that is the focus of this article, examined through the lens of the career of Laurie O'Neill.

'A fine type of Western Australian mounted police'

As a constable in the North-West mounted police prior to his recruitment to the state's Department of Native Affairs, Laurie O'Neill gained a reputation as an excellent bushman and an ideal example of Australian manhood. Joining the police force at 21 years of age in 1929, his duties included conducting mounted patrols over the King Leopold Ranges into the rugged north-western region of the Kimberley. The pursuit, capture and removal in chains of suspected law-breakers and leprosy sufferers on these patrols often represented first contact encounters with Aboriginal people. His service in the 1930s coincided with the growth of interest in the role of the mounted police, and accounts of his patrols and extracts from his journals were published in newspapers as real-life frontier adventure stories.¹⁴ Perth's *Daily News*, for example, introduced an account of a patrol undertaken by O'Neill with the claim that 'true adventure constantly

7 For instance, Morris describes the changes that took place in the administration of Aboriginal people in New South Wales in the late 1940s as simply continued racism in a different mode. Morris 1989: 123.

8 For instance McGregor 2004.

9 Long 1992; Gare 1999.

10 Marchant 2003: 32.

11 Finnane and Paisley 2010: 170.

12 Rowley 1971: 255–256.

13 Jebb 2002: 211–212.

14 Nettelbeck and Foster 2010: 133.

rides beside the northern constable', and that the epic feats of the north-west police would fill 'a volume as stirring and fascinating as anything written about the Canadian "mounties"'.¹⁵ In 1933 the writer Ion Idriess accompanied O'Neill on patrol, recounting his experiences in *Over the Range*, *One Wet Season*, and *Man Tracks*.¹⁶

Operating ostensibly under the same constraints and regulations as the police in more southern areas of the state, Kimberley policemen were not given carte blanche to carry out the unrestrained violence that characterised mounted police activities in northern Queensland.¹⁷ They were, rather, required to arrest offenders and bring them to trial. Nevertheless, their role in enabling the establishment of pastoral stations and protecting settlers and their stock on Aboriginal lands placed Kimberley policemen at the vanguard of the colonising process. Faced with the task of imposing an alien law on a people who had no knowledge of it, their activities involved acts of police violence characteristic of the dispossession of indigenous peoples in other parts of Australia and in settler colonies throughout the world.¹⁸ Well into the 1920s they engaged in violent confrontations with Aboriginal people, an alleged massacre being carried out by police at Forrest River in 1926, just three years before O'Neill entered the force.¹⁹ While there is no evidence of O'Neill's involvement in illegal acts of violence of this nature, such incidents served as a backdrop to his interactions with Aboriginal people. His actions in pursuing and capturing Aboriginal people and walking them in chains for hundreds of miles to Derby for trial or for incarceration at the leprosarium were themselves acts of violence, a display of colonial power. If O'Neill did not step outside the law in the violence he perpetrated, he would certainly have carried with him the threat of the potential for such violence. That Aboriginal people feared and avoided O'Neill is suggested by a comment made by a settler in Idriess' account. Speaking of the leprosy that was spreading through the Aboriginal population at the time, a settler tells O'Neill, 'I wish you could drive away leprosy as easily as you scatter the *munjons*'.²⁰ Although much of the work of tracking and capturing was undertaken by Aboriginal trackers who travelled with him, O'Neill's role was as a representative of colonial power, an authority he asserted in all his dealings with Aboriginal people and on which he depended for his own survival in remote country. He is remembered by Aboriginal people in the Kimberley as 'a hard and efficient policeman from whom it was difficult to escape'.²¹

15 *Daily News*, 19 March 1935: 8.

16 Idriess 1935, 1939 and 1950.

17 McGregor 1993.

18 Finnane and Paisley 2010: 141; Nettelbeck and Smandych 2010: 357.

19 Jebb 2002.

20 Idriess 1939: 17. *Munjons* was the term used in the Kimberley for Aboriginal people who continued to live independently from settlers.

21 Jebb 2002: 211. Jebb writes that Weeda Munro remembers being afraid of O'Neill when he asked her to remove her clothes so he could photograph her.



Figure 1: Laurence O'Neill

Source: Papers of Laurence O'Neill, Battye ACC7934A.

Accounts of O'Neill's patrols in Idriess' books and newspaper articles emphasise his physical strength and forcefulness. The manly qualities of fortitude, resourcefulness, determination and gameness, tempered with a 'cheerful disposition', a boyish face and a winning smile, make O'Neill an ideal model of the Australian bushman. A 'good horseman', 'excellent bushman', and 'generally well-equipped for the role', he was 'one of the ablest bushmen in the West Australian police'. 'The north is no place for a weakling', the *Daily News* commented, 'but particularly must the policeman be equipped with those moral and physical attributes characteristic of the strong man'. It is O'Neill's physicality that is most frequently emphasised: he is described as 'tall and strong with the

long swinging walk of the bushman', and as having a 'long loping stride [that] took him to places rarely seen by the white man'. He is described using verbs of forceful forward movement: 'alertly quick to swing into action', he strikes quickly, gives 'quick chase', has a quick grasp; he thinks quickly and acts quickly. His actions in *probing* the fastnesses in search of native killers, *prying* secrets out of obstinate natives, and *piercing* 'the veil that shielded the action in one hundred aboriginal minds' create an impression of an ability to penetrate the primitivity of both Aboriginal country and the Aboriginal mind.²²

Needing an ability to 'pierce the veil' of the Aboriginal mind to carry out his duties in apprehending Aboriginal people, O'Neill was an expert on 'the natives',²³ his expertise based on an unquestioned presumption of Aboriginal inferiority and immutability. According to Idriess, O'Neill believed that Aboriginal people were 'chained to the primitive by a mental chain that [they could] never break'. They had, it seemed, 'been born a million years ago with a brain that could not expand as the rest of humanity developed'.²⁴ Russell McGregor argues policy changes implemented around the time of the Second World War involved a fundamental shift from policies based on an assumption of Aboriginal incapacity to change, to those based on a presumption of reformability, and were, as a result, far from inconsequential despite the continuation of practices such as child removal.²⁵ This presumption of non-reformability, along with the connected belief that Aboriginal people were dying out, was the ideological basis of 'protection' legislation that characterised Aboriginal administration in the first half of the twentieth century. This was, according to Finnane, a system that criminalised Aboriginal people, involving the enforcement of punitive and restrictive legislation by police and Native Affairs officers.²⁶ This legislation saw a convergence in the roles of officers of the Native Affairs Department and the police. Police officers appointed as 'native protectors' and vested with extensive responsibility and authority over Aboriginal people, represented an embodiment of this convergence of roles.

'A special aptitude for handling these problems'

While protection legislation, administered to a large extent at the local level by police protectors, impacted on the lives of Aboriginal people in southern areas of Western Australia and in northern towns, a somewhat different form of governance was used with regard to the larger Aboriginal populations of the northern pastoral regions. Here, the governance of Aboriginal people was largely outsourced by the government to pastoralists, who held power through their control of Aboriginal access to land. Their power over Aboriginal people was supported by the police, who, having been initially involved in subjugating

22 *Kalgoorlie Miner*, 19 November 1938, 7; *Border Watch*, 23 November 1937: 2; Idriess 1939: 6, 1935: 107; *Daily News*, 24 May 1946: 6, 4 April 1933: 5.

23 Bolton 1983: 251–252.

24 Idriess 1939: 25.

25 McGregor 2004: 306.

26 Finnane 1994: 118.

Aboriginal people and making Indigenous land available for pastoral settlement, continued to exploit the climate of fear established through frontier violence to ensure Aboriginal compliance to the needs of the pastoral industry. A key function of police patrols throughout Australia was to provide protection for sheep and cattle stations.²⁷ Police patrols were often used for this purpose by governments under pressure from pastoralists, as Chris Owen has shown with regard to the colonisation of the east Kimberley.²⁸ In the west Kimberley, Indigenous country was made available for pastoralism during the first decades of the twentieth century through the operation of police patrols such as those undertaken by O'Neill. Jebb argues that the arrest and removal from their country of large numbers of Aboriginal people during these patrols facilitated the colonisation of the west Kimberley and transformed its Indigenous population into a labour force for pastoral stations.²⁹ The work of Jack Bohemia and Bill McGregor, too, highlights the crucial role played by the police in making and keeping the Kimberley safe for pastoralists.³⁰ Even when 'pacification' had been achieved, police reported that pastoralists appreciated patrols whenever 'the natives were getting out of hand', indicating that a major aim of the patrols was to ensure the continued compliance of Aboriginal people as a source of labour.³¹

O'Neill was recruited as a Travelling Inspector for the vast area of the state north of the twenty-sixth parallel by a Native Affairs Department that valued his forceful approach and his ability to control Aboriginal people, particularly with regard to the labour needs of the pastoral industry. His appointment was made in 1941, a year after A. O. Neville's resignation as Commissioner of Native Affairs. During the term of Neville's successor, Francis Illingworth Bray, described by Biskup as 'a public servant personified', the department's priorities tended to be determined by the Minister for the North-West in the state Labor Government, Aubrey Augustus Michael Coverley.³² Since first winning the seat of Kimberley for the Labor Party in 1924, Coverley had made no secret of his belief that settler interests in the north should take priority over Aboriginal interests. Criticising what he called the 'stupid system of protecting the aborigines to the detriment of the settlers as a whole', he argued that Aboriginal reserves hindered white settlement and called for reserve land to be thrown open for selection.³³ He complained that the restrictive *Aborigines Act 1905* (WA), 'provided protection for the blacks, [but] no protection at all for the whites'.³⁴ He was also vocal in his opposition to government interference in the free use of Aboriginal labour by northern pastoralists and other settlers. The unregulated use of labour was not only essential for the settlement and development of the north, he argued, but

27 Nettelbeck and Smandych 2010: 356.

28 Owen 2003.

29 Jebb 2002: 36–37, 91, 132.

30 Bohemia and McGregor 1995: 53.

31 Bohemia and McGregor 1995: 171; Derby police report, Series 76, 1938/2200v7, SROWA.

32 Biskup 1973: 180.

33 First quote cited in Biskup 1973: 186; Coverley, evidence given to the Moseley Commission, 'Native problem. Evidence given at inquiry. Commission's busy day', *West Australian*, 28 March 1934: 8.

34 Coverley, evidence given to the Moseley Commission, *West Australian*, 28 March 1934: 8.

would ensure that tax-payers were not burdened with the expense of keeping a 'useless race'.³⁵ Biskup writes that the decision of the newly elected Labor Government to give Coverley responsibility for Native Affairs in 1939 was 'little short of a sell-out by the administration to the pastoralists'.³⁶

Evidence that the department saw O'Neill's role as maintaining control over Aboriginal labour for the pastoral industry can be found in its correspondence with the Army seeking O'Neill's release from military service during the war. Having been stationed as a police officer in Fitzroy Crossing, O'Neill arrived in Broome to take up his position with Native Affairs at the end of January 1942, just five weeks before the first Japanese bombing raid on the township. Two weeks later military authorities requested O'Neill's release from the department for enlistment as a Lieutenant in 101 North Australia Field Security.³⁷ His services were 'specially required ... for investigation on native matters as affecting the defence of the state' by Army authorities fearful of the possibility of subversive activity by Aboriginal people in the event of invasion.³⁸ Cecil Kelly, who served with O'Neill in 101 Security Section, recalled: 'the bloody blacks that's what we watched mostly, keep an eye on the blacks, because if anything had have happened, well the blacks would have more or less been the first to join the Japs'.³⁹ Native Affairs Commissioner Bray reported that O'Neill 'rendered excellent service' in the Army, and noted with satisfaction that his department had 'secured the services of a good officer'.⁴⁰ The *Daily Mail* was more effusive:

When ... Cliff Gibson, ... was appointed Army's chief factotum in the North ... the first man he selected for his staff was O'Neill who, as a lieutenant, rendered invaluable service. Whether it was a case of helping to control a mob of stampeding bullocks, prying the secrets out of an obstinate native, or preparing an army intelligence report, it all came the same to O'Neill.⁴¹

By August 1943, however, the fear of invasion had abated and restrictions imposed by the military on the movement of Aboriginal people were lifted.⁴² The department, concerned that the Army was no longer exercising adequate control over Aborigines, began to request O'Neill's release from Field Security to enable his return to duties as Travelling Inspector with the department. During a tour of the Kimberley, Coverley had become 'convinced that the whole native

35 Western Australia, Parliamentary Debates, vol 83 1929: 2163; vol 98 1936: 2380-81; Coverley, evidence given to the Moseley Commission, *West Australian*, 28 March 1934: 8.

36 Biskup 1973: 177-178.

37 Major Gibson to Native Affairs, telegram, 19 March 1942, Series 1691, 1941/1107/66, SROWA.

38 Bray to Under Secretary for the North-West, 27 March 1942, Series 1691, 1941/1107/72, SROWA; Hall 1989: 122-130.

39 Bridge 2011: 309.

40 Bray to Under Secretary for the NW, 27 October 1942, Series 1691, 1941/1107/91, SROWA.

41 *Daily News*, 24 May 1946: 6.

42 Hall 1989: 127.

situation desired supervision, in fact close supervision, it is fast getting out of hand'. He urged Bray to 'take immediate action for Inspector O'Neill's release'.⁴³ In appealing for O'Neill's release, Bray wrote:

The Native Situation in the North is giving a lot of anxiety. The pastoralists are depending on native labour, but it has become disturbed owing to the high rate of wages paid by the Allied Works Council and our Public Works department.⁴⁴

The Under Secretary for the North-West addressed the Public Service Commissioner about the 'urgent need for the supervision of natives in the North West':

It is ... essential that the services of such an experienced officer as Lieut. O'Neill should be available ... in connection with the peaceful employment of natives in the pastoral industry in the Kimberleys. He is a particularly capable officer ... and we have had to struggle on in the North without his advice and guidance in coping with the Native Question, which is a matter of national importance not only in respect to the productive capacity of the pastoralists but also in regard to the safety of Australia.⁴⁵

Coverley appealed directly to the federal Minister for the Army, Francis Forde, for O'Neill's release, repeating his request when the initial appeals were denied on the ground that O'Neill, now promoted to Captain, was too valuable an officer to be released.⁴⁶ Coverley argued that, since the Army was no longer 'directly interested in the control of natives ... the reason for Captain O'Neill's enlistment in the Army in the first place has now disappeared'. Referring again to O'Neill's 'special aptitude' for handling issues concerning the control of Aboriginal labour, he felt sure that Forde would give his request his 'earliest reconsideration'.⁴⁷

Whether as a result of Coverley's further appeal or otherwise, O'Neill was released from the Army two months later, in May 1944, and he resumed his role as Travelling Inspector for the northern region.

'A deepening and widening movement of thought and action': the pressure for change

O'Neill returned to the department at a time when it was coming under pressure to change its approach to the administration of Aboriginal people. Under Coverley and Bray's administration, the department attempted to close itself

43 Coverley to Bray, 16 December 1943, Series 1691, 1941/1107/116, SROWA.

44 Bray to the Under Secretary for NW, 21 December 1943, Series 1691, 1941/1107/117, SROWA.

45 Under Secretary for NW to Public Service Commissioner, 22 December 1943, Series 1691, 1941/1107/118, SROWA.

46 Coverley to Minister for the Army, F. Forde, 1 March 1944, Series 1691, 1941/1107/123, SROWA.

47 Forde to Coverley, 23 March 1944, Series 1691, 1941/1107/127, SROWA.

off from emerging ideas of Aboriginal capacity for 'advancement' and academic calls for 'positive policy' aimed at the social incorporation of Aboriginal people into the wider Australian community. In 1944 Coverley resisted calls from the leader of the National Party, Ross McDonald, for a federal royal commission into the state's administration of Aboriginal people, claiming that 'the government's policy was grounded on years of experience' and was not a policy of 'dreamers and theorists'.⁴⁸ There was also pressure for policy change that year from the National Missionary Council, which organised a survey of the administration of Native Affairs in Western Australia to be conducted by the Professor of Anthropology at Sydney University, A. P. Elkin. Although the expenses involved in conducting the survey were to be borne by the missionary body, Coverley refused to allow the survey team to enter government reserves and institutions, and plans for the survey were abandoned. Elkin later referred to the debate that took place over the proposed survey as evidence that he had become 'a kind of symbol' of 'a deepening and widening movement of thought and action' throughout the 1940s, which he described as a revolution.⁴⁹

Pressure of a different kind came from within O'Neill's own district, where Aboriginal workers on sheep and cattle stations in the Marble Bar and Port Hedland area threatened to take industrial action. O'Neill's advice to the department, drawing on his expertise in Aboriginal matters, was that no action was needed because Aboriginal people lacked the organisational ability required to conduct a strike.⁵⁰ He had earlier expressed a similar view of Aboriginal incapacity to organise themselves, telling Idriess that Kimberley settlers could be grateful 'that the abos lack co-operation because of their tribal intrigues and jealousies, and that they prefer the spear to the rifle. Otherwise no white men could live in this country'.⁵¹ His assessment seemed to be borne out when the initial attempt at strike action, on 1 May 1946, faltered and failed. Although Aboriginal workers 'set down' and refused to work on stations throughout the region, most were persuaded to return to work by O'Neill and local police officers who carried out patrols around the stations for the purpose.⁵² However, strike action did get underway three months later when about 150 Aboriginal people refused to return to their places of employment after attending the Port Hedland races. They refused to comply with police instructions to camp outside of the town, marching together into the town's Two Mile camp in a demonstration of group strength and defiance.⁵³ Whereas O'Neill had been successful in convincing isolated groups of workers on stations to return to their employment, he seems to have been uncertain about how to deal with demonstrations of this nature. The Deputy Commissioner, Charles McBeath, broke his flight from Derby to Perth to spend a few days in Port Hedland to look

48 *West Australian*, 23 November 1944: 3.

49 Elkin 1962: 227-228.

50 O'Neill to Bray, 5 November 1945, Series 2030, 1945/0800/33, SROWA.

51 Idriess 1939: 22.

52 Fletcher, police patrol report, 19 May 1946, Series 2030, 1945/0800/33, SROWA; Marshall, police patrol report, 30 April - 5 May 1946, Series 76, 1943/0099v7, SROWA.

53 Wilson 1961: 63.

into the situation, and O'Neill, feeling that he could serve no useful purpose by remaining in Port Hedland, travelled to the Roebourne area to undertake the removal of mixed descent children from their families before returning home to Broome.⁵⁴ Over the following months more Aboriginal people in the Pilbara left their places of employment to join the strike, which was to last for three years despite repeated attempts by the department to bring it to an end.

Despite his poor advice about the capacity of Aboriginal people to undertake strike action, and despite his failure to deal with strike action when it was taken, O'Neill was promoted a few months later to the position of Acting Deputy Commissioner, just two and a half years after his release from the Army. Another Kimberley policeman was seconded from the police force to take his place as Travelling Inspector for the Northern District.

Change was on its way, however. When the Labor Party lost power in the state election of March 1947, the incoming Coalition Government appointed National Party leader Ross McDonald as Minister for Native Affairs. Having criticised the previous administration for its refusal to take 'helpful advice' from authorities outside the state, McDonald now opened the department to new approaches in Aboriginal administration. When Bray retired as Commissioner in April, McDonald held off appointing a new Commissioner, consulted Elkin on a way forward for the department, and commissioned magistrate F. E. A. Bateman to undertake a survey of the Aboriginal situation in the state. Bateman advocated a more decentralised administrative structure for the department, with more field officers more carefully recruited through a cadet system similar to that being used in the Northern Territory and New Guinea. Native Affairs work needed 'the best brains available', a fact that had apparently not been recognised in Western Australia, he wrote. He particularly criticised the practice of recruiting Travelling Inspectors from the ranks of the police force. In a statement that clearly applied to O'Neill he wrote that 'the practice of appointing officers outside the Native Affairs Department to field positions and then transferring them to the senior administrative positions is a most undesirable one, which should cease'.⁵⁵

Consulted by Minister McDonald on a way forward for the state, Professor Elkin recommended the appointment of a Commissioner from outside Western Australia. According to Elkin he encouraged 'two Hubert Murray-trained men in Papua' to apply for the position, one of whom, the assistant director of the Papua-New Guinea Department of Native Affairs and District Services, Stanley Middleton, was appointed Commissioner in August 1948.⁵⁶ Middleton immediately set about restructuring the department as Bateman had recommended, establishing a decentralised system along the lines of the administration of Papua-New Guinea. To staff the new structure, he recruited additional officers with experience in 'native administration' in Papua New Guinea, and within a year of his appointment the number of field officers in

54 O'Neill, patrol report, Series 2030, 1946/1306/7-8, SROWA.

55 Bateman 1948: 35-36.

56 Biskup 1973: 228-229.

the department had doubled from four to eight, with five of the eight being ex-Papua-New Guinea officers. One of the new recruits, Sydney Elliott-Smith, was appointed Deputy Commissioner and O'Neill was returned to the field as a District Officer.

The newly created role of District Officer was designated a lower Public Service classification and salary than the superseded position of Travelling Inspector, and O'Neill complained to the new Commissioner of his reclassification and reduced salary.⁵⁷ Middleton was unsympathetic. Ex-Papua-New Guinea officers with 'educational, magisterial and administrative qualifications and experience in the field far superior' to O'Neill's were being recruited as District Officers, he wrote.⁵⁸ He told O'Neill it would be some time before he was 'sufficiently experienced in office procedure and administrative practice to measure up' to his expectations of a District Officer. Despite O'Neill's years of experience in the police force and Native Affairs, Middleton did not think him capable of providing direction and training to subordinate staff, some of whom were university educated – the 'new generation of young scholar-administrators' to which Marchant referred and belonged.⁵⁹ The restructure was criticised by Coverley, who complained about the recruitment of 'imports' with little knowledge of the state or its native affairs.⁶⁰ In reply Minister McDonald referred to 'the new developments that have taken place in only the last few years [such as] the growing industrial consciousness of the natives'.⁶¹ That he did so is an indication that post-war changes in Aboriginal administration were motivated to some extent by Aboriginal activism such as the Pilbara strike.

'Plenty of Police and plenty of Jails': O'Neill's handling of the Pilbara strike

Early in 1949 O'Neill was appointed as District Officer for the Pilbara where the strike was in its third year. Shortly after his arrival, 11 strikers were arrested and charged with 'enticing' an Aboriginal worker from his lawful employment.⁶² The trouble had begun when a station manager picked up a striker, Purnungurrara (Cocky Brown), from the Marble Bar picture show to work at Corunna Downs station without first consulting strike leaders or negotiating wages and conditions of employment. In response 11 strikers walked to Corunna Downs and took Purnungurrara away. As a demonstration against the arrest of the 11 men, seven more strikers removed another worker from the station, and were also arrested and charged.⁶³ Middleton instructed O'Neill by telegram to 'endeavour pacify

57 O'Neill to Middleton, undated, Series 1691, 1946/1220/70, SROWA.

58 Middleton to the Public Service Commissioner. 11 April 1949, Series 1691, 1946/1220/71, SROWA.

59 Middleton to O'Neill, 20 April 1949, Series 1691, 1946/1220/74, SROWA.

60 Western Australia, *Parliamentary Debates*, vol 123: 356, 6 July 1949.

61 Western Australia, *Parliamentary Debates*, vol 124: 915, 3 August 1949.

62 Under section 47 of WA's *Native Administration Act 1905* it was illegal to entice 'a native to leave any lawful service without the consent of a protector'.

63 O'Neill, Native Affairs report, 29 March 1949, Series 2030, 1943/0621/213-5, SROWA.

ringleaders without condoning lawlessness'.⁶⁴ O'Neill's handling of this situation is characteristic of the oppositional stance taken by departmental officers which had resulted in the strike becoming so thoroughly entrenched until this time.

As an officer of the Department of Native Affairs and a Native Protector, it was O'Neill's responsibility to defend Aboriginal people in court and to protect them from injustice. When the charges against the 11 strikers were heard at the Marble Bar Police Court on 25 March, a request was made by Don McLeod that he be allowed to represent them. McLeod had been involved in organising the strike three years earlier and had since remained in contact with the strikers as something of an advisor. His request to represent the accused was refused by the magistrate on the grounds that O'Neill was there to defend them. O'Neill's defense was weak and the men were sentenced to two and three months' imprisonment with hard labour.⁶⁵

The strikers were angered by the prosecutions and by the lack of justice they received at such hearings. McLeod wrote to Minister McDonald about the case. 'I have often thought', he wrote, 'what a difference it should make if you or someone in whom you have confidence could sit in incognito and watch the travesty of justice which takes places at various hearings up here'.⁶⁶ Immediately after the hearing a large number of people gathered outside the courthouse and a discussion arose about the case and the rights of the strikers to visit relatives working on stations. Strike-leader Dooley Binbin spoke in what O'Neill called 'a tirade of propaganda directed against the "squatters" ... and also the Dept'. Although charged with the responsibility of protecting Aboriginal people from prosecution, O'Neill's response to Dooley indicates his willingness to exercise control through the threat of prosecution. That he should outline his exchange with Dooley in a departmental report indicates that he expected departmental sanction for the remarks he made. He wrote that following Dooley's 'tirade', he

shut him up and told him that ... if the natives did not abide by the laws of the country but continued to obey mob law as expounded by himself they would continue to be in conflict with the law, Dooley replied that there was plenty of boys ready to go to Jail and he could get another Hundred if necessary, I then told him that there was also plenty of Police and plenty of Jails to accommodate them.⁶⁷

Middleton also learnt of the exchange outside the courthouse from McLeod, who wrote of the threatening attitude of Native Affairs officers in his letter to the minister. He wondered,

what useful purpose Inspector L O'Neil hoped to achieve by his light hearted threat that any further action would result in the goaling [sic]

64 Middleton to O'Neill, telegram, 22 March 1949, Series 2030, 1943/0621/100, SROWA.

65 O'Neill, Native Affairs report, 29 March 1949, Series 2030, 1943/0621/213-5, SROWA.

66 McLeod to McDonald, 6 April 1949, Series 2030, 1943/0621/129, SROWA.

67 O'Neill, Native Affairs report, 29 March 1949, Series 2030, 1943/0621/213-5, SROWA.

of those involved and his confirmation in the same jovial manner when Dooley accepted the dare on behalf of a hundred or several hundred of his friends.

'This action will obviously snowball', McLeod went on, 'until every native in the district becomes involved'.⁶⁸

Far from 'pacifying the ringleaders' as Middleton had instructed, O'Neill's approach threatened to inflame the situation. Middleton alerted O'Neill to the need to differentiate his role from that of the police. 'Where Police action is required', he wrote, 'it will not be in the best interests of this Department to appear in a role which may be mistaken for that of assistance to the Police or otherwise than that involved in true protectorship of the natives themselves'.⁶⁹ These instructions came too late, however; even as Middleton cautioned O'Neill, groups of strikers were demonstrating against the prosecutions by travelling out to stations to bring more workers into the strike. On 14 April 1949, 32 men involved in the removal of workers from Warrawagine station were arrested at gunpoint, walked in chains for 20 kilometres and transported into Marble Bar in the back of a semi-trailer.⁷⁰ Although O'Neill later reported that the chains were removed when the prisoners reached the Marble Bar lock-up, men involved in this incident have provided graphic descriptions of being held in chains in the overcrowded lock-up.⁷¹ McLeod called for an adjournment of the hearing of their case to enable him to arrange legal representation from Perth, but this was denied because of serious overcrowding of the lock-up. When the charges were heard on 21 April, requests by the defendants that they be represented by McLeod were denied by the magistrate and after inadequate defence from O'Neill these men also received sentences of two and three months with hard labour, bringing the number of imprisoned strikers to 43.⁷²

This was a disastrous turn of events for a department hoping to clean up its image as one concerned with the 'true protectorship of the natives'.⁷³ The events received national and international coverage, were referred to by the Anti-Slavery Society in London and were raised in the United Nations Organization by the Soviet Foreign minister, Andrey Vyshinsky. With the matter raised in both the Federal House of Representatives and the Senate, and with church and welfare organisations voicing their concern over the large number of arrests and the use of chains, the Western Australian Premier, McDonald and Middleton were all forced to defend the action taken.⁷⁴ Criticism from the Fremantle

68 McLeod to McDonald, 6 April 1949, Series 2030, 1943/0621/127-30, SROWA.

69 Middleton to O'Neill, 14 April 1949, Series 2030, 1943/0621/133, SROWA.

70 Withnell, police report, 14 April 1949, Series 76, 1946/2538v8, SROWA.

71 O'Neill, Native Affairs report, 7 July 1949, Series 2030, 1949/0454/35-6, SROWA; *How the West Was Lost: The Story of the 1946 Aboriginal Pastoral Workers' Strike* 1987.

72 *West Australian*, 22 April 1949: 5; 23 April 1949: 15; McLeod to Ron Hurd, Fremantle Branch, Seamen's Union, 15 May 1949, Battye 5121A/14-20.

73 Middleton to O'Neill, 14 April 1949, Series 2030, 1943/0621/133, SROWA.

74 *Daily News*, 30 April 1949, 1 July 1949: 6, 9 July 1949: 7; *West Australian*, 26 October 1949: 8; 27 October 1949: 9; *Sydney Morning Herald*, 24 October 1949: 1, 26 October 1949: 11; Circular letter from Society of Friends, Modern Women's Club, and Native Rights and Welfare League to

Branch of the Seamen's Union included the threat of a ban on the shipment of wool from the area if persecution of the strikers continued.⁷⁵ As more workers left Pilbara stations in protest at the prosecutions, pastoralists complained of the department's 'weak-kneed' approach in not coming down harder on the strikers.⁷⁶ The police also criticised the department for its failure to remove strike leaders from the district as they had recommended.⁷⁷

'A more modern practical outlook'

When a further ten strikers were arrested and charged with 'enticing' workers from Noreena Downs station in mid June, Middleton decided to step in to stop the snowballing effect that McLeod had predicted.⁷⁸ It was clear that the arrests and prosecutions were simply inflaming the situation. Although he made arrangements to fly up to the Pilbara himself to sort things out, he changed his plans at the last minute and instead sent Sydney Elliott-Smith, the newly recruited Deputy Commissioner appointed to take charge of the state's north. One of Middleton's new breed of Native Affairs officer, Elliott-Smith had been assistant Resident Magistrate in New Guinea and commander of the Papuan Administrative Unit during the war. He flew from Perth to Port Hedland on 30 June 1949, calling in to Carnarvon on the way to hold discussions with the magistrate who was to hear the charges against the strikers. On 6 July he successfully defended the strikers in a court hearing in Marble Bar.⁷⁹ Although McLeod had the 'distinct impression that things had been "worked out" with the magistrate beforehand' he and the strikers welcomed Elliott-Smith's advocacy and the acquittals as evidence of a change in the department's attitude.⁸⁰ 'Elliott Smith ... broke it off in the finish', Dooley later told John Wilson. 'The court case was stopped and nobody went to jail.'⁸¹ McLeod considered it 'a change to find such an honest atmosphere in a Court where natives were being charged'.⁸² He later recalled that 'we all travelled out to [the strike camp at] Moolyella tin field where we had a victory meeting, patting each other on the back and agreeing that the world was not such a bad place after all'.⁸³

Churches, Trade Unions, Social and welfare organizations, undated, Series 2030, 1949/0454/48, SROWA; Western Australia, *Hansard*, House of Representatives, 1 July 1949, Series 2030, 1949/0454/50, SROWA; Western Australian Housewives' Association to McDonald, 10 June 1949; McDonald to Australian Women's Charter Committee, 13 June 1949, Series 3841, Cons 769, file 3, SROWA.

75 Hurd to Premier McLarty, 10 June 1949, Series 3841, Cons 769, file 3, SROWA; Hurd to Middleton, 30 June 1949, Series 2030, 1949/0454/39, SROWA.

76 Robert Middleditch to McDonald, 20 June 1949, Series 3841, Cons 769, file 3, SROWA.

77 P.C. Marshall to Inspector Triat, 7 July 1949, Series 76, 1946/2538v8, SROWA.

78 Middleton to O'Neill, telegram, 21 June 1949, Series 2030, 1949/0454/1, SROWA.

79 Elliott-Smith journal, 30 June 1949, Series 2030, 1949/0488/36, SROWA; Pullen, Native Affairs patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA.

80 McLeod 1984: 63-64.

81 Wilson 1961: 68.

82 Pullen, patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA.

83 McLeod 1984: 64.

Elliott-Smith spent a week in the Pilbara, holding discussions with pastoralists, strikers and McLeod. A Tasmanian, he described his visit to the Pilbara as his 'first glimpse of the attitude of Australians towards the aborigines', an attitude he described as 'nothing short of primitive'. The situation needed 'logical and sane leadership', he said, adding, 'unfortunately our cause has not been helped by the attitude of certain of our officers'.⁸⁴ Although he described both McLeod and Dooley in disparaging terms in reports to the department, the strikers found his manner a welcome change from that of previous officers. During discussions they told him emphatically that they did not want officers of 'the old school' to remain in or be appointed to the district, naming the officers 'in whom they had lost confidence'.⁸⁵ Although those named by the strikers are not identified in departmental reports, it is clear that Laurie O'Neill was one of them. On the day that Elliott-Smith left the district to carry out a tour of the Kimberley, he instructed O'Neill 'to return to Hedland and thence to Perth', writing that he wanted to 'leave this place free as a test of the sincerity of both McLeod and the native people during my visit to the North'.⁸⁶

McLeod's optimism at what seemed a new relationship with the department, and his confidence in Elliott-Smith as a new type of officer, had immediate consequences for the strike movement.⁸⁷ Close on the heels of Elliott-Smith's visit, the Seamen's Union went ahead with its ban on the shipment of wool from stations refusing to sign agreements with the strikers. As the ban quickly became bogged down in union politics on the Port Hedland waterfront, and with Seamen's Union members being logged for every day the ban continued, McLeod sought to resolve the stand-off by obtaining the department's agreement to negotiate a scale of wages for Aboriginal workers. Although O'Neill was in Port Hedland, he took no part in the waterfront dispute, and McLeod made no attempt to seek from him the assurance he needed to end the ban.⁸⁸ Instead, McLeod made urgent efforts to contact Elliott-Smith in the Kimberley. On receiving Elliott-Smith's assurance that a wage scale in place on two of the stations would be used as the basis for further negotiation, the union lifted the ban and the strike ended.⁸⁹ O'Neill flew to Perth the following week and a short time later was posted to his hometown of Kalgoorlie.⁹⁰

By the end of the year Middleton could write of the 'obvious confidence' that Pilbara Aboriginal people now had in the department and Elliott-Smith. Since that officer's visit, he wrote, there had been 'no further outbreaks of lawlessness on the part of natives in the Pilbara District'.⁹¹ On the day he wrote this, the *Daily News* carried a story, clearly originating from Middleton, about Elliott-Smith's

84 Elliott-Smith to Middleton, 2 March 1950, Series 2030, 1949/0454/109-111, SROWA.

85 Pullen, patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA.

86 Elliott Smith journal, 6 July 1949, Series 2030, 1949/0488/33, SROWA.

87 Pullen, patrol report, 6 July 1949, Series 2030, 1949/0456, SROWA; Elliott-Smith journal, 13 August 1949, Series 2030, 1949/0488/24, SROWA; Wilson 1961: 76.

88 O'Neill journal, 16-18 July 1949, Series 2030 1949/0160/59, SROWA.

89 Battye 5121A.

90 O'Neill journal, 24 July 1949, Series 2030 1949/0160/61, SROWA.

91 Middleton to Minister of Native Affairs, 14 December 1949, Series 2030, 1949/0454/105, SROWA.

success in the Pilbara, headed 'Peace Follows in This Man's Tracks'. The motif of the tracks of man echoes the title of one of Idriess' books featuring the young Laurie O'Neill, yet a shift had occurred in the imagery surrounding successful interactions with Aboriginal people. In Idriess' work, O'Neill follows the tracks of 'stone-age men', facilitating the advancement of civilisation through the forceful penetration of the primitive strongholds of Aboriginal land and mentality. Now, the Native Affairs officer is a peacemaker; it is he who makes tracks, providing 'logical and sane leadership' that will facilitate Aboriginal 'advancement' towards citizenship under the new policies of assimilation.

O'Neill was 41 years old when he was posted to Kalgoorlie. It was just 20 years since he had joined the police force, meeting with distinction the cultural expectations that attended the duties of mounted policemen in frontier regions in the 1930s. He had been lionised as a hero in newspapers and immortalised in the works of Idriess. He had developed skills that were valued by the Army and viewed as indispensable to the necessary control of Aboriginal labour in the north by the Department of Native Affairs. He had risen to the position of Acting Deputy Commissioner, second in charge of Native Affairs in the state. Now he found himself out of step with the department's changing approach.

The changes that took place in the administration of Aboriginal people in Western Australia at the end of the 1940s were not, by any means, a complete separation of the roles of the police and those of the Native Affairs officer. Restrictive and punitive legislation remained in place, limited finances meant that police officers continued to be appointed as protectors, and departmental practices under policies of assimilation were frequently punitive and heavy-handed. The department did, however, attempt to remake itself as one concerned with Aboriginal welfare rather than control, and in doing so attempted to differentiate the role of its officers from that of the police. Techniques of 'hard policing' of Aboriginal people, developed through experience in the police force in frontier and pastoral regions, were no longer viewed as appropriate, and nor were they effective in the face of the sort of activism that O'Neill encountered in the Pilbara. Although changes in the department's approach were driven in part by the broader movement throughout Australia towards policies based on the presumption of Aboriginal reformability, they were driven, too, by local activism, as Laurie O'Neill's removal from the Pilbara shows.

In August 1951, the month in which O'Neill took his own life, Middleton found it necessary to attempt to clear up 'confused thinking' about his department and its officers at a meeting of Pilbara pastoralists. 'If a native breaks the law', he explained,

it is a matter for the police and nothing to do with the Department of Native Affairs. If any officer of my Department took any action which

could be described as a punitive measure he would be charged with assault. I repeat that he is merely a welfare officer, nothing more or less, and his job is to act in the assistance of natives.⁹²

Middleton referred to his role as purely a welfare officer on other occasions when he insisted that the economic interests of pastoralists were not the concern of his department.⁹³ Given the emphasis which the previous administration, just a few years earlier, had placed on the importance to the pastoral industry of O'Neill's role as a Travelling Inspector, and on his special aptitude in dealing with issues connected to Aboriginal pastoral labour, O'Neill could perhaps be forgiven if such statements came as news to him.

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⁹² Middleton, transcript of a 'meeting re native affairs in the Pilbarra District', 19 August 1951, Series 20, 1952/0830/43–42, SROWA.

⁹³ Geoffrey Tebbutt, 'Commissioner says: white leader has helped natives', *Herald* (Melbourne), 25 March 1953.

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