

Part 2 Tracing the History

Chapter 3 NSW and the ACT

At Darlington Point I have heard an aborigine, who was highly educated, explaining in the best of English how the aborigines were plundered of their rations, robbed of their lands, and reduced to the position of slaves. I do not say the man was right in all his contentions, but when you meet men who understand all these things, you cannot expect them calmly to submit to an order to take from them their girls or boys and to place them in a Government institution (Mr Scobie MP during parliamentary debate on the Aborigines Protection Bill 1915.

Early policies and practices

Within months of the 'First Fleet' arrival at Sydney Cove in 1788 there was 'open animosity' as Indigenous people protested against 'the Europeans cutting down trees, taking their food and game, and driving them back into others' territories'. Bitter conflict followed as Aboriginal people engaged in 'guerilla warfare – plundering crops, burning huts, and driving away stock' to be met by 'punitive expeditions of great ferocity in which bands of Aborigines encountered were indiscriminately killed'.

The Native Institution at Parramatta, the first of many such schools for Aboriginal children, was opened by Governor Macquarie in 1814. Designed to distance the children from their families and communities, provide them with the 'benefit' of a European 'education' and inculcate the diligent subservience thought desirable in servants and the working class, it was quickly boycotted by Indigenous families. By 1820 it had closed and other attempts were similarly short-lived.

Early missionary activity similarly failed to attract the support of Aboriginal people to whom a settled agricultural lifestyle and study of the Bible had little relevance. In the meantime, as the non-Indigenous occupation extended throughout New South Wales, Indigenous people were forced from their lands to the fringes of European settlements.

In the 1870s the destitution and vulnerability of Aboriginal people moved the missionaries to renewed efforts. They successfully lobbied the government to reserve lands for their use and appealed for public support resulting in the establishment of missions at Maloga and Warangesda. In 1881 a Protector of Aborigines was appointed. He recommended that reserves be set aside throughout the State to which Aboriginal people should be encouraged to move.

In 1883 the Aborigines Protection Board was established to manage the reserves and control the lives of the estimated 9,000 Aboriginal people in NSW at that time. The Board took over the reserves at Maloga and Warangesda. After the Australian Capital Territory was established in 1911 the Board compelled all Aboriginal people in the Territory (including those who had been granted land for farming) to move to the Egerton Mission Station at Yass. When that mission closed two years later the residents became fringe-dwellers on the outskirts of Yass until another forced move to Hollywood Mission in 1934. The few Aboriginal children who lived in the ACT came under the control of the NSW Protection Board.

By 1939 there were over 180 reserves in NSW. 'In most cases they were small with housing consisting of humpies made from iron roofing' (*Learning from the Past* 1994 page 14). They were of two kinds. 'Managed reserves', also called stations, were usually staffed by a teacher-manager and education of a sort, rations and housing were provided. Unmanaged reserves provided rations but no housing or education and were under the control of the police.

Segregation and 'merging'

By about 1890 the Aborigines' Protection Board had developed a policy to remove children of mixed descent from their families to be 'merged' into the non-Indigenous population.

The Board reasoned that if the Aboriginal population, described by some as a 'wild race of half-castes', was growing then it would somehow have to be diminished. If the children were to be de-socialised as Aborigines and re-socialised as Whites, they would somehow have to be removed from their parents (Dr Peter Read).

In 1893 a dormitory for girls was built on Warangesda station. From then until 1909 approximately 300 Aboriginal children were removed from their families and placed there. Local Aboriginal people were offered free railway tickets to vacate the area leaving their female children behind (Read 1981).

The Board relied on persuasion and threats to remove the children. But it wanted the legal power to take them and to control the movement of Aboriginal adults and children. Its lobbying resulted in the *Aborigines Protection Act 1909* which gave the Board power 'to assume full control and custody of the child of any aborigine' if a court found the child to be neglected under the *Neglected Children and Juvenile Offenders Act 1905*. It also allowed the Board to apprentice Aboriginal children aged between 14 and 18 years.

In 1914 the Board instructed all station managers that all mixed descent boys 14 years and older must leave the stations to find employment and all girls 14 and over must go into service or to the Cootamundra Training Home for girls which had opened in 1911.

The Board thus acted as a father figure and in so doing denied the Koori parents their rights in the rearing of their children. For example, it was common for a white child to be apprenticed out to a master. But it was the child's father who made the arrangements. If this child failed, then he would be sent back to his father's care. However the Board decided when and to whom a Koori child would be apprenticed and when a Koori child failed in his apprenticeship duties, he would be placed under the Board's control and would be punished for his misconduct by a Board official (Miller 1982).

Full control and custody

The Board was not satisfied with having to seek the consent of a court to remove Indigenous children from their families. Its 1912 Annual Report declared, 'To allow these children to remain on the Reserves ... would be ... an injustice to the children themselves and a positive menace to the State'. As the Colonial Secretary complained,

... it is very difficult to prove neglect; if the aboriginal child happens to be decently clad or apparently looked after, it is very difficult to show that the half-caste or aboriginal child is actually in a neglected condition, and therefore it is impossible to succeed in the court.

The Board's efforts to remove children were also inhibited by the 'cumbersome and ineffective' procedures involved. 'For instance, after learning that action is intended, parents have removed children across the border into Victoria, and thus defeated the objects of the board' (*Parliamentary Debates 1914-15*).

Although great care has been taken to explain at length the many advantages a child would derive from such an opportunity, the almost invariable experience has been that the parents or relatives have raised some frivolous objection and withheld their consent. Consequently the children have perforce had to be left amidst their most undesirable surroundings (Colonial Secretary, 1915).

The Board's concerns were addressed by the *Aborigines Protection Amending Act 1915* which gave it total power to separate children from their families without having to establish in court that they were neglected.

No court hearings were necessary; the manager of an Aboriginal station, or a policeman on a reserve or in a town might simply order them removed. The racial intention was obvious enough for all prepared to see, and some managers cut a long story

short when they came to that part of the committal notice, 'Reason for Board taking control of the child'. They simply wrote, 'For being Aboriginal'.

Apart from just 'being Aboriginal' other commonly cited reasons for removal were 'To send to service', 'Being 14 years', 'At risk of immorality', 'Neglected', 'To get her away from surroundings of Aboriginal station/Removal from idle reserve life' and 'Orphan'.

The only way a parent could prevent the removal was to appeal to a court.

We are told that the parents have an appeal. What does an appeal mean? Suppose a poor Aboriginal woman goes into court, who will listen to her? (Parliamentary Debates 1914-15).

The 1915 amendment also abolished the minimum age at which Aboriginal children could be apprenticed.

Some Parliamentarians of the day such as the Hon P McGarry strongly opposed the 1915 amending Act. According to McGarry it allowed the Board 'to steal the child away from its parents'. This 'act of cruelty' was a scheme to take the children 'prisoners' and 'to gain absolute control of the child and use him as a slave without paying wages'. Another Member of Parliament assessed the amending Act as tantamount to the 'reintroduction of slavery in NSW' (Parliamentary Debates 1914-15).

Rather than appeal removal decisions, Indigenous parents protested by leaving the stations 'with a view to escaping supervision and to evade having their children removed to domestic employment' (1922 Board circular).

Extending official control

From 1905 the Board was under pressure to relinquish reserved land in eastern NSW for non-Indigenous settlement. This pressure became 'irresistible' in 1917 with the Returned Servicemen's Settlement Scheme whereby returned soldiers could select a block of agricultural land. At the same time changes in the pastoral industry were forcing Indigenous communities off pastoral stations as the stations were broken up into smaller family-based operations. Communities moved onto reserves or to the outskirts of towns where work might be found.

Coping with this influx of people put demands on the Board's budget. Its response was to persuade the government to amend the 1909 Act to narrow the definition of 'Aborigine'. Children who did not fall within this definition were not entitled to remain on the reserves with their families. According to the then acting Premier,

... quadroons and octoroons will be merged in the white population, and the camps will merely contain the full-blooded aborigines and their descendants ... By this means, considerable savings will be effected in the expenditure of the Aborigines Protection Board ... There is hope ... in years to come, the expenditure in respect of Aborigines will reach vanishing point.

The 1918 strategy to force 'lesser castes' from dependence on the Board and into the wider community to make their own way did not take account of the discrimination they would encounter. They were said to be 'a great annoyance' to the European population and there was a public demand that they be supervised more closely. In 1936 the Board regained control over these people by yet another change to the definition of Aboriginality.

The effect of this change was to extend the Board's control to Aboriginal children living away from the reserves and stations, then estimated at half the Aboriginal population. If a child refused to enter employment on the terms laid down by the Board, he or she could be admitted to an institution. Families who refused to move to reserves or from one reserve to another as reserve land was resumed were threatened with the removal of their children. This happened to families who moved to the Darling River at Wilcannia to escape being forcibly removed to the Menindee Mission after it opened in 1933 and to those resisting removal from Menindee when it closed in 1949 to Murrin Bridge.

It is ironic therefore that very often the Welfare Board would use the poor conditions of the river bank houses as a justification for subsequent removals. It was the neglect of the Welfare Board with the tacit approval of the Shire Council which had forced such appalling conditions on the Aboriginal community in the first instance (Western Aboriginal Legal Service (Broken Hill)).

As the Board had very limited resources it relied on local police to administer its child removal policy, 'protect' Indigenous people, distribute rations and prosecute offenders.

The policeman, who no doubt was doing his duty, patted his handcuffs, which were in a leather case on his belt, and which May [my sister] and I thought was a revolver ... 'I'll have to use this if you do not let us take these children now'. Thinking that the policeman would shoot Mother, because she was trying to stop him, we screamed, 'We'll go with him Mum, we'll go' ... Then the policeman sprang another shock. He said he had to go to the hospital to pick up Geraldine [my baby sister], who was to be taken as well. The horror on my mother's face and her heartbroken cry! (Tucker 1984).

Training institutions

The Board expressed particular concern about the prospects of young Aboriginal women and girls. To 1921 81% of the children removed were female. That proportion had decreased only slightly by 1936.

Girls were sent to Cootamundra Girls' Home until the age of 14 then sent out to work.

During any one year in the 1920s there would have been between 300 and 400 Aboriginal girls apprenticed to white homes. Aboriginal wards thus represented approximately 1.5% of the domestic workforce at the time (Walden 1995).

Many girls became pregnant in domestic service, only to have their children in turn removed and institutionalised. Generations of Aboriginal women passed through Cootamundra Girls' Home until it closed in 1969.

When the girls left the home, they were sent out to service to work in the homes and outlying farms of middle class white people as domestics ... On top of that you were lucky not to be sexually, physically and mentally abused, and all for a lousy sixpence that you didn't get to see anyway. Also, when the girls fell pregnant, their babies were taken from them and adopted out to white families, they never saw them again.

In 1918 the Board established the Kinchela Training Institution in northern NSW for Aboriginal boys. Kinchela moved to Kempsey in 1924. The Board also contributed to the United Aborigines Mission home at Bomaderry on the NSW south coast where younger children and babies were placed.

The Board regularly received complaints about the conditions in these institutions. A 1937 Board inquiry into allegations of extreme cruelty by the Kinchela manager led to him being transferred to the station at Cumeragunja. In response to his actions there Cumeragunja families walked off the station, crossed the Murray River and established communities in Victoria. These communities were later subjected to the child removal policies of the Victorian Government.

Under arrangements with the Commonwealth Government the NSW Board also placed Aboriginal children from the ACT who had been removed from their families under the *Neglected Children and Juvenile Offenders Act 1905* (NSW).

While Indigenous children were being institutionalised, removed non-Indigenous children were being fostered or 'released back' into the care of their mothers. An 1874 Public Charities Commission inquiry had stressed that institutional life,

... is prejudicial to a healthy development of character and the rearing of children as good and useful men and women. The one fatal and all-sufficient objection to the massing of children together under the necessary conditions of barrack life is, its utter variance from the family system recognized by nature in the constitution of human society as the best suited for the training of the young.

Resistance and dissent

During the late 1920s and the 1930s Aboriginal resistance to the operations of the Board organised at the political level. In 1925 the Australian Aborigines Progressive Association (AAPA) was formed in New South Wales and immediately called for an end to the forcible removal of Aboriginal children from their families. In 1928 the Association wrote,

*... girls of tender age and years are torn away from their parents
... and put to service in an environment as near to slavery as it is possible to find.*

Fred Maynard, an Aboriginal activist, wrote to the Premier in 1927 demanding 'that the family life of Aboriginal people shall be held sacred and free from invasion and interference and that the children shall be left in the control of their parents'.

The Member of Parliament for Cobar, a supporter of the AAPA, raised the management problems then existing at Brewarrina Station in Parliament which resulted in a Parliamentary Select Committee into the Aborigines Protection Board, followed by a further inquiry in 1938.

Aboriginal activists continued to campaign against the actions of governments towards their people since the time of the invasion. At a 1938 protest meeting held on the 150th anniversary of the British occupation of Australia, William Ferguson and John Patten forcefully denied the myth of white benevolence in their manifesto *Aborigines Claim Citizen Rights*.

You have almost exterminated our people, but there are enough of us remaining to expose the humbug of your claim, as white Australians, to be a civilised, progressive, kindly and humane nation. By your cruelty and callousness towards the Aborigines you stand condemned ... If you would openly admit that the purpose of your Aborigines Legislation has been, and now is, to exterminate the Aborigines completely so that not a trace of them or of their descendants remains, we could describe you as brutal, but honest. But you dare not admit openly that what you hope and wish is for our death! You hypocritically claim that you are trying to 'protect' us; but your modern policy of 'protection' (so-called) is killing us off just as surely as the pioneer policy of giving us poisoned damper and shooting us down like dingoes!

Assimilation 1937-1975

New South Wales responded to the national consensus on assimilation at the 1937 Commonwealth-State conference by reconstituting the Board around the new goal and renaming it the Aborigines Welfare Board in new legislation introduced in 1940.

The problem that the Government has to meet and the community has to face in regard to the Aborigines can be estimated by realising the fact that there are some 10,000 people of full or mixed aboriginal blood ... About 50% of the aborigines are camped on stations and reserves which are controlled by the Government. The remainder are living independently of the board ... It has no effective control under the present law. They are quite independent and free to live according to their own wishes. In many cases, they are living in close proximity to towns, in much the same way as the unemployed lived during the worst years of the depression, and in that regard they are a great annoyance to the community (Parliamentary debates on the 1940 Act).

The 1940 Act did not give the new Board the same administrative removal powers. To remove a child the Board now had to proceed under the *Child Welfare Act 1939* and establish to the satisfaction of a Children's Court that the child was 'neglected' or 'uncontrollable'. Once removed, however, the child became a ward of the Board (which was not the same as a ward under the *Child Welfare Act*) and subject to even greater control by the new Board. Two systems of regulation and administration thus operated side by side: one for non-Indigenous wards under the control of the Child Welfare Department and one for Aboriginal wards under the control of the Board.

The Board was given explicit power to 'establish ... homes for the reception, maintenance and training of wards'. Aboriginal children who left their employment or a 'home' were guilty of an offence and punishable by the Children's Court. Punishment could include forfeiture of rewards, isolated detention, corporal punishment and fatigue duties. In the pursuit of assimilation Aboriginal parents were prevented by law from contacting their institutionalised children. It was an offence to try to communicate with any ward 'who is an inmate of such home' or to enter the home.

The new Board also placed Indigenous children from the Australian Capital Territory, although their removal continued to be governed by the 1905 *Neglected Children and Juvenile Offenders Act* until 1954, even though that Act had been repealed for NSW. From 1954 until 1968 Indigenous children in the ACT were removed under Commonwealth legislation, the *Commonwealth Child Welfare Ordinance 1954*, but placed in institutions or foster care in New South Wales. 'Given the Territory's location in regional NSW and the continuation of NSW administration, there was no real distinction between the ACT and the rest of NSW'.

'The welfare'

In theory at least the court process in the *Child Welfare Act 1939* provided safeguards against the kinds of discretionary separations that the Board had previously engaged in. However, since the Children's Courts were located far from most Aboriginal communities and no legal assistance was available to parents, they were effectively prevented from contesting removal applications.

In that time we had nobody. No-one to talk for us or anything ... We had to just go there ... and ... if we wanted to say something then, in court, it was too late. They said it was already finished. And then, bang, they're gone. That was it (quoted by Wootten 1989).

In any event the definition and interpretation of 'neglected' and 'uncontrollable' in the *Child Welfare Act* impacted adversely on Indigenous families. 'Neglect' was defined to include destitution and poverty was a constant feature of most Aboriginal people's lives. Aboriginal lifestyles, adopted from choice or necessity, such as frequent travelling for cultural activities or seeking employment, resistance to non-Indigenous control and child-rearing by extended family members were regarded by courts as indicative of neglect. Aboriginal children who refused to attend school were labelled 'uncontrollable' as were Aboriginal girls running away from situations of sexual abuse or becoming pregnant. Yet until 1972 school principals could and did exclude Aboriginal children from schools on the ground of 'home condition' or 'substantial (community) opposition'.

If parents could be 'persuaded' to consent to the removal of their children the Board did not have to show that a child was neglected or uncontrollable.

Because [my mother] wasn't educated, the white people were allowed to come in and do whatever they wanted to do – all she did was sign papers. Quite possibly, she didn't even know what she signed ... The biggest hurt, I think, was having my mum chase the welfare car – I'll always remember it – we were looking out the window and mum was running behind us and singing out for us. They locked us in the police cell up here and mum was walking up and down outside the police station and crying and screaming out for us. There was 10 of us.

By the late 1930s it was clear the Board's institutions could not cope with the number of children being removed. As the Board did not have the funds to establish new institutions but remained firmly committed to its policy of child removal, alternative arrangements had to be made. From 1943 Aboriginal children deemed 'uncontrollable' by the Children's Court became the responsibility of the Child Welfare Department. They were usually sent to a State Corrective Institution such as Parramatta Girls' Home or Mt Penang.

During the 1940s and 1950s the Aborigines' Welfare Board and the Child

Welfare Department worked closely together to place Indigenous children. A child's skin colour often determined the type of placement made. Lighter coloured children were sent to institutions for non-Indigenous children or fostered by non-Indigenous families.

In 1950 the Board advertised for 'foster parents ... for 150 Aboriginal children'. By 1958 116 wards had been fostered, 90 of them with non-Indigenous families. In 1960 over 300 Aboriginal children were in foster homes and another 70 or so were in Cootamundra and Kinchela.

Until 1963 the Board was still exploring the possibility of constructing more institutions to house all its removed children. In that year it was finally decided not to proceed with another institution because they encouraged segregation and, moreover, they were too expensive.

Adoption was another method of removing Indigenous children from their families. Mothers who had just given birth were coerced to relinquish their newborn babies. Those whose children had already been forcibly removed were pressured by Board officials to consent to adoption. The Child Welfare Department processed the adoption but relied on Board officials to obtain the mother's consent. The Child Welfare Department did not check to ensure that Indigenous mothers understood they were being asked to agree to the permanent removal of their child.

Most of us went to Crown St. Hospital. That's where my son was born, and then we went back to the hostel with the baby. Once we were there, we had the Welfare coming in, asking you what you was going to do – telling you most of the time that your parents didn't want you, the father of the baby didn't want you ... they said to me they couldn't find anyone that wanted me, and they couldn't find anywhere for me, like a live-in job where I could take the baby. And then they said the only one they could find that was willing to take me was my eldest sister, who I'd never seen since I was a little girl – she'd gone before us: she went away with some white people that were supposed to take her away for a good education – and they said she was the only one who was willing to take me, but she didn't want the baby. So they brought the papers in and told me to sign and that was it.

The powers of the NSW Board differed from those in some other States in that it never had guardianship of Indigenous children and therefore could not consent to the adoption of one of its wards. However the *Adoption of Children Act 1965* allowed for the consent requirement to be waived if 'that person is, in the opinion of the Court, unfit to discharge the obligations of a parent or guardian by reason of his having abandoned, deserted, neglected or ill-treated the child'. Rather than endeavour to contact the mother of a child whose foster parents wanted to adopt him or her, the Board applied to the Children's Court to waive the consent requirement.

In 1968 responsibility for placing Indigenous children from the ACT was transferred to the Commonwealth Department of the Interior. This marked a shift in policy for foster care. Previously the practice had been to place children with an unrelated foster family in NSW. Restricted contact with their natural family and continued foster care arrangements meant that these placements, in effect, often became pseudo-adoptions. From 1967, the practice of Commonwealth Departments was to place children in residential care in the ACT and attempt to reunite the child with their family.

Abolition of the Board

In 1969 the NSW Aborigines' Welfare Board was abolished 'leaving over a thousand children in institutional or family care. Almost none of them was being raised by Aborigines, still less by the child's own extended family' (Dr Peter Read submission 49 page 14). Wards of the Board were transferred to the Department for Child Welfare and Social Welfare which set up the Aborigines' Advisory Council in 1971. Although the abolition of the Board meant that Indigenous children were, in theory, treated the same as non-Indigenous children, 'the child welfare approach was, in effect, overt denial but covert recognition and denigration of Aboriginality' (historian Dr Heather Goodall quoted by Wootten 1989 on page 26). Kinchela and Cootamundra closed shortly after the Board was abolished but the home at Bomaderry was still functioning until 1980.

I was taken off my mum as soon as I was born, so she never even seen me. What Welfare wanted to do was to adopt all these poor little black babies into nice, caring white families, respectable white families, where they'd get a good upbringing. I had a shit upbringing. Me and [adopted brother who was also Aboriginal] were always treated different to the others ... we weren't given the same love, we were always to blame. ... I found my mum when I was 18 – she was really happy to hear from me, because she didn't adopt me out. Apparently she did sign adoption papers, but she didn't know [what they were]. She said to me that for months she was running away from Welfare [while she was pregnant], and they kept finding her. She remembers being in – it wasn't a hospital – but there were nuns in it, nuns running it. I was born at Crown Street. They did let her out with her brother one day and she run away again. Right from the beginning they didn't want her to have me.

The Broken Hill office of the Western Aboriginal Legal Service informed the Inquiry that it was clear from its research that 'there were children removed from Wilcannia in the 1970's in much the same way that children were being removed in the 1960's'. Once Cootamundra and Kinchela had closed, Indigenous children who rebelled against their removal and foster placements could be sent to a detention centre.

Mt Penang Training Centre [in the early 1970s] was described to me by a former deputy superintendent as a para-military

institution which followed the tradition of treatment of young offenders which commenced in the early days of colonisation ... The atmosphere was one of absolute regimentation with very strict practices and procedures throughout the centre.

Attitudes to Aboriginals were described by the former deputy superintendent as 'appalling' ... There are no figures on the number of Aboriginals who were at Mt Penang but there is no reason to think it was less than 25-30% ... The regime would have been very harsh for any young person but must have been particularly oppressive for Aboriginals like Malcolm, having regard to the relative freedom with which he had lived his early years, and the racist attitudes (Wootten 1989).

Towards self-management

From the mid-1970s the NSW Department of Youth and Community Services began involving Aboriginal workers in the process of placing Indigenous children.

It is the deep and natural desire of Aboriginal people, particularly the young adolescents, to be housed and cohabit with those of their own race and foster placement within the Aboriginal community would help to resolve this situation (Annual Report 1977, quoted by NSW Government submission on page 64).

In 1978 12 Aboriginal caseworkers started working with the department on the placement of Indigenous children. However, Aboriginal submissions for separate legal consideration of Indigenous children in the *Community Welfare Bill 1981* were rejected by the department. Indigenous organisations such as the Aboriginal Children's Service and Link-Up (NSW) pressured the department to change its stance in relation to making specific provision for Indigenous children.

In 1980, the department's Aboriginal Children's Research Project reported that '17.2% of children in corrective institutions are Aboriginal'. Of these children, '81% ... are not in their home regions [and] 34% had no contact with either parents or relatives'. In addition, '10.2% of children in non-government children's homes are Aboriginal [and] 15.5% of children in foster care are Aboriginal' (quoted by Select Committee of the Legislative Assembly upon *Aborigines 1981* on page 293). The Aboriginal population of NSW at the time was about 1% of the total.

A conference of Aboriginal Community Workers in 1983 proposed changes to the adoption process to ensure that Aboriginal mothers were advised of alternatives. Departmental policy changed in 1985-86 with the development of policies for adoption and fostering that recognised that Aboriginal children who have been removed should be placed with Aboriginal families whenever possible. Following this policy change there was a 12%

reduction in the number of Aboriginal wards from the previous year (NSW Government submission page 65).

The Aboriginal Child Placement Principle, under which an Aboriginal family must be the preferred option for an Aboriginal child needing out-of-home care, was incorporated into the *Children (Care and Protection) Act 1987*. In that year a survey of government and non-government foster parents found that only 51% of the families with Aboriginal foster children were also Aboriginal and that Aboriginal children tended to be over-represented among children in very long-term foster care.

There is no similar principle in the *Children's Services Act 1986* (ACT) although there is in the *Adoption Act 1993* (ACT). The ACT Government informed the Inquiry that it intends to review the 1986 Act and 'is committed to the inclusion of this principle'.

Until 1968 the placement of ACT children was undertaken by the NSW Board. It was then transferred to the Commonwealth Department of the Interior. Following self-government in 1989 responsibility for the placement of Indigenous children from the ACT passed to the ACT Department of Family Services.

Jennifer

My grandmother, Rebecca, was born around 1890. She lived with her tribal people, parents and relations around the Kempsey area. Rebecca was the youngest of a big family. One day some religious people came, they thought she was a pretty little girl. She was a full blood aborigine about five years old. Anyway those people took her to live with them.

Rebecca could not have been looked after too well. At the age of fourteen she gave birth to my mother Grace and later on Esther, Violet and May. She married my grandfather Laurie and at the age of twenty-three she died from TB.

Grandfather took the four girls to live with their Aunty and Uncle on their mother's side. Grandfather worked and supported the four girls.

Mum said in those days the aboriginals did not drink. She often recalled going to the river and her Uncle spearing fish and diving for cobbler. Mum had eaten kangaroo, koala bear, turtles and porcupine. She knew which berries were edible, we were shown by her how to dig for yams and how to find witchetty grubs. My mother also spoke in several aboriginal languages she knew as a small girl. The aboriginals had very strict laws and were decent people. They were kind and had respectable morals. Even though the girls fretted for their mother they felt secure with their own people.

Years later Grandfather told my mother a policeman came to his work with papers to sign. The girls were to be placed in Cootamundra Home where they would be trained to get a job when they grew up. If grandfather didn't sign the papers he would go to jail and never come out, this was around 1915.

My grandfather was told he was to take the four girls by boat to Sydney. The girls just cried and cried and the relations were wailing just like they did when Granny Rebecca had died.

In Sydney my mother and Esther were sent by coach to Cootamundra. Violet and May were sent to the babies' home at Rockdale. Grace and Esther never saw their sister Violet again. She died at Waterfall Hospital within two years from TB.

My mother was to wait twenty years before she was to see her baby sister May again.

Cootamundra in those days was very strict and cruel. The home was overcrowded. Girls were coming and going all the time. The girls were taught reading, writing and arithmetic. All the girls had to learn to scrub, launder and cook.

Mum remembered once a girl who did not move too quick. She was tied to the old bell post and belted continuously. She died that night, still tied to the post, no girl ever knew what happened to the body or where she was buried.

Aunty Esther was a big girl for her age, so she was sent out as a cook to work at twelve years of age. Mum being of smaller build was sent out as children's nurse at fourteen. She had responsibility for four young children; one only a baby for 24 hours a day. Mum said they used to put girls ages up if they were big for their age and send them out to work on properties. Some girls were belted and sexually abused by their masters and sent to the missions to have their babies. Some girls just disappeared never to be seen or heard of again.

Eventually after several years Mum was sent to Rose Bay to work. Whilst in Sydney she met her sister Esther who was working in the Chatswood area. As far as I know neither Mum or Aunt Esther ever got paid for those hard working years under the Board.

My mother often recalled the joyous time Aunty May came to Kempsey to see her sisters and father. The three young women hugged one another and cried with happiness and sadness for their sister and their mother.

Early one morning in November 1952 the manager from Burnt Bridge Mission came to our home with a policeman. I could hear him saying to Mum, 'I am taking the two girls and placing them in

Cootamundra Home'. My father was saying, 'What right have you?'. The manager said he can do what he likes, they said my father had a bad character (I presume they said this as my father associated with Aboriginal people). They would not let us kiss our father goodbye, I will never forget the sad look on his face. He was unwell and he worked very hard all his life as a timber-cutter. That was the last time I saw my father, he died within two years after.

We were taken to the manager's house at Burnt Bridge. Next morning we were in court. I remember the judge saying, 'These girls don't look neglected to me'. The manager was saying all sorts of things. He wanted us placed in Cootamundra Home. So we were sent away not knowing that it would be five years before we came back to Kempsey again.

Mum used to write to us every week. Sometimes it would be 2 months before we received the letters, of course they were opened and read first. Sometimes parts would be torn out of the letters by matron or whoever was in charge.

Cootamundra was so different from the North Coast, it was cold and dry. I missed the tall timbers and all the time I was away there was this loneliness inside of me. I had often thought of running away but Kate was there and I was told to always look after her. I had just turned eleven and Kate was still only seven. I often think now of Cootamundra as a sad place, I think of thousands of girls who went through that home, some girls that knew what family love was and others that never knew; they were taken away as babies.

Some of the staff were cruel to the girls. Punishment was caning or belting and being locked in the box-room or the old morgue. Matron had her pets and so did some of the staff. I look back now and see we were all herded together like sheep and each had to defend themselves and if you didn't you would be picked on by somebody that didn't like you, your life would be made a misery. I cannot say from my memories Cootamundra was a happy place.

In the home on Sundays we often went to two different churches, hymns every Sunday night. The Seventh Day Adventist and Salvation Army came through the week. With all the different religions it was very confusing to find out my own personal and religious beliefs throughout my life.

My mother sent us a new outfit every change of season, we only received one parcel. The matron kept our clothes and distributed them to her pets. In winter it was icy cold and for the first time in my life I didn't have socks to wear to school.

One day the matron called me to her office. She said it was decided by the Board that Kate and myself were to go and live with a

lady in a private house. The Board thought we were too 'white' for the home. We were to be used as an experiment and if everything worked out well, more girls would be sent later on.

We travelled all day long. We didn't know what place we were going to, all I knew was we were going further and further away from home. Late afternoon we stopped at this house in Narromine. There lived Mrs S., her son and at weekends her husband Lionel.

The twenty months Kate and I spent at Narromine were honestly the worst time of my childhood life. I often thought I would not survive long enough ever to see my mother again.

The Scottish woman hated me because I would not call her 'Mum'. She told everyone I was bad.

She made us stay up late sewing, knitting and darning that pillowcase full of endless socks. Often we weren't allowed to bed 'till after 11 p.m. I was always late for school, the headmaster used to greet me with 'Good afternoon Jennifer'. Mrs S. did not allow me to do homework, therefore my schoolwork suffered and myself – a nervous wreck.

When I was thirteen years old Mrs S. called this middle-aged male doctor to the house and said she wanted an internal examination of me. That was terribly shameful for me, I will not say anymore. During the time [with her] I was belted naked repeatedly, whenever she had the urge. She was quite mad. I had to cook, clean, attend to her customers' laundry. I was used and humiliated. The Board knew she was refused anymore white children yet they sent us there.

Near the end of our stay she got Mr F. from Dubbo to visit. She tried to have me put in Parramatta Girls' Home. By this time I knew other people had complained to the Board. Mr F. asked me if I wanted to go to a white home or back to Cootamundra. So a couple of days later we were back in the Home. It was hard to believe we had gotten away from that woman.

It wasn't long after we were back at the Home and Matron called me to her office. She wanted to know what had happened at Narromine. I told her everything. She said the experiment did not work and she would write to the Board for fear they would send more girls out. It did not do any good though because more than half the girls were fostered out over the next three years. Some of the girls were sexually abused, belted and called names by their foster parents. Of course the brainwashing continued about Aboriginals being lazy, dirty and of low intelligence going nowhere.

In December 1957 our mother finally got us home. She was the first Aboriginal to move into a Commission house. My mother died four years

later, she suffered high blood pressure, she was 54 years old. It was fight all the way to survive because she was born an Aboriginal.

I still can't see why we were taken away from our home. We were not neglected, we wore nice clothes, we were not starving. Our father worked hard and provided for us and we came from a very close and loving family.

I feel our childhood has been taken away from us and it has left a big hole in our lives.

Six o'clock ... Outa bed
She entered Coota a young girl
about eleven / twelve but already
mature for her years.
She knew how to look after her
younger brothers and sister, keep house
and herself, her mother made sure of that.
Her life was forcefully changed.
She was parted from her brothers.
White washed in a 'new alien' white
way of thinking.
She never really had a childhood,
she went from baby clothes to
Government uniforms, controlled by the
times of day.
Six o'clock, out of bed, wash, dress, work, breakfast,
work, inferior schooling, home, change clothes, work,
wash, tea, bed, nightmares, worry, little sleep,
cry.
Six o'clock, out of bed, wash ...
Talk like whites, behave like whites,
pray like whites. Be white.
She new her family for she was part of one,
where she grew up, the things she did,
the strong family she had, the old people,
the stories of long ago, her own
identity. Her mother.
...
She was rebellious, she never
conformed, they never broke her spirit,
her family background made sure of that
and they were always in her thoughts.
Six o'clock, out of bed, wash
she endured many years of this spirit
breaking torture, punished, bashed, humiliated,
starved.

James Miller 1994
Extract from the poem Six o'Clock...Outa bed