

8.

Queensland

The History

Note: This overview is based primarily on the *Bringing them home* report and provides a background to the policies and practices that authorised the removal of Aboriginal and Torres Strait Islander children from their families. It is not intended to be used as a comprehensive historical document.

Early contact

In 1797 the explorer, Matthew Flinders, led an expedition by sea to Moreton Bay and landed at Redcliffe. The area was not settled until 1824, when Redcliffe was set up as a penal outpost of New South Wales. In the following year, the settlement moved to Brisbane.

As a penal colony, there was little initial conflict between the colonisers and Indigenous populations. However, the growth of a free settlement from 1842 brought contact that soon escalated into extreme violence. This included the poisoning of Indigenous people at Kilcoy Station by settlers (1842) and attacks on Indigenous camps at Breakfast Creek (1860).

... the aboriginal inhabitants are treated exactly in the same way as the wild beasts or birds the settlers may find there ... Their goods are taken, their children forcibly stolen, their women carried away, entirely at the caprice of the white men.'

(Queenslander, 1883)

While the government condemned these activities, it left protection of Indigenous people to the missionaries. Land was reserved for them and was controlled by the missions.

The Torres Strait Islands were settled by fishermen from Sydney and New Caledonia and by missionaries. During the 1860s, fishing outposts were set up on the islands, bringing forced labour, violence and abductions to Torres Strait Islander communities. A number of violent clashes broke out between the Islanders and shipping merchants.

In 1871, the London Missionary Society set up operations on Darnley and Dauan Islands, later expanding across to the other islands. The missionaries played a leading role in putting an end to the cycle of warfare, exploitation and abductions on the islands.

A settlement was eventually established on Thursday Island in 1876, and the islands were made part of Queensland by the Colonial Parliament in 1879. This was achieved without any consultation with the Torres Strait Islander people.

Segregation and isolation

The first legal removals took place under the *Industrial and Reformatory Schools Act 1865*. This allowed all children to be sent to industrial or reformatory schools on the ground of 'neglect'. Under this law, simply being 'aboriginal' was proof of neglect, so many Indigenous children were removed through this law.

In 1896, Archibald Meston was asked to report to the government on conditions at the mission stations and reserves. In his report, Meston spoke of the frequent kidnapping of Indigenous children by settlers. He urged that Indigenous people be isolated on reserves to the 'total exclusion of whites' in order to prevent further kidnappings.

Meston's suggestion was taken up by the government and would form the foundation of its policies until 1965. Indigenous people, including children, were to be isolated on missions and government settlements well away from non-Indigenous society.

The Government acted on Meston's advice soon after by passing the *Aboriginal Protection and Restriction of the Sale of Opium Act 1897*. This allowed government officials under the Chief Protector's

control to remove Indigenous people to reserves and to separate children from their families. All that was needed was administrative approval from the Minister. There was no court hearing.

The Act also allowed 'orphaned' and 'deserted' mixed-descent children to be removed to an orphanage.

Chief Protector Bleakley

"It is only by complete separation of the two races that we can save him ('the Aborigine') from hopeless contamination and eventual extinction, as well as safeguard the purity of our own blood."

These are the words of J.W. Bleakley six years after his appointment as Chief Protector of Aborigines in 1913. Bleakley firmly believed in the segregation of Indigenous from non-Indigenous people.

Bleakley was a strong supporter of the missions and government settlements as a way of achieving this. He encouraged the government to put more money into the missions and settlements to improve the appalling conditions. Malnutrition, lack of clothing and protection, and disease led to very high mortality rates, with death rates frequently exceeding birth rates.

At the Cherbourg Mission, for example, there were no cots or beds in the children's dormitories. Conditions on the missions further north were much worse, and were compared to prisons. By 1934, one-third of Indigenous people in Queensland were living on missions and settlements.

Indigenous children were not only removed to missions. Many were removed to government-run dormitories, where they were equally isolated, or sent to work at an early age. In 1899, a protectress was appointed to supervise young Indigenous women who went to work as domestics in Brisbane. By 1914, she was supervising 137 Indigenous girls. Archbishop Donaldson, visiting Cherbourg in 1915, noted that of the girls sent out to service more than 90 per cent came back pregnant to white men.

Some Indigenous people continued to live away from the missions and settlements. They lived in camps, surviving on basic rations earned from working on nearby farms for much less money than non-Indigenous workers received. Often, children found to be living in these camps were removed on Bleakley's order.

On the Torres Strait Islands, the government policy was to restrict the movement of the Islanders. This would ensure their availability to work in the fishing industry.

The *Aborigines Preservation and Protection Act 1939* replaced the 1897 law. Bleakley was made Director of Native Affairs as the office of Chief Protector was abolished. This law made Bleakley the legal guardian of all Indigenous children under 21 years, which meant he no longer had to seek the Minister's approval before removing children.

Assimilation

Bleakley's term came to an end in 1942, when he was replaced by Cornelius O'Leary as Director of Native Affairs.

By this time, the Queensland missions were pleading for more funds to address the derelict housing, constant food shortages, unsafe water supplies, and high rates of illness and death. The situation was quite serious on some missions (Mapoon, Aurukun and Yarrabah) where Indigenous residents resorted to protest. At Yarrabah, the mission's response was to force the protesters to leave, most joining a shanty camp near Cairns. Similar conditions existed on the government settlements.

With the new Director came a change in government policy. O'Leary promoted a policy of assimilation through education and housing. In 1965 the government acted on this by passing the *Aboriginal and Torres Strait Islanders Act 1965*. Indigenous people regained guardianship of their children. Even so, the Director could still order the compulsory removal of people, including children, between reserves.

The new law also introduced the concept of ‘assisted person’. Every Aboriginal or Torres Strait Islander living on a community or mission was classed as an ‘assisted person’. They were required to hold a ‘certificate of entitlement’ in order to remain on the mission or settlement.

Under the Act, 105 regulations were made to deal with all forms of behaviour control. For example, Regulation 70 allowed the use of dormitories as places of detention for any male or female who ‘commits an offence against discipline’. Such an offence included escaping or attempting to escape from a reserve or settlement.

In terms of conditions on the missions and settlements, the government did little to respond to pleas for further funding. Instead, it looked at ways to cut spending on Indigenous affairs. One proposal was to put as many ‘light-skinned children’ as possible up for adoption and force others into the non-Indigenous community.

The situation was slightly different for Torres Strait Islanders. In the early 1960s, the once successful marine industry on the Torres Strait Islands collapsed, leaving many Indigenous Islanders out of work. Many were reliant on low wages to meet the cost of living. As a result, many left the islands and settled on the mainland.

A program, in the name of assimilation, was established in 1967 to employ ‘liaison officers’ to monitor hygiene practices and social habits. They inspected Indigenous homes, policed truancy and assisted in dealings between the police and Indigenous people. While this meant some assistance in holding families together, it also meant that Indigenous families were under increased surveillance.

By the 1960s, Indigenous people were under increased observation from the government. In 1959, Director O’Leary declared: “*We know the name, family history and living conditions of every aboriginal in the State.*”

Towards self-management

With growing numbers of Indigenous people living off the missions and settlements, the camp communities grew in number and size – some were even shanty towns. The low wages they received, compared to wages received by non-Indigenous workers, made housing unattainable for most Indigenous farmhands. For many, the camps and shanty towns were the only alternatives.

Local councils would react to the presence of camps in their area by demolishing huts and forcing people to move elsewhere. When they resettled, the process simply repeated itself. Many children suffered poor health in these conditions, particularly from having no established home. They were then at risk of being declared neglected and removed.

The 1965 assimilation law was replaced with the *Aborigines Act 1971* and the *Torres Strait Islanders Act 1971*. Both of these laws abolished the Director’s power to remove children. By this stage, one-half of children in welfare institutions in north Queensland were Indigenous children.

In 1975, a Commission of Inquiry into the Nature and Extent of the Problems Confronting Youth in Queensland noted the negative effects of placing Indigenous children in non-Indigenous institutions. The Inquiry recommended that alternative means of child care be considered and that Indigenous staff be employed. This was the beginning of a shift towards Indigenous people being involved in decisions that affected the lives of their children.

In 1984, the Queensland Government adopted the Aboriginal Child Placement Principle. Under this, an Indigenous family must be the preferred placement for an Indigenous child in need of alternative care. This is now included in the main child welfare and adoption laws.