

Western Australia

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 It is not intended to be used as a comprehensive historical document.

The Swan River colony

Unlike the eastern colonies, Western Australia was established for free settlers rather than convicts. In 1829, Captain Charles Howe Fremantle took possession of land around the Swan River. Later that year, Captain James Stirling officially founded Perth and established the Swan River colony.

Settlers and nearby Indigenous communities soon fell into conflict – mostly over land. In a free settler colony, land is vital for the colony's continued existence and growth, particularly land suitable for farming. Settlers arriving at the Swan River Colony were granted land according to the amount of property, equipment and animals they brought with them. Thinking there would be plenty to go around, the colonisers seized land rapidly. There was little consideration for the presence of Indigenous communities on these lands or the existence of Indigenous sacred sites. The result was immediate conflict and a forced retreat of Indigenous people eastward.

One example of such conflict was the Battle of Pinjarra. Pinjarra was established by a Perth businessman in 1830 and, with its fertile soils and pastures, quickly attracted settlers. Local Indigenous people camped outside the settlement, launching random attacks and protests. Governor Stirling led an expedition to the camp with policemen and armed soldiers. They opened fire indiscriminately. Those Indigenous people who retreated were ambushed by another group of soldiers who also opened fire. A total of 30 people were killed including two women and a child.

In 1837, the British Select Committee expressed concern over the fate of Indigenous people in the colonies. In response to the Committee's report, 'protectors' were appointed in Perth and York to look after the interests of Indigenous people. In reality, the protectors were firmly aligned with the colonists against the Indigenous population. By the 1860s the colony was expanding north and east, with the far-north Kimberley region settled in the 1880s.

In the 1840s, the Colonial Government funded a number of church-run schools. By 1847 all but one of these was closed. A more formal system of schools came into effect with the *Industrial Schools Act 1874*. Under this law, children who were voluntarily sent to a school, orphanage or institution would remain under its control until the age of 21 years, regardless of the parents' wishes. Two such institutions during this time were the Swan Native and Half-Caste Mission and the Beagle Bay Mission.

The Aborigines Protection Act

Reacting to the atrocities committed against Indigenous people in WA, the British Government passed the *Aborigines Protection Act 1886*. This was the first in a series of laws and regulations allowing the forced removal of Indigenous children from their families.

The 1886 law established the Aborigines Protection Board. While the Act did not grant powers to remove children, it allowed any Aboriginal or 'half-caste' child of a 'suitable age' to be sent to work. What was considered 'suitable' was left to the Board's judgment – most commonly, 10 years old was considered suitable.

British control over Indigenous affairs in Western Australia ended in 1897 with the *Aborigines Act 1897*. The Aborigines Department was created and given the same powers of the Board. A Chief Protector, Henry Prinsep, was also appointed to run the Department. Prinsep had previously worked as a colonial administrator in India, another British colony.

Prinsep believed that Indigenous children of mixed descent who grew up with their Indigenous families would become 'vagrants and outcasts' and 'not only a disgrace, but a menace to society'. Neither Prinsep nor his Department had the power they wanted to remove Indigenous children. Instead, Prinsep sought to persuade parents to part with their children. To achieve this, he requested information from local protectors on any 'half-caste' children who could be persuaded to enter one of the existing institutions.

Not surprisingly, most mothers refused to give up their children, so Prinsep's plans met little success. He then proposed the extension of his powers so he could remove children forcibly and without parental consent.

At the same time, the government was conducting an inquiry into Indigenous affairs, headed by Dr W.E. Roth. Speaking in 1904, Roth noted the 'most brutal and outrageous state of affairs', in which Indigenous people were exploited, brutally controlled and malnourished. Roth's recommendation was for the Chief Protector to become the legal guardian of these children and that a process of removal be established.

Both Prinsep's desire for extended power and Roth's recommendations were answered with the *Aborigines Act 1905*. The Chief Protector was now the legal guardian of 'every Aboriginal and half-caste child under 16 years'.

The missions in WA supported the views of Prinsep and Roth. In 1906, the missionaries at Beagle Bay requested that the police round up Indigenous children living in and around the north-west towns and send them to the mission.

As soon as possible, children can be removed from the adult camp and the nomadic ways of their parents, and be housed in dormitories on mission premises to be educated at school and in trades.

(Father George Walter, Superior at Beagle Bay Mission, 1906)

Chief-Protector Neville

Protests from the non-Indigenous population about the presence of Indigenous camps near towns in the South led to a new plan for Indigenous resettlement. The plan was to establish isolated self-contained 'native settlements' run by the government, though largely supporting themselves.

One of the main supporters of this new plan was A.O. Neville, the new Chief Protector appointed in 1915. Neville, or 'Mr Devil' as he became known to many Indigenous people, saw the settlements as a way of merging mixed-descent children into the non-Indigenous society. They were to be physically separated from their families on the settlements, receive a European education, be trained in domestic and stock work, and then sent out to work.

Many of the missions were soon converted into self-supporting stations. The first of these was at Carrolup in the south, soon followed by the nearby Moore River settlement in 1918. By converting the missions to self-supporting stations, the government could also cut back on funding these institutions.

Indigenous families were not willing to move to these settlements. Many had already found work for wages in their local area instead of the payment by rations offered on the settlements. They also feared their children would be separated from them on the settlements. However, some moved to the settlements fearing their children would be removed permanently. As in the past, threats of reduced rations convinced families to move.

Between 1915 and 1920, at least 500 Indigenous people, about a quarter of the Indigenous population in the south, had been removed to settlements. By 1927, the Moore River Settlement alone had 300 inmates.

By the 1930s, Neville started to use the language of genetics to promote the settlements and argued for biological assimilation. The key issue to Neville was skin colour. He believed that once 'half-castes' were sufficiently white in colour, they would become like white people. To achieve this, two things were necessary:

- the separation of Indigenous children from their families so they could be prepared for non-Indigenous society
- breeding between Indigenous and non-Indigenous people.

Of course, Neville's vision contrasted with the reality of life in the under-funded settlements, which were in poor condition. Also, while many non-Indigenous people thoroughly supported the segregation of Indigenous people, they were not so supportive of Neville's biological assimilation.

At this time, allegations of slavery and mistreatment of Indigenous people appeared in the local and international press. This forced the government to start a Royal Commission into the conditions of Indigenous people in WA. An overwhelming amount of evidence was put to the Royal Commission that criticised the settlements and removal policy.

Neville's response to these attacks on his policies was to argue that removal was in the best interests of Indigenous children. The Royal Commission was so impressed with Neville's response and views that they recommended an extension of his powers. The government took this up and passed the *Native Administration Act 1936*. This law effectively gave him control over all people of Indigenous descent, whether of full or part descent and regardless of their lifestyle.

Assimilation

When Neville retired in 1940, the government slowly began to move away from Neville's policy. The new Commissioner for Native Affairs, Stanley Middleton, argued that isolating children of mixed descent on run-down government settlements was not the way to achieve assimilation. One of the first things Middleton did was return many settlements to the missions, and increase funding for missions in the north.

Another aspect of this new assimilation policy was that Indigenous children were accepted into the state schools from the early 1950s. While attending school, they stayed on settlements or at missions, with an opportunity to visit their families during holidays if they had a 'suitable home' to go to. In many cases, however, their parents' homes were not deemed 'suitable', or it was simply too expensive to travel the distance. In 1958, it was estimated that 25 percent of Kimberley children were living in missions.

In 1954, the Commissioner's power to remove children was abolished by the *Native Welfare Act 1954*. Even so, he remained the legal guardian of all Indigenous children. From this time, Indigenous children were more likely to be removed under the *Child Welfare Act 1947*. While this law required a court's approval for removal, that requirement made little difference to the numbers removed in practice. Between 1958 and 1961, the number of Indigenous children committed to government care more than doubled.

Towards self-management

The Department of Native Welfare was finally abolished in 1972. At the time, there were 3,099 Indigenous people in institutions, most of whom were children. This figure represented one in every ten Indigenous people in the state.

Reform began in the late seventies and early eighties. In 1980, the Aboriginal Child Care Agency was established in Perth, later replaced by the Yorganop Child Care Corporation. Also, in 1985, the Aboriginal Child Placement Principle was adopted as policy by the Department of Community

Services, which was now responsible for the welfare of Indigenous children. Under the Aboriginal Child Placement Principle, an Indigenous family must be the preferred placement for an Indigenous child in need of alternative care.

These reforms showed some movement towards change and community involvement in child welfare. A review of the Department in 1989 showed a 58 per cent reduction over the previous five years in the number of Indigenous children in foster care. The review also indicated that most of these children were placed with Indigenous caregivers, mostly relatives.

Links

- A History of the Swan River Colony (Teaching Materials)
<http://www.members.iinet.net.au/~rchapman/SwanRvr/Colony/colindex.htm>