

# ‘A better chance’? — sexual abuse and the apprenticeship of Aboriginal girls under the NSW Aborigines Protection Board

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Between the two World Wars in New South Wales, under the administration of the Aborigines Protection Board, Aboriginal girls and young women were taken from their families to be placed as indentured domestic workers in white household under a so-called apprenticeship scheme. This article examines this policy, for an apparent paradox emerges. Despite a rhetoric of protection, of giving Aboriginal girls ‘a better chance’ than they would otherwise have had if they remained with their communities, the records reveal an usually high illegitimate birth rate to girls in apprenticeships, while close examination shows the authorities made no effort to stem what amounted to a pattern of sexual exploitation of these young Aboriginal servants.

Aboriginal oral histories recount the authorities’ indifference with a sense of embattlement. As one man explained in the 1980s:

The hard part was that they didn’t like *us* after the girls ... They’d come and get ‘em and take ‘em away. They’d have ‘em down there for twelve months and they’d get ‘em into trouble and they’d be comin’ back with white babies. That’s what we were up against. That’s true that is.<sup>1</sup>

From the time Aboriginal activist Fred Maynard railed against the Board’s policy in the 1920s — ‘They are trying to *exterminate the Noble and Ancient Race* of sunny Australia ... What a horrible conception of so-called Legislation’<sup>2</sup> — an Aboriginal view of a sinister motive behind the apprenticeship policy has been documented. ‘At the age of fourteen our girls [are] sent to work — poor illiterate trustful little girls to be gulled by the promises of unscrupulous white men’, Koori spokeswoman Anna Morgan stated in 1934, ‘We all know the consequences. But, of course, one of the functions of the Aborigines’ Protection Board is to build a white Australia.’<sup>3</sup>

Nor was such a view restricted to those who were losing the girls of their communities. Earlier that same year, a white woman by the name of Joan Kingsley-Strack told

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1. Goodall 1982: 150.

2. Maynard to an Aboriginal girl, 14/10/27, Premier’s Department Correspondence Files (hereafter PDCF) A27/915.

3. Quoted Goodall 1996: 187.

an audience of elite white Sydney women, members of the conservative Feminist Club, that the Aborigines Protection Board 'deals wholesaley with young aboriginal girls'. Strack had been an employer of no less than three Aboriginal domestic apprentices through the Board between the years 1920 and 1934. 'They are taken from their natural protectors, their parents, to work in homes in the suburbs of Sydney and elsewhere', she informed the ladies of the Club. 'Any degenerate white renegade can prey on them and escape the law, while the unfortunate girl, instead of receiving protection from the Aborigines Board, is dubbed a devil, a fiend and a liar'.<sup>4</sup>

The question of whether or not the past policies of Aboriginal child removal constituted 'genocide' has been debated,<sup>5</sup> but the related issue of the high pregnancy rate for Aboriginal wards placed in domestic service has been only gingerly touched upon, reflecting the very painful and sensitive nature of this topic.<sup>6</sup> Dealing with this fraught and suppressed history raises complex issues. Recuperative interpretation tends to strip testimonies of sexual abuse of agency and authority; yet, as Deborah Rose pointed out in her study of frontier relations, even if we recognise the agency of individual women in engaging in sexual relations with white men, we cannot overlook the fact that 'incarceration, coercion and lack of redress' run through such relations.<sup>7</sup> Especially, indeed, when it comes to Aboriginal girls forced from their communities and compelled to indentured labour, where sexual activity of Aboriginal girls could be read as submission, negotiation, or resistance equally (even simultaneously). But, as Rose also argues, in the end it is the secondary child removal by the state, of the children born to women in essentially coercive sexual relations, that defines interracial sex as genocidal.<sup>8</sup>

My purpose is neither to interrogate the experiences of the Aboriginal apprentices nor to explore the definitions of genocide in this context, however. Under pressure, the Aborigines Protection Board would sheet back the responsibility for 'protecting' Aboriginal girls' 'morality' to those who engaged the apprentices. As a descendant of one woman who availed herself of State-supplied Aboriginal domestic labour, I have undertaken to interrogate the claims she made, that the Board was in fact not only fully aware of the sexual exploitation and impregnation of girls in service, but colluded in and condoned it.

My great-grandmother Joan Strack started out being typical, in many ways, of those 'well-heeled upper-middle-class ladies who took black domestics' described by Aboriginal historian James Miller. (For Miller, also, it was these self-centred, uncaring white mistresses who were largely to blame for the pregnancies of their naive young charges, including Miller's grandmother.<sup>9</sup>) She had engaged two Aboriginal apprentices who were both taken smoothly from her charge by the Board, the first after giving

4. *Smith's Weekly*, c.October 1934. 'Are Abos getting a fair deal? Scathing attack on officials' (citing earlier speech), undated clipping in scrapbook: Joan Kingsley-Strack Papers (hereafter JKS papers) Box 10: Item 1b.

5. See especially *Aboriginal History* 2001: 1-172.

6. See Mellor and Haebich 2002: 191; HREOC 1997: 165; Haebich 2000: 184. Read 1999 does not discuss the matter at all, despite the book's title. Goodall dropped her extensive research on the subject in her 1982 thesis from the published 1996 version.

7. Kennedy 2001: 126-7; Haebich 1988: 313-14; Rose 2001: 154.

8. See Rose 2001: 154.

9. Miller 1985: 148.

birth to an illegitimate child and the second after Joan appealed to police to warn off a man whose advances to her worker she considered inappropriate. Obliging supplied with yet a third apprentice by the Board, Joan was horrified when this young woman, Del, confided that she had been repeatedly sexually assaulted by her last employer's son. She was even more horrified to find that the Board's response was to dismiss the apprentice's very serious allegations out of hand, insisting she hand her over to them. Galvanised into a long running battle to expose what she was now convinced was the real menace to Aboriginal women, the very body set up ostensibly to protect them, Joan would go on to become active in the Aboriginal citizenship movement of the late 1930s, until the crushing committal of her fourth and final Aboriginal worker, a woman formerly employed as an apprentice by Joan's mother, to a mental asylum.<sup>10</sup>

Dismissed at the time as an absurd woman who had got 'mixed up' in a 'matter that was not very nice', the records Joan left on her death in 1983 attest to the Board's inaction and indeed malpractice in response to sexual abuse of various individual women. The story of her failed campaigns for justice for Aboriginal apprentices also highlights the inability of a white mistress to prevent such exploitation in the face of Board intransigence. However, further research reveals a wider, even systematic, pattern of sexual abuse and impregnation of Aboriginal apprentices. If it was the case that the Board, members and administrators, tolerated and condoned this generally, then the apprenticeship policy might indeed be construed as a deliberate attempt by the State to breed out the race.

### The apprenticeship scheme

The Aborigines Protection Board was from the outset quite straightforward in its aim to use the apprenticeship system to 'absorb' Aboriginal girls into the white working-class. Fair-skinned Aboriginal girls were first indentured to this end from Warangesda mission in 1893, and others sent out from government-controlled reserves, most notably Brewarrina.<sup>11</sup> The Board secured legislative powers to arrange apprenticeships in 1909, subject to the provisions of the *Apprentices Act* 1901, requiring either parental consent or a court finding of neglect. In 1915 the Board secured additional powers to indenture Aboriginal children where parental consent was withheld, without recourse to court. This had been an irksome requirement, given that the object was to remove the children from their communities but 'the difficulty of proving neglect where children are fairly clothed and fed is insurmountable'.<sup>12</sup>

The removal and apprenticeship legislation was directed overwhelmingly to female Aboriginal children from its inception until the 1940s,<sup>13</sup> and in the argument for

<sup>10</sup>. See Haskins 1998a, 2001. 'Del' is a pseudonym used to protect the privacy of her family.

<sup>11</sup>. Curthoys 1982: 54–5; Read 1988: 34; Aborigines Protection Board Report (hereafter APBR) 1889; APBR 1904.

<sup>12</sup>. Sec. 11(1), *Aborigines Protection Act* 1909; Sec. 13 (a) *Aborigines Protection (Amendment) Act* 1915; *New South Wales Parliamentary Debates* (hereafter NSWPD) 1910: 4550; NSWPD 1915a: 1353, 1354.

<sup>13</sup>. Seventy-two per cent of the children taken between 1912 and 1928 being girls, though Aboriginal boys could also be taken from their parents and indentured (usually as farm hands): Goodall 1995: 81–4, 1990: 6; Haskins 2003: 107; NSW Aborigines Protection Board (hereafter APB) Ward Registers.

such extraordinary powers in 1915, the Board made their concerns explicit. The apprenticeship policy had been formulated on the understanding that Aboriginal girls began reproducing at around fourteen years of age, 'and so the thing went on year after year with the result that the half-caste and white population was increasing'.<sup>14</sup> Annual reports threatened that the number of lighter-skinned people on the reserves was 'increasing with alarming rapidity' and would eventually become a 'positive menace to the State'.<sup>15</sup> The aim was to 'put things into train on the lines that would eventually lead to the camps being depleted of their population, and finally the closing of the reserves and camps altogether'.<sup>16</sup> Colonial Secretary JH Cann told the Legislative Assembly in 1915, that it was 'not a question of stealing the children, but of saving them', then went on:

If we give the board the powers I am seeking to bestow under this amending bill these half-caste children will be given a chance to better themselves and instead of the Government being called upon to maintain stations all over the state for the protection of the aboriginals, the aboriginals will soon become a negligible quantity and the young people will merge into the present civilisation and become worthy citizens.<sup>17</sup>

But a 'chance' of what, exactly, to 'better themselves', would the apprenticed girls be given, as their people became a 'negligible quantity'? The implication was that Aboriginal girls in apprenticeships would be prevented from having babies – unlike in their communities where, it was claimed, they 'never had a ghost of a chance to keep respectable' and where a 'young girl 13 years of age [might] be an asset to an aboriginal woman' – and that this was the reason behind the Board's determination to take control of them.<sup>18</sup> But as a Labor MP indicated in his response to Cann's call to support the bill – 'There is no desire for the white community to become a mixed race' he said<sup>19</sup> – there was a certain ambiguity behind the Board's proposed strategy to do so by forcibly inserting their young women of child-bearing age directly into white households.

Despite fierce debate the bill would go through with an overwhelming majority, because there was bipartisan support for the aim of breaking up the reserves, and in contrast to alternative methods (segregation or, in an extreme imagination, forcible sterilisation<sup>20</sup>) apprenticeship of girls was relatively politically and practically feasible, riven with contradictions as it was. Throughout the nineteenth century, domestic service had been seen as an ideal method of moral reform for wayward girls and single mothers (notwithstanding the fact that the bulk of recruits to prostitution were originally domestic servants<sup>21</sup>). Standard practice in NSW since 1801, the apprenticeship of

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<sup>14</sup> NSWPD 1915a: 1353.

<sup>15</sup> APBR 1911; also APBR 1910.

<sup>16</sup> NSWPD 1915a: 1353.

<sup>17</sup> NSWPD 1915b: 1951.

<sup>18</sup> NSWPD 1915a: 1353; NSWPD 1915b: 1967.

<sup>19</sup> NSWPD 1915b: 1952.

<sup>20</sup> This query has been raised when the subject of this paper has been publicly presented, and was raised by one of the two anonymous referees for this paper. It is beyond the scope of this paper to fully rehearse the possibilities of the sterilisation alternative. Suffice to say that as far as can be determined, it seems nobody raised that possibility at the time – at least nobody in government or on the Aborigines Protection Board.

<sup>21</sup> Evans 1975: 19–20. See also Roberts 1993: 39, 232–3.

poor white girls to service derived from a 500 year old British state tradition.<sup>22</sup> But by the turn of the century, domestic service was falling out of favour for those white girls considered unsuitable progenitors of the white race. While other white wards were still apprenticed in New South Wales, those classified as physically, mentally, or morally defective were restrained at the Industrial School for Girls.<sup>23</sup> Apprenticing of inmates from this last remaining large institution for girls in the State dropped off rapidly from the late 1880s and was 'virtually obsolete' by 1920. The conflict between environmental and hereditary theories of child welfare was only partially obscured by the construction of these girls as being particularly resistant to reform (and thus requiring segregation and incarceration).<sup>24</sup> Implicit in the State's reluctance to apprentice these young women was the idea that their sexuality could *not* be controlled within the context of domestic service.

At the same time Aboriginal girls were forced into domestic service. The Cootamundra Home, the 1909 apprenticing legislation, and the campaign for increased removal powers, had all been constructed on the initiative of a Board member George Ardill, a religious philanthropist with an old-fashioned belief in 'saving' unmarried mothers and their children by putting them to work.<sup>25</sup> But only a month after being appointed to take control of all matters regarding the Cootamundra Home, Ardill resigned from the Board, just before it was overhauled by the Chief Secretary.<sup>26</sup> Reconstituted in April 1916, Board members now represented the departments of the Colonial Secretary, Public Health, Education, and Agriculture, as well as retaining the head of the Police as the chairman. Two politicians, one from either side of the House, were also retained as members.<sup>27</sup> This new bureaucratic Board announced that henceforth *all* Aboriginal girls 14 and over were to be compelled to go into service, and were only to return to their communities temporarily, if at all, for 'a holiday' during which they had to reside with Board staff, and were to be encouraged to marry and move off the reserve with their husbands.<sup>28</sup> The following year, 1917, the State Children's Relief Board president, Alfred Green, was appointed to the Board, thus facilitating the transfer of fair-skinned reserve children removed under the Board legislation to his department.<sup>29</sup>

Reiterating an earlier caution against placing 'the full blooded and dark coloured' children in situations at a distance from their communities,<sup>30</sup> the Board had made one qualification to the new blanket policy of apprenticeship of girls. 'Unless inquiry discloses the fact they are moral and reliable', girls aged 16 and over were not to be placed in domestic service. This was subject, however, to the proviso that a Home should be

22. Horsburgh 1980: 33–5.

23. Kociumbas 1983: 91; van Krieken 1991: 94; Geldard 1993: 61–79.

24. Geldard 1993: 55, 93.

25. APB Minutes 10/3/1892, 17/3/1892, 11/8/10, 30/11/11, 18/4/12, 16/5/12, 11/7/12, 6/1/16; Radi 1979: 90, 91; Read 1988: 33–6; Johnston 1970: 136.

26. APB Minutes 6/1/16; 10/2/16; 17/2/16.

27. APB Minutes 6/4/16, Clipping, *Sydney Morning Herald* (hereafter *SMH*), 6/11/16, in AP Elkin papers box 67 item 1/12/138; see also Goodall 1982: 81. See also APB Minutes 9/3/23.

28. APB Minutes 6/4/16.

29. APB Minutes 15/3/15, 26/4/17, 6/12/17.

30. APB Minutes 6/4/16; see also 15/3/15.

established in Sydney to cater for girls who had proved 'unsuitable' in service, were 'immoral', or were 'weaklings without proper protection on Reserves', and for 'very young children and infants' (that is, their babies).<sup>31</sup> This qualification suggests a preference for incarcerating Aboriginal girls whom the Board thought might be likely to become pregnant in domestic service.

Yet at the same time the Board decided to discontinue utilising Ardill's Home for unmarried mothers and their children (which had provided for some of the children of apprentices up to that point<sup>32</sup>), his home being considered 'undesirable' for reasons not stated.<sup>33</sup> Immediately afterwards the Board's secretary was directed to arrange an interview between the State Children's Board head Green (who was not yet a Board member) and the Protection Board's Chairman to discuss establishing a Home for girls 'unfit for domestic service' – and nothing further was heard of the matter.<sup>34</sup> Some years later Elizabeth McKenzie-Hatton, a white woman, would write to the Board offering to establish a Home for Aboriginal girls considered 'unsuitable' for apprenticeship, with the support of the Aborigines Inland Mission. The Board was implacably hostile. It repeatedly requested police reports and surveillance of her Home (which functioned in Sydney in 1924 and 1925) and sought legal advice on having it closed down.<sup>35</sup> No such Home under the control of the Board ever eventuated.

Various accounts confirm that the policy of removal was pursued aggressively throughout the inter-war period, Aboriginal communities around the State being emptied of all their adolescent girls.<sup>36</sup> The degree to which the policy had shifted to one of rigorous bureaucratic efficiency aimed at clearing reserves can be measured by fact that most girls on the Board's *Ward Registers* had been institutionalised on grounds of simply being of an age to place in apprenticeships – even those removed ostensibly for other reasons were almost immediately sent out to service.<sup>37</sup> Yet there was no need to compel girls into indentures. Despite claims of 'idleness' on reserves to justify this aggressive State intervention, Aboriginal women had commonly worked as servants in local townships since the earliest years. After the Board was established, independent domestic work remained an option preferred by young Aboriginal women, allowing for family obligations while providing a valuable income and some flexibility of choice.<sup>38</sup>

Now such independent arrangements could be and were suddenly cut short.<sup>39</sup> Apprenticeship gave the Board maximum control, allowing it to place workers when

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<sup>31</sup>. APB Minutes 6/4/16.

<sup>32</sup>. Walden 1991: 120–1.

<sup>33</sup>. Letter accompanying policy statement, AC Pettitt to Chief Secretary, 3/4/16, enclosed in APB Minutes 6/4/16.

<sup>34</sup>. APB Minutes 11/5/16.

<sup>35</sup>. APB Minutes 23/1/25, 25/4/25, 21/7/25; see also Goodall 1982: 229, 231–4; Goodall 1996: 151–2; Maynard (forthcoming).

<sup>36</sup>. Morgan 1994: 63–4; Hamilton 1989: 29; Attwood et al. 1994: 73, 116.

<sup>37</sup>. APB Ward Registers; see also Walden 1991: 50, 1.

<sup>38</sup>. *SMH* 11/2/25: 16; Reynolds 1990: 165–91; Walden 1991: 3–23; Goodall 1982: 22. See Simon 1978: 68–76, 81; Crawford 1993: 133.

<sup>39</sup>. APB Circular to Managers 13/5/18, in Hankins 1982: 6.1.10; see also Morgan 1994: 63–4; Walden 1991: 69.

and where it chose, and controlling their access to their home reserves. Apprenticeship also gave the Board unprecedented control over the girls' wages – both rates and disbursement – an important reason for the Board's preference for apprenticeship.<sup>40</sup> The requirement on apprentices and ex-apprentices to apply to the Board, the station manager, or the local police for access to their wages on a piecemeal basis ensured their submission to these authorities, while the artificially low wage rates – substantially lower than those earned by independent workers, and not brought into line with those paid to Child Welfare Department apprentices until 1941<sup>41</sup> – ensured their continued poverty and dependence, and the removal of their children in turn. Apprenticeship meant that both the earning capacity and reproductive capacity of Aboriginal girls were denied to their communities.

### Criticism of the policy

In 1914 during the Parliamentary debates it was clearly stated: 'it has been the policy of the Board not to allow children, many of whom are almost white, who have been removed from camp life to return thereto, but to eventually merge themselves in the white population'.<sup>42</sup> By the mid-1920s the Board was subject to a barrage of media scrutiny of the apprenticeship policy. It was said Aboriginal girls locked up in private households were being prevented from meeting and marrying potential husbands, thus 'making it difficult for many more to be born'. The Board was forced to defend itself; its aim was to prepare the girls for marriage to young Aboriginal men by giving them domestic training beforehand, and with a taste for a higher standard of living thus instilled they would want to leave the reserves with their husbands when they did marry. The 'possibilities' for the girls' marriage was reduced by being in service, a Board official acknowledged, but 'prey to dissolute whites' on the reserves, they still 'had a better chance under the present system'. At any rate, he concluded, 'extinction was ... inevitable'.<sup>43</sup>

The Board had apparently anticipated such criticisms at the outset of gaining the 1915 amendment legislation, recommending a training home 'for lads' be established, as well as 'facilities' for girls to meet and marry 'decent hard working young men of their own color [sic]'.<sup>44</sup> And in 1918, having already noted some press criticism of their 'methods', the Board was stung to respond to an enquiry regarding two girl apprentices: 'Decided to fully set out the reasons for their removal ... and point out the policy of the Board was the uplifting of the girl by placing her in service with respectable families give [sic] them proper domestic training, making them useful citizens & wives for their abor. brother'.<sup>45</sup> But considering that by their own admission the Board were driving young Aboriginal men off reserves into itinerant labour and homelessness<sup>46</sup>

<sup>40</sup> Select Committee on Administration of Aborigines Protection Board [SCAAPB] 1940: 71; see also APB Minutes 6/10/10. For wage control see APBR 1897, APBR 1904, APBR 1905, also NSWPD 1910: 4549.

<sup>41</sup> Walden 1995: 200; Walden 1991: 70, 91; Aboriginal Welfare Board (hereafter AWB) Minutes 21/1/41; proposed regulations accepted following meeting, AWB Minutes 25/2/41.

<sup>42</sup> NSWPD 24/11/14: 1354.

<sup>43</sup> SMH 29/10/24: 12; see also SMH 9/1/25: 8; 10/1/25: 16; 11/2/25: 16.

<sup>44</sup> Letter accompanying policy statement, dated 3/4/16, APB Minutes 6/4/16.

<sup>45</sup> APB Minutes 8/2/17; 3/4/1918.

(indeed the Boys' Home that was established eventually in 1924, Kinchela Boys' Home, would be imposed on what had been a flourishing independent Aboriginal farm<sup>47</sup>) it is hardly surprising that the girls at Cootamundra Home, awaiting their placement out in service, were encouraged to look forward to marrying a white man, and thus effect their own disappearance. 'There is a good chance that you will marry a white man', they were told, 'and your children will be lighter and they will get caught up with a white man and their children will be lighter until they are completely white and that's how the Aborigine blood will be bred out'.<sup>48</sup>

In practice many of the apprentices were held in service for years after their four-year indentures had expired. The Board did not inform apprentices that they were entitled to leave, and appeals by apprentices or their families to the Board for return to their community, even after four years, were treated with suspicion and in some cases refused.<sup>49</sup> In 1920 the Board directed station managers to actively organise marriages for Aboriginal apprentices 'holidaying', the 'only solution' to the problem of the young women becoming restless and refusing to work after a period of four to six years.<sup>50</sup> Like the recommendation endorsed the year before with regard to protest against child removal at Cummeragunja station, that girls taken should be allowed to return at age 18 if they desired 'to marry an aboriginal', it shows the Board only prepared to concede returns of apprentices to marry in expedient circumstances.<sup>51</sup>

In her address to the Feminist Club in 1934, Joan Strack had spoken with disgust of how '[w]hen an aboriginal girl gets into trouble, or summons enough courage to ask the Board for the money she has earned, and which is held in trust for her, she is sent for a "holiday"'.<sup>52</sup> In May 1926, the Board had, once again, considered the question of 'permitting girls to return to their own districts on completion of service'. They decided to approve the 'principle', of allowing girls after five years' completed service to spend a 'holiday' on their reserves, to allow her the opportunity to marry. Not coincidentally, it was at this same meeting that the Board decided the appropriate way to deal with the application for her trust monies by Joan Strack's 26-year-old apprentice Mary Hollis<sup>53</sup> was to offer her such a holiday.<sup>54</sup> (Mary did go on this holiday, that being the condition of her receiving £5 of her trust monies, but she promptly returned to Joan Strack and began working for her independently.<sup>55</sup>) Six years later, Joan Strack's second worker (at 19 years also beyond the age of apprenticeship) and another apprentice, employed by Joan's mother, would both be sent to a distant and strange reserve expressly to be married off, after their employers called in the police to intervene in their relationships with

<sup>46.</sup> Letter accompanying policy statement, dated 3/4/16, APB Minutes 6/4/16.

<sup>47.</sup> Goodall 1996: 142.

<sup>48.</sup> Miller 1985: 166, citing recollections, Jean Begg; see also HREOC 1997: 156-7; Woodrow 1990: 22.

<sup>49.</sup> APB Ward Registers; APB Salary Registers; APB Minutes, 24/9/14, 1/10/14, 15/10/14, 26/11/14; SCAAPB 1940: 71; see also Walden 1991: 81.

<sup>50.</sup> Goodall 1982: 151.

<sup>51.</sup> APB Minutes, 25/6/19, 30/10/18, 14/5/19.

<sup>52.</sup> *Smith's Weekly*, c. October 1934. 'Are Abos getting a fair deal? Scathing attack on officials'.

<sup>53.</sup> Not her real name. Name has been changed to protect the privacy of her family.

<sup>54.</sup> APB Minutes, 14/5/26; Letter, JKS to Rev Morley, 31[3/34]; Elkin papers 69: 1/12/153.

<sup>55.</sup> Haskins (forthcoming).

men.<sup>56</sup> The return of at least half of the girls, in the end, to Aboriginal reserves, was no more than a mopping-up operation for difficult older girls.<sup>57</sup>

Those who got pregnant in service were less likely to return, especially if they were younger. Most would go back into apprenticeships, their child, if it survived, transferred at birth to the care of the Child Welfare Department.<sup>58</sup> Some Aboriginal women believed that this removal was 'so that the white men in the house were not blamed'.<sup>59</sup> It meant, also, that an Aboriginal servant could go straight back into a white household, sometimes the same one.

One of the more tragic cases concerned a 15-year-old apprentice brought to Sydney from a rural situation to give birth. The tacit sanction of the Board was demonstrated not only by the return of the girl to the same place (her baby died soon after birth) but in the fact that following her own untimely death there, the same employer was able to acquire the services of at least another two apprentices, one of whom was also 'taken to Hospital'.<sup>60</sup>

Fred Maynard, head of the Australian Aboriginal Progressive Association, had written to the girl asking for the particulars, telling her he would 'do [his] very best to ventilate the whole case'. Intercepting the letter the Board forwarded it to the Premier, not to assist the young woman, but to alert him to the dangers of allowing an Aboriginal protest organisation to exist. Maynard's 'illogical views' were likely to 'disturb' the Aboriginal people, they argued.<sup>61</sup>

'Listen, girlie, your case is one in Dozens with our girls, more is the pity', he had written.

God forbid, these white Robbers of our woman virtues seem to do just as they like with down right impunity and, mind, you, my dear Girl, the law stands for it. There is no clause in our own Aboriginal Act, which stands for principles for our Girls, that is to say that any of these white fellows can take our girl down and laugh to scorn, yes with impunity that which they have been responsible for – they escape all their obligations every time. If a white girl get into trouble, by one of their own By laws they are immediately obliged to pay down [the] lump sum of £20 & then 12/6 when the child is born until that child is 14 years of age. What about our own poor Australian Aboriginal girls. Are they not worthy of protection, same as white girls. The Laws of the Aboriginal Act say not. ... I trust your case will be an eye opener to all of our sisters, throughout your district, as to the position of the White Man, under their so called civilized Methods of Rule, under Christianized Ideals, as they claim of Civilizing our people under the pretence of love.<sup>62</sup>

56. APB Ward Registers; Draft letter, JKS to the Matron, Bomaderry Home, 15/6/33; JKS PPS 9:13; Letter, JKS to Rev Morley, 31/[3/34].

57. APB Ward Registers.

58. Walden 1991: 122.

59. Gungil Jindabah Centre 1994: 41.

60. APB Ward Registers; APB Salary Registers.

61. Maynard to an Aboriginal girl, 14/10/27; E B Harkness, Memo to the Premier 'Matters Relating to the Aborigines of New South Wales', PDCF A27/915.

62. Maynard to an Aboriginal girl, 14/10/27, Premiers Dept Correspondence files, NSW A27/915. See also Goodall 1996: 166.

Nearly 15 years on, after the Protection Board had been reformed and renamed the Welfare Board, Aboriginal activist Pearl Gibbs publicly protested at the frequency of girls becoming pregnant in service, and the failure of the Board to 'take steps to summon the father and compel him to support his child'. She would tell listeners in a radio broadcast that she did 'not know of one case' where steps had been taken 'to compel the white father to support his child'.<sup>63</sup> The apprenticeship policy and the unabated sexual abuse would continue into the 1960s: in the end the scheme was finally dismantled, not because of the incidence of such pregnancies, but because of the declining demand for maids.<sup>64</sup>

### 'Protection' in practice

There is no doubt the Board knew of the high rates of pregnancies to girls in service, and was aware also of cases of alleged sexual abuse and rape. The Board's *own* records indicate a significant rate of pregnancy for Aboriginal wards in service. Figures calculated from these records (see Table 1) show that around 11% of all apprenticed girls on the records became pregnant during their indenture.<sup>65</sup> Some 17% of girls apprenticed to urban situations at some time became pregnant. In contrast, there was only a 5% pregnancy rate for girls who only ever worked in rural positions: while the highest pregnancy rate was for girls employed both in the city and in the country during their apprenticeship, this might be explained by the prompt transfer to distant country positions of girls who became pregnant in urban situations. Although the Board was aware of what at least appears to be the increased vulnerability of urban domestic workers to illegitimate pregnancy, it nevertheless placed over half of all girls in Sydney situations at some stage of their apprenticeships, and a quarter worked only in the city. Not only were a much higher proportion of girls than boys placed in apprenticeships (see Table 2), but they were also much more likely to be sent to the urban areas: indeed much more likely to be apprenticed out, 73% of girls removed being indentured compared to 27% of boys removed.

These statistics, based upon limited and inadequate records, are suggestive only.<sup>66</sup> They do not account for girls taken outside the years 1912 to 1928, and many girls apprenticed out directly from Aboriginal stations and even from Cootamundra Home were not recorded. They do not account for those who had miscarriages. Nor do they account for those engaged in sexual activity that did not culminate in pregnancy, but on the basis of these pregnancy rates we must assume that the incidence of sexual exploitation was also extraordinarily high. Recollections of ex-Board apprentices con-

<sup>63</sup> Report of Meeting called by the Committee for Aboriginal Citizenship, 25 January 1941, 1-3: JKS papers 8: 7; Pearl Gibbs, radio broadcast, 2GB Sydney and 2WL Wollongong, 8 June 1941, in Attwood & Markus 1999: 96.

<sup>64</sup> Mellor and Haebich 2002: 190-1.

<sup>65</sup> Using the same sources, Inara Walden has calculated that only 8.6% of all female Aboriginal wards became pregnant. The reason for the discrepancy is that Walden measured the numbers of women pregnant against the numbers of female wards recorded in total (including those who died before being sent out), whereas I measured them against the numbers of females recorded as actually being in service. The discrepancy is also maximised by the fact that Walden found a total of 49 women leaving employment pregnant (possibly a simple error), whereas as I found records of 59 such cases. See Walden 1991: 119; Walden 1995: 203. Goodall (1982: 150) estimated a pregnancy rate of 'at least' 7%.

**Table 1: Pregnancy rates of female Aboriginal apprentices recorded in service in New South Wales 1916–38**

	Total number of girls	Girls recorded pregnant <sup>a</sup>	Percentage of girls recorded pregnant <sup>a</sup>
Apprenticed in city <sup>b</sup>	274	47	17.15
Apprenticed in country <sup>b</sup>	388	40	10.30
Apprenticed only in city	130	19	14.61
Apprenticed only in country	242	12	4.95
Apprenticed in both city and country	144	28	19.44
Total apprenticed	514	59	11.47

Source: APB Ward Registers.

<sup>a</sup> By 'recorded pregnant', I refer to those wards who were recorded as having given birth to a child during or immediately after their employment.

<sup>b</sup> See Table 2.

**Table 2: Comparative rates<sup>a</sup> of urban and rural employment of New South Wales Aboriginal apprentices recorded 1916–28**

	Girls	Boys	Total (100%)	Percentage of all girls apprenticed (514 = 100%)	Percentage of all boys apprenticed (192 = 100%)
Number of wards	570	230	800		
Wards apprenticed	514 (73%)	192 (27%)	706		
Employed in city	274 (95%)	13 (5%)	287	53%	7%
Employed in country	388 (67%)	189 (33%)	577	75%	98%
In city only <sup>b</sup>	130 (98%)	3 (2%)	133	25%	2%
In country only	244 (58%)	179 (42%)	423	47%	93%
In city and in country	144 (94%)	10 (6%)	154	28%	5%

Source: APB Ward Registers 1916–28

<sup>a</sup> Figures have been rounded to the nearest whole percentage.

<sup>b</sup> Apprentices employed in households at Penrith and in Leura (a suburb of the Blue Mountains) have been classified as working in the urban area. Of the 133 apprentices classified as working in the city only, four were employed at Penrith and one at Leura (all girls). As only two of these did not work at any other time in the city proper, their inclusion makes negligible statistical difference. Apprentices employed in country towns, including Newcastle and Gosford, have been classified as working in the rural area.

sistently show not only pregnancy, but sexual harassment, assault and violence were common experiences, to the extent that the fear of such sexual abuse dominated. The Human Rights and Equal Opportunity Commission Inquiry found comparable rates nationally (17.5%) for Aboriginal witnesses reporting sexual abuse following removal.<sup>67</sup>

Inara Walden found the annual birth rates for the apprentices to be 'slightly higher' than those for single white women in NSW at the same time.<sup>68</sup> Comparisons with non-Aboriginal State wards in domestic service would be more pertinent, but are difficult to make, research in this area having yet to be done. Margaret Barbalet's work on the State girls of South Australia in the same time period throws up some interesting contrasts. While Barbalet argued persuasively that wards in service were vulnerable to rape during 'an age when working-class girls seem to have been regarded as easy prey for middle-class men', she also found that actually 'only a very small percentage (less than 1 per cent) of girls actually gave birth to an illegitimate child'.<sup>69</sup> A lower rate even than that Walden found for single white women, this difference may have at least as much to do with the vigilance Barbalet noted on the part of the authorities, as it did with the Aboriginal wards' added burden of racial oppression.

For regardless of race, pregnancies were actually most likely to be the result of sexual relations with the men of the household in which female wards were employed as servants. As Walden commented, it was 'surprising' that the Aboriginal girls' pregnancy rates should be higher than those for single white women, given the severe restrictions of the wards' social lives. They 'had little opportunity to have sexual relations with men outside the family they worked for'.<sup>70</sup> Barbalet stated definitively that most sexual assaults took place in the homes where the white wards worked, 'most commonly' by 'the master of the house'. But as she pointed out, those wards were prepared to report such incidents of assault to the State Children's Department 'out of indignation'.<sup>71</sup> For Aboriginal apprentices in NSW, such indignation was not an option.

Barbalet found it most notable that in the area of 'sexual morality' the South Australian State girls were treated by the State Children's Department with 'protectiveness and concern,' an attitude that 'reflected and enforced the social mores of the time'. Not only did employers and the general community apparently share such concern, but the South Australian State Children's Department actively pursued fathers for mainte-

<sup>66.</sup> The Board's regime was from 1883 to 1940, but its Register of Wards accounts only for girls placed in Cootamundra Home between 1912 and 1928. The apprenticeship system actually applied to all Aboriginal girls, but there are no surviving records for the majority of workers. I have personally uncovered numerous cases of girls working in 'apprenticeships' whose removal and indentures even in this period were not registered: sometimes, even when their trust fund records *have* been made. Likewise cases of pregnancy were not always documented.

<sup>67.</sup> Goodall 1982: 150; Hankins 1982: 4.6.6, 4.6.9, 4.6.4; Walden 1991: 97-98, 119; Mellor and Haebich 2002: 191; HREOC 1997: 194.

<sup>68.</sup> Walden 1991: 119-20.

<sup>69.</sup> Barbalet 1983: 92, 94, 239.

<sup>70.</sup> Walden 1991: 119-20.

<sup>71.</sup> Barbalet 1983: 90.

nance, enabling mothers to keep their babies, with some girls going so far as to ask the Department for help in securing more generous maintenance payments.<sup>72</sup>

The scenario for an Aboriginal girl in service under the NSW Aborigines Protection Board provides a stark contrast. Girls who alleged sexual abuse at the hands of their employers (or indeed any white man) were treated with intense suspicion by the Protection Board, and could be sent to the Industrial Girls institution, which was notoriously harsh, or to an equally fearsome mental asylum.<sup>73</sup> Del believed that the Board would have her sent to a 'reformatory' if she dared name her real attacker. Indeed the Board's Homefinder who visited her after Joan Strack spoke to the Board on her behalf, accused her of being a 'sexual maniac', and threatened to put her in an asylum.<sup>74</sup> Pregnant apprentices were also treated punitively, if they dared name a respectable man as the father.<sup>75</sup> Meanwhile the Board resisted investigations of such claims, not only against men like the Board manager who fathered his wife's servant's child (whom the Board reluctantly and belatedly investigated only after realising that the matter was known beyond the reserve, the girl having been quietly removed some months earlier),<sup>76</sup> but against any white man who harassed, assaulted, or impregnated an Aboriginal apprentice. And unlike the South Australian State Children's Department, the Board had no enthusiasm for pursuing white fathers for maintenance.

Under the Board's 1909 legislation, the Board was mandated to lodge a claim for maintenance from 'any near relative' for the costs of 'any child of an aborigine under sixteen and over five years of age' (the lower age limit would be dropped in the 1915 amendments), to be paid to the Board by court order. This special power (not available to the State's Child Welfare Department until 1939)<sup>77</sup> was subject to the provision that:

in any proceedings in respect of the maintenance of an illegitimate child, of which the defendant is alleged to be the father, no order under this section shall be made -

(c) upon the evidence of the mother, unless her evidence be corroborated in some material particular; or

(d) if the court is satisfied that at the time the child was begotten the mother was a common prostitute.<sup>78</sup>

Affiliatory State legislation establishing an unmarried mother's right to support from the putative father of her child did exist (the *Infant Protection Act* of 1904 or the *Neglected Children and Juvenile Offenders Act* of 1905), under which Aboriginal mothers could have alternatively sought orders. But such assistance would have flown in the face of Board practice generally towards Aboriginal women, which revolved around minimising their autonomy. Regardless of the effectiveness of the mainstream legislation, or even whether or not apprentice mothers wanted such maintenance from fathers themselves, the fact is that having been empowered to lodge maintenance claims for

<sup>72</sup> Barbalet 1983: 75, 94.

<sup>73</sup> Woodrow 1990: 15-16; Walden 1991: 78, 116-17.

<sup>74</sup> Haskins 1998c: 123, 137.

<sup>75</sup> SCAAPB 1940: 10, 19.

<sup>76</sup> See Haskins 2003.

<sup>77</sup> Holland 1986: 89, 92.

<sup>78</sup> *NSW Aborigines Protection Act* 1909.

itself, the Board was unlikely to help them to get exclusive orders on their own behalf.<sup>79</sup> The controversial 1904 paternity legislation (to prevent infanticide) had been another of Ardill's initiatives; perhaps it was his concern with prosecuting fathers of the children in his care that had made his Home 'undesirable' in 1916.<sup>80</sup> Certainly McKenzie Hutton's association with Maynard and the AAPA made *her* Home a threat to the Board (by revealing their inaction) in this regard.<sup>81</sup>

There is little evidence of the Board pursuing maintenance claims against fathers at all – even for itself. The Board's cash books (again incomplete, dating from 1911 to 1929, with substantial breaks in between) show paternal maintenance payments coming in to the Board in three cases only, where the young mothers had, coincidentally, all placed their baby with the same foster carer.<sup>82</sup> Three other maintenance suits were noted in the *Ward Registers*; in these cases the maintenance payments might have been paid to the mother herself. But it is unclear whether the Board itself initiated or assisted action in any of the above cases. In one other instance, the Board records note that there was 'no corroborative evidence to compel the father to support' an apprentice's illegitimate baby, suggesting that they had at least considered taking some action here.<sup>83</sup> But generally it would appear that the Board was not eager – at least not since they attained the legislative powers – to seek maintenance from white fathers. This was even where the father was definitely known to the Board.<sup>84</sup>

But the Board was not above virtually profiteering from their pregnant charges. Arising out of eugenic preoccupations, a Federal baby bonus of £5 (introduced in 1912) was available to all Aboriginal mothers who did not have 'a preponderance of Aboriginal blood'.<sup>85</sup> In 1914 the Board had endeavoured to receive such payments itself, and by 1915 at least some mothers were being forced to make their claims through the Board, the Board's stated aim in securing the bonuses being to 'retain a proportion' in order to 'cover [the] cost' of assisting Aboriginal mothers.<sup>86</sup> Given that the Board spitefully directed that women on reserves who received the bonus were not to be given clothing or the services of a midwife,<sup>87</sup> we can assume that these are the kind of costs the Board sought to recoup, and that not much of the 'balance' might have been paid to the mother. But the pregnant apprentice was clearly the most vulnerable to the Board

79. If any order had been made in respect of a child under the existing mainstream legislation, the orders to the Board were to be 'rescinded or amended'.

80. Radi 1979: 91; see also Walden 1991: 121.

81. Goodall 1996: 151–2.

82. NSW Aborigines Protection Board Cash Books. There was one other record of paternal maintenance payments: an Aboriginal father was supporting his children who had been placed in Cootamundra Home. I am indebted to Don Elphick for his generosity in sharing his research of these records.

83. *Ward Registers*.

84. *Ward Registers*, Cash Books. See also Walden 1991: 121; Haskins 2003. One of the anonymous referees for this article draws our attention to a case in the minutes, where the Board did claim maintenance from a white father: APB Minutes 19/4/1894, 26/4/1894, 31/5/1894. Predating the Board's legislative base, it belongs to the pre-bureaucratic phase of Board administration.

85. Reiger 1985: 109–10; Harwood 1984: 50.

86. APB Minutes, 6/8/14.

87. APB Minutes, 3/9/14.

claiming and then keeping the baby bonus on her behalf. In 1917, when one employer sent the bill for her apprentice's confinement to the Protection Board, the Board refused to pay (it would set a 'bad precedent') and instead, forwarded the young woman's maternity bonus to her employer to cover the cost.<sup>88</sup> This example indicates that the Board *was* claiming the payment in the case of eligible pregnant apprentices, and suggests that the Board usually retained the bonuses in their entirety. And for those who did, against the odds, return to Aboriginal reserves with their children, the Board made certain that any money they received through the State Government's Family Endowment scheme (instituted in 1927) was paid directly to Board. By the time the Federal Family Endowment and Maternity Allowance replaced these payments in the early 1940s, the Board had accumulated £4679 in their coffers.<sup>89</sup> By such means the dependence of Aboriginal apprentice mothers was assured.

Certainly, a State policy which condoned the impregnation of Aboriginal women by white men and the subsequent removal of their babies to be brought up as 'white' would have been entirely confounded by legal action being taken against the white fathers and support given to the Aboriginal mothers. But even if the Board's inertia might not seem in itself altogether surprising, more perplexing is the steadfast commitment to the apprenticeship policy, where it was apparent the Board was unable to provide them any redress or, indeed, protection, against pregnancies to white men. Was this what they had in mind, when they talked of a 'better chance'?

Illegitimate pregnancies were practically an occupational hazard of service in nineteenth and early twentieth century Anglo-Saxon culture.<sup>90</sup> In Australia, where 'slaveys', as they were colloquially known, were regarded as fair game for male sexual advances, Aboriginal girls' vulnerability was compounded by a long-standing racist construction of their sexual availability to white men.<sup>91</sup> From the time the apprenticeship policy was first formulated the Board had been aware of the risk to Aboriginal domestic workers. Victorian missionaries back in 1882 had protested against their government's proposed apprenticeship policy, arguing that in their experience, servants had often returned to the stations pregnant to 'white men'.<sup>92</sup> Speakers against the amendments in the 1915 parliamentary debates had all pointed out that Aboriginal servants were particularly vulnerable by their isolation from families and effective support.<sup>93</sup> The 'problem' of indentured servants returning pregnant, and therefore 'useless', to the institutions from whence they came dated back to the times of transportation,<sup>94</sup> but the concern of these speakers, like the Victorian missionaries, was that apprenticeship would actually increase the population the Board sought to decimate.

As dissenting MP, G Black put it:

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<sup>88</sup>. APB Minutes, 29/3/17.

<sup>89</sup>. APB Minutes: 30/11/28, 1/2/29, 28/6/29, 16/8/29, 17/12/29, 3/6/30, 31/7/30, 20/12/39; see also Harwood 1984: 51, 53, 55.

<sup>90</sup>. Gillis 1979: 144-5; McBride 1976: 102.

<sup>91</sup>. Lindsay 1976: 150-4; see Roberts 2001.

<sup>92</sup>. Report of a conference of Victorian mission managers to consider the Victorian Board for Protection of the Aborigines' resolutions of 2/8/1882: B313/1 229.

<sup>93</sup>. Goodall 1982: 134.

<sup>94</sup>. Damousi 1997: 69.

If you have a large number of half-castes it is due to the boarding-out system. They take young gins from the mothers and send them to stations where there are a number of hands, sons of the owners of the stations, and other men working there. Very often these girls are practically left to the mercies of these men ... It often happens that the mistress of the home and all white women are absent from the station for two or three days ... During their absence these poor unfortunate black girls are left to the mercy of the men on the station, and the result is the increase of the half-caste population, and the ruin of the girls who are subject to this treatment. The whole system is absolutely wrong.<sup>95</sup>

No doubt with such criticisms in mind, the Board provided an unusually long statement in its first annual report after the gaining of the amending powers, concerning the 80 girls it had placed in situations. Some of them had 'made great improvement' it was reported, 'largely due to the strict supervision under which they are kept'. All 'in and around Sydney' had been visited at 'regular intervals', those showing a 'tendency to lapse into their old careless ways' being called on 'monthly'. The home of 'every applicant' for a servant had been inspected, and the reader was assured that the girls were 'employed by people who help to uplift them in every possible way'; meanwhile, 'No complaint from either mistress or maid has ever been too trivial to be investigated, and the result has been a proper understanding on all sides'.<sup>96</sup>

But in the rural areas, Board inspections were limited to occasional 'inquiries' by Board managers or police, if they happened to be near where the girl was working.<sup>97</sup> In fact visits by the female Homefinder to girls in Sydney were similarly sporadic and superficial – indeed in Joan Strack's experience, they only occurred in the event of a problem being brought to the Board's attention by the employer.<sup>98</sup>

And as for complaints made by 'either mistress or maid', in 1915 there is no record of these, but in September that year the Board undertook to investigate claims made by a station manager, that Aborigines were being taken advantage of by employers in terms of their wages, and 'that a girl had been tampered with by an employer'.<sup>99</sup> The wages issue was followed up,<sup>100</sup> but regarding the claim of sexual abuse there was no further direct reference. In the next meeting, however, it was suggested that all girls in Cootamundra Home should be examined and provided with a certificate of health before being placed in service, and that the Health Department should 'facilitate the examination of girls brought straight to Sydney from reserves'.<sup>101</sup> In 1916 a Board regulation made medical examination and a certificate 'as to their condition of health, and freedom from contagious or infectious diseases' mandatory for all girls before being placed in situations.<sup>102</sup> Such examinations being code for pregnancy, venereal disease, and even virginity checks, one might speculate that this precautionary measure – which protected employers and the Board rather than the girls – constituted the

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<sup>95.</sup> NSWPD 1915b: 1958.

<sup>96.</sup> APBR 1916.

<sup>97.</sup> SCAAPB 1940: 10, 19.

<sup>98.</sup> Tucker 1983: 125–6. See also Goodall 1982: 146. JKS to the Matron, Bomaderry Home, 15/6/33.

<sup>99.</sup> APB Minutes, 16/9/15.

<sup>100.</sup> APB Minutes, 16/11/15.

<sup>101.</sup> APB Minutes, 23/9/15.

<sup>102.</sup> APB Minutes, 6/4/16.

Board's singular response to any 'investigation' of the sex abuse claim that may have been made.

### **The 'good fella missus'**

It is worth noting that both the dissenting MP Black, and the Board in their 1915 report quoted above, implied that the real protection to Aboriginal girls from sexual exploitation could and would be provided, not by the authorities, but by their white mistresses alone. Indeed at the 1937 conference of Commonwealth and State Aboriginal authorities, the New South Wales representatives made it clear that they subscribed to this view.

The subject of the pregnancy rates of Aboriginal girls in service had been raised by the Victorian representative. His Board's 'principal difficulty' was that girls in service returned pregnant or with children. 'The half-castes get into the hands of degenerate whites, and that is the end; they go on breeding in the same way', he complained.<sup>103</sup> Acknowledging that they 'had much the same difficulty' in his home State, Western Australian administrator AO Neville reassured the eastern authorities that the policy of taking the apprentices' babies away neutralised the threat: 'these children grow up as whites ... [and] the mother goes back into service so it really does not matter if she has half a dozen children'.<sup>104</sup>

The New South Wales representative, Board member and bureaucrat EB Harkness, was more reticent. 'We also have a system of taking girls in the early adolescent stage and training them for domestic service...', he told the others.

These girls reach quite a high standard. Unfortunately, of course, if they go back to the old surroundings, they revert to old habits, and particularly to the lower moral standard, and become the mothers of illegitimate children early in life ... I have taken a girl into domestic service. She is intelligent, industrious, and clean, and submits to reasonable discipline. I do not think if she were to go back to her station she would revert to the old standards, but, of course, one never knows.<sup>105</sup>

He referred his audience to the Board's secretary, who he said would 'amplify' his statements. Pettitt, put on the spot, said somewhat offhandedly that 'statements' had been made 'from time to time about aboriginal girls in domestic service becoming pregnant. In New South Wales, we throw the responsibility on the employer for the physical and moral well-being of the apprentices.'

'As a matter of fact, the number of girls who get into trouble is negligible', he continued blandly (and quite untruthfully):

We consider that if we can keep them away from the dangers of camp life until they reach the years of discretion we are doing good work. They are employed in the country and in the city, and we are very careful in the selection of the homes into which they are introduced. In the cities there is a constant demand for them from the best class of suburb, and we never have any difficulty in finding places for them.<sup>106</sup>

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<sup>103</sup>. Aboriginal Welfare 1937: 12.

<sup>104</sup>. Aboriginal Welfare 1937: 12.

<sup>105</sup>. Aboriginal Welfare 1937: 14.

<sup>106</sup>. Aboriginal Welfare 1937: 16.

There were in fact significant differences between the 'frontier' administrations controlling large Aboriginal populations, and those of the more densely white-populated eastern States, despite there being a shared strategy of removing, institutionalising and indenturing young Aboriginal women. Since the late 1920s the WA State government under Neville, and the Commonwealth government in the Northern Territory under Dr Cecil Cook, had been pursuing policies of controlled miscegenation between fair-coloured Aboriginal women and white men as a way of achieving biological assimilation, and these policies involved the removal and indenturing of Aboriginal girls.<sup>107</sup> Here, as Russell McGregor has argued, a 'policy', in the sense of 'a systematic course of action endorsed and pursued by those charged with authority over Aboriginal affairs', was initiated not by politicians but senior bureaucrats – given rising public concern over the 'half-caste problem', the politicians were circumspect about openly supporting such policies.<sup>108</sup> Although, of course, much feminist critique of Aboriginal administration actually focused on Aboriginal sexual abuse and child removal in the frontier regions,<sup>109</sup> the fact that such critique emanated and drew its support from the south-eastern urban centres arguably made the bureaucrats of Victoria and New South Wales as coy as they were on the subject of Aboriginal sexual abuse. As a demonstration of how feminist criticism of administrative policy could derail initiatives, there was the example of the response of several conservative women's organisations in Victoria to a federal government proposal to put fair-skinned South Australian girls through the Victorian indenturing system in 1934. The women's groups were outraged: this was an 'insidious attempt', they declared, 'to mingle with the community women of illegitimate birth, tainted with aboriginal blood, the offspring of men of the lowest human type'.<sup>110</sup> Such adherence to eugenicist and racist principles complicated the white feminist response to Aboriginal child removal,<sup>111</sup> even as the success and continuation of the apprenticeship system hinged absolutely on the willing participation of white middle to upper class women as employers.

This inescapable fact held true for the frontier regions as it did for the south-east, but in the latter there was no comparable historical and ongoing dependence by white women on Aboriginal labour. Although, as Walden points out, a servant shortage still existed in the urban areas,<sup>112</sup> the white mistress here who participated in the Board's apprenticeship scheme was not doing so out of necessity. The decision to engage an unknown Aboriginal girl as a servant, most commonly as a nursemaid, was indeed remarkable, considering not only the racism of the times, but the Board's public justification of its policy on the grounds that the girls came from 'contaminating' and 'vicious' communities, and were inherently immoral.

That a number of suburban Sydney women (admittedly a small number) could and did take Aboriginal apprentices into their homes reflects the ubiquity of what

<sup>107</sup>. McGregor 2002: 286–90; MacDonald 1995: 9–14, 20–25; Austin 1993: 148–9; McGregor 1993: 55; Austin 1990: 113–17; Cummings 1990: 16, 21; Jacobs 1990: 192–6, 207–8; Haebich 1988: 83–5, 89, 351; Austin 1987–88: 128–41; McGrath 1987: 91–4; Jacobs 1986: 15–23; Markus 1982: 96–7.

<sup>108</sup>. McGregor 2002: 288–9.

<sup>109</sup>. See Paisley 1997, 2000; Lake 1996.

<sup>110</sup>. *Australian Women's Weekly*, 8/9/34, cited Campbell 1989: 32.

<sup>111</sup>. Holland 2001, 2002; Haskins 2000.

<sup>112</sup>. Walden 1995: 196, 1991: 55.

Madeline Macguire has called the 'good fella missus legend'.<sup>113</sup> This construction of the role of the white mistress as ideal guardian of Aboriginal female sexuality derived from a popular mythologising of pioneer and frontier life that held sway in middle-class urban Australian culture throughout the Board's regime. An index of class status ascribing an honourable, indeed virtuous role to white women who utilised cheap Aboriginal labour, a desire to cast themselves in such a light undoubtedly underpinned the willingness of white women in Sydney to engage Aboriginal apprentices through the Protection Board.

But such a role was particularly farcical in the situation where the white employer functioned in fact as agent and monitor of a State policy of absorption. The distant nature of the typical domestic service relationship, in the first place, was not such that an Aboriginal servant could easily confide in her mistress (especially if the man of the household was the father of her child<sup>114</sup>). White women were themselves abusive and brutal towards their servants, and there is no doubt that many would have been prepared to ignore the sexual abuse of their servants, and welcome the Board's prompt removal of pregnant workers.<sup>115</sup> As Bobbi Sykes said back in 1975, 'White women notoriously remain ignorant' of the rape of black women, as well as the argument that this was justified because lighter skinned children were easier to assimilate, 'because they are denying to themselves even that the children are being fathered by their husbands, sons, brothers, and employees'.<sup>116</sup> Nor could even the most earnest employer comprehend the severe pressures upon Aboriginal girls in service, let alone the Board's agenda. The response of one white woman, the daughter of an employer of a number of Board apprentices, to the placing of one of her mother's workers in a mental asylum, was probably typical. 'As far as we could see all that was wrong with her was that she didn't know how to say NO to the low down white men who wanted to take advantage of her', she told interviewer Jack Horner.<sup>117</sup>

In fact the mistress who did try to fulfil her obligations would not be supported by the Board. Although directed to report immediately to the Board if her charge appeared in moral danger, the Board's response was at best dismissive and at worst punitive. The girl herself would be subjected to a stern, even vituperative personal lecture delivered by the Homefinder.<sup>118</sup> Any further notifications and the Board simply transferred the apprentice to another position, sent her to be 'married off', or took disciplinary action against her. No investigation whatsoever would be made, but if the employer had been cooperative, she would be offered a replacement.

Not all were cooperative – having acquiesced to the peremptory removal of her two previous apprentices, Joan Strack refused to relinquish Del until an investigation *was* made. By that time, Joan had been threatened by the Board's Homefinder with a libel action, on bringing the allegation against an employer's son before the Board's

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<sup>113</sup>. McGuire 1990: 124.

<sup>114</sup>. Walden 1991: 119; SCAAPB 1940: 10.

<sup>115</sup>. Tucker 1983: 108–26; Recollections, Polly Smith, cited in Rintoul 1997: 25; APB Minutes 22/3/1900; 1/6/16; 3/8/16; Haskins 1998c: 136–8, 175–7.

<sup>116</sup>. Sykes 1977 (1975): 321.

<sup>117</sup>. Horner/Adams correspondence, PMS 4179.

<sup>118</sup>. JKS to Matron, Bomaderry Home, 15/6/33; Haskins 1998c: 123–6.

administrators. Suspicious of corruption on Lowe's part, she appealed to a Board member (EB Harkness), and was then visited by the police who attempted to 'arrest' Del. Attempting to go to the top, to the Board's Chairman, Joan was met instead by the Deputy Police Commissioner Mackay, who told her the police chief could not 'waste his time over trivial matters of this kind'. When she persisted, Mackay warned her again of libel. But the Board was powerless to take Del from her, or to prevent her from making damaging public statements, with Del beside her, against their policy.<sup>119</sup> So in 1936 the Board gained further legislative amendments – drafted and circulated at a Board meeting two years earlier, in the midst of this battle over Del<sup>120</sup> – enabling them to terminate the employment of any worker who had taken refuge with a sympathetic employer, and remove her.<sup>121</sup> An employer who persisted in protesting would only lose the services of her worker, and if she continued long and loud enough, she would be marked as an enemy herself.

The penalty for the Aboriginal apprentice was of course much higher. For her employer's lack of cooperation, and her own audacity in seeking her assistance, Del was insulted and harassed by Board officials, and penalised well into the future – the Board vindictively refused to remit her wages for years after her return to her family, on the spurious grounds that her pocket-money book was not in order. 'You want to see Mrs Strack about that', the Board secretary AC Pettitt informed her nastily. 'Any how', Del told Joan about it later, 'I said I didn't want anything to do with the Board they did a lot of dirty things to me. and the less I have to do with them the Better'.<sup>122</sup>

We can only guess how many comparable testimonies are hidden behind the Board's unreliable statistics. Documented evidence of the Board's complacent attitude towards the abuse of Aboriginal girls is rare. The Board, of course, was motivated to conceal and suppress such evidence, and in fact its records make no mention of Del's allegations or of the complicated machinations that followed. Nor do such shameful, painful stories tend to survive via the customary oral tradition of family memories. Del's story survives only by the fortuitous circumstance of my great-grandmother hoarding her personal papers, and, even so, is a difficult history to recount.<sup>123</sup> But her experience was not isolated, of that we may be certain.

### **A policy of sexual exploitation**

Benign neglect, or malicious intent – what lies behind the paradoxical fact that a policy designed to supposedly 'protect' Aboriginal girls from producing mixed-race children, could yet result in such high rates of illegitimate pregnancy for its charges? The strongest statement in this regard comes from a Link-Up NSW publication, where the subjection of Aboriginal girls to sexual assault and rape are described as 'the true consequences of APB policy' and that, given ongoing criticism and the high rates of pregnancies of the apprenticed workers, 'the Board's continuing trust of White employers is inexcusable'.<sup>124</sup>

<sup>119</sup>. See Haskins 1998c: 137–8, 158–68.

<sup>120</sup>. APB Minutes 1/12/33, 11/1/34.

<sup>121</sup>. *NSW Aborigines Protection (Amendment) Act 1936* (Secs. 13B, C, D).

<sup>122</sup>. Letter, Del to JKS, 29/12/37: JKS Papers 7:3-5 NLA MS 9551. Del's wages were finally paid out in 1938: Letter, Del to JKS, nd (c.mid- to late 1938): JKS Papers 7:3-5, NLA MS 9551.

<sup>123</sup>. See Haskins 1998b. This article is published with the full and informed consent of Del's son.

It may be hard to grasp that Board policy could have been so malevolent as to knowingly, even purposefully, expose Aboriginal girls to sexual abuse. But the subjection of girls to sexual advances of white men and concomitant pregnancies was hardly an unforeseen, unremarkable side-effect of an otherwise satisfactory policy, and the extreme reluctance of the Board to take *any* steps to counteract such abuse – to the extent even of attacking a white employer who attempted to draw its attention to the problem – suggests it was a little more deliberate than has been hitherto acknowledged. Cover-up and denial of sexual abuse (at least and undoubtedly not only in Joan Strack's experience) extended to the highest level of the Board, and when it came down to it, the bureaucratic heads on the Board as much as the day-to-day Board functionaries Lowe and Pettitt understood that the pregnancy rates of Aboriginal servants were never going to be a reason to discontinue the apprenticeship policy, let alone to jeopardise its success by investigations and prosecutions.

Aboriginal apprentices were not the only State wards, or indeed domestic servants, to have been sexually exploited, but the significance resides in the context in which that took place, to an extent that appears unusually high: the policy of absorption. Absorption was the premise which linked the rhetoric of 'a better chance' to the reality of the pregnancy rate. But this could not be openly acknowledged because to do so would have alienated the white women whose participation as employers was crucial to the success of this policy. White women were to be the agents of the Board policy of absorption – and the scapegoats. The New South Wales Aborigines Protection Board colluded in, condoned and indeed encouraged the systematic sexual abuse and impregnation of young Aboriginal women in domestic apprenticeships with, I contend, the ultimate aim of eradicating the Aboriginal population.

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<sup>124</sup> Link-Up NSW and Wilson 1997: 65, 74.

*Sydney Morning Herald* 29/10/24 p 12 'Aborigines; race dying out; fate of girls'; 9/1/25:8 'Aboriginals; children removed; from parents' control'; 10/1/25:14 'Aboriginals; removal of children; department's defence'; 11/2/25:16 'Aborigines; a vanishing race; supervision and welfare'.

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