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VICTORIA

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REPORT  
UPON THE OPERATION OF THE  
ABORIGINES ACT 1928  
AND THE  
REGULATIONS AND ORDERS  
MADE THEREUNDER

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Presented to His Excellency the Governor in Council and laid before both Houses of Parliament.

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*By Authority:*

W. M. HOUSTON, GOVERNMENT PRINTER, MELBOURNE.



# REPORT

*To His Excellency General Sir Reginald Alexander Dallas Brooks, Knight Commander of the Most Honourable Order of the Bath, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Companion of the Distinguished Service Order, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY :

By order made on the 20th day of December, 1955, the Governor in Council appointed me to be a board to inquire into and report upon the operation of the *Aborigines Act 1928* and the Regulations and Orders made thereunder, as at present in force in Victoria, and any changes or modifications therein or in the existing system of administration which may be considered necessary or desirable in the interests of aboriginal people, and without limiting the generality of the foregoing upon the following matters in particular :—

- (a) The number, distribution, and living conditions of persons permanently resident in Victoria who are believed to be of not less than one-fourth part aboriginal blood, and the number of such persons who are—
  - (i) capable of working ;
  - (ii) regularly employed.
- (b) The capacity of people of aboriginal blood to live and maintain themselves and their families according to the general standards of the Victorian community.
- (c) The factors, if any, which militate against the absorption of people of aboriginal blood into the general community distinguishing between those which—
  - (i) are peculiar to such people ;
  - (ii) arise from the attitude of white citizens.
- (d) Whether the aboriginal station at Lake Tyers—
  - (i) should be retained, and if so, the measures which should be taken to maintain it on the most satisfactory basis ;
  - (ii) should be discontinued, and if so, any system which should be instituted in its stead.
- (e) Whether it is necessary or desirable to maintain a system of administration for aboriginal people and if so—
  - (i) what persons or classes of persons should be deemed aboriginal for the purposes of the system ;
  - (ii) upon what principles should such system be based ;
  - (iii) what legislative and administrative provisions should be adopted to enable such system to operate in the best interests of both the public and aboriginal people.

I have the honour to report as follows :—

## SOURCES OF INFORMATION.

In the course of my investigations I made visits to the aboriginal station at Lake Tyers, and also inspected the living conditions of aborigines at Mooropna, Framlingham, Dimboola, Antwerp, and places in the Orbest district, as well as of some of those in the metropolitan area. In addition to interviews with aborigines, I had discussions in the country areas with police, shire councillors, local committees, welfare workers, school teachers and inspectors, and others. In response to an advertisement, I received many thoughtful contributions in writing, and some in person, from people and bodies interested in aboriginal welfare. Among many helpful discussions with people who have been

in close personal contact with the aborigines for many years, those with Mr. Rule, Manager of Lake Tyers aboriginal station, and Major Glen, a former Manager, were specially informative. On specific aspects of the inquiry, I obtained useful information from officers of the Housing Commission, Education Department, and Commonwealth Employment Service. I had interviews with aboriginal leaders, in the persons of Pastor D. Nicholls and the late Mr. Shadrach James. Interesting comments and expressions of opinion came from experienced members of the Police Force, whose views I sought, through the Chief Commissioner. I consulted numerous reports, records, and surveys, some of which are referred to in the course of my report.

## HISTORY OF ABORIGINAL ADMINISTRATION IN THIS STATE.

The terms of reference imply, and it cannot be doubted, that the only ultimate solution of the "aboriginal problem", as it now exists in this State, lies in the social, cultural, and economic integration of the remainder of the race into the general community. Since that has been the policy of the legislation for very many years, it appears desirable to set out a short summary of the history of past control, and of steps taken over the years in furtherance of that policy, which form a background to the conditions existing at the present day, and to ascertain any lessons that may be learned therefrom. This information I have derived mainly from a perusal of the Board's reports to Parliament from 1860 to 1906, when their presentation was discontinued, and thereafter from the minutes of the meetings of the Board.

The first "Central Board to watch over the interests of Aborigines" was appointed by the Governor, as a result of discussion in Parliament, in the year 1860. Previously aboriginal welfare had for some years been, apart from the efforts of the Churches, in the hands of an official "Guardian of Aborigines" and local "Protectors of Aborigines", the latter being police and other Government officials, and some settlers. There were at that time in existence two Government and two mission stations. The first Board, which consisted of seven members, of whom three were members of Parliament, displayed considerable enthusiasm in its task. It appointed "Honorary Correspondents", about fifty in number, comprising police magistrates, wardens, and "respectable settlers" throughout the Colony, and addressed to them a comprehensive questionnaire. In a very lengthy report furnished at the end of its first year, it quoted the replies of these correspondents.

The replies to a question as to the "moral and social condition" of the aborigines disclosed a state of affairs almost everywhere which could only be described as appalling. Torn from their way of life by advancing settlement, they lived under wretched conditions, drunkenness, prostitution, and begging being apparently almost universal. Tuberculosis and other diseases were rife, and the early extinction of the race was freely predicted. The use of intoxicating liquor was considered principally to blame for their condition. The census indicated that at that time they numbered about 2,341.

The Board, backed by the Government, acted with vigour. Large areas of land were reserved, more Government stations were established, some under the control of missionaries, and the aborigines encouraged to congregate there by the provision of housing, rations, clothing, and blankets. Depots were also set up for the issue of supplies to those who could not be persuaded to move to the stations. By the year 1874, there were six Government stations in charge of managers or missionaries, and the total land reserved for aboriginal purposes had grown to 24,692 acres. In the meantime, in 1869, the Aborigines Protection Act was passed, by which the Board was given statutory authority, and was reconstituted under its present name, and in its present form, with the Chief Secretary for Victoria as Chairman. Regulations under the Act were passed by the Governor in Council in 1871.

By concentrating as many as possible of the aborigines on the stations, their material conditions were greatly improved, though the yearly death rate in comparison with births remained high, "lung disease" being shown as the principal cause of deaths. A census taken in 1877 showed the aboriginal population of the Colony, including half-castes, to be then 1,067, less than half that of the year 1860. Over these early years, the policy of the Board was one of segregation, entirely protective and charitable, though from time to time it expressed the hope that on the stations habits of industry would be inculcated, and the view that before long the stations should be entirely self-supporting. In this, however,

it was disappointed, little success being achieved in inducing the residents to do the necessary work on the stations, for which white labour had to be employed. In 1881, insubordination and discontent prevailed to such an extent on the station at Coranderrk that a Board of Inquiry was appointed and made recommendations relating to its working. It is of interest to record that, even then, 75 years ago, the Board recorded in its annual report that "the greater proportion of the inhabitants (of Coranderrk) are half-castes", and that, in defending against public criticism its policy of retaining the half-castes there, it said "Were they turned adrift to shift for themselves, family ties would be broken, and much unhappiness would ensue; the men would inevitably, with few exceptions, become loafers and vagabonds, and the women prostitutes; for, although sharp and cunning enough in small matters, they are as a rule unreliable, untruthful, and sadly wanting in energy, perseverance, self-reliance, and other qualities which fit men to successfully compete with their fellows in the battle of life". However, following changes in the personnel of the Board, in 1884 we find the following recorded:—"The Board are unanimously of opinion that all able-bodied half-castes capable of earning their living should be merged as soon as practicable in the general population of the Colony". This was followed by specific recommendations, which were embodied in the Act of 1886, the essential provisions of which are those in force to-day. Its effect was to exclude from the stations all half-castes (defined as including all of mixed blood) except those who were then over thirty-four years of age, their wives, their children unable to earn their own living, and any other half-caste specially licensed by the Board to reside there. Those so excepted were included within the definition of "aboriginals" in the Act, giving them like entitlement to the benefits available to full-blood natives of the Colony living on the stations. (By passage of time, only the last-named category of excepted half-castes now remains.) To soften the impact of this policy, a temporary provision was included in the Act that any half-caste in necessitous circumstances could be supplied by the Board with (a) rations or their equivalent in money for three years, (b) clothing for five years, and (c) blankets for seven years, from the date of coming into operation of the Act.

Over the preceding year, the population of the six stations had averaged 556. At the end of the first year following, the Board reported that "no fewer than 60 half-castes have already been well placed, and are earning their own living". By 1891 the average daily population of the stations had been reduced to 332. The earlier reports as to the effect of the new policy were generally favourable, and optimistic as to its ultimate outcome, but it did result in a considerable amount of hardship, in spite of assistance being given, through depots, to half-castes in necessitous circumstances. However, the Board pursued its policy with some rigidity, the reports indicating that few half-castes were being specially licensed to remain on stations. Its report for 1897, after referring to a number who were "doing well", refers to others "who are too lazy to work, and are endeavouring to return to the stations, which the Board under no circumstances can allow, as it would be entirely against the wise enactment of Parliament, and at the same time do great harm to the people themselves". In carrying out this policy the Board reduced its expenditure from £12,328 in 1887 to £5,500 in 1894, and to £5,000 in 1902; and over the period to 1902, from the land formerly reserved, 12,543 acres were relinquished to the Crown.

In further pursuance of its policy, the Board, from about 1898, adopted the practice of transferring all half-caste children on the stations, on their leaving school, to the care of the Department for Neglected Children, as the present Children's Welfare Department was then named. After some initial training—the boys at Bayswater, and the girls at a "home for domestic service"—they were sent out to service by the Department. The annual reports of both the Board and the Secretary to the Department for Neglected Children at this time expressed satisfaction with the operation of this system. The head of the mission station at Condah commented in his report for 1900, "As the blacks are dying out, and the Board removes the half-caste boys and girls by handing them over to the Industrial Schools Department, finality is greatly facilitated, and will doubtless be attained in a few years". The records, however, do not disclose for how long this practice was continued. Regulation 12, under which the Board presumably acted, is still in existence.

The population of the stations progressively decreased over the succeeding years, and, in 1917, the Board decided to concentrate the remainder at Lake Tyers. Additional cottages were erected there, and transfer was finally completed in 1922. As their stations

were closed, some of the residents moved to Lake Tyers, others preferred to remain in their accustomed localities, and settlements still remain on portions of the old station sites at Condah and Antwerp, as well as at Framlingham. Subsequent administration of aboriginal welfare has been almost wholly confined to Lake Tyers, and is dealt with elsewhere in this report.

Following is my report under the specific terms of reference. It will be noted that, throughout the report, where the terms "half-caste" and "aborigine" are used, they are to be taken as including all persons with an admixture of aboriginal blood, except where the more precise meaning is obvious:—

- (a) *The number, distribution, and living conditions of persons permanently resident in Victoria who are believed to be of not less than one-fourth part aboriginal blood, and the number of such persons who are—*
- (i) *capable of working ;*
  - (ii) *regularly employed.*

To obtain this information, I enlisted the assistance of the police throughout the State, and, in respect of the metropolitan area, supplemented their figures with those obtained from other sources. The returns from all districts show that the total in the State, men, women, and children, is 1,346. Of this number, slightly more than half are children. It must be mentioned, however, that these figures, though as accurate as can be expected, are not statistically exact, particularly in terms of the heading. The principal inaccuracy arises from the difficulty of assessing the percentage of aboriginal blood in many cases. Over the succeeding generations, dating from the very early days of settlement till now, there has been such a high degree of miscegenation, and of sexual promiscuity on the part of aboriginal women and white men (and some coloured men of other nationalities), that such an assessment could, at best, be only approximate. Personal observation on my visits to aboriginal communities indicated that, included in the figures given, were some who were fairly obviously of less than one-fourth aboriginal blood, but who, brought up by their mothers in aboriginal communities, are generally regarded, by themselves and others, as aborigines. Though the figures given are subject to that qualification, this is perhaps not important, since they present the same problem, and are equally relevant to the purpose of this inquiry. The records of the Board show only about twenty persons, all adults, in Victoria as of full-blood, and the ancestry of some of these is at least open to doubt. Of 186 residents at Lake Tyers at the time of a survey made during this inquiry, 62 were shown as half-caste, 25 with a greater percentage of aboriginal blood, and 99 with less than half.

Of the 1,346 persons of aboriginal blood in Victoria, there are on an average about 131 at Lake Tyers station, and 159 in the metropolitan area. The remainder are scattered in various country districts, the majority in communities close to towns where seasonal work can be obtained, and to a river, on which they depend for their water supply. The largest individual group is in the Mooroopna-Shepparton area, where there are 253 regarded as permanent, of whom 162 are children. Large families are common among them, and there seems no doubt that the number of half-castes who are living in primitive conditions is steadily increasing.

At Mooroopna, there are two main settlements, one on the shire rubbish tip, known locally as Daish's paddock, and the other closer to the river bank. The latter is subject to flooding, sometimes suddenly, from the river. This occurs, on an average, two or three times a year, at which time the residents move temporarily to higher ground. On these two areas live about 59 adults and 107 children, in most squalid conditions. Their "humpies" are mostly constructed of old timber, flattened kerosene tins, and hessian, usually with some kind of partition to separate bedroom from living room. They are not weatherproof, have earthen floors, very primitive cooking arrangements, and no laundry or bathing facilities except the river, from which all water is drawn by buckets, and carted for distances up to half a mile. There are few sanitary conveniences, with all kinds of containers used as pans. The contents are buried close handy in shallow holes, or sometimes just tipped on the ground. This constitutes a grave danger to health, both from water pollution and from general infection. Most of the huts are overcrowded, and some very dirty. Though some of the occupants are decent-living people, excessive drinking, often leading to violence, as well as immorality and gambling,

are rife. As might be expected in these surroundings, many of the children are dirty, undernourished and neglected, and very irregular in attendance at school. Shortly after my visit there, twenty-four of the younger children were, at the instance of the police, taken from these "homes" and committed to the care of the Children's Welfare Department by the Children's Court. The "Save the Children Fund", which has headquarters in Melbourne, has installed a Welfare Officer there, and provides milk and other necessities for the children. The Welfare Officer, Sister Turner, who is a trained nurse, conducts a pre-school centre and kindergarten in a building, erected with assistance from the local "New Deal Committee", at the rubbish-tip settlement, as well as a sewing centre, a club for girls, and a carpentry workshop at her own home in Mooroopna.

Without the necessity for describing them in detail, I have to add that I found somewhat similar conditions of squalor existing in the aboriginal camps in the Orbost district, and at Dimboola and Antwerp; and police reports on other communities make it clear that the conditions I have described are fairly typical of the mode of life of the majority of the aboriginal population in country districts. During the "picking season", at places such as Mooroopna and Orbost, these conditions are somewhat worsened by an influx of large numbers from New South Wales and from elsewhere in Victoria. At each of the places visited by me, however, there is a sprinkling of people of aboriginal descent who have risen above their old surroundings, live in good homes in the towns, send their children regularly to school, and generally live up to their responsibilities as citizens. I should perhaps also mention that at other places bodies such as the "Save the Children Fund", and local committees, are doing good work similar to that at Mooroopna.

The aboriginal settlement at Framlingham is in a somewhat special category. It is on the site of a former Government aboriginal station, which was closed in 1917, though the land was allowed to remain as a "reserve for aboriginal purposes". At that time only five houses remained, and a few families were permitted to continue residence there, and for a time rations were supplied by the Board in needy cases. In the following years, and particularly during the depression, unauthorised occupation by a number of mixed-blood families in humpies of bags, galvanised iron, &c., took place. As a result of local representations, the Government in 1938 erected twelve additional cottages on the reserve, each on a fenced block of ten acres, and these were allotted to twelve families. The five old houses were also fenced round, the money for the whole scheme, £3,000, being provided from the State Unemployment Relief Fund. The settlement was to be supervised by a local advisory committee, formed in Warrnambool from representatives of local organisations. Rent was fixed at 3s. per week for each house and land, payable to the Aborigines Board. About 1946 that committee ceased to exist, and was later succeeded by the present Welfare Committee, comprised of representative citizens of Warrnambool. This Committee was, in October, 1955, authorised by the Chief Secretary to act as the managing body of the reserve, and to collect the rents, which had fallen considerably into arrears, on condition that all rents collected should be spent on improvements, and on amenities for the residents on the reserve. The weekly rental for each holding is now 5s. (except for one, which is 10s.), and is paid regularly by each tenant. In addition, with the aid of a subsidy of £375 from the Government, the sum of £500 was raised last year, which was, at the time of my visit, being expended, with the aid of voluntary labour, to provide combined wash-houses and bathrooms at ten of the houses. I am informed that this work has now been completed, and as money is accumulated from rent and other sources, the Committee intends to make further improvements. About 60 people, men, women, and children, are resident there, and few have more than about one-fourth aboriginal blood. Eight of the fourteen cottages now remaining are occupied by pensioners, and the rest of the adults are in fairly constant work, cutting firewood, stone-crushing, &c., except during the winter months, when there is some unemployment. One conducts a dairy farm on his own and vacant land. Many of the families are respectable, good-living people, and a few take a pride in their houses and gardens. With others, drink is a problem, but on the whole the settlement is fairly well kept, though some of the houses are damaged and neglected. There is a State School which is attended solely by the children of the residents, and their attendance is fairly satisfactory.

I have referred to about 159 of aboriginal descent living in the metropolitan area. Of these, the majority live in Fitzroy, and, as many are of itinerant habits, the number must be regarded as somewhat approximate. Of those permanently residing in the metropolitan



area, a greater percentage than of those in country communities are in constant employment, though their work is mostly of an unskilled nature. The general average of their living conditions is naturally better than those I have described at Mooroopna and elsewhere, but, with a few exceptions, they live in overcrowded, slum conditions, and frequently in "condemned" houses. The overcrowding is accentuated by the number of transient visitors, to whom accommodation is never refused—itinerant boxers, relatives and friends from the country, &c. This, in turn, makes them unpopular tenants with landlords and agents, and it is almost impossible for them to obtain other accommodation.

To complete the specific information required under this heading, the returns furnished to me by the police show that of a total of 287 who are capable of working, 177 are classified as "regularly employed". In addition, 45 residents of Lake Tyers are capable of working, and are given some employment on the station. The distribution of the largest groups, apart from those I have specially mentioned, is as follows:—Nathalia, 150; Orbst (including Newmerella and Waygara), 150; Robinvale, 75; Dimboola and Antwerp, 65; Heywood, 55; and Echuca, 53.

*(b) The capacity of people of aboriginal blood to live and maintain themselves and their families according to the general standards of the Victorian community.*

Though I make separate findings under this heading and the one next following, they are somewhat inter-related, since, in a wide sense, the present capacity of those of aboriginal blood to fend for themselves is influenced by existing factors, some of which may have a partial racial origin. With these factors I propose to deal under the next heading, and under this I interpret "capacity" as meaning "innate capacity", and in that sense premise that the standard of any person's capacity to maintain himself and his family lies in his inherent physical and mental qualifications.

The physical capacity of the aborigines, taken as a whole, is undoubted. This is evidenced, if it were necessary, by their prowess in sports requiring a degree of endurance and skill, such as football and boxing; and employers of aboriginal labour on seasonal work like fruit and bean picking, whom I interviewed, all seem to agree that in work of that nature they are frequently actually superior to the whites. Though many are prone to suffer from respiratory and other physical disorders, these are considered to be due solely to their living conditions from childhood, and to their habits.

As to their mental capacity, most authorities now agree that there is no innate racial inferiority of intelligence in the aborigine. In any case, there is a preponderance of white blood among those in Victoria, though some degree of degeneration from the general average of the white race might perhaps be expected from the fact that much of the white parentage has had its origin in the association of "sub-standard" whites, in an atmosphere of drink and degradation, with aboriginal women in their camps. I sought information from various sources on this subject. Close surveys have been made by Health, Mental Hygiene, and Education Departmental officers of the mental capacity of part-aboriginal children in various schools, and, though difficulty was experienced in applying the recognized intelligence tests, due to the children's timidity and suspicion, and their limited vocabulary, leading to some doubt as to the reliability of the results, the general spread of those results was not markedly dissimilar to those expected of white children. I discussed this also with head teachers of long experience and careful observation in "mixed" schools, and with school inspectors. Some of the former furnished me with carefully tabulated records of individual children attending their schools, including some aboriginal children from better-class homes, and those bear out their opinion that, though the percentage of children of outstanding ability is higher among the whites, there is little difference in the general average of intelligence.

Those teaching authorities to which I have just referred also emphatically discard a somewhat widely held belief, which was expressed to me in some quarters, that, while children of aboriginal blood possess an average capacity to absorb the teaching in the lower school grades, they are quite incapable of doing so beyond Grades IV. or V. It is certainly true that most aboriginal children from sub-standard environment do not in fact progress beyond the lower grades before they leave school, but the reasons for this scholastic backwardness must be sought in other directions. Some of those are fairly obvious.



The parents, illiterate themselves, and regarding themselves as members of an under-privileged minority, lack interest in education. They are frequently able to avoid sending their children to school till a comparatively late age. Many of the children are irregular in attendance at all times, and many receive no teaching at all for considerable periods, while moving round with their parents on seasonal employment. While at school, they entirely lack the encouragement to learn given to most white children by their parents, and from a comparatively early age they absorb the psychological atmosphere of their homes, and can see no possibility of a brighter future than is provided by their present environment. In many cases, they are believed by their teachers to deliberately refrain from advancing beyond the teaching of the lower school grades, and they leave school as early as possible.

Thus, though the fact is that the great majority of the people of aboriginal blood do attain maturity in age without having acquired the mental equipment which accompanies the ordinary standard of education, I think the view must be accepted that this is rather the product of existing conditions than of any strictly biological disability, and that, basically, they have the capacity to live and maintain themselves and their families according to the general standards of the Victorian community. Further factors which intervene to hamper the full utilisation of that capacity, and affect their position in the economic life of the community, I shall, as I have indicated, discuss under the next heading.

*(c) The factors, if any, which militate against the absorption of people of aboriginal blood into the general community, distinguishing between those which—*

- (i) are peculiar to such people ;*
- (ii) arise from the attitude of white citizens.*

No clear line can be drawn between some of the factors peculiar to the aborigines themselves, and those arising from the attitude of white people, inasmuch as the causes and effects have a reciprocating tendency, creating a form of vicious circle. For example, people of aboriginal blood, living in "humpies", cannot be expected to maintain a proper standard of cleanliness and decent living, which militates against their gaining employment, as well as their social acceptance. But, while some may live in those conditions by choice, others possibly would not do so if they could obtain regular employment. However, while there are exceptions to every generalisation, I refer first to certain retarding factors which appear to be characteristic of a majority of aboriginal blood.

In a general sense, economic and social absorption into the community implies regular employment and conformity to recognized living standards, and it is in these requisites that present distinctions are most apparent. Under the preceding heading, I have referred to the considerable degree of illiteracy among those of aboriginal blood, which operates as a bar to employment other than that of an unskilled nature, and much of that employment is somewhat irregular. It cannot be doubted, however, that there exists, in the case of many of them, a lack of desire for permanent employment. It has been suggested that the desire for change may be a development of the native urge to move from place to place. Be that as it may, some employers say that, if kept too long on one class of work, they tend to neglect it, and to absent themselves. While it is true that there are some who have been in the same employment for years, and are highly regarded by their employers, it is equally true that many are found to be indolent and unreliable in employment. Having no sense of thrift, when they have earned some money, they proceed to spend it in the way that most appeals to them at the time, and see no necessity to continue with their job in the meantime. They have a predilection for casual seasonal work, catering as it does for their nomadic habit, with high wages and free spending. Many are addicted to drink, a habit easily acquired from their environment. Though characteristically easy-going and likeable when sober, when under its influence they are usually aggressive and violent, both to their own people and to others. They dress badly, and are frequently dirty and unkempt. Improvidence and wastefulness of money are marked characteristics. Instances of large sums of money being earned, and spent in a day or two on taxis, sweets, and drink, instead of on suitable diet and household amenities, are all too frequent. Cases are known of women pledging their child endowment payments for several weeks ahead merely to pay for a ride in a taxi to a distant town. Within recent months, one woman living with her ten children in a "humpy" on the river bank at Mooroopna received £2,000

compensation on the death of her husband, and, with the assistance of many friends, spent all within three months. Several of her children are now in the care of the Children's Welfare Department.

The case I have just referred to provides an example of another important factor militating against efforts on the part of those of aboriginal blood to better their conditions. Arising, no doubt, from the traditions of their tribal days, the habit of "sharing" is very deeply rooted among them. For offences involving dishonesty, they compare very favourably with an equal number of white citizens, but there is almost no recognition of individual property or rights as between themselves. What is owned by one must be shared by all. Aborigines who have no fixed home, or are on "walkabout", habitually foist themselves on the others, and live with, and on, them while anything remains. By refusing this hospitality, the latter would incur "shame" among their fellows, and, although there is ample evidence that many do not welcome it, they appear to be powerless to prevent it. Although it has its admirable features, the character of the "guest" is frequently such as to lead to excessive drinking, immorality, brawls, and destruction of property, and in any case to gross overcrowding, and hardship to the hosts and their children. Several cases have occurred in country towns, where homes have been obtained through the Housing Commission by aboriginal families, and, in the opinion of the Commission's officers, they were making a real effort to establish themselves, but always had up to six other aborigines staying with them, and eventually had to give up.

Some of the characteristics militating against economic progress to which I have referred, such as a lack of thought for to-morrow, have a racial or a traditional origin, but I have no doubt that many of them are at least fostered to some extent by two principal factors. Firstly, deficient education and mental training—the unreliability and irresponsibility of the mentally backward is well recognised. Secondly, the psychological effect of their environment, with a consciousness of being regarded as outcasts in the community. Both tend to develop in them an acceptance of their position as an "inferior" race, leading to apathy and lack of initiative. Seeing no hope for the future, they live for the present, and to some extent that attitude is at least understandable.

Some insight into the barriers to absorption of those of aboriginal blood into the community may be found in the general experience of the teachers of mixed schools whom I interviewed. There, in their early years, the children of the two races mix freely in the playground and elsewhere. In the case of the dark boys, particularly if they excel in sports and games, as they so often do, this relationship continues till later, but with the girls a change rapidly develops. As they reach later school age, they come to realize that they are "different" and that the difference spells "inferiority"—they live in a "humpy" on the river bank, they dress poorly, and they are not always clean. They withdraw into themselves, congregate apart from the white children, and frequently the older girls endeavour to draw the younger ones away from their white playmates. The teachers strive to combat this in many ways—by a "school rule" that no word or action shall be allowed to set the dark children apart, and by making them the captains in various contests, &c., but without complete success. Thus develops colour and class prejudice on both sides, and future social contact on an equal footing is difficult. The attitude of the white people tends to be patronising and "superior", and the shy reserve of the dark people develops into a somewhat resentful and suspicious outlook towards any friendly approach by the whites.

Having become infected, during their formative years, by the discouraging and unhelpful atmosphere of their homes, and believing they can expect little from society, the young people, on leaving school, display a marked tendency to idle round the camps, and follow in their parents' footsteps by only occasionally engaging in casual work. In this important field, welfare workers in some localities have made efforts, but not always with encouraging results. At one place which I visited, a member of the local welfare committee informed me that he had, last year, found permanent jobs in the district for six of these young people, five girls and one youth, and within a few weeks he found they were all back at "home" on the river bank. I made special inquiries into the circumstances of each of these cases. In every case the employers were satisfied with them and they themselves seemed happy enough in their more civilized surroundings, but suddenly left, some because they were lonely away from their own people, others because of

their parents' inducement. Family ties among the aborigines are strong, and the "loneliness" of a girl sent by herself for the first time among white people at a distance from her family can be readily understood. The youth, aged 14 years, was employed by a farmer, who began to teach him the work of the farm, and paid him £3 per week "with keep". His father brought him home, saying the wage was not enough. He is now 16, has done little work since, and is the eldest of a family of seven children who, when I saw them, were living with their parents in a disused garage. Though the father is apparently able-bodied, and there was no scarcity of work, a few days before my visit a welfare worker had taken milk there for the children, and found they possessed no cup or similar fit receptacle to drink from.

I have mentioned these cases merely to illustrate some phases of the obstacles that lie in the path of economic absorption. These must be appreciated in considering any plan for smoothing that path, and they form the background to my suggestions as to future administration.

Those obstacles to absorption which arise from the attitude of white citizens have their origin principally in racial and colour prejudice—the white man's notion of racial superiority—and in self-interest. The majority have a preconceived idea of the aborigine as sub-standard in every respect, and a readiness to regard the failings of many as common to all is perhaps understandable. This leads to a preference for white labour when it is available. Many white people have their failings as employees, but in most quarters have more chance of being tested on their merits than has an aborigine. I was informed by the Chief Employment Officer of the Commonwealth Employment Service that his service finds it very difficult to induce employers to take aborigines in certain jobs, the reason usually given being "because of their habits". There is also some degree of prejudice on the part of fellow-employees to aboriginal labour, though this is by no means general. Socially, it does exist, but this is largely attributable to difference in living conditions. I was, in fact, assured by two women of marked aboriginal descent, living in good working-class homes in two different country towns, that they and their children noticed no discrimination. Nevertheless, most will agree that mere colour-prejudice, on the part of some, does have a very real existence.

Some employers exploit the aborigines by under payment on seasonal work, such as fruit picking. When the latter, instead of complaining, leave for better remuneration, they are branded as "unreliable". Many, while the aborigines' services are gladly availed of for that urgent work, do not consider it necessary to provide accommodation for them, leaving them to shift for themselves and their families in improvised camps. When the work is finished, or is interrupted by weather conditions, they are regarded as nuisances by the general community, because of the habits for which its attitude towards them is partly responsible. These comments are, of course, by no means of universal application. Many employers do treat them as human beings, and in some places local committees and individuals, and bodies such as the "Save the Children Fund", do excellent work in their interest. However, in one place that I visited, where hundreds are employed in the season, and where their work is of considerable importance to the district, the only concern on the part of the townspeople in general, so far as I could discover, seemed to be that they should be kept out of the town, in the interest of "tidiness", and that someone else should do something about them. There is considerable scope for development among white citizens of more interest in the social problem, and appreciation of the need for conscious effort on their part to assist those of aboriginal blood to overcome their racial, educational, and temperamental disabilities.

The present system of administration of the Lake Tyers station is one further factor militating against assimilation to which I shall refer under its special heading.

(d) *Whether the aboriginal station at Lake Tyers—*

- (i) *should be retained, and if so, the measures which should be taken to maintain it on the most satisfactory basis ;*
- (ii) *should be discontinued, and if so, any system which should be instituted in its stead.*

Since the year 1922, as has been mentioned earlier, Lake Tyers has been the only aboriginal station maintained in Victoria, and apart from giving occasional assistance to the few others who are of full-blood, its residents are the only aborigines for whom the Board

accepts any responsibility. It comprises 4,000 acres of Crown land, reserved for aboriginal purposes, of which about 800 acres are fully cleared, top-dressed, and under pasture, except for 42 acres under crop and vegetables. In addition to the necessary farm equipment, vehicles, and horses, there is a high-class Jersey herd, with pedigreed bulls, averaging about 160 head, of which 70 are milking cows, supplying the station with milk and butter. Cattle are killed for rations, and about 480 sheep are also bought each year for that purpose. The land is unsuitable for sheep-raising. There are 33 cottages for aborigines, in addition to houses for the staff, administrative buildings, church, school-house, &c. The population fluctuates, there being an average of about 130 who are regarded as more or less permanent residents. This number is reduced to about 75 in the summer months, when many leave for a period of seasonal work, principally pea and bean picking in the district. In the winter months, the number usually increases to about 175. Last winter, a record number of 209 was reached, due to the flooded conditions in the Orbost district, where many others live. Of the permanent residents, slightly over half are 14 years of age and under, and this average is probably maintained among the "transients". Figures quoted earlier in this report show that there is a considerable predominance of white blood among them. Control of the station is by a manager and sub-manager, with their wives, who are matron and assistant matron respectively. There is a well-equipped State School, with two resident teachers, and a cottage hospital. The residents receive regular medical and dental attention, and a fixed scale of rations and clothing.

In considering the retention or otherwise of Lake Tyers station in its present form, some reference is desirable to the economic aspect. The total expenditure for the past five years, after deducting receipts for sales of surplus produce, &c., was £67,339, an average of £13,468 per annum. The average daily population over that period was 146, showing a net annual cost per person of £92. That, of course, does not take into account the annual value of the property, or the value of the produce used. The land, without buildings, is worth, on a conservative basis, between £35,000 and £40,000, and the stock and equipment approximately £5,200. Under the regulations, all able-bodied residents are required to do "a reasonable amount of work" in return for rations, clothing, &c. There is a system of payment of "wages" in addition for regular essential work. The standard working week is of 34 hours, and the "wages" paid range from £1 10s. to £3 per fortnight. The fact that there are 35 workers permanently regarded as "essential" (this includes women hospital workers, domestics, &c.) indicates that the amount of work expected from each would not be unduly onerous. At times, as the population grows, "wages" are paid to others for such special work as destroying blackberries, fencing, &c.

The policy of the Act and Regulations is clearly that residence on a prescribed reserve shall be restricted to full-blood aborigines, and half-castes who are "licensed" by the Board to reside there, such licences being subject to cancellation at any time, and to be restricted to "cases of illness, infirmity, or other necessitous circumstances". I have referred earlier to the rigidity with which the Board formerly observed this policy. In recent years, however, it has been by no means strictly adhered to, and the position has now been reached whereby the Board usually accepts and maintains at Lake Tyers any person of aboriginal blood who desires to live there, and without any requirement of a licence from the Board. The practice of issuing licences was discontinued in the year 1937, because of the clerical work involved. This is in obvious conflict with, among others, Regulation 25 (c), made by the Governor in Council, which includes in the duties of the manager "to discourage any further introduction of half-castes, which shall be allowed only on the conditions set out in the Act and Regulations". Discontinuance of the issue of licences has had a further result. The only power to make Regulations bearing on the control of residents of Lake Tyers is contained in Clause VII. of Section 6 of the Act, and relates only to half-castes residing there under licence. The position is, therefore, that none of the Regulations relating to discipline and control have application to any of the present residents, who, if not full-blood, are half-castes not under licence. While on the subject of the Regulations, I draw attention to the fact that, quite apart from being inapplicable under present conditions, some of the Regulations as to discipline are clearly "ultra vires" of the limited powers conferred by the Act. This was pointed out by the Crown Solicitor in 1946, when advising that certain prosecutions under the Regulations should be withdrawn. Their "purging" which he then suggested has never taken place, not, perhaps, without reason, since the invalid Regulations, though unenforceable at law, probably retain some persuasive influence, and, without them, control by the management would be even more difficult than it is now. Since some rules to maintain discipline and control are essential, the only real remedy would lie in widening

the regulation-making powers conferred by the Act. In 1946, following the advice by the Crown Solicitor, the then Under-Secretary submitted a memorandum to the Government to that effect, and asked for some indication as to Government policy, but nothing further resulted.

The conditions at Lake Tyers can only be described as unsatisfactory, though for this no blame can be attributed to the management. Theirs is a particularly frustrating and discouraging task. While conducting what is, to all intents and purposes, a benevolent institution, they are also engaged in running an extensive farming undertaking, for which they have to rely on people who, in most cases, have a complete disinterest in farming work, or in steady work of any description. Due to the weakness of the Act and Regulations, there is almost a complete lack of authority over them. Many of them come and go, and neglect what little work is given them, almost as they please. Whatever their degree of colour, there is an almost general attitude that, being aborigines, there is an obligation on the Government to maintain them, and they consequently take every benefit as a right, and without being prepared to accept any obligation. Some leave the station on seasonal work for weeks or months, taking their families, to the consequent detriment of the children's education. Efforts by the management to dissuade them from this are usually futile. Though on that work they earn £5 or £6 per day at times, it is almost invariably wasted on taxis and drink, and they return to the station penniless. Drunkenness from cheap wine and methylated spirits is an ever-recurring problem, and some, both men and women, become at times physically violent, and abusive to the managers and to other residents. Wanton destruction of Government property occurs, windows are broken, and furniture and wooden fittings sometimes used for fuel, notwithstanding that each house is kept supplied with firewood by the "essential" workers. Until recent years, a football team took part in the district competition, but they have now been debarred, because of disorderly conduct after the matches away from home. This misbehaviour is by no means general among the residents—indeed, the great majority are reasonably well-behaved. A disturbing feature, however, is that from the experience of the manager and his predecessor, Major Glen, these happenings have become more frequent in recent years, the younger generation of half-castes being, on the whole, more troublesome, and disinclined to work, than their elders were. This must, in my opinion, be attributable partly to the growing awareness of the powerlessness of the management to enforce discipline, and partly to the cumulative effect of "pauperizing" the residents, and segregating them from the rest of the community. Another factor, I feel sure, is the lack of recreational facilities, for both men and women, on the station. Very much more could, and should, have been done in this direction.

The suggestion has been made that an aboriginal committee of management at Lake Tyers might be of assistance in the conduct of the station, to co-operate with the manager, and with some authority in disciplinary matters. Previous experiments in this direction, however, have entirely failed, owing to favouritism arising from family relationships and other factors, and to the special antipathy of the residents to the exercise of any semblance of authority by one of their own race. Similar attempts in New South Wales have also had to be abandoned.

I am very reluctant to offer any criticism of the Board, whose members act in an honorary capacity, but it is necessary to attribute to it a considerable diminution of apparent interest, and some avoidance of its responsibilities, over recent years. In its earlier years, while it was actively implementing the policy of assimilation, it met frequently, some of its members visited every station each year, and the Secretary, who was also classified as Inspector, inspected the stations frequently, and made full reports to the Board. It continued to hold fairly regular meetings till about twenty years ago, and the minutes disclose that it concerned itself closely with administrative detail. About that time, meetings began to be called less frequently, and some which were called lapsed for want of a quorum. Reference to this was made at the meetings by some of the members, and resolutions were passed on the matter, but that was all. On the 12th November, 1942, a deputation was received from various organisations interested in aboriginal welfare, which asked for a reconstitution of the Board by the inclusion of members who could devote more time to its duties, and for more frequent meetings. The next meeting was held on the 28th July, 1943, eight and a half months later, and in the minutes of that meeting the following appears: "Consideration was given to the holding of more frequent meetings, and in a desire to meet the convenience of all members, it was decided to hold meetings on the fourth Wednesday



of each month, if possible." The next meeting was held on the 1st December of that year. Some little improvement followed, but the record of meetings in recent years is :—1950, one ; 1951, one ; 1952, one ; 1953, nil ; 1954, nil ; and 1955, two. Prior to January of last year, when the Board visited Lake Tyers, its previous visit there was in 1949. In addition, the Secretary visited there in 1950, 1953, and, with the Vice-Chairman, in 1955.

By this policy of *laissez-faire* the Board has not fully maintained touch with the administration of the station, and the work has been carried on departmentally, under the direction of the Minister. The Secretary to the Board is an officer of the Chief Secretary's Department, who is principally engaged on other duties, and, though he displays a commendable interest in this branch of his work, he is able to devote only a limited amount of time to it. Occasional visits by the Board, or some of its members, to the station would encourage and help the management, and be of benefit to the morale of the aboriginal residents.

Though I propose to recommend that Lake Tyers station should be retained, some changes are necessary in its administration. Apart from the vital factor of the complete absence of effective powers of control, arising from the weaknesses in the Act, it is clear that the present system of admission actually hampers any progress towards assimilation. The provision of what amounts to a haven, available at all times according to their inclination, to able-bodied half-castes and their families, is obviously demoralising to them, and not in the best interest of the community. It operates as a curb to any desire they might develop to seek permanent employment and fend for themselves. There are many white people who, if they were provided with rations, clothing, full accommodation, and a little spending money for doing even less work, would desire nothing more. One significant instance of the demoralising effect of this "open-door" policy occurred a few months ago, when the Apex Club at Morwell sponsored a resident of Lake Tyers, with his wife and family, to a Housing Commission home in that town. They obtained for him full employment at road work with the local council, loaned him furniture and cooking utensils, paid his rent for the first two weeks, and gave him other temporary assistance, such as free milk, &c., to enable him to become established. After a further two weeks, he tired of his employment, and returned, with his family, to the easy life at Lake Tyers, though this was against his wife's wishes. Though he was obviously poor material for such an experiment, it is reasonable to believe that, had the easy alternative not been so readily available to him, he might have shown more perseverance in retaining his independence.

The present administration of the station constitutes a reversion to the mainly benevolent policy which was discontinued when the present Act was passed in 1886. Coupled with wider powers under the Act, which I shall recommend later, there should be an administrative revival of the efforts made by the Board at that time to encourage or force the half-castes on the station to stand on their own feet, and accept their responsibilities in the community. Experience has shown that more individual assistance than was then considered necessary is advisable, and the form of that assistance also belongs to a later part of this report.

As to the future of Lake Tyers, it is clear to me that I must recommend its retention in some form for aborigines who are aged, sick, infirm, or otherwise necessitous. It is generally recognized that the community has a duty to make some provision for any of its members who are in those categories, and, in the case of aborigines, retention of the station at Lake Tyers is, for the present at all events, the only practicable way of fulfilling that purpose. There are, and will be for many years, some who, through age or other disability, are unfitted temporarily or permanently to fend for themselves in the outside world. But there seems no doubt that, with the administration of a helpful, but firm, policy of assimilation, the number of those being cared for there could be substantially reduced, without imposing undue hardship. In that part of Victoria, there is usually a good deal of suitable employment available, at sawmills and elsewhere. It is, at the same time, essential that the system of licences to reside on the station should be reintroduced, and some control thereby exercised by the Board of the qualification for residents.

It seems to me, however, that the maintenance of such a large area for the station is entirely unnecessary and uneconomic, and that it might with advantage be considerably reduced. Before deciding to recommend this, I sought the opinion of the present manager, Mr. Rule. He expressed entire agreement, and I adopt his view that the station could be

efficiently conducted with about 200 acres. I recommend that special consideration be given to this aspect, and that the land not required be sold or leased. If the alienated land is used for more intensive farming, it might well provide regular work for some of the present residents, who could then live, on a low-rental basis, on the station. I mention one suggestion, that the land might be handed over to the aborigines to work it on a co-operative basis, only to dismiss it. With very few exceptions, they are not agriculturalists by inclination, nor would they "co-operate", and the property would become merely a harbor for all the transient aborigines in the district. Experiments made in other States in assisting half-castes to settle on the land have been generally unsuccessful.

In connexion with my suggestion that portion of the land now "reserved for aboriginal purposes" be sold or leased, it will be noted that, in legislative recommendations later in this report, I have made provision for all such reserves to be vested in the Board. I have in mind that the disposal of the land at Lake Tyers would thus be in the hands of the Board, in its discretion, but subject to the Minister's consent, and that the proceeds would then be available to the Board, for the benefit of aborigines, in the provision of funds for housing or otherwise.

(c) *Whether it is necessary or desirable to maintain a system of administration for aboriginal people and if so—*

- (i) *what persons or classes of persons should be deemed aboriginal for the purposes of the system ;*
- (ii) *upon what principles should such system be based ;*
- (iii) *what legislative and administrative provisions should be adopted to enable such system to operate in the best interests of both the public and aboriginal people.*

In referring to the future of the Lake Tyers station, I have already indicated the necessity for continuance of a system of administration for the two-fold purpose of facilitating the absorption into the community of those of its residents who are fitted to be so absorbed, and of providing for those who are not. I think it is also apparent from other aspects of this report that without some administrative system directed towards the absorption of those others of aboriginal blood who have, in succeeding generations, continued to live their separate lives in sub-standard conditions, that goal is never likely to be reached. The efforts of the earlier Boards in the direction of assimilation, which I have described, and by which the able-bodied half-castes were merely turned adrift from the stations with only temporary assistance of a charitable nature, were probably partially successful, but it has left us our present heritage in the conditions existing elsewhere than at Lake Tyers. The half-castes were credited with a capacity, and sufficient initiative, if subjected to compulsion, to overcome their disabilities, and eventually attain to the general standards of the community. It has long been apparent that many did not, and do not, possess those attributes, and the lesson to be learned is that, in the initial stages, there must be a positive endeavour by some supervising authority to counteract the disadvantages, inherent and other, which seem peculiar to them.

In any effort to lift the aborigine from his sub-standard way of life, the matters of housing, education, and employment are most vital. It must be recognised at the outset that there is no easy or short-range solution to the problem. The deficiency in education of the present-day adults cannot now be remedied. Some among them, who have never done any regular work, probably never will do so. Some who have reached mature age in their sordid environments, have little ambition to improve them, particularly those who have acquired deeply-rooted habits of indolence, thriftlessness, and drinking to excess, so often bred in those surroundings. But the problem must be faced, and a commencement must be made sooner or later. Fresh generations are growing up, the number which will have eventually to be assimilated is becoming larger, and there is scope for immediate action in many directions.

In the other mainland States, considerable efforts have been made in recent years in the direction of assimilation of the half-castes, and legislation has been passed providing for a more far-reaching and enlightened administration than has existed in Victoria.



Investigation of the operation of those administrations, and information acquired as to the progress that has been achieved as a result, have been of some guidance to me in considering how the problem in Victoria may best be attacked. In States other than New South Wales, that information has been gained principally from the more recent annual reports of the State authority. In the case of New South Wales, the Secretary of the Victorian Board, Mr. Garnet, at my request spent some time in that State, conferring with officials, and visiting the stations and reserves, and he presented me with a most comprehensive and useful report. Later, while visiting Sydney, I was afforded the courtesy of a lengthy interview with the Under-Secretary, Mr. Buttsworth, who is Chairman of the Aborigines Welfare Board, and obtained his views as to the operation of certain aspects of its recent administration. There, as in Victoria, the aborigines are almost all of mixed blood, and apart from the fact that their number is about ten times as great as in this State, the problems are not dissimilar.

It appears clear to me that the matter must be handled on an individual basis, rather than in the mass. Given the necessary enabling legislation, the principal line of attack must be in the administrative field. It therefore becomes of first importance to consider the form of that administration. I recommend that control by a Board be continued, but that, as in each of the other States, there should be a full-time executive officer in charge of aboriginal administration. I propose that he, with such staff as may be necessary, should work under the Board, and be a member of the Public Service. For purposes of comparison, I mention that in New South Wales, in addition to clerical and station management staffs, &c., there are a Superintendent of Aboriginal Welfare, six male Welfare Officers, each in charge of a district in which he lives, and a woman Welfare Officer, whose duties cover the whole State. For Victoria, I recommend that a Superintendent of Aborigines Welfare be appointed, and, to cover the widely-spread aboriginal communities in this State, he would, in my opinion, require the assistance of a subordinate Welfare Officer.

The first duty of the Superintendent would be to make an intensive survey of all aboriginal localities throughout the State, and report to the Board on such details as housing conditions, sanitation, health, and employment, as well as the existing evidence of local practical interest in aboriginal welfare. His regular duties would include the personal investigation, and recommendation, of applicants for housing, and the subsequent supervision of successful applicants. It would be his duty to establish close contact with, and enlist the co-operation of, civic authorities, local committees, and such bodies as the Save the Children Fund, Apex Club, and Junior Chamber of Commerce, to mention some who have in places already displayed practical interest in the subject. He would maintain contact with school teachers and attendance officers to ensure regular attendance at school by aboriginal children, and prevent the employment of children of school age on seasonal and other work. He should be an "authorised person" under the Children's Welfare Act to take action in the interest of children who require the protection of that Act. He would supervise the conditions of employment, including accommodation, of aboriginal workers. It would be his duty to assist aborigines in obtaining employment, to advise them as to their right to social services and other statutory rights, such as unemployment relief and workers' compensation, to protect them from imposition, and generally to concern himself with all matters bearing on their interest. It must be his constant endeavour by personal contact to inspire in them a determination to better their lot, and that of their children. He should have authority to incur limited expenditure in necessitous cases.

In detailing those duties of the Superintendent, I have outlined what, in my opinion, should be the general approach to the problem by the Board. The development of an active policy of assimilation will involve many other activities on the part of its officers, and it will be apparent that the position of Superintendent demands special qualifications. As the instrument of the Board's policy, on his sympathy, energy and efficiency would depend the success or failure of its efforts. He should preferably have a diploma, or at least wide experience, in social service. He must possess the personal qualities of firmness and tact, and he must be able, at the same time, to inspire confidence and trust in those he is seeking to help. This applies also to the appointment to the position of Welfare Officer, and I suggest that the salary for both positions should be adequate to secure those qualifications.

## HOUSING.

It is apparent that any substantial general improvement in the housing conditions of the aborigines cannot be attained, unaided, by themselves. For various reasons they are unfavourably regarded as tenants by owners of property and their agents, and, under existing circumstances, their economic position precludes any possibility of ownership. Improvement of home environment being fundamental in any plan for their absorption into the community, I recommend that, for those aborigines who are genuinely prepared to make an effort towards self-help in that direction, a special scheme of State financial assistance in the matter of housing be instituted and administered through the Board. It will be recognized that the problem is, in essence, one of slum abolition, a project on which Governments are already incurring considerable expenditure, and there is ample precedent in Victoria in the operations of the Housing Commission. In other States, the importance of this aspect of the assimilation problem has been recognized, and, as a basis for consideration of this recommendation, I outline shortly the system being operated by the Aborigines Welfare Board of New South Wales. There, the Board buys building blocks in towns, and, as funds permit, has homes erected on them for sale on extended terms to district aborigines whom observation and inquiries have shown to be steady types, with prospects of continuance in regular employment, and preferably, though not invariably, able to pay a deposit of £50 or more. Alternatively, it will finance the erection of a house on a block owned by an approved aborigine, or advance money on mortgage to one who has bought a house. All homes are built on the Board's instructions through the Housing Commission, which is then paid in full by the Board from its own allocation of loan funds. Thereafter the transaction is one solely between the Board and the aboriginal buyer. The weekly instalments are usually at Housing Commission rates, but sometimes are based on completion over a longer period. For the first two years the prospective buyer is regarded as being on a weekly tenancy basis only. If the Board, at the end of the trial period, is satisfied with his ability to make good, and if he desires to continue with the purchase, he then completes payment of the deposit, if he has not already done so, and his position as buyer is confirmed. Though the system has been in operation for only a few years, the New South Wales Board regards the results to date as very satisfactory, and it is some such system that I recommend should be instituted in this State.

The policy should be, as in New South Wales, to erect two, or at most three, houses for aborigines either adjoining or in close proximity, in town areas where work is available. This is designed to satisfy the human necessity for membership of some group, while it does not lead to the formation of an isolated community, without white contacts. The children will be attending school with a majority of white children, and without the handicap of a sub-standard environment. Consideration might also be given, in some cases, to the construction of these homes on a somewhat cheaper design than those which the Housing Commission ordinarily constructs. In the files of the Commission, I inspected plans of a house specially designed and being built in Western Australia under a scheme for the housing of aborigines. It consists of a central living room surrounded by a wide veranda, the latter being divided into sleep-outs, bathroom, laundry, etc. Without being sub-standard, it appeared to me to adequately meet the special needs of aboriginal families, where expense is such a major factor.

Whether the scheme I have outlined should be financed from Housing Commission funds, or whether there should be a special allocation of loan funds to the Board, as in New South Wales, is a matter for Government decision. In view of the responsibilities of the Housing Commission in other directions, it is doubtful whether any adequate progress could be made in the housing of aborigines in country towns entirely from its resources. Possibly, when the Olympic Village at Heidelberg becomes available, a few of the homes there could be allocated to selected aboriginal families. In any event, there would be necessity for a closer personal assessment of the outlook and prospects of applicants for homes, and for more frequent supervision, particularly in the early stages of the tenancies, than is ordinarily called for, and than could probably be exercised by the present staff of the Commission. The Commission has at times made allocations of houses to aborigines, but, lacking those requirements in some degree, its experience in doing so has been discouraging in many cases. On the other hand, some instances were brought under my notice of families who were provided with houses on the property of their employers in the country, and with the benefit of a friendly interest on the part of the latter, are well on the way to establishing themselves in the community. The

experience of Sergeant Feldtmann and the local committee at Swan Hill also indicates that the provision of a good standard of housing, if accompanied by the stimulus of encouragement and assistance, can induce a more hopeful outlook, and evoke a responsive effort to improve their own conditions. It is clear, however, that some form of friendly supervision and interest has been the keynote of success in such cases. The custom, to which I have already referred, of sharing houses with less worthy occupants, would be fatal to the scheme, and would require to be sternly repressed. Notwithstanding any rules which might be made, and undertakings given, only very close supervision would curb this practice. In other directions, such as encouragement to maintain the homes in good order, and to make payments regularly, and in the matter of relating those payments, on occasions, to fluctuating earnings, some "on-the-spot" helpful oversight and friendly interest would in many cases be desirable, at all events in the early stages. This could only be accomplished by the Board's officers, with the assistance of some local co-operation.

Before leaving the subject of housing, I mention a proposal recently made to the Government for the acquisition of an area of forest land at Mooroopna, and the building thereon of a number of sub-standard houses to accommodate the families now resident on the river-banks. While there, I inspected this property with local municipal representatives and others. If it were destined to provide a solution of the problem, the expense might be justified, though the cost of clearing the land, building, and installing light, water, and other amenities would be very great. For the protection of the property, and to maintain some semblance of order, a resident manager would also be essential. It could not be claimed that the proposal would contribute in any way to assimilation. At best, it would be merely palliative, and would perpetuate, in somewhat better conditions, the segregation of the residents from the rest of the community. More probably, with the influx of so many others during the fruit season, slum conditions would again develop. In the course of its administration, the Board will find it necessary to give some attention to the improvement of conditions in existing aboriginal communities, but action in that direction should be subservient to the goal of ultimate assimilation. I do not, therefore, consider the proposal is to be recommended at this stage.

#### EDUCATION AND YOUTH TRAINING.

In a long-range plan for assimilation, it is in the rising generation that most hope lies, and any other steps must go hand-in-hand with the education and training of youth. While assisting and encouraging parents in their own endeavours to bridge the economic and social gap between them and the rest of the community, efforts must be made to instil into their minds a consciousness of the value of education to their children. I have already referred to the importance of taking action to combat irregularity in attendance at school. When this action fails, or in other circumstances where it is in the interest of children for him to do so, the Superintendent of Aborigines Welfare should, after due warning, and under the direction of the Board, take action under the wide powers of the Children's Welfare Act. When aboriginal children are made wards of that Department, he should, in co-operation with the Officers of the Department, maintain a close interest in their subsequent welfare and training.

While the individual details of the Board's administration are not matters which call for my specific recommendations, I suggest that some or all of the following, in the constructive field of education and youth training, may well be within the practicable scope of its activities:—vocational guidance, and employment or further training of children leaving school, including domestic science for girls; special bursaries for aboriginal children, to enable those who show sufficient promise to attend secondary schools; hostel or other accommodation in cities and towns for young aboriginal people receiving secondary education, or at employment; annual seaside camps; participation by aboriginal children in boy scout and girl guide activities; and a survey by the trained psychologists of the Education Department, with a view to the admission of suitable aboriginal children to the Department's "opportunity classes" and "remedial centres".

I mention one further aspect in regard to education as a matter for consideration. Education authorities whom I consulted are in agreement that it is preferable for aboriginal children to attend mixed, rather than all-aboriginal, schools. Apart from their contribution to assimilation, it is found that in mixed schools the dark children acquire a

degree of confidence in their own ability, and an incentive to progress alongside white children, which does not exist when they are segregated, and which counteracts the retarding influence of their home environment. Some support for this may lie in the fact that almost the only expressions of opinion that aboriginal children had a much lesser capacity to absorb education came to me from the two all-aboriginal schools. In my view, serious consideration should be given to the closing of the schools at Lake Tyers and Framlingham. This would, of course, necessitate the provision of transport to and from other schools at which there would be a preponderance of white children. This has become the established policy in New South Wales, where several all-aboriginal schools have already been closed, and the children absorbed into other schools. In that State, also, a careful selection is made of teachers for schools in which there is a fair sprinkling of aboriginal children.

#### CONSTITUTION OF THE BOARD.

It is desirable that special consideration should now be given to the constitution of the Board, in the light of my recommendations as to the sphere of activities with which it should be empowered to concern itself. Since housing and education are so fundamental in those activities, I recommend that the Board should include representatives of the Housing Commission and the Education Department. The Chairman of the Board should be the Under-Secretary, as the head of the Department administering the Act, and I suggest that the Departmental representatives should be high-ranking, with authority within their Departments. Matters of health and sanitation being also of much importance, I recommend the inclusion, in addition, of a representative of the Health Department. I suggest that the Board should consist of nine members (or more if thought desirable), and that of the remaining members one should be the Superintendent of Aborigines Welfare, one an aborigine, and one an expert in sociology and/or anthropology, if available.

I base these recommendations as to the constitution of the Board, to some extent, on that of the New South Wales Board, and in the light of my discussions with the Chairman of that Board. In that State, there is provision for two aboriginal members, one of whom shall be a full-blood, to be nominated and elected by persons of aboriginal blood. There has, however, been no nomination of a full-blood member for several years, and in other respects the elective system has proved unsatisfactory. I recommend that all members, with the exception of the Chairman, be appointed by the Governor in Council. The name of the Board should, in my opinion, be changed. The present name, "Board for the Protection of the Aborigines" is unsuitable, and is regarded with distaste by many of the aborigines. My recommendation is that it be termed the "Aborigines Welfare Board".

#### LEGISLATIVE AND ADMINISTRATIVE PROVISIONS.

In considering what legislative provisions should be made to implement an effective system of assimilation, it is, in my opinion, important to bear in mind that, since the basic aim is to bring about a status of equality, and also because many of the existing obstacles have a psychological origin, legislative discrimination between the two races should be avoided as far as possible. For this reason, which is made more cogent by the high percentage of white blood in the majority of aborigines in Victoria, I do not consider it desirable to recommend some of the detailed provisions involving control which are in force in other States. Among others, I do not recommend any special provisions by which aboriginal children may be removed from the custody of their parents and made wards of the Board, or of the State. The provisions of the Children's Welfare Act, which are of general application, are, in my view, adequate in that respect.

On this subject, it seems desirable to remove some misapprehension which exists as to the citizen-rights of aborigines. In Victoria, aborigines, including full-bloods, have the same right and obligation in law to enrol as electors, and to vote at Commonwealth and State elections, as other citizens. All Commonwealth Social Service benefits, including unemployment relief, are equally available to them, except that while they are being maintained by the State (i.e., resident on Lake Tyers station), they are not regarded

as eligible for pensions or child endowment. Some uncertainty also exists as to the scope of the prohibition of the supply of intoxicating liquor to aborigines. The provisions as to this are contained in Section 12 of the Aborigines Act and Section 177 of the Licensing Act. Under existing conditions, they apply only to proved full-bloods, though, if the system of "licences" to reside at Lake Tyers is reintroduced, the former section would also apply to half-castes so licensed, but the latter probably would not. In my opinion, this semblance of prohibition might well be abolished. It causes resentment, leading to an attitude of defiance towards what is regarded as a "white man's law", and it tends to foster surreptitious drinking of the more harmful cheap wines and methylated spirits. Further, its enforcement is almost impossible, owing to the difficulty of legal proof. The psychological aspect which I have mentioned prompts me to refer also to the out-dated provision of Section 69 (1) of the Police Offences Act, under which any person "not being an aboriginal native or the child of an aboriginal native, who is found lodging or wandering in company with any of the aboriginal natives of Victoria" is *prima facie* deemed an idle and disorderly person, and liable to be imprisoned for twelve months. This might well, in view of present-day conditions, be also repealed. In this case also, the difficulty of proving that any person is an aboriginal (full-blood) native of Victoria appears almost insuperable. The same comments are applicable to Section 12 (ii) (harboring an aborigine) and Section 12 (iii) (removing an aborigine from Victoria without the Minister's consent) of the present Aborigines Act.

As to the scope of the Board's administration, since its main function will be to assist those of aboriginal blood who live in sub-standard conditions to lift themselves to the living standards of the general community, I recommend that its operations should not be limited by any degree of white blood among those in need of that assistance, and that it be empowered, in its discretion, to include in its administration any person having an admixture of aboriginal blood.

As a means of bringing my recommendations and suggestions into effect, I finally recommend that an Aborigines Welfare Act be introduced, in substitution for the present Act, and that it include the following provisions:—

1. The term "aborigine" to be defined as including any person having an admixture of Australian aboriginal blood.
2. An "Aborigines Welfare Board" to be constituted, on the basis of my earlier recommendations.
3. The Board to be a body corporate, with the usual provisions applicable thereto, including the capacity to purchase, hold, dispose of, or otherwise deal with real and personal property, for the purposes of the Act.
4. All land now or in the future reserved for aboriginal purposes to be vested in the Board.
5. The Governor in Council to be empowered to appoint, subject to the Public Service Act, a Superintendent of Aborigines Welfare, and such other officers as may be necessary.
6. The duties and powers of the Board to be defined in wide terms, as follows:—
  - (a) To, with the consent of the Minister, apportion, distribute, and apply as may seem most fitting, any moneys voted by Parliament, and any other funds or property in its possession or control, for the relief or benefit of aborigines, or for the purpose of assisting aborigines to become assimilated into the general life of the community.
  - (b) Specifically, with the consent of the Minister, to acquire land, erect buildings, and sell or lease land, with any buildings thereon, to aborigines on such terms as it may determine.
  - (c) To manage and regulate the use of reserves.
  - (d) To exercise a general supervision and care over all aborigines, and over all matters affecting the interests and welfare of aborigines.



7. The Board to submit an annual report to the Minister, to be laid before Parliament.
8. The Board to have authority, subject to the consent of the Minister, to delegate powers to the Superintendent or other officers.
9. Re-enactment of Sections 11 and 12 (1) of the present Act, with the substitution in the latter sub-section of the words "the Board" for "a local guardian".
10. Averment in any legal proceedings by or on behalf of the Board that a person is an aborigine, to be sufficient evidence of the truth of such averment unless the contrary is shown.
11. The Governor in Council to be empowered to make regulations for the carrying into effect of the purposes of the Act, and in particular—
  - (a) prescribing the mode of transacting the business and the duties generally of the Board and its officers.
  - (b) prescribing the mode of distribution and expenditure of moneys granted by Parliament, and any other funds in the possession or control of the Board, for the relief or benefit of aborigines.
  - (c) prescribing conditions of employment, other than payment, of aborigines.
  - (d) providing for the control of reserves, including the maintenance of discipline and good order thereon, and the issue of licences to reside thereon.
  - (e) imposing penalties not exceeding £20 for the breach of any regulation.

#### CONCLUSION.

In the foregoing report, I have, under the various terms of reference, endeavoured to present a picture of the "aboriginal problem" as it exists in Victoria, and have recommended that the Government should establish and maintain a system of administration much wider in its scope than hitherto. I have recommended that its concern should no longer be restricted to the welfare of those of aboriginal blood who have chosen to live in the sheltered environment of the station at Lake Tyers, and that, through a specially constituted Board, it should set in train an active and constructive policy directed to the social and economic uplift of the aborigines throughout the State, to the end that they may take their place in the ordinary life of the community. The implementing of those recommendations will involve some additional annual expenditure, but, if progress towards that ultimate goal is to take the place of retrogression, that is necessary. I emphasize again that, by its very nature, no early or spectacular termination of the problem can be expected, but I believe that a steady unremitting attack in the directions I have indicated will achieve definite results. It is inevitable that for many years to come there will be some aborigines who present no prospect of attaining to the general living standards of the community. It is perhaps also well to remember that, after many generations of civilization, there are white citizens in the community who present similar problems for society. It will be an important phase of the Board's activities to exercise supervision over the living conditions of those aborigines and their children, and for that purpose to establish close co-operation with civic authorities, health officers, and police, and, at the same time, to encourage and if necessary subsidize, local efforts directed towards improving the outlook of the rising generation.

I am convinced, however, that among the married couples of mixed aboriginal blood now living in sub-standard conditions, or on the station at Lake Tyers, there is at least a fair sprinkling who, given encouragement and assistance, would be prepared to make a real effort to establish themselves, with their children, in the community. As others marry, they will provide a field for the Board's special interest. The necessary encouragement to help themselves, and to persevere, can be imparted only by close personal contact, and that is an essential factor in my recommendations. Sympathetic treatment must be allied with firmness, their morale must be strengthened, and their readiness to accept the general concept of their inferiority removed.

If my recommendations are adopted, much will depend on the degree of active personal interest with which individual members of the Board, as well as the Superintendent, approach their task. This applies in many directions, but perhaps more especially in such matters as the training of youth, combating prejudice, and securing local co-operation in fostering social relationships, which are all of vital importance to the success of any scheme for assimilation.

In concluding my report, I express my thanks to the many who, as I mentioned earlier, so willingly came to my assistance with information, views, and suggestions on the subject-matter of the inquiry; to the Chief Commissioner of Police, who provided motor car transport on my visits to country districts; to the officers of the Health Department who did likewise, and accompanied me on some of these visits; to the Under-Secretary, Mr. A. James, for his continuous co-operation; and, finally to Mr. N. Garnet, Secretary of the Board for the Protection of the Aborigines, who, in addition to contributing materially to the information on which my report is based, very competently performed the secretarial duties appertaining to the inquiry.

I have the honour to submit the foregoing report for Your Excellency's consideration.

Given under my hand this 18th day of January, 1957.

CHARLES McLEAN.