

the
GOVERNMENT
OWES
A LOT
OF MONEY
to our people

**A HISTORY OF INDIGENOUS
STOLEN WAGES IN VICTORIA**

BY ANDREW GUNSTONE & SADIE HECKENBERG

the
GOVERNMENT
OWES
A LOT
OF MONEY
to our people

Dr Andrew Gunstone is a Senior Lecturer in the Centre for Australian Indigenous Studies in the School of Humanities, Communications and Social Sciences at Monash University. His research interests include the politics of reconciliation and Indigenous public policy. He has published widely in these areas, including *Unfinished Business: the Australian Formal Reconciliation Process* (2007) and *History, Politics and Knowledge: Essays in Australian Indigenous Studies* (ed.) (2008). He was the Chief Investigator on this Stolen Wages research project.

Sadie Heckenberg is a Wiradjuri woman from New South Wales. She is an Honours student in Australian Indigenous Studies and Journalism, and a tutor in Indigenous Studies and Indigenous Education, in the Centre for Australian Indigenous Studies in the School of Humanities, Communications and Social Sciences at Monash University. Her thesis is entitled 'Yindymarra: Cultural Safety in the media; the print media's response to the Northern Territory Intervention'. She was the Research Assistant on this Stolen Wages research project.

the
GOVERNMENT
OWES
A LOT
OF MONEY
to our people

**A HISTORY OF INDIGENOUS
STOLEN WAGES IN VICTORIA**

BY ANDREW GUNSTONE & SADIE HECKENBERG

Australian Scholarly Publishing

© Andrew Gunstone and Sadie Heckenberg 2009

First published 2009
Australian Scholarly Publishing Pty Ltd
7 Lt Lothian St Nth, North Melbourne, Vic 3051
TEL: 03 9329 6963 FAX: 03 9329 5452
EMAIL: aspic@ozemail.com.au
WEB: scholarly.info

ISBN 978 1 921 509 59 9

All Rights Reserved

Design and typesetting by Sarah Anderson
Printing and binding by BPA Print Group

**“THE GOVERNMENT OWES
A LOT OF MONEY TO OUR PEOPLE”**

Aunty Sarah Morgan
Indigenous Community Elder
March 2009

CONTENTS

Foreword	ix
Acknowledgements	xii
Abbreviations	xiv
Background	xv
1 Community Consultations	I
2 Social Security	22
3 Employment and Wages	69
Notes	117
Bibliography	134
Index	149

FOREWORD

When will the truths of the past be acknowledged as fact? When will wrongs be righted? How long will it take?

These and many other questions are the ones that occupy my thoughts. The future of my family and community is pivotal to who I am, but how can we all move forward when the arguments about Australia's history continue to neglect the lessons from our shared past.

There are so many stories about the history of Australia and Victoria; but all too often Aboriginal people have been forgotten, our cultures denigrated to being housed in dusty books on library shelves, or are held only in the minds of our Elders and are lost forever when they pass away.

Stolen Wages is one of these historical issues, an emotive issue without question, but an issue that has been and continues to be argued. While historical viewpoints are debated, many fundamental questions still remain unanswered; I ask will they ever be answered? Surely it is time for these answers to be central to the ways in which we can come together.

My story and that of my family is remarkably similar to others across this wide country; yet my story is just that. Other Aboriginal communities and families understand; our history is shared but our stories are individual – in all too many cases these stories are heartbreaking. These stories paint a picture, and the picture is one

STOLEN WAGES

of resilience, strength and endurance – we know our stories, but at times we are challenged when we speak the truth, and as a result many remain silent.

My mother was brought up on Coranderrk Station near the town we now call Healesville, and my father grew up on the Cummergunja Reserve in NSW before moving to Coranderrk. My mother worked in the Managers house as a maid. Many times I would recall her saying, “*It was a large two-story house and if the Managers wife found dust anywhere, she would make us clean the whole house again*” – she did not get paid.

My father and others worked at Cummergunja but whatever work they did there, they did not get paid for it. My father was also a soldier and fought in the Middle East in World War II, he died a Japanese prisoner of war in Burma. He, like many others served this nation and fought to ensure the future; the future we all know and enjoy today.

I remember getting postcards from my father, albeit sanctioned by the Japanese Imperial Forces. In these postcards my father would describe his health, whether he was working and how much he was being paid. Through this limited correspondence, my father also suggested that our family should be receiving sixpence per week, but to my knowledge I do not believe my mother ever saw the money.

When soldiers returned home, the land that was Coranderrk was sold, and we were led to believe that families of servicemen who had died would receive some of the proceeds – but unfortunately due to the discrimination back then, Aboriginal soldiers did not receive anything.

It is of utmost importance that my family’s story and that of so many other families is not forgotten or washed away in the river

STOLEN WAGES

of resilience, strength and endurance – we know our stories, but at times we are challenged when we speak the truth, and as a result many remain silent.

My mother was brought up on Coranderrk Station near the town we now call Healesville, and my father grew up on the Cummergunja Reserve in NSW before moving to Coranderrk. My mother worked in the Managers house as a maid. Many times I would recall her saying, “*It was a large two-story house and if the Managers wife found dust anywhere, she would make us clean the whole house again*” – she did not get paid.

My father and others worked at Cummergunja but whatever work they did there, they did not get paid for it. My father was also a soldier and fought in the Middle East in World War II, he died a Japanese prisoner of war in Burma. He, like many others served this nation and fought to ensure the future; the future we all know and enjoy today.

I remember getting postcards from my father, albeit sanctioned by the Japanese Imperial Forces. In these postcards my father would describe his health, whether he was working and how much he was being paid. Through this limited correspondence, my father also suggested that our family should be receiving sixpence per week, but to my knowledge I do not believe my mother ever saw the money.

When soldiers returned home, the land that was Coranderrk was sold, and we were led to believe that families of servicemen who had died would receive some of the proceeds – but unfortunately due to the discrimination back then, Aboriginal soldiers did not receive anything.

It is of utmost importance that my family’s story and that of so many other families is not forgotten or washed away in the river

Foreword

of time. The research project on Stolen Wages in Victoria, tells the stories of our shared history and our brothers and sisters in Lake Tyers, Warrnambool and Healesville.

These stories detail the essence of our survival and that of our communities – now these stories will not be hidden or forever lost.

Governments of all persuasions cannot deny the facts of history. The Queensland State Government has undertaken a process of wage repatriation, and while it is good that they have acknowledged this injustice, we can only hope it is not too little and too late.

After all is said and done, no amount of historical debate and conjecture can ever change the facts of past Governmental practices, laws and rules. Similar to the recent apology to the Stolen Generations, all Governments must acknowledge, understand our shared history and individual stories; in doing this they must be prepared to make repatriation.

For the future, all that I can hope for is that this injustice is overturned, and that our Governments work to acknowledge and repatriate the wages and benefits that were paid into trust funds on behalf of Aboriginal people – and subsequently lost.

After all, this money used to build Victoria came from the sweat and tears of our ancestors, this cannot be ignored. Justice must be given to all families from whom wages were stolen – now is the time.

Aunty Dot Peters
Healesville
September 2009

ACKNOWLEDGEMENTS

A number of individuals and organisations have supported the development of this book.

Most importantly, many Indigenous Elders and community members throughout Victoria generously gave of their time to speak about their experiences of Stolen Wages. Further, the staff at several Indigenous community organisations helped with the organisation of the consultations.

The Australian Institute of Aboriginal and Torres Strait Islander Studies in Canberra provided funding for this research.

The Wampan Wages Victorian Stolen Wages Working Group provided significant support and advice. This group consists of representatives from the Victorian Aboriginal Legal Service, Victorian Aboriginal Child Care Agency, National Tertiary Education Union, Australian Services Union and Australians for Native Title and Reconciliation, as well as Indigenous community members and University academics. Wampan Wages means 'pay back' in Kirrae Whurrong, an Indigenous language from western Victoria.

Staff at several institutions, including the National Archives of Australia, Public Record Office Victoria, State Library of Victoria, Australian Institute of Aboriginal and Torres Strait Islander Studies, Koori Heritage Trust and Monash University Law School, were of considerable assistance in the archival and library research.

Acknowledgements

The following people also contributed their time and expertise: Sari Anderson, Richard Broome, Ros Kidd, Ian McGinn, Doris Paton, Veerle Simons, and in particular, Aunty Dot Peters, who wrote the Foreword to this book.

On a personal note, Andrew thanks his wife, Belinda, and sons, Jack, Liam and Ben for their love and support. Sadie thanks her mum, Robyn, for her continued support.

Andrew Gunstone and Sadie Heckenberg
September 2009

ABBREVIATIONS

AWB	Aborigines Welfare Board
AAL	Australian Aborigines League
BPA	Board for the Protection of Aborigines
Central Board	Central Board Appointed to Watch Over the Interests of the Aborigines
CAR	Council for Aboriginal Rights
DAA	Department of Aboriginal Affairs
DSS	Department of Social Services
FCAA	Federal Council for Aboriginal Advancement
FCAATSI	Federal Council for the Advancement of Aboriginal and Torres Strait Islanders
MAA	Ministry of Aboriginal Affairs
NAA	National Archives of Australia
PROV	Public Record Office Victoria
SLV	State Library of Victoria
Wampan Wages	Wampan Wages Victorian Stolen Wages Working Group

BACKGROUND

Introduction

For almost one hundred years, from the late nineteenth century to the 1980s, Indigenous people throughout Australia had their wages, savings and pensions largely controlled by governments and their agencies. These practices have been described as 'slavery'¹ and have impacted on Indigenous people in a number of ways. Indigenous people often worked for years without receiving adequate, or any, wages. Trust accounts, established to collect the savings and pensions of Indigenous workers, were routinely mismanaged, often fraudulently. Indigenous people were mostly refused permission by governments to access their wages and trust accounts. Governments systematically excluded many Indigenous people from a range of social security benefits and allowances.

These various practices by Commonwealth, State and Territory Governments are referred to today as the Stolen Wages policies. These policies had a significant impact upon Indigenous people throughout the twentieth century and continue to impact upon Indigenous people today. For instance, the Stolen Wages policies have substantially contributed to the appalling contemporary socio-economic conditions, in areas such as health, housing and poverty, suffered by many Indigenous people.² The actual amount of wages, savings and pensions owed to Indigenous people throughout Australia over ninety years

STOLEN WAGES

has not been quantified but would be a very considerable figure. In Queensland alone, where significant research has been undertaken into Stolen Wages, it is estimated that "the loss of wage entitlement is probably over \$500 million".³

In recent years, State Governments have reacted in varying ways in addressing the legacy of the Stolen Wages policies. In two States, Queensland and New South Wales, where there has been substantial archival research and consultations with Indigenous communities, there has been some attempt to redress the impact of past Stolen Wages policies. In Queensland, the Beattie Government implemented a manifestly inadequate scheme that offered between \$2000 and \$4000 to Indigenous people who could prove that they had not received their entitled wages. This scheme has been significantly criticised and, even with some recent changes, has failed to genuinely provide just reparations to affected Indigenous people and communities.⁴ In New South Wales, the Carr Government implemented an Aboriginal Trust Fund Repayment Scheme in which Indigenous people, or their descendents, can claim monies that were never paid to them from the trust funds. Unlike Queensland's scheme, this scheme is not capped nor does it require claimants to indemnify the government against any future legal action.⁵

However, in other States and Territories, there have not been sufficient archival research or community consultations to ascertain the actual impact of past Stolen Wages policies in these jurisdictions. Furthermore, governments in these States and Territories have not attempted to implement any scheme to provide any reparations

Background

to those Indigenous people and communities impacted by the past policies of Stolen Wages.

Victoria

In 2006, the Senate Committee on Legal and Constitutional Affairs released their report into Stolen Wages, *Unfinished Business: Indigenous Stolen Wages*. This report stated that it had received evidence that the Victorian Government had not conducted any investigations into past Stolen Wages policies and that there had been little, if any, research conducted on Stolen Wages practices in Victoria.⁶ Two submissions to the Senate Committee, from the Victorian Aboriginal Legal Service and from the Wampan Wages Victorian Stolen Wages Working Group (Wampan Wages), argued that Stolen Wages practices had occurred in Victoria.⁷ The Senate Committee report recommended that archival research should be conducted and Indigenous people be consulted in order to further ascertain the history and impact of Stolen Wages policies in Victoria.⁸

However, the Victorian Government response to this report has been very limited. The government has failed to facilitate any widespread consultations with Victorian Indigenous communities. The government has also only conducted limited archival research. Further, this archival research was completed in mid-2008, yet the government has failed to release the findings of this research for over twelve months. Additionally, the Victorian Minister for Aboriginal Affairs, Dick Wynne, has challenged the evidence that Stolen Wages practices have occurred in

STOLEN WAGES

Victoria by recently arguing that the findings of this government archival research indicate that: "There is no evidence of systemic withholding of earnings and wages of Aboriginal people in Victoria".⁹

In 2008, Andrew Gunstone obtained funding from the Australian Institute of Aboriginal and Torres Strait Islander Studies to conduct a small research project that investigated the history and impact of Stolen Wages policies in Victoria. This book details the findings of this research project. Sadie Heckenberg was employed as a Research Assistant to assist with archival research and to organise and conduct consultations. In addition, she substantially authored the chapter in this book on consultations.

The research project investigated three main areas.

First, consultations were held with three Victorian Indigenous communities, Healesville, in Melbourne's outer east, Lake Tyers, in east Gippsland, and Warrnambool, in western Victoria. Additional consultations were held with several Indigenous people who used to live at Lake Tyers. These consultations are discussed in Chapter One of this book.

Second, an analysis was conducted of the history of Commonwealth and Victorian social security benefits and the exclusion of Indigenous people in Victoria from these benefits. These social security benefits included the maternity allowance, child endowment, old-age pension and tuberculosis allowance. This history is discussed in Chapter Two of this book.

Third, substantial archival research was conducted concerning a range of issues relating to the history of employment and wages of

Background

Indigenous people in Victoria. These issues included the underpayment or no payment of wages, the controls over employment and the various Indigenous trust funds. This research is discussed in Chapter Three of this book.

The findings from this research project have significantly deepened the understandings of the history of the Stolen Wages policies in Victoria and the impact of these policies on Victorian Indigenous communities. In particular, the research project has investigated archival material that refers to the legislation, practices and policies concerning Stolen Wages in Victoria. The research project has also developed community histories through conducting consultations with Indigenous communities in regards to Stolen Wages.

The research project though did not focus on any particular individuals and did not refer to individuals identified in the archives or consultations. This decision was made due to concerns of privacy for Indigenous people. However, this book includes a comprehensive bibliography as a resource for Indigenous people to use regarding their family experiences with Stolen Wages policies.

The limited scale and budget of the research project has restricted the ability to conduct widespread consultations with Indigenous communities. It is hoped though that such a widespread community consultation program could be funded by the Victorian Government. Such a program, along with an analysis of archival material concerning individuals, could reduce the risk of imminent loss of much knowledge of Stolen Wages and develop appropriate reparations to redress past Stolen Wages policies.

STOLEN WAGES

Sources

In this book, the two primary sources used were Commonwealth and State archives, in analysing legislation and government policies and practices, and oral histories, in investigating Indigenous experiences with Stolen Wages.

There are a significant number of concerns with using government archives in researching Indigenous issues. These concerns include: the virtual absence of Indigenous voices in archival records; the racism, stereotypes and inaccuracies in the records; the alienation felt by many Indigenous people regarding the archives; difficulties in accessing records due to issues such as 'gate-keeping', privacy concerns and the dispersal of Indigenous records across many broader categories; the likely loss and destruction of many Indigenous records following the transferring in the mid-1970s of State government records to the Commonwealth archives; and the focus of the records on government policies and not necessarily on the actual impact of these official policies.¹⁰ In recent years, government archives have published a number of guides regarding their Indigenous records in an attempt to address some of these concerns.¹¹

Some historians are reluctant to use oral histories, arguing memories can be unreliable and can import contemporary views onto the past.¹² However, other historians argue that oral histories can reveal far more detail about the past than can written records. Lowenstein argues that:

Background

[Oral testimony] is far more reliable than the scraps of evidence contained in written records. If you want a date in history go to the records; if you want the flesh and bones, love and hate, ask the people who were alive that day.¹³

Further, given the almost total silence of Indigenous voices in government archives and the focus of archives on official stories, it is imperative that oral histories are employed in this research project in an attempt to understand the experiences of the Stolen Wages policies from an Indigenous standpoint.

Terminology

In this book, the term 'Indigenous' is used to refer to Aboriginal and Torres Strait Islanders.

The term 'reserve' is used when referring to places such as Lake Tyers, Framlingham and Coranderrk, although some sources quoted in the book also refer to these locations as 'stations' and 'missions'.¹⁴

Some references in this book to past official reports, legislation and correspondence often contain language and terminology that is considered today to be offensive. There is no intent to offend people by using such language; however it is important to accurately report on past official materials.

STOLEN WAGES

Imperial Measurements

In this book, references are made to a number of imperial measurements regarding money. The relationship between these various measurements is as follows:

4 farthings = 1 penny (d);

12 pennies = 1 shilling (s) (a 'bob');

20 shillings = 1 pound (£) (a 'quid').¹⁵

'£ s d' is a term for pounds, shillings and pence.

one

COMMUNITY CONSULTATIONS

Overview

This chapter details the findings of the community consultations conducted with three Indigenous communities in Victoria. These communities are Healesville, Lake Tyers and Warrnambool. The research project was limited, due to funding, to just these three communities. Archival research and consultations with Wampan Wages identified these communities as ones likely to have been impacted upon by past Stolen Wages policies. This is because these communities, Healesville, Lake Tyers and Warrnambool are, respectively, the contemporary locations of Coranderrk reserve, Lake Tyers reserve and Framlingham reserve. Lake Tyers was particularly relevant given that the Lake Tyers reserve was the only government-controlled and managed reserve after the 1920s.

The oral histories recorded at these three communities clearly demonstrate the history of Stolen Wages policies in Victoria and the impact of the policies on Indigenous communities. A wider consultation program, possibly funded by the Victorian Government,

STOLEN WAGES

would be of considerable assistance in further investigating the history and impact of Stolen Wages policies throughout Indigenous communities in Victoria.

Lake Tyers

As there are very few Elders now residing at Lake Tyers reserve, the consultations at Lake Tyers were divided up into three separate interviews. The first interview occurred at Lake Tyers reserve with an Indigenous Elder who was still living at the reserve. The second and third interviews were conducted within the Latrobe Valley region in eastern Victoria, where many Elders who used to live at the Lake Tyers reserve now reside, often for the aged care facilities.

First Consultation

The community consultation at Lake Tyers reserve involved one Indigenous Elder who had lived at Lake Tyers when it was under government control. This Elder had difficulties remembering events of over forty years ago. Nevertheless, there was some discussion concerning the general conditions and management of the Lake Tyers reserve. The Elder reminisced fondly about some aspects of the reserve days, particularly concerning spending time with family and friends. Concerns though were mentioned regarding monies owed for work.

I've got family... and they weren't paid for their work properly.

(Lake Tyers Elder 1)

Community Consultations

We got no pay out of them [the government] ... on Lake Tyers.

(Lake Tyers Elder 1)

Second Consultation

The second consultation was held with an Indigenous Elder who used to live at the Lake Tyers reserve and now lives in Victoria's Latrobe Valley. In this consultation, the main issues discussed were the general conditions of the reserve and the wages and pensions at the reserve.

General Conditions

The Elder discussed that life on Lake Tyers reserve was a very controlled one. The manager controlled what people ate, where people went and how people dressed. All the residents used to wear the same boots in winter and they used to have the same clothes and grey blankets, much like army blankets. The residents of the Lake Tyers reserve also had to have the same mattresses and pots. Further, access to the reserve, by both residents and visitors, was strictly controlled by the manager.

You weren't allowed to leave the mission, without a...ticket... (Y)ou had to ask permission to come back on to the mission too, if you had relatives living outside they had to ask permission to come back on.

(Lake Tyers Elder 2)

She also related that the access to the reserve was so controlled, that when residents of Lake Tyers became intoxicated outside the reserve, they were not allowed back into the reserve for a period of time. This

STOLEN WAGES

amount of time was decided by the manager and varied significantly from days to months. The manager would, at times, contact the local police and have the intoxicated member of the Lake Tyers community arrested and placed in the police lockup.

They wasn't allowed back on there drunk... I can remember I think my father he was barred from the mission for a while too because...he went out and got drunk... they would get them locked up.

(Lake Tyers Elder 2)

In addition, the Elder discussed that Lake Tyers, being the sole remaining staffed reserve in Victoria after the 1920s, as well as the location that many Indigenous people were relocated to from throughout the state, came under the close scrutiny of the Board for the Protection of Aborigines (BPA). Members of the BPA would often travel from Melbourne to Lake Tyers to investigate how the reserve was conducting its day-to-day operations and to meet with the reserve's manager.

Wages, Rations and Entitlements

The Elder discussed that the manager's wife was in charge of making sure that each household on the reserve had completed their household chores. The chores had to be done daily and there was no exception. If a household had not completed their daily set of chores, then they would not receive their rations.

Community Consultations

The wife of the manager used to come around to all the households and inspect them to see if they were clean and if any of the households wasn't up to her expectation they'd miss out on rations ... I remember yeah that time you know one family didn't get the rations because... somebody was sick and couldn't do the floors.

(Lake Tyers Elder 2)

She also discussed that many social security entitlements from the government didn't seem to be available for the residents of Lake Tyers. Thus, they had to find other ways to support themselves into their old age. One approach, making traditional tools, such as boomerangs, become a good way to make a little money, as tourists liked to own something made by the residents of Lake Tyers. However, the Elders had to travel to Lakes Entrance to sell their wears.

It [government support] was all, all parcelled up like rations and clothes and yeah and that was how they... lived in that way, the only way they ever made anything themselves was making their own artefacts, the boomerangs.

(Lake Tyers Elder 2)

Though some government income was occasionally provided, this often was erratic and unreliable.

We were living off the mission then when my father died and we went back to live there and I can remember that I think my Mum got a pension yeah then and she got that taken off her for some reason.

(Lake Tyers Elder 2)

STOLEN WAGES

Further, the Elder talked about the wages paid to the residents of Lake Tyers. The income earned by residents from working at Lake Tyers was minimal and was mostly paid just to men. In regards to women residents, it was a very rare occurrence to earn a wage and generally happened only in the last years of the reserve.

I remember my father used [to get paid] about... three to five pounds ... I would say maybe even less... The women of the household and they use to work I think it was just for maybe rations you know.

(Lake Tyers Elder 2)

The Elder mentioned that although many families worked when living outside the Lake Tyers reserve, their earnings were still very low and their life was very hard.

She also discussed that there were many people, over a long period of time, that had written letters to the BPA complaining about the lack of blankets and that many families had their rations stopped. However, the BPA did little to help, and ultimately, whether people were living on or off the reserve, families had to rely on each other and their Indigenous neighbours for help and support.

Finally, the Elder discussed her feelings of alienation in her own country.

I am only speaking from my own experiences as a black woman in my own country, you feel alienated you know, you get alienated from what, and they say well we built this place up, right our soldiers who went to war, couldn't

Community Consultations

get a drink in the pub, and they fought for the land too you know, our black soldiers you know our uncles you know and our brothers, yeah they fought for this country for a very very long time.

(Lake Tyers Elder 2)

Third Consultation

The third consultation was held with an Indigenous Elder who used to live at Lake Tyers reserve and now lives in Victoria's Latrobe Valley. As with the previous consultation, the main issues discussed were the general conditions of the reserve and the wages and pensions at the reserve.

General Conditions

Lake Tyers reserve, like many other reserves throughout Australia at the time, was a self-sustaining community. Produce was either grown on or delivered to the reserve. The Lake Tyers reserve had a school, medical clinic and a church. Thus, there was no need for the Indigenous residents to go outside the reserve.

We use to go to Sunday School and Church every Sundays.

(Lake Tyers Elder 3)

To go on and off Lake Tyers reserve, permission had to be granted by the manager. However, even if permission was given, an Indigenous resident would be fined if they attempted to leave the reserve by catching a ride with the bread lorry.

STOLEN WAGES

If they got caught or something they would have to pay two and thruppence that was their fine, it used to be their fine at Lake Tyers.

(Lake Tyers Elder 3)

The Elder discussed that, for adults and older children, most of the time at Lake Tyers was spent working, while the younger children often spent time going swimming and playing football. The children would receive boiled lollies from the old gardener if they pulled up some weeds. The women would make traditional objects such as baskets to sell and the men would make boomerangs

In addition to being a means to leave Lake Tyers, the bread lorry regularly delivered the bread to the reserve every Tuesday, Thursday and Saturday. The ration days were on Mondays, Wednesdays and Fridays, the fruit and vegetable day was on Tuesday and the slaughtering of meat was conducted three times a week. As can be seen, the life at Lake Tyers reserve was very regimented for the residents.

We used to have our bath every Fridays on the mission.

(Lake Tyers Elder 3)

The Elder also discussed that, in the early 1960s, the laws changed regarding the eligibility of staying on the reserve. Life changed significantly for those people who were now considered not eligible to live on the reserve. Families faced the prospect of separation. Under the new laws, some members of a family had to leave the reserve. In many cases, the rest of the family left the reserve as well.

Community Consultations

We came off in 1964 on the 28th September because my mum was white and she had to get off the mission, yet she wasn't born at the mission but she was born up in Hamilton, she come down to Lake Tyers when she was only three weeks old and she lived at [Lake Tyers] and we couldn't see why that she had to get off the mission.

(Lake Tyers Elder 3)

Although many families were forced off the reserve, other people decided to leave of their own free choice.

On the mission a lot of them weren't educated, we all left at the age of fourteen because you only went to grade six... I think a lot of people went off the mission, you know they weren't doing any good there and you know the kids wasn't getting a good go and things you know not learning nothing.

(Lake Tyers Elder 3)

In addition, she talked about the contemporary situation of Lake Tyers. Today, the Lake Tyers reserve is owned by the local Indigenous community. With the Indigenous residents being involved in cattle farming, Lake Tyers is continuing to survive.

Wages, Rations and Entitlements

In the 1950s at Lake Tyers reserve, residents started their working life at a very young age. When they were only eleven, the girls would commence working for the manager and sub manager. This work would start at 6am and continue until the evening, with the only interruption being the attendance at school.

STOLEN WAGES

We would get up early in the morning and go at six o'clock in the morning to work that was to get the kids up for school, make their breakfast for them, bath them and like we used to get the kids ready then... [we] would go up to school... then we used to come down at 12 o'clock from the school and we would go... and ready their lunch, and that was already cooked for us,... and then we would wash the dishes up and things and we would go back to school again until five o'clock and we would go to work again and we used to do two hours like with the kids, ...then we would go home and then sometimes we would work on the weekends if they couldn't get other girls in to work.

(Lake Tyers Elder 3)

For this work, the girls would get paid about half the amount that the men would get for their work, which included gardening (for the old men), milking cows, wood chopping and slaughtering.

The girls...we all started at the age eleven and our pay was every month, we used to get what we call... bobs, two shillings and I think the men was getting five bob a month.

(Lake Tyers Elder 3)

Once the Indigenous children reached the age of fourteen, they finished school and many went off to Melbourne to gain better employment, which included working in factories. The children needed to obtain permission from both their parents and the manager to leave Lake

Community Consultations

Tyers reserve. Once this was achieved, many travelled to Melbourne and stayed at hostels such as the Uncle Doug Nicholls Hostel. The remuneration for working in Melbourne, such as in factories, was substantially better than what was earned back on Lake Tyers reserve and the children could afford to pay the board required by the hostel.

I used to get ten shillings a week then and would pay five shillings a week for rent.

(Lake Tyers Elder 3)

This amount that the Elder received, being 10 shillings a week, or 40 a month, was approximately twenty times the amount she received back at Lake Tyers reserve, which was a miserly two shillings a month.

Unlike wages, pensions were not given directly to Lake Tyers residents, but rather were given to the manager. He and his wife would then buy items needed by the residents for their day-to-day life from these pensions.

They would get our clothes from the government, it was all the same clothes everything was the same, like you was in jail you know?

(Lake Tyers Elder 3)

The Elder also discussed that while most Indigenous people who lived on Lake Tyers reserve probably weren't getting paid at all, they never spoke about it.

STOLEN WAGES

I don't think they were afraid, just on a mission you just gotta do what you are told, you are not allowed to talk about things like that you know.

(Lake Tyers Elder 3)

Healesville

The consultation at Healesville, to discuss the Coranderrk reserve, involved three local Indigenous community members, including one Elder. During the meeting, there was a discussion concerning the general conditions of the reserve and wages and pensions. There was not as much detail discussed in this consultation as compared with the three consultations concerning Lake Tyers. This was largely because a substantial time had passed since the closure of the Coranderrk reserve in the 1920s.

General Conditions

The participants discussed that, in general, life at the Coranderrk reserve was often a very happy life, as residents were surrounded by relatives and friends. Over the years of the reserve, Coranderrk, through the enterprising work of Indigenous people, had become a successful business enterprise, even winning a prize for hops at the Melbourne show in the late nineteenth century. Residents at Coranderrk were encouraged to practice traditional customs, such as basket cording and boomerang making, so that these artefacts could be put on display for visitors to the reserve.

Community Consultations

My grandmother taught me basket cording when I was about seven on the reserve... the managers residence encouraged granny and the other women to make the baskets like we make them today because they think it's lovely... it would take a week to make a basket to carry stuff in and they just got a bit of bark or something like that but she asked them to build the basket probably so they could put on a show for the visitors.

(Healesville Elder 1)

However, as the Indigenous residents were all too aware, there were some significant problems at Coranderrk reserve. The residents had to comply with strict regulations, often inconsistently and arbitrarily applied, regarding their movement on and off the reserve, and the eligibility of various groups of people to stay on the reserve. Further, for the Indigenous children who were unfortunate enough to be considered 'half-caste' by the authorities, they were raised with the knowledge that when they reached the age of adulthood, they would be cast off from Coranderrk reserve to make it alone in the outside world.

The half-castes were put off the mission, ... they wouldn't have been allowed to live on the mission. Once they [the children] got old enough, ... they had to go off the mission to find work in the communities.

(Healesville Elder 1)

Was it hard for people outside the mission to go and visit relatives like on the mission?

(Interviewer)

STOLEN WAGES

Oh you had to get permission, hmm, you had to ask.

(Healesville Elder 1)

Was that normally given or was it sometimes refused?

(Interviewer)

Sometimes it would have been refused, it all depend[ed on] who the person was coming to visit.

(Healesville Elder 1)

They [the managers] controlled everything.

(Healesville Elder 1)

Wages, Rations and Entitlements

The participants discussed that on Coranderrk reserve, it was not very common for family members to receive payments of any kind, either in wages or pensions.

Government entitlements and pensions, such as child endowment, soldier's payments and old age pensions, often weren't paid to Coranderrk reserve residents. Even when residents were technically eligible for such payments, they often were unable to obtain them due to their living on the reserve.

I don't think the child endowment was around and about in those days and I only remember Mum getting a pension... When Dad died she got the pension [war widows' pension].

(Healesville Elder 1)

Community Consultations

Indigenous residents at Coranderrk reserve did not receive any wages for the significant work undertaken on the reserve. Instead, the residents received inadequate rations. The residents were given these minimal rations once a week, they were made to stand in a queue to receive the rations and, on 'special' occasions, lollies would be thrown on the ground for those Indigenous children, who were fortunate enough to be allowed to stay on the reserve, to collect.

They [the residents] would stand in a queue ... throw lollies on the ground.

(Healesville Elder 1)

[The rations] were mainly flour, flour and [a] bit of beef I suppose, I doubt there would have been too much meat though.

(Healesville Elder 1)

If they lived on the mission they worked on the mission and the payment would be rations.

(Healesville Elder 1)

I don't think she was [paid] because she worked in... what I called the pig pen which was the managers residence at the house and she never got paid, if she had have got paid she would have had money and she never had money, you know.

(Healesville Elder 1)

STOLEN WAGES

All the workers, the men that worked on the reserves, even the men that joined the police forces, in those days if they worked with the police, they didn't get a wage the same as a policeman, they would get rations for their family and that is what happened it all came back to that ... you know instead of the money.

(Healesville Elder 1)

Did the women that made the baskets, did they get paid for them?

(Interviewer)

No, no, they didn't no.

(Healesville Elder 1)

And the rations would never have been equivalent to a week's worth of pay?

(Interviewer)

No.

(Healesville Elder 1)

The respondents also discussed that residents would get paid if they undertook work outside Coranderrk reserve. However, the likelihood of getting work off the reserve was rare and the wages from working outside the reserve was minimal. Those Indigenous people who worked off the reserve were paid substantially less than were the average non-Indigenous worker.

Community Consultations

If there were people on the mission that went out and did some outside work, would they not get paid either?

(Interviewer)

If they worked for somebody else apart from the mission, they would have got paid. ... I don't know whether they would have got paid as much as [non-Indigenous people] ... but I would doubt very much you know.

(Healesville Elder 1)

My Dad worked for the Country Roads Board ... and he got paid for that.

(Healesville Elder 1)

The respondents discussed that these conditions were very hard for the residents of Coranderrk reserve and that the Indigenous residents did protest against the conditions. While the protest did not change the ration and wage system in place at Coranderrk, it did clearly demonstrate that the Indigenous residents disagreed strongly with the conditions.

In 1924, Coranderrk reserve was closed by the BPA. Residents had two choices, one, to move off the reserve and attempt to survive on the little they could earn outside the reserve, or two, be relocated to the Lake Tyers reserve, some 340km away. There were, though, some exceptions to this decision and some Indigenous people, mainly elderly, continued to stay at Coranderrk reserve.

STOLEN WAGES

Can I ask when the mission was closed what happened to those people [the residents]?

(Interviewer)

They were sent to Lakes Tyers, of the three families, like my grandparents... didn't want to go and they asked if they could stay there and they were allowed to stay there until the late 1930's or 40's. Well Betty Davis was the last surviving, she died in 1957, I think it was, she was 104.

(Healesville Elder 1)

Many Indigenous residents of Coranderrk reserve believed that this decision by the BPA to close Coranderrk reserve did not adhere to previous commitments to ensure that the reserve remained a place for Indigenous people.

Queen Victoria gave it to the Aboriginal people for life, some of it was [eventually] handed back to [Indigenous people].

(Healesville Elder 1)

Warrnambool

The consultation at Warrnambool involved seven Indigenous community members, including five Elders. However, despite having the largest number of attendees, the participants at this community consultation did not mention as many issues relating to Stolen Wages as did the participants at the other consultations. This is most probably

Community Consultations

due to the closing down of the Framlingham reserve, north-west of Warrnambool, in the early 1920s. Following the closure, while Indigenous people continued to live at the old reserve site, they were not impacted upon by government regulations and authorities to the same extent as Indigenous people were at Lake Tyers reserve.

There were several issues discussed in this meeting, in particular the experiences with Stolen Wages and rations.

Rations

The participants discussed the difficulties associated with obtaining rations from the reserve.

He [the manager] give you nothing from that mission he keep it all to himself.

(Warrnambool Elder 1, male)

Two miles from the shop to the mission to get the rations... We was only little. We used to have a ration book, tea, sugar and milk and things like that you know? If you didn't have it then you don't get it...just little coupons we used to have you know?

(Warrnambool Elder 2, female)

Wages

The participants talked about one of the few types of employment available, woodcutting, and the minimal wages, or lack of wages, paid for this employment.

STOLEN WAGES

The work was only casual for black fella's here anyway you didn't get a proper job... wood cutting we used to cut and supply all the wood around here.

(Warrnambool Elder 1, male)

Well they used to go up to bush cutting wood for the Kelly's I think and I don't know if they got paid properly and then they'd come back home and eat damper or bread and whatever we could catch you know?

(Warrnambool Elder 2, female)

[We got] 2 and six for cutting the wood.

(Warrnambool Elder 3, female)

The participants also discussed the lack of availability of employment off the Framlingham reserve.

Was there much work off the mission?

(Interviewer)

No no just cutting wood.

(Warrnambool Elder 2, female)

Further, there was a discussion regarding the cost of living on Framlingham reserve.

1 pound for rent, 1 pound for a child [per week].

(Warrnambool Elder 1, male)

Community Consultations

Finally, there was a discussion concerning the availability of social service entitlements, such as maternity allowances and child support. The participants stated that they recollected that they had received these payments. This is likely given that the restrictions on these payments applied to those Indigenous people living on Lake Tyers reserve.

two

SOCIAL SECURITY

Overview

During most of the twentieth century, Australian governments discriminated against Indigenous people by passing legislation that made various social security benefits unavailable for Indigenous people. This chapter looks at the main social service benefits provided by either the Commonwealth or Victorian Governments between 1901 and 1966. These benefits include old-age pensions, maternity allowances and child endowments. For each of the specific benefits, this chapter discusses the availability of the benefit to Indigenous people. Indigenous people were excluded from the majority of these benefits, often for many decades.¹

While this analysis of social security benefits does not exhaustively explore all types of benefits, it does clearly illustrate the substantial discrimination suffered by Indigenous people in relation to accessing the main social security benefits. In addition, it is important to note that the analysis in this chapter mostly utilises government and

bureaucratic records and thus presents a 'formal' account. However, the use of other sources in this chapter, predominantly from organisations supporting Indigenous people, along with the oral histories discussed in the previous chapter, clearly illustrate that the formal record does not always reflect the actual experiences of Indigenous people.

A significant factor in the impact of discriminatory social security legislation upon Indigenous people in Victoria was that in the late nineteenth century "Victoria adopted a policy of forced assimilation or ethnocide, merging 'mixed race' families into the wider community while 'full-blood' Aborigines were kept in centralised institutions".² Further, Victoria closed down a number of Indigenous reserves in the late nineteenth and early twentieth centuries, and by 1923, Lake Tyers reserve was the last remaining staffed reserve in Victoria.³ Victorian governments and administrators then focussed their resources on Lake Tyers reserve and generally did not assist any Indigenous people living elsewhere in Victoria as they did not recognise the Aboriginality of these Indigenous people.⁴ This approach is illustrated by a letter in 1941 from the Victorian Chief Secretary's Department in discussing eligibility for child endowment.

Insofar as Victoria is concerned, there are only approximately 750 persons with an admixture of aboriginal blood resident in this State and, of this number, approximately 300 reside at the Lake Tyers Aboriginal Station where they are wholly cared for and maintained by the Board for the Protection of the Aborigines. The remainder, who are mostly light half-castes, quadroons and octoroons, and therefore not regarded as aborigines

STOLEN WAGES

within the meaning of the Act, reside in various parts of the State and earn their own living. These people have the same rights and privileges as any member of the white community and would therefore appear to be entitled to claim endowment, but the Board for the Protection of the Aborigines has no authentic records from which lists of such persons could be compiled, as they have never been within the jurisdiction of the Board.

As those persons residing on the Lake Tyers Aboriginal Station are wholly dependent on the State for their support, it would appear that they would not be entitled to claim endowment for their children.⁵

As a consequence of this approach, the residents of Lake Tyers reserve suffered the most discrimination among Indigenous Victorians regarding social security benefits. However, while the rest of this chapter details this discrimination, it also illustrates the discrimination suffered by Indigenous people living elsewhere in Victoria.

Invalid and Old-age Pensions

In Victoria, the *Old-age Pensions Act 1901* (Vic) enabled a old-age pension to be paid to Victorian pensioners under certain circumstances.⁶ This Act specifically excluded Indigenous people from receiving a pension.

Old-age Pensions Act 1901 (Vic)

7. The following persons shall not be qualified to receive a pension, namely:- ...

Social Security

- (d) Aboriginal natives of any State of the Commonwealth of Australia or of New Zealand.⁷

In 1908, the Commonwealth passed the *Invalid and Old-age Pensions Act 1908* (Cth). This Act superseded the earlier Victorian legislation.⁸ The Act was similar in effect to the earlier Victorian legislation.⁹ This Act likewise specifically excluded Indigenous people from accessing either an old-age pension or an invalid pension.

Invalid and Old-age Pensions Act 1908 (Cth)

Part III – Old-Age Pensions

16. – (1.) The following persons shall not be qualified to receive an old-age pension, namely:- ...
- (c) Asiatics (except those born in Australia), or aboriginal natives of Australia, Africa, the Islands of the Pacific, or New Zealand.
- (2.) No woman having married one of the persons disqualified by this section shall, in consequence only of such marriage, be or become disqualified to receive a pension.

Part IV – Invalid Pensions

21. – (1.) The following persons shall not be qualified to receive an invalid pension, namely:- ...

STOLEN WAGES

- (b) Asiatics (except those born in Australia), or aboriginal natives of Australia, Africa, the Islands of the Pacific, or New Zealand.
- (2.) No woman having married one of the persons disqualified by this section shall, in consequence only of such marriage, be or become disqualified to receive a pension.¹⁰

Although this Act legally disqualified all Indigenous people from accessing the pension, in practice the Commonwealth Government only excluded particular categories of Indigenous people. The Government defined an Indigenous person as “a person in whom aboriginal blood predominates” and therefore allowed those Indigenous people it defined as “half-castes” or who had “less than 50% aboriginal blood” to be eligible for the pension.¹¹ In addition, the Commonwealth Government excluded all Indigenous people who lived on reserves in any State or Territory from eligibility for old-age and invalid pensions.¹² The Department of Social Services (DSS) explained this policy as follows:

The provisions of the Social Services Act relating to the eligibility of Aborigines for Age and Invalid pensions are the same as for Maternity Allowance. Pensions are not, however, granted to half-castes (and lighter castes) who live on Aboriginal reserves or settlements. This is accordance with the policy followed by successive Governments for many years past. The view is taken that half-castes who elect to live on reserves set apart for the exclusive use of Aborigines should not be placed in a more favourable

position in regard to pensions than natives with a preponderance of Aboriginal blood.¹³

As a consequence of this policy, many elderly Indigenous people, who had lived all their lives on a reserve and had all their family and friends there, were forced to leave the reserve, and relocate to a town, in order to obtain their old-age or invalid pension.¹⁴

Indigenous people were also impacted by very poor official government records. Indigenous people had for decades been excluded from the registers of births, marriages and deaths as well as from census records, a practice required by the Constitution. This poor record-keeping then made it extremely difficult, if not impossible, for Indigenous people to prove their actual age to the requirement of DSS. The Council for Aboriginal Rights (CAR), a mainly non-Indigenous organisation that advocated for Indigenous rights, argued that the onus of proof should in fact be upon DSS rather than on Indigenous people, much in the same way that the onus of proof was removed from those seeking claims for war disabilities from the Repatriation Department.¹⁵

In 1936, the Australian Aborigines League (AAL), an Indigenous-only organisation, argued that old-age and invalid pensions should be payable to Indigenous people in Victoria.¹⁶

In the 1940s, two additional Commonwealth Acts modified the previous legislation to allow for more Indigenous people to access the pensions. The *Invalid and Old Age Pension Act* 1942 (Cth), sections 4 and 6, inserted the following section after sections 16(1) and 21(1) respectively of the *Invalid and Old-age Pensions Act* 1908 (Cth):

STOLEN WAGES

Invalid and Old Age Pension Act 1942 (Cth)

- (1A). Nothing in the last preceding sub-section shall apply to –
- (a) an aboriginal native of Australia –
 - (i) who is for the time being exempt from the provisions of the law of the State or Territory of the Commonwealth in which he resides relating to the control of aboriginal natives; or
 - (ii) who resides in a State or Territory of the Commonwealth the law of which does not make provision for such exemption, and with respect to whom the Commissioner is satisfied that, by reason of the character, standard of intelligence and development of the aboriginal native, it is desirable that the last preceding sub-section should not apply to him.¹⁷

This *Invalid and Old Age Pension Act 1942 (Cth)* was a significant milestone in the relations between the Commonwealth Government and Indigenous people. The Act provided “for the first time in the history of the Commonwealth, for the payment of pension to an aboriginal native of Australia who was living under civilised conditions and whose character and intelligence qualified him to receive a pension”.¹⁸

However, the Act still was discriminatory even to those Indigenous people that were deemed eligible to access the pension. The Act, section

Social Security

13, inserted the following section after section 44 of the *Invalid and Old-age Pensions Act 1908* (Cth):

Invalid and Old Age Pension Act 1942 (Cth)

- 44A.— (1.) Where, in the opinion of the Commissioner, it is desirable to do so, he may determine that the rate of pension payable to an aboriginal native of Australia shall be less than the maximum rate of pension.
- (2.) Where, in the opinion of the Commissioner, it is desirable to do so, he may direct that payment of the pension of an aboriginal native of Australia shall be made to an authority of a State or Territory of the Commonwealth controlling the affairs of aboriginal natives, or to some other authority or person whom the Commissioner considers to be suitable for the purpose, for the benefit of the pensioner and payment shall, until the direction is revoked, be made accordingly.¹⁹

The *Social Services Consolidation Act 1947* (Cth) incorporated a number of social service benefits and allowances, including invalid and old-age pensions. Although this Act no longer allowed the pension to be paid at a lesser rate to Indigenous people, it did still allow, through section 47, for the pension of an Indigenous person to be paid to “an authority of a State or Territory controlling the affairs of aboriginal natives, or to some other authority or person”.²⁰ This Act also enabled Indigenous people to access

STOLEN WAGES

the invalid pension and the old-age pension under the same two criteria as listed in the *Invalid and Old Age Pension Act 1942* (Cth), sections 4 and 6, namely exemption from State or Territory legislation concerning the control of Indigenous people, or, if the legislation did not provide for exemptions, the approval of the Director-General of the relevant Department.

Social Services Consolidation Act 1947 (Cth)

19. – (2.) An age pension or invalid pension may be granted to an aboriginal native of Australia if –
- (a) he is for the time being exempt from the provisions of the law of the State or Territory in which he resides relating to the control of aboriginal natives; or
 - (b) he resides in a State or Territory the law of which does not make provision for such exemption, and the Director-General is satisfied that, by reason of the character and of the standard of intelligence and social development of the native, it is desirable that a pension should be granted to him,
- but shall not otherwise be granted to such a native.²¹

Incidentally, with the exception of Indigenous people, all disqualifications based on race that had applied in previous legislation were removed in this Act.²²

Social Security

In 1959, the *Social Services Act 1959* (Cth) amended the previous legislation. This Act, which came into effect in February 1960, again extended the accessibility of the invalid and old-age pensions to Indigenous people. However, the Act still restricted some Indigenous people from accessing these pensions.

Social Services Act 1959 (Cth)

24. After section one hundred and thirty-seven of the Principal Act the following section is inserted:-
 ‘137A. An aboriginal native of Australia who follows a mode of life that is, in the opinion of the Director-General, nomadic or primitive is not entitled to a pension, allowance, endowment, or benefit under this Act.’²³

The Minister for Social Services stated that the new Act, which increased accessibility to old-age, invalid, widows and maternity benefits for Indigenous people would be relevant for 5000 Indigenous people and would cost £1,000,000 annually.²⁴ However, these benefits were still not available to some Indigenous people due to the inclusion of section 137A. Further, the phrase ‘nomadic or primitive’ was not defined. CAR stated that “all attempts to get an official interpretation of the terms ‘nomadic’ or ‘primitive’ have been unsuccessful”.²⁵

In addition, the *Social Services Act 1959* (Cth), while repealing section 47 of the *Social Services Consolidation Act 1947* (Cth), still allowed, through section 8, for the insertion of a section that enabled

STOLEN WAGES

the payment of benefits for all people, including Indigenous people, to be paid to third parties.

Social Services Act 1959 (Cth)

43. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of a pension should be made to a person, institution or authority on behalf of the pensioner, the Director-General may authorise payment accordingly.²⁶

This section was used, argued Shirley Andrews, the Honorary Secretary of CAR, to regularly not pay benefits directly to Indigenous people:

The latest Social Services Act, proclaimed on September 30, 1959, removed most of the sections of the previous Acts which excluded Aborigines from benefits. Although Government spokesmen claimed that in future Aborigines would be eligible for social services on terms of equality with the rest of the population, discriminatory practices still continue ...

Several sections of the Act provide for special ways of handling benefits in exceptional circumstances ... These rather authoritarian [sic] provisions are resented by non-Aboriginal pensioners but are applied in only a minority of cases. For Aborigines, they are being used frequently as a general policy for large groups of people. Direct payments of benefits

Social Security

to Aborigines is avoided wherever possible, and they are treated like irresponsible children.²⁷

In 1960, DSS outlined their official interpretation of how these sections of the *Social Services Act 1959* (Cth) would be applied to Indigenous people.

Three principles are being applied in paying pensions and maternity allowances to or for aborigines, viz:

- (1) Where an aborigine has demonstrated his ability to handle money wisely and to manage his own affairs, the payments will be made direct to him.
- (2) Where an aborigine cannot handle the whole of the pension but perhaps some of it, the pension will be paid in two parts – one part to the aborigine as pocket money and the other part to some other authority to be used on his behalf. This is the principle which will generally be applied to aborigines on Government settlements, Church missions and pastoral properties.
- (3) Only where a native, although not actually nomadic or primitive, is unable to handle any money at all will the whole of the pension be paid to some person or authority on his behalf.

It was anticipated at the outset that, because of differing policies pursued by the various States and differing standards of development and customs of the aborigines themselves, it would not be possible to bring about immediately uniformity of treatment throughout the Commonwealth. This proved to be the case and subject to such

STOLEN WAGES

adjustments as may be necessary in the light of experience the following procedures have been adopted.

Payment will be made direct to the aborigine in New South Wales and Victoria. Where the pensioner requests, or where the Director of Social Services considers it desirable, the whole or part of the pension may be paid to some other person or authority on behalf of the pensioner. The same principles will apply to the payment of maternity allowances.

Where aborigines are living in a controlled community such as a Church mission, Government settlement or pastoral property, pensions will be paid on the institutional basis, i.e. portion will be paid to the aborigine for his own personal use and the balance will be paid to the authority controlling the community for the maintenance of the aborigine.

Because of the various stages of advancement of the aborigines, the personal or pocket money component will not be uniform in all cases but will vary from 10/- a week in the more remote areas to 33/- a week in the Government settlements in Queensland and on certain of the Church missions where the aborigines are sufficiently advanced to be able to handle that amount of money themselves'.²⁸

The Federal Council for the Advancement of Aborigines (FCAA) noted the discrimination suffered by Indigenous people in regard to indirect payment of pensions to institutions.

The Federal Council for Aboriginal Advancement supports the payment of all social service benefits direct to the Aborigine concerned.

Social Security

Aborigines on Missions and Settlements are justified in being resentful at the way their benefits are being handled. The Social Service Department has the power to pay benefits direct to the management of institutions or where a person is considered to be incapable of managing his own affairs to some responsible person to manage for him. This rule applies to everyone not only Aborigines but is only used with good reason – as with alcoholics – for other Australians. Also where money is paid to the management of institutions, an amount of 37/- is always paid direct to the pensioner. On Aboriginal Missions and Settlements, the amount going to the pensioner is often as low as 10/- a week. The pensioner has no freedom to choose what he likes to eat, etc. but has to take what is handed out.²⁹

Following the passing of the *Social Services Act 1959* (Cth), Indigenous people living at Lake Tyers reserve were now eligible for the old-age and invalid pensions.³⁰ However, even up to the mid-1960s, the Indigenous residents of Lake Tyers reserve did not receive their pensions directly; instead, the pensions were paid directly to the Aborigines Welfare Board (AWB), and then forwarded to the Manager of Lake Tyers reserve.³¹ Further, as outlined by the Superintendent of Aborigines Welfare, P. E. Felton, two-thirds of the pension amounts were deducted for the 'maintenance' of the reserve, a practice that applied also to other social service benefits 'paid' to Indigenous residents of Lake Tyers reserve:

Lake Tyers – Pension Formula
Age or Invalid Pensions

STOLEN WAGES

Where possible, we should follow break-up suggested by Department of Social Services, namely:-

Approximately $\frac{2}{3}$ for maintenance

“ $\frac{1}{3}$ for pocket money.”³²

In addition, the practice of indirectly paying multiple amounts of old-age and invalid pensions, as well as other payments such as widows' pensions, to the Manager of Lake Tyers reserve often resulted in confusion and underpayments regarding the correct amounts to be paid to individual Indigenous residents of the reserve.³³

In 1966, section 137A of the *Social Services Act* 1947 (Cth), which enabled Indigenous people who were 'nomadic or primitive' to be excluded from invalid and old-age pensions, was abolished by section 29 of the *Social Services Act* 1966 (Cth).³⁴ This 1966 Act thus finally removed all sections from previous legislation that discriminated against Indigenous people in regards to old-age and invalid pensions.³⁵

Maternity Allowance

The Commonwealth Government passed the *Maternity Allowance Act* in 1912. In contrast to the *Invalid and Old-age Pensions Act* 1908 (Cth), this Act did not have any parallel State legislation.³⁶ This Act specifically excluded Indigenous people from accessing the maternity allowance.

Social Security

Maternity Allowance Act 1912 (Cth)

- 6.— (2.) Women who are Asiatics, or are aboriginal natives of Australia, Papua, or the islands of the Pacific, shall not be paid a maternity allowance.³⁷

However, as with sections 16(1) and 21(1) of the *Invalid and Old-age Pensions Act 1908 (Cth)*, this section was applied by the Commonwealth to enable certain groups of Indigenous people to access the allowance.

Under the provisions of the *Maternity Allowance Act* aboriginal mothers are specifically debarred from receiving any benefits. Based on an opinion from the Commonwealth law authorities half-castes and persons with less than half aboriginal blood are not debarred from receiving allowance because aboriginal blood does not predominate.³⁸

Unlike old-age and invalid pensions, maternity allowances were paid to eligible Indigenous people, whose “aboriginal blood does not predominate”, that were “living on State reserves or stations”.³⁹

In the early 1940s, as with invalid and old-age pensions, legislation was enacted that both widened the eligibility for Indigenous people to access maternity allowances and allowed payments to Indigenous people to be made to third parties. The *Maternity Allowance Act 1942 (Cth)*, sections 3 and 4, inserted the following sections after sections 6(2) and 9 respectively of the *Maternity Allowance Act 1912 (Cth)*:

STOLEN WAGES

Maternity Allowance Act 1942 (Cth)

- (2A). Nothing in the last preceding sub-section shall apply to an aboriginal native of Australia –
- (a) who is for the time being exempt from the provisions of the law of the State or Territory of the Commonwealth in which she resides relating to the control of aboriginal natives; or
 - (b) who resides in a State or Territory of the Commonwealth the law of which does not make provision for such exemption, and with respect to whom the Commissioner is satisfied that, by reason of the character, standard of intelligence and development of the aboriginal native, it is desirable that the last preceding sub-section should not apply to her.
- 9A. Where, in the opinion of the Commissioner, it is desirable to do so, he may direct that payment of any sum payable by way of maternity allowance to an aboriginal native of Australia shall be made to an authority of a State or Territory of the Commonwealth controlling the affairs of aboriginal natives, or to some other authority or person whom the Commissioner considers to be suitable for the purpose, for the benefit of the aboriginal native and payment shall be made accordingly.⁴⁰

As stated earlier, the *Social Services Consolidation Act 1947 (Cth)* incorporated a number of social service benefits and allowances,

Social Security

including maternity allowances. This Act retained the same eligibility criteria as the *Maternity Allowance Act 1942* (Cth) for Indigenous people to access maternity allowances.

Social Services Consolidation Act 1947 (Cth)

86. – (3.) A maternity allowance may be granted to an aboriginal native of Australia if –
- (a) she is for the time being exempt from the provisions of the law of the State or Territory in which she resides relating to the control of aboriginal natives; or
 - (b) she resides in a State or Territory the law of which does not make provision for such exemption, and the Director-General is satisfied that, by reason of the character and of the standard of intelligence and social development of the native, it is desirable that a pension should be granted to her,
- but shall not otherwise be granted to such a native.⁴¹

However, unlike section 9A of the *Maternity Allowance Act 1942* (Cth), section 91 of the *Social Services Consolidation Act 1947* (Cth) did not include the words “for the benefit of the aboriginal native” in stating that maternity allowances owed to Indigenous people could be paid to third parties.⁴²

STOLEN WAGES

CAR explained how this legislation worked in regards to Indigenous people in Victoria.

Maternity Allowance: In N.S.W. and Vic., all Aborigines are eligible for this wherever they are living.

In the States which pay benefits such as Maternity Allowances to Aborigines with more than 50% Aboriginal ancestry who are not exempted, this is done by special dispensation of the Department of Social Services. There is more chance in States such as N.S.W. and Vic. of Aborigines' being able to maintain a standard of living comparable with that of non-Aborigines with the same sort of jobs as these two States are the only ones where the majority of Aborigines living there are entitled to receive full award wages. The exceptions to this are those Aborigines who live on controlled Reserves such as Lake Tyers in Victoria. Victoria has no provision for certificates of exemption as the 1958 [1957] Act is not restrictive. The Department of Social Services informed this Council in reply to our enquiry about social service payments in Victoria that an Aboriginal mother in Vic. may receive a Maternity Allowance if the Department is satisfied that 'by reason of her character, standard of intelligence and social development, it is desirable that a maternity allowance be paid to her. In practice, an Aboriginal mother residing in Victoria is paid a Maternity Allowance if her standard of living is such that she would be likely to be granted a certificate of exemption if she were residing in a State which provides for exemption'. As far as we can ascertain, benefits are usually available here, particularly if some interested non-Aboriginal person will assist in negotiations with the Department of Social Services.⁴³

Social Security

In 1959, although the *Social Services Act 1959* (Cth), as with old-age and invalid pensions, extended the accessibility of maternity allowances to Indigenous people, it continued to deny the allowance to certain Indigenous groups.

Social Services Act 1959 (Cth)

24. After section one hundred and thirty-seven of the Principal Act the following section is inserted:-
 '137 A. An aboriginal native of Australia who follows a mode of life that is, in the opinion of the Director-General, nomadic or primitive is not entitled to a pension, allowance, endowment, or benefit under this Act'.⁴⁴

In addition, the Act still allowed for the payment of allowances for Indigenous people to be made to third parties, albeit without specifically mentioning Indigenous people.

Social Services Act 1959 (Cth)

17. Section ninety-one of the Principal Act is repealed and the following section inserted in its stead:-
 '91. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of a maternity allowance should be made to a person, institution or authority on behalf of the person to whom the allowance

STOLEN WAGES

is granted, the Director-General may authorise payment accordingly'.⁴⁵

In respect of the residents at Lake Tyers reserve, maternity allowances were paid indirectly to the Aborigines Welfare Fund, and, as with old-age and invalid pensions, two-thirds of this allowance was retained by the AWB for the 'maintenance' of the reserve.⁴⁶

Finally, although significant archival research has not uncovered any instances of the AWB exploiting maternity allowances, this does not necessarily follow that these practices did not occur. As historian Ros Kidd argues:

In other states payment for these mothers was managed by the relevant Board or department, evidence suggesting this constituted a profitable source of income which was not fully expended for the benefit of endowed children. Similarly, old age, widows and invalid pensions were similarly intercepted in other states when the commonwealth lifted exclusions against Aboriginal people in 1959. There is no reason to assume that Victorian authorities and institutions did not intercept and exploit endowment and pensions as happened in other states.⁴⁷

Overall, the history of maternity allowances in Australia from 1912 to the late 1960s, in relation to Indigenous people, can be clearly illustrated by historian Anna Haeblich's comment that "They [Indigenous people] were officially discouraged from producing offspring – for example, Aboriginal women ... were deliberately excluded from the benefits of the maternity allowance".⁴⁸

Social Security

As with invalid and old-age pensions, the last discriminatory section concerning Indigenous people and maternity allowances, (the exclusion of 'nomadic or primitive' Indigenous people), was removed in 1966, with the *Social Services Act 1966* (Cth), section 29, abolishing the *Social Services Act 1947* (Cth), section 137A.⁴⁹

Child Endowment

In 1941, the *Child Endowment Act 1941* (Cth) was introduced by the Commonwealth Government. This Act did not have any parallel Victorian legislation.⁵⁰ This Act specifically excluded certain groups of Indigenous people from accessing any child endowment benefits.

Child Endowment Act 1941 (Cth)

15. Subject to this Act, an endowment may be granted to an aboriginal native of Australia unless-
- (a) he is nomadic; or
 - (b) the child in respect of whom the endowment is claimed is wholly or mainly dependent upon the Commonwealth or a State for his support.⁵¹

This section thus excluded Indigenous people residing on Lake Tyers reserve from accessing the endowment, as Lake Tyers reserve was 'wholly dependent' on the Victorian State Government.⁵²

STOLEN WAGES

Further, the Act allowed for the payment of the endowment to be made to a third party under certain circumstances.

Child Endowment Act 1941 (Cth)

- 22.— (1.) Where the Commissioner or a Deputy Commissioner is satisfied that, having regard to the age, infirmity, ill-health, insanity, or improvidence or other reasonable case of disqualification of a person by whom a claim is made or to whom an endowment is granted or payable or any special circumstances of that person or the child in respect of whom the claim is made or the endowment is granted, it is expedient that the endowment be granted, or payment of any instalments of the endowment be made, to any other person, the Commissioner or Deputy Commissioner may authorise the grant or payment to that other person.⁵³

The Act also detailed the manner in which the payment of the endowment should be utilised by the person receiving the payment.

Child Endowment Act 1941 (Cth)

20. An endowment shall be applied, by the person to whom it is paid, to the maintenance, training and advancement of the child

Social Security

in respect of whom it is granted or, in such special cases as are prescribed, in such manner as is prescribed.⁵⁴

In July 1941, a meeting of Commonwealth, State and Territory government officials argued that payment to Indigenous people in regard to child endowment could follow the example of the New South Wales child endowment scheme. This scheme was described at this meeting as follows:

It was decided [in New South Wales] to obtain the names and addresses of all [original underline] persons in New South Wales with any admixture of aboriginal blood.

The claims by these persons [for child endowment] were separated and paid through the Aboriginal Welfare Board except where the Board certified that endowment could be paid direct to the aboriginal in the same manner as a white claimant.⁵⁵

The Commonwealth Government agreed with the meeting's argument and stated in early July 1941:

So far as aborigines are concerned, where it is proved to the satisfaction of the Administration that any of these people are capable of conducting their own affairs, they will be paid direct. In other cases payment will be made through the State Protector of Aborigines or the Aborigines Welfare Board, and steps are being taken to ensure that the endowment will be used in the best interests of the children concerned.⁵⁶

STOLEN WAGES

In 1942, the *Child Endowment Act 1942* (Cth) retained section 20 of the *Child Endowment Act 1941* (Cth).⁵⁷ In addition, the Act, section 6(b), inserted a section that allowed for payments to be made, under certain circumstances, to an Indigenous reserve that was also an institution. An 'institution' was defined by section 3(b) of this Act as "a charitable institution or organization ... approved by the Minister".⁵⁸

Child Endowment Act 1942 (Cth)

- (1A.) Where any children of an aboriginal native of Australia are, for not less than six months in any calendar year, or for any continuous period of not less than six months, supervised and assisted by, although not mainly maintained by, an aboriginal mission which is an institution, the Commissioner may grant endowment to the institution at the rate of Five shillings per week based upon the average number of such children so supervised and assisted.⁵⁹

Indigenous residents at Lake Tyers were not eligible even under this section as they were entirely 'maintained' by the Lake Tyers reserve, a situation that continued until the late 1950s.⁶⁰

In 1947, the *Social Services Consolidation Act 1947* (Cth), section 97, continued the restrictions outlined in the *Child Endowment Act 1941* (Cth), section 15, on Indigenous people receiving child endowment. These restrictions were if the Indigenous child was nomadic or if

Social Security

the Indigenous child was predominantly or totally dependent on Commonwealth or State governments for support.⁶¹

The *Social Services Consolidation Act 1947* (Cth) enabled Indigenous child endowment to be paid to institutions. The Act defined an 'institution' as "a charitable or religious institution or organization ... approved by the Director-General".⁶²

Social Services Consolidation Act 1947 (Cth)

- 95.- (4.) Where an institution supervises and assists children (one or both of whose parents are aboriginal natives of Australia) but the children are not inmates of the institution, endowment may be granted to the institution at the rate specified in sub-section (1.) of this section based upon the average number per week of such children supervised and assisted during each endowment period.⁶³

In addition, the Act extended on section 20 of the *Child Endowment Act 1941* (Cth) to include individuals and institutions.

Social Services Consolidation Act 1947 (Cth)

105. An endowment shall be applied, by the person or institution to whom it is payable, to the maintenance, training and

STOLEN WAGES

advancement of the child in respect of whom it is granted or, in such cases as are prescribed, in such manner as is prescribed.⁶⁴

In the late 1950s, the Commonwealth Government decided to pay child endowment to Indigenous people living at Lake Tyers reserve.⁶⁵ However, these payments were not paid directly to Indigenous people, but rather were directly paid to the BPA.

In N.S.W., S.A., Vic., and W.A., it [child endowment] is generally paid direct to the mother... Child endowment is not paid [direct] to Aboriginal mothers while living on Lake Tyers Reserve. This is a striking example of the miserly attitude of the State Aboriginal authorities because the money for the Aboriginal mothers living at Lake Tyers is paid in a lump sum to the Aborigines Protection Board of Victoria.⁶⁶

These payments were then forwarded to the Manager of Lake Tyers reserve. While the Manager would use the payments to purchase goods required by Indigenous people, he had the power to refuse to purchase any goods, such as clothing for mothers, that he deemed inappropriate.⁶⁷

Further, this system of indirectly paying child endowment to some Indigenous people did sometimes result in employers illegally and inappropriately using the endowment.

Aboriginal pensions, Child endowment paid to management of cattle stations.

Social Security

Aborigines constitute the only group of Australians who have their social service payments channelled through their employers. Child endowment and pensions are paid to the managers or owners of pastoral properties on behalf of the Aborigines living on the stations. The Minister for Social Services has stated that payment is being made in this way on 46 properties. It is quite impossible for the authorities to supervise such a system adequately. Child endowment payments have been made in this manner for some years and it is common knowledge that money has been misappropriated in some cases and mishandled in many.⁶⁸

In 1959, the *Social Services Act 1959* (Cth) did not extend the accessibility of child endowment to Indigenous people in the same manner that it extended the accessibility of old-age and invalid pensions and maternity allowances. Rather, the Act continued to prohibit the same groups of Indigenous people from accessing child endowment as did the *Social Services Consolidation Act 1947* (Cth).

Social Services Act 1959 (Cth)

18. Section ninety-seven of the Principal Act is repealed and the following section inserted in its stead:-
'97. An endowment shall not be granted to an aboriginal native of Australia in respect of a child who is wholly or mainly dependent upon the Commonwealth or a State for his support'.

STOLEN WAGES

24. After section one hundred and thirty-seven of the Principal Act the following section is inserted:-

'137A. An aboriginal native of Australia who follows a mode of life that is, in the opinion of the Director-General, nomadic or primitive is not entitled to a pension, allowance, endowment, or benefit under this Act'.⁶⁹

In addition, as discussed above, often in regard to Indigenous people living on reserves, the Commonwealth Government used this Act, section 43, to generally not pay social service benefits, including child endowment, directly to Indigenous people, but rather to the manager of the reserve.

Under the old Social Services Act Aboriginal mothers at Lake Tyers did not get their child endowment money paid to them. It went to the manager, on their behalf, and he bought goods for them. Since the new Act became operative from February, 1960, the money should have been paid direct to the mothers, but is still being handled by the manager.⁷⁰

Finally, by the early-to-mid-1960s, child endowment was paid directly to Indigenous mothers living at Lake Tyers.⁷¹

However, even when child endowment was paid directly to Indigenous people living at Lake Tyers, they were required to pay the Lake Tyers reserve manager for their 'support'. The procedures for this practice were quite unclear.

Social Security

In response to a letter concerning Lake Tyers, written by Dorothy Irwin, a non-Indigenous person, the Undersecretary in the Chief Secretary's Office, J. V. Dillon, replied on 19 January 1965:

Social Services benefits are being paid in full, but in common with the practice of institutions, the inhabitants are required to contribute a portion of the benefit for their maintenance.⁷²

In reply to Dillon's letter, Irwin asked a number of questions concerning the practice of requiring Indigenous residents to pay a portion of their endowment to the reserve manager. It is interesting to note that there is no reply from Dillon to this letter from Irwin contained in the archives.

Social Service benefits and incomes

Another point you mention is that 'Social Services benefits are being paid in full, but in common with the practice of institutions, the inhabitants are required to contribute a portion of the benefit for their maintenance'.

Do the Aborigines receive the full cash in their own hands and then pay their contribution to the Lake Tyers management? What portion in cash do they retain? And how many of the women receive the full child endowment cash in their own hands? If special arrangements are made, why are they deemed necessary?⁷³

STOLEN WAGES

The *Social Services Act 1959* (Cth) also extended section 105 of the *Social Services Consolidation Act 1947* (Cth) to include an 'authority' as well as an individual and institution.

Social Services Act 1959 (Cth)

20. Section one hundred and five of the Principal Act is amended by omitting the words 'or institutions' and inserting in their stead the words ', institution or authority'.⁷⁴

In 1966, the *Social Services Act 1966* (Cth) abolished the last remaining discriminatory sections relating to the exclusion of Indigenous people from accessing child endowment. Section 29 of this Act abolished section 137A of the *Social Services Act 1947* (Cth), which prevented endowments being paid to 'nomadic or primitive' Indigenous people.⁷⁵ Section 26 abolished section 97 of the *Social Services Act 1947* (Cth) which prevented endowments being paid to Indigenous people who were entirely or predominantly supported by the Commonwealth or State.⁷⁶

Widows' pension

Although Victoria had some minor benefits available to widows, it did not have a general widows' pension scheme.⁷⁷

The Commonwealth Government first introduced a widows' pension scheme in 1942 with the enactment of the *Widows' Pensions Act 1942* (Cth). This Act contained many of the discriminatory features

Social Security

that have been mentioned previously in regard to other social security benefits. The Act restricted the widows' pension to Indigenous people in the same manner of the *Invalid and Old-Age Pensions Act 1942* (Cth) and the *Maternity Allowance Act 1942* (Cth).

Widows' Pensions Act 1942 (Cth)

- 14.- (1.) A pension shall not be granted to a widow-
- (g) if she is an aboriginal native of Australia.
- 14.- (5.) Paragraph (g) of sub-section (1.) of this section shall not apply to an aboriginal native of Australia –
- (a) who is for the time being exempt from the provisions of the law of the State or Territory of the Commonwealth in which she resides relating to the control of aboriginal natives; or
- (b) who resides in a State or Territory of the Commonwealth the law of which does not make provision for such exemption, and with respect to whom the Commissioner is satisfied that, by reason of the character, standard of intelligence and development of the aboriginal native, it is desirable that that paragraph should not apply to her.⁷⁸

Further, the *Widows' Pensions Act 1942* (Cth), like the *Invalid and Old-Age Pensions Act 1942* (Cth), allowed for Indigenous people, even if granted the pension, to be paid at a lesser rate.

STOLEN WAGES

Widows' Pensions Act 1942 (Cth)

- 43.- (1.) Where, in the opinion of the Commissioner, it is desirable to do so, he may determine that the rate of pension or allowance payable to an aboriginal native of Australia shall be less than the maximum rate.⁷⁹

The Act also allowed, under particular circumstances, for the widows' pensions to be paid to a third party.

Widows' Pensions Act 1942 (Cth)

39. Where the Commissioner or a Deputy Commissioner is satisfied that, having regard to the age, infirmity, ill-health, insanity, or improvidence of a widow, or to any other special circumstances, it is expedient that payment of any instalments of pension or allowance payable to her should be made to some other person for the benefit of the pensioner, the Commissioner or Deputy Commissioner may authorise payment accordingly and that other person shall be entitled to receive payment of those instalments.⁸⁰

In addition, the Act allowed these indirect payments to be paid, in the case of Indigenous people, to State and Territory welfare authorities.

Widows' Pensions Act 1942 (Cth)

- 43.— (2.) Where, in the opinion of the Commissioner, it is desirable to do so, he may direct that payment of the pension or allowance of an aboriginal native of Australia shall be made to an authority of a State or Territory of the Commonwealth controlling the affairs of aboriginal natives, or to some other authority or person whom the Commissioner considers to be suitable for the purpose, for the benefit of the pensioner or person to whom the allowance has been granted, and payment shall, until the direction is revoked, be made accordingly.⁸¹

The *Social Services Consolidation Act 1947 (Cth)* retained many of these features. Section 62(2) of this Act was almost identical in wording to section 14(1), (5) of the *Widows' Pensions Act 1942 (Cth)* in outlining the restrictions on Indigenous people accessing the widows' pension.⁸² The *Social Services Consolidation Act 1947 (Cth)* also enabled the widows' pension to be paid indirectly to a third party (section 72)⁸³ and for Indigenous widows' pensions to be paid to welfare authorities (section 76).⁸⁴ The Act though differed from the *Widows' Pensions Act 1942 (Cth)* in that it did not allow widows' pensions to be paid at a lower rate to Indigenous people.⁸⁵

In the late 1950s, CAR discussed the eligibility of Indigenous peoples to obtain the widows' pension, along with the invalid and old-age pension.

STOLEN WAGES

Age, Invalid and Widows Pensions: Aborigines in N.S.W. and Vic. are eligible unless they live on a Reserve or Settlement with a resident supervisor [such as Lake Tyers]... The limitation on those living on Reserves covers all States.⁸⁶

The *Social Services Act 1959* (Cth) extended the availability of widows' pensions to Indigenous people in the same manner that the Act extended the availability of invalid and old-age pensions. The Act, section 24, allowed for all Indigenous people, except for those who were "nomadic or primitive", to access the widows' pension.⁸⁷ However, as mentioned above, the phrase 'nomadic or primitive' was not defined.

Further, in the same manner that it did in regard to invalid and old-age pensions, the *Social Services Act 1959* (Cth) allowed widows' pensions to be paid indirectly to third parties.

Social Services Act 1959 (Cth)

13. Section seventy-two of the Principal Act is repealed and the following section inserted in its stead:-

'72. Where the Director-General is satisfied that, for any reason, it is desirable that payment of the whole or a portion of a pension should be made to a person, institution or authority on behalf of the pensioner, the Director-General may authorise payment accordingly'.⁸⁸

Finally, the Act, section 14, repealed section 76 of the *Social Services Consolidation Act 1947* (Cth) which then ensured that widows' pensions for Indigenous people were no longer able to be paid indirectly to State and Territory Aboriginal welfare authorities.⁸⁹

CAR outlined the impact of the 1960 DSS instructions, discussed above, on Indigenous widows, particularly on those living at Lake Tyers reserve.

Most Aboriginal Widows legally entitled to pensions but are not getting them

As the Act stands at the moment, most Aboriginal widows in areas where wages are low would qualify for a widow's pension if they are over 50 or if they have dependent children....

In Victoria, Aborigines living on the Government station at Lake Tyers are paid their pensions at the local post office, and pay 2/3 of it to the manager for their keep.⁹⁰

The *Social Services Act 1966* (Cth) abolished the last remaining discrimination against Indigenous people accessing the widows' pension. This Act, section 29, abolished the *Social Services Act 1947* (Cth), section 137A, which restricted the widows' pension from being paid to those Indigenous people who were 'nomadic or primitive'.⁹¹

Unemployment and sickness benefits

From the late nineteenth century until 1944, with the exception of Queensland from 1923, there was no statutory provision in Australia

STOLEN WAGES

for providing social security benefits to unemployed people.⁹² Rather,

The States undertook relief works from time to time to alleviate unemployment and also granted subsidies to voluntary charitable organisations, which provided food and other forms of assistance to the families of men unemployed. In some States a practice had developed [in the 1920s] of the Government granting food and subsistence to unemployed families in need.⁹³

In the 1930s, during the depression, state governments created “funds both for the sustenance of the unemployed – the dole – and for the financing of emergency relief works”.⁹⁴ However, in regards to Victoria, the Board for the Protection of Aborigines (BPA) stated that “no fullblood or half caste is eligible for such assistance [“sustenance relief”]”.⁹⁵

In the mid-1940s, the Commonwealth Government introduced a system of unemployment and sickness benefits through the *Unemployment and Sickness Benefits Act 1944* (Cth). Unlike the legislation for other social security benefits, neither this Act nor the subsequent 1947 legislation relating to unemployment and sickness benefits enabled these benefits to be paid indirectly to third parties such as State and Territory Aboriginal welfare authorities.⁹⁶ This Act though did enable payments to be made indirectly to other individuals.

Social Security

Unemployment and Sickness Benefits Act 1944 (Cth)

30. Unemployment benefit and sickness benefit shall be paid, in such manner as the Director-General determines, to the beneficiary or to such other person as is approved by the Director-General.⁹⁷

Further, the *Unemployment and Sickness Benefits Act 1944 (Cth)* restricted the unemployment and sickness benefits from being paid to Indigenous people under certain circumstances.

Unemployment and Sickness Benefits Act 1944 (Cth)

19. An aboriginal native of Australia shall not be qualified to receive unemployment benefit or sickness benefit unless the Director-General is satisfied, by reason of the character, standard of intelligence and development of the aboriginal native, that it is reasonable that the aboriginal native should receive benefit.⁹⁸

This restriction on Indigenous people receiving unemployment and sickness benefits was essentially retained in the *Social Services Consolidation Act 1947 (Cth)*.

Social Services Consolidation Act 1947 (Cth)

- III. An aboriginal native of Australia shall not be qualified to receive an unemployment benefit or a sickness benefit

STOLEN WAGES

unless the Director-General is satisfied that, by reason of the character and of the standard of intelligence and social development of that native, it is desirable that this section should not apply.⁹⁹

Additionally, the *Social Services Consolidation Act 1947* (Cth) retained the provision from the *Unemployment and Sickness Benefits Act 1944* (Cth) that allowed the payment of unemployment and sickness benefits to third parties if the third parties were individuals but not if the third parties were authorities.

Social Services Consolidation Act 1947 (Cth)

- 123.— (1.) An unemployment benefit or a sickness benefit shall be paid, in such manner as the Director-General determines, to the beneficiary or to such other person, on behalf of the beneficiary, as is approved by the Director-General.¹⁰⁰

In the same manner that has been discussed above in relation to other benefits, the *Social Services Act 1959* (Cth) extended the availability of unemployment and sickness benefits to Indigenous people. Prior to this Act, Indigenous people living on Lake Tyers reserve were not eligible for unemployment and sickness benefits.¹⁰¹ Section 22 of this Act repealed section 111 of the *Social Services Consolidation Act 1947* (Cth)¹⁰² and section 24 of the Act enabled all Indigenous people, with the exception of

Social Security

“nomadic or primitive” Indigenous people, to access unemployment and sickness benefits.¹⁰³ However, as mentioned above, the phrase ‘nomadic or primitive’ was not defined. In addition, this Act extended the scope for indirectly paying unemployment and sickness benefits to third parties.

Social Services Act 1959 (Cth)

23. Section one hundred and twenty-three of the Principal Act is amended by omitting from sub-section (1.) the words “such other person” and inserting in their stead the words “such person, institution or authority”.¹⁰⁴

Many Indigenous people did not directly receive their unemployment and sickness benefits. Instead, the benefits were paid to trustees. CAR discussed the discrimination suffered by many Indigenous people in regard to unemployment and sickness benefits.

Social service payments: Several Aboriginal people have written to the Council over the last year complaining that, contrary to Victorian practice, their Social Service benefits have not been paid direct, but have been paid to trustees. This is a humiliating state of affairs, for Aboriginal people have as much rights to receive their Social Service benefits direct, as any other member of the community. One family man protested he was quite ‘capable of handling his own money, as he was too responsible to spend it on foolish things’. He wrote to us claiming the Social Service department used was inconvenient to him. However, the Department replied to our

STOLEN WAGES

letter asking for an explanation 'all enquiries showed that it was in this man's best interests that his unemployment benefits be paid to a trustee'. While it is realised the Social Service Act does provide that an unemployment benefit can be paid to an institution, or authority on behalf of a beneficiary, so far as we are aware, this is rarely done unless the beneficiary is incapable of managing their own affairs or is an Aborigine.¹⁰⁵

Further, Indigenous people often had difficulties in even accessing unemployment and sickness benefits.

Seasonal workers not getting unemployment benefits

Everyone concerned with problems of the destitute Aboriginal seasonal worker in between jobs had expected that the new Act would ensure that unemployment benefits would be more readily available. The situation of many of these people becomes really desperate in areas where there is no work available for long periods. ...

Since the new Act came into force, it is still very difficult for unemployed Aborigines in country areas in W.A. and other States to get unemployment benefits.¹⁰⁶

In 1962, the AWB discussed the issue of Indigenous people receiving unemployment benefits.

Owing to economic depression in the timber industry no seasonal employment is available to unskilled aborigines in East Gippsland and

Social Security

the high rates of Social Service benefits they receive are encouraging them to live in indolence rather than seek casual work.

Resolved: That Welfare Officers be instructed to furnish reports on the position in the various districts and, in the meantime, to exercise discretion in initiating applications for Unemployment Benefits.¹⁹⁷

In addition, the government authorities were often reluctant to consider the special circumstances regarding Indigenous employment.

No allowance made for special circumstances

The authorities, including the Department of Social Services, are only too ready to treat the Aborigines differently from the rest of the community when this is to the Aborigine's disadvantage. However, when there is a practical and humanitarian reason for doing so, they suddenly become sticklers for uniformity. Nothing like sufficient allowance is made for the fact that few adult Aborigines had much opportunity to receive any education. Proofs to establish eligibility for benefits can be quite elaborate, and many Aborigines are unable to produce the documents required. ... Aboriginal station workers are usually employed on a very casual basis, and the difficulties of providing documentary proof can become insuperable in such cases.¹⁹⁸

In 1966, as with many of the other benefits discussed in this chapter, the *Social Services Act* 1966 (Cth), section 29, removed the last remaining discrimination regarding 'nomadic or primitive' Indigenous people

STOLEN WAGES

accessing unemployment and sickness benefits by abolishing the *Social Services Act 1947* (Cth), section 137A.¹⁰⁹

War and service pensions

The Commonwealth legislation concerning war and service pensions, including the *Australian Soldiers Repatriation Act 1920* (Cth) and subsequent acts, did not exclude Indigenous people from accessing these pensions.¹¹⁰ Further, there were never any provisions in these various acts that allowed for war and service pensions, for either Indigenous people or for the wider community, to be paid indirectly to third parties.¹¹¹

In 1956, the Secretary of the Attorney-General's Department stated that

there are no constitutional objections to the grant of the ordinary repatriation benefits to members and their dependents who happen to be aborigines ... there is nothing in the Repatriation Act which excludes aborigines from its operation. Accordingly aborigines who satisfy the requirements as to eligibility [same criteria as for the wider community] are entitled to receive the benefits set out in the Act.¹¹²

However, there is some evidence of discriminatory practices occurring concerning Indigenous people and their war and service pensions.

One such practice was the non-payment or partial payment of war and service pensions to Indigenous people. In Victoria, Wampan Wages argued that "there is anecdotal evidence that dowries were

never paid to many Indigenous returned service men and women in Victoria".¹¹³ The Senate Committee's *Stolen Wages* report outlined instances of partial payment of war and service pensions being paid to Indigenous people in other States, as well as the failure to issue soldier land settlements.¹¹⁴ In one instance in Victoria, in 1919, the BPA leased much of Framlingham reserve to non-Indigenous farmers, but not to Indigenous returned soldiers whose ancestors had cleared the land.¹¹⁵ Additionally, an Indigenous man, who was receiving a war pension and living at Lake Condah reserve, was ordered off the reserve by the BPA in 1917 as the man "refused to defray the cost of rations for himself and family from his military pension".¹¹⁶

Another practice was the indirect payment of Indigenous people's war and service pensions into various government Indigenous Trust Funds. The 2004 report into *Stolen Wages* in New South Wales found that "returned soldiers may have had pension entitlements paid in to the Trust Fund, although this was clearly contrary to the Aboriginal Welfare Board's written policy [and Commonwealth Government legislation]".¹¹⁷

Tuberculosis allowance

In 1948, the Commonwealth Government enacted the *Tuberculosis Act* 1948 (Cth). This Act did not specifically exclude Indigenous people from accessing any support available under the Act.¹¹⁸ However, the Act did enable the government to determine rates of allowances and eligibility criteria.

STOLEN WAGES

Tuberculosis Act 1948 (Cth)

- 9.- (2.) Allowances under the last preceding sub-section-
- (a) shall be payable to such persons or classes of persons, subject to such conditions and in such manner as the Director-General, subject to the direction of the Minister, determines;
 - (b) shall be at such rates (but not exceeding such rates as are prescribed) as the Director-General, subject to the direction of the Minister, determines.¹¹⁹

The facility granted to the government by section 9(2) of the *Tuberculosis Act 1948 (Cth)* to determine conditions had a significant impact on the accessibility of Indigenous people to the tuberculosis allowance.

One of these conditions is that the Tuberculosis Allowance is not payable to "Aborigines and people of mixed blood who, prior to their illness, did not support themselves and their dependents (if any) from their earnings". The operating manual of the Department of Social Services is even wider in its restrictive power and applies whether the Aborigine is full or part Aborigine and whether or not the Aborigine is exempted ...

"Exclusion from Tuberculosis Allowance

53. Except to the extent decided by the Director-General of Health in an unusual individual case, tuberculosis allowance is not payable to - ...

Social Security

- (f) Aborigines and people of mixed blood who, prior to their illness did not support themselves and their dependents (if any) from their earnings¹²⁰.

These restrictions are explained in a publication by DSS, *Instructions, Pensions and Associated Payments*.

The Tuberculosis Allowance is not payable to ... Aboriginal natives of Australia whatever their caste or whether they are under the control and the appropriate authorities and otherwise if –

1. they are unable to manage money or likely to waste it;
2. they cannot be said to have reached an appropriate degree of social development in such things as character, intelligence, living conditions, needs, past earnings and discharge of family responsibilities etc. This is in no sense a reflection upon the class intended to be covered. It merely recognises the fact that their backgrounds, training and experience is not such as to enable them to manage their own financial affairs. The provision of free treatment, care and maintenance is the appropriate course in these cases ... It must be noted that this instruction applies to all Aboriginal natives whether they are full, part or lesser caste. The fact that an Aboriginal native is in possession of a certificate of exemption does not necessarily qualify him for payment of tuberculosis allowance.¹²¹

As with old-age and invalid pensions and widows' pensions, if the tuberculosis allowance was paid to residents at Lake Tyers reserve, then

STOLEN WAGES

two-thirds of the allowance was deducted for the 'maintenance' of the residents.¹²²

In February 1965, these discriminatory conditions allowed by the *Tuberculosis Act* 1948 (Cth), section 9(2), were abolished from DSS determinations on the tuberculosis allowance. The new determination stated:

Tuberculosis allowance is not payable to:-

(f) persons who at the time of their illness were under the care or control of a public authority responsible for welfare and were not supporting themselves and their dependents if any from their earnings.¹²³

*three***EMPLOYMENT AND WAGES****Overview**

This chapter explores the history of several key areas relating to Indigenous employment and wages in Victoria between 1837 and 1975. These areas include the underpayment or no payment of wages to Indigenous people, the controls regarding employment imposed on Indigenous people, the economic exploitation of Indigenous children and the Indigenous trust funds. The chapter chronologically discusses these areas through analysing legislation, (both general legislation and Indigenous-specific legislation), government regulations and government policies relating to Indigenous employment and wages. The chapter is divided into four historical periods of Indigenous Affairs administration in Victoria. This chapter does not though outline a general history of Indigenous Affairs in Victoria as this is outside the scope of the book.¹

STOLEN WAGES

Early days: 1837–1869

From the earliest days of the Victorian colony, Indigenous people were exploited, in regards to employment, as they were largely paid in rations rather than wages. At an early mission in Melbourne that ran from 1837 to 1839, Indigenous adults were expected to “do a few hours labour each day” in exchange for rations.² However, not many Indigenous people participated in this scheme as they realised that they were being exploited and could earn wages by working in Melbourne.³ By 1837, farmers in the western district of Victoria were employing Indigenous people as pastoral workers and domestic workers in exchange for rations and clothing.⁴ Indigenous children were being forcefully taken away from their families by non-Indigenous people, often “to be used purely as cheap and pliant labour”.⁵

By the 1840s, hundreds of Indigenous people were employed in the pastoral industry and as domestic labour in areas such as Lodden, Mount Rouse and the Wimmera.⁶ In this period, Indigenous people were almost all paid in rations and clothing.⁷ A few pastoralists preferred employing Indigenous people because of the ration system as this would avoid them having to pay the wages that were demanded by non-Indigenous workers.⁸ However, there are some examples of Indigenous people receiving the same wages as non-Indigenous people, including one worker from the Lakes Entrance region and several workers from the Murray river region.⁹ Other Indigenous people, although they were paid a wage, were paid lower wages than non-Indigenous workers. In 1852, Indigenous workers on the Plenty

Employment and Wages

Ranges earned between 10–15 shillings per week, “about half the European rate”, and went on strike for better wages before accepting 15 shillings per week.¹⁰ In the 1850s, Indigenous people employed by pastoralists often received only half the non-Indigenous wage.¹¹ In 1853, a pastoralist at Lucknow, despite writing of the critical role that Indigenous workers performed for his business, did not pay his Indigenous workers at the non-Indigenous rate.¹² In 1863, an Indigenous worker at Merrang was the only Indigenous person who was paid for “horse-breaking”.¹³

Between 1842 and 1852, following a previously unsuccessfully attempt from 1837 to 1839, the Victorian Government organised a Native Police force, that employed up to 45 Indigenous troopers at any one time and performed duties such as tracking lost people and guiding travellers.¹⁴ Despite the promise of wages, only the non-Indigenous officers were regularly paid, while the Indigenous troopers received rations and accommodation, and rations for their families.¹⁵

In 1853, the Victorian Police Force was established. The Force continued to employ Indigenous people. However, the Force did not keep many records of its Indigenous employees.

From its beginnings in 1853 the Victoria Police Force routinely compiled records of all its sworn members ... This record-keeping practice has created a body of data on thousands of men and women, which is unparalleled in its detail and volume. It is ironic, then, as well as unfortunate, that no similar body of detail exists for the Aboriginal trackers who worked with the Force.¹⁶

STOLEN WAGES

Indigenous employees were supposed to be paid by the Police Force. Yet, despite the poor record-keeping, there is evidence that the Force exploited its Indigenous employees in regards to wages. In one case, when some Indigenous trackers quit the Force,

they each left behind more than £8 in wages owed to them. This money was never paid to them but remained on the books in the North-Eastern District until, finally, a couple of years later, it was deposited in the Police Trust Fund.¹⁷

Following an 1859 Government Inquiry into Indigenous issues, the Victorian Government created the Central Board Appointed to Watch Over the Interests of the Aborigines (Central Board) in 1860. The Central Board, the first such organisation in Australia, was created “to proclaim Aboriginal reserves, and oversee local protection committees and the distribution of funds [and rations]”¹⁸. There was a substantial impact from this policy on Indigenous people.

The Victorian Government in 1860, when initiating its Protection Policy, rejected the advice of its Committee of Enquiry and established Reserves that were too small to support the Aboriginal residents. Similarly, control of the affairs of the Aborigines was transferred from themselves to Superintendents and other officials. Parents were denied the right to control their children. On the Reserves, the Aboriginal people were subject

Employment and Wages

to discipline of increasing severity. Outside the Reserves they suffered the effects of discrimination, under-employment and low wages.¹⁹

Despite the Central Board attempting to segregate Indigenous people by placing them on reserves, by 1869, just one-quarter of the Indigenous people in Victoria actually were living on reserves.²⁰

In 1864, the Victorian Government passed *The Neglected and Criminal Children's Act 1864* (Vic). This Act allowed for any child (defined as under 15 years (section 12)) who was found "begging or receiving alms", "wandering about", "sleeping in the open air" or who had no "visible means of subsistence" to be deemed a "neglected child" (section 13).²¹ Section 15 of the Act allowed that, if such a charge was established by at least two judges, then the child could be committed to an industrial school for between one year and seven years.²² Several sections of the Act allowed for the superintendent of the school to control all monies "for or on account or for the use or benefit of any inmate" and pay these monies into Treasury (section 33), following the deduction of all expenses (section 34).²³

In the same year, the Central Board wrote to all local protectors stating that 'neglected' Indigenous children should be sent to Coranderk reserve.²⁴ As well, the Central Board asked the protectors to send any Indigenous child to Coranderk if their parents had 'surrendered' them to the authorities.²⁵ Further, despite acknowledging they had no power to remove Indigenous children against the will of the parents,²⁶ there were instances where the manager at Coranderk removed Indigenous children from various communities in the area nearby the reserve.²⁷

Board for the Protection of the Aborigines: 1869–1957

In 1869, the Victorian Government enacted the *Aborigines Protection Act 1869* (Vic). This Act introduced strict controls over Indigenous people in a range of areas, including employment and children.

Aborigines Protection Act 1869 (Vic)

2. It shall be lawful for the Governor from time to time to make regulations and orders for any of the purposes hereinafter mentioned, and at any time to rescind or alter such regulations (that is to say):- ...
 - (II.) For prescribing the terms on which contracts for and on behalf of aboriginals may be made with Europeans, and upon which certificates may be granted to aboriginals who may be able and willing to earn a living by their own exertions.
 - (III.) For apportioning amongst aboriginals the earnings of aboriginals under any contract, or where aboriginals are located on a reserve, the net produce of the labor [sic] of such aboriginals. ...
 - (V.) For the care custody and education of the children of aborigines.²⁸

Section 8 of this Act defined Indigenous people.

Aborigines Protection Act 1869 (Vic)

8. Every aboriginal native of Australia and every aboriginal half-caste or child of a half-caste, such half-caste or child habitually associating and living with aboriginals, shall be deemed to be an aboriginal within the meaning of this Act.²⁹

Section 3 of the Act created a new body, the Board for the Protection of Aborigines (BPA), to replace the short-lived Central Board.³⁰ The BPA was a longer-lasting body, operating until 1957. The BPA were empowered to enforce strict controls over the lives of Indigenous people. Among the powers granted to the BPA were that it "could prescribe where Aborigines should live, and control their work contracts and their earnings".³¹

In 1871, the Victorian Government introduced the *Regulations and Orders made under the Act 1871 (Vic)*. Section 8 of these Regulations empowered the BPA to grant work certificates to Indigenous people.³² Section 3 of these Regulations enabled the BPA to enter into contracts with employers concerning the employment of Indigenous people, which included areas such as the nature of employment, the duration of employment and details of wages and rations, if applicable.³³ Both employers and Indigenous workers could be fined if there were no valid work certificates.³⁴ Section 9 of the Regulations enabled the BPA to sell any goods produced by Indigenous people on reserves and

STOLEN WAGES

out of the net proceeds of the sale pay to the aboriginals who have labored [sic] on the reserves such sums as the Board may deem right, having regard to the kind and amount of labor [sic] performed by each.³⁵

The 1871 Regulations also empowered the BPA to enable Indigenous wages to be paid indirectly to a third party, such as a local protector, and to “use the money earned by Aboriginal people for official purposes”.³⁶ These powers continued until 1931.³⁷

Regulations and Orders made under the Act 1871 (Vic)

6. The Board may modify any such contract at the time of approving the same by directing all or any part of the money payment payable to the aboriginal to be made to some local guardian or other person specified in that behalf instead of to the aboriginal himself...
7. Any money to be received in pursuance of any such direction shall be applied at the discretion of the receiver for the benefit of the aboriginal or of any member of his family, subject to any express direction given by the Board.³⁸

In addition, the 1871 Regulations enabled the removal of Indigenous children from their families. These regulations were the first of a long list of regulatory measures that gave the government and the BPA significant powers over the lives of Indigenous children.³⁹

Regulations and Orders made under the Act 1871 (Vic)

13. The Governor may order the removal of any aboriginal child neglected by its parents, or left unprotected, to any of the places of residence specified in Regulation I. [Indigenous reserves at Coranderrk, Lake Wellington, Lake Tyers, Lake Condah, Framlingham and Lake Hindmarsh], or to an industrial or reformatory school.⁴⁰

Additional government measures were enacted in the next decade in regard to the control of Indigenous children. In 1874, *The Neglected and Criminal Children's Amendment Act 1874 (Vic)* allowed for children deemed to be 'neglected' to be detained until sixteen years of age (section 9), children so detained to be "boarded out" (section 13) or apprenticed (section 17), the recovery of any wages owed to children by any person appointed by the Chief Secretary (section 18) and the deduction from a child's wages of any expenses caused by the child's poor behaviour (section 19).⁴¹ In 1880, the Victorian Government introduced regulations under the *Aborigines Protection Act 1869 (Vic)* that allowed for Indigenous children living on an Indigenous reserve to be removed from their parents and live, eat and sleep in separate dormitories (regulation 2).⁴² Other regulations allowed for Indigenous children deemed neglected or unprotected to be removed to either an Indigenous reserve, an industrial school or a reformatory school to be "taught and trained to useful employment".⁴³

STOLEN WAGES

In 1877, a Royal Commission was conducted into Indigenous people in Victoria. The Commission was to "inquire into the present condition of the Aborigines of this colony, and to advise as to the best means of caring for and dealing with them in the future".⁴⁴ The Commission argued that Indigenous people were leading better lives on the reserves than off the reserves and that all Indigenous people should be under government control.⁴⁵ Further, the Commission argued that the apprenticing out of Indigenous children should continue and that any wages earned by Indigenous people living on a reserve should be paid by their employers through the manager of the reserve.⁴⁶

Throughout this period, Indigenous people employed by the Victorian Police Force continued to have difficulties receiving their wage entitlements.

In February 1879, Harry [an Indigenous police employee] complained he had trouble in getting his pay out of the government. At that time he had wages of more than £13 due to him, which, accumulated at the standard rate of five shillings (5/-) per day, suggests he had been employed at that time for close to two months... Eventually the money owing was remitted to him at Coranderk.⁴⁷

Indigenous people were also treated paternalistically in regards to their employment by the Police Force. In 1881, following a decision by the Kelly Reward Board to grant Indigenous trackers an amount of £50 apiece, in addition to their wages, as their share of the reward, a report

into the dispersal of the Kelly Reward stated that the trackers not be given the £50 as a lump sum, because

it would not be desirable to place any considerable sum of money in the hands of persons unable to use it; and they therefore recommend that the sums set opposite to their names be handed to the Queensland and Victorian Government to be dealt with at their discretion.⁴⁸

It is unknown whether the Indigenous trackers ever received their share of the Kelly Reward from the Queensland and Victorian governments.⁴⁹

Throughout this period, many Indigenous people were employed on Indigenous reserves, in tasks including clearing, fencing, building and farming. In fact, the Indigenous reserves throughout Victoria were built using Indigenous workers.⁵⁰ Indigenous people were often required to work on reserves in order to acquire rations.⁵¹ However, in many instances, Indigenous people received little or no pay for their work on the reserves.⁵² At Framlingham reserve, no wages were paid to Indigenous people working at the reserve between 1869 and 1877 and were often not paid for periods after 1877.⁵³ At Coranderk reserve, following Indigenous protests, Indigenous workers were paid for growing hops from 1874, however their wages were just one-third of the rate paid to non-Indigenous workers and were often paid late, the monies earned by selling the hops were "appropriated [by the BPA] for general expenses" and no wages were provided to any Indigenous employees undertaking other work such as collecting firewood.⁵⁴

At Lake Condah reserve, Indigenous workers were paid in rations prior to 1887, and following protests, were paid a "nominal wage" after this date.⁵⁵ Indigenous workers "forced wages at Ramahyuck, Lake Tyers and Ebenezer [reserves] ... although not at the rate of white workers or what they might receive outside [with the exception of some shearers at Ebenezer]".⁵⁶ Further, the usual approach of paying Indigenous workers on reserves in rations was criticised in the case of Coranderrk reserve by an 1881 Victorian Parliament Inquiry which argued that there were insufficient rations for the reserve.⁵⁷

During this period, many Indigenous people worked off the reserves for private employers in a range of occupations, including shearing, harvesting and stock work. In some cases, Indigenous workers received lower wages than did non-Indigenous workers, often about half the rate of pay.⁵⁸ In other cases, Indigenous employees were paid the same wages as non-Indigenous employees.⁵⁹ "Throughout the 1870s and 1880s [Framlingham] residents were readily hired, at wages equal to Europeans".⁶⁰ At Coranderrk, until the early to mid 1870s, Indigenous workers "were paid equal wages for the work they performed for [external] pastoralists".⁶¹ During the 1870s, approximately thirty Indigenous residents at Lake Tyers and Ramahyuck reserves worked annually at the Howitts farm in Eastwood, earning as much as 10 shillings daily, "equal to what they earned in a week at other rural work".⁶² In the late 1900s, an Indigenous resident at Lake Tyers earned equal wages when farming at the Snowy River.⁶³ As well, many Indigenous people who worked off the reserves had some level of control over their wages.⁶⁴ However, due largely to the poor book-

keeping records of many external employers, it is unclear as to the exact level of control that Indigenous workers had over their employment, including their wages, with external employers.⁶⁵ Certainly, in the 1880s, the local protector at Lake Condah reserve did not grant work certificates to Indigenous people, ensuring that Indigenous people could not be employed off the reserve.⁶⁶ "This suggests some stations acted as employment agents and might have negotiated wage rates and perhaps partly controlled access to savings, as in other states".⁶⁷ Further, "it is likely that part or all of the wages of adults employed under Board work certificates were controlled by the Board".⁶⁸

Again during this period, non-Indigenous people organised cricket tours involving Indigenous cricketers that "exploited the players as cheap labour" and ensured the players were "poorly paid".⁶⁹

In 1884, in opposition to the views expressed at the 1877 Royal Commission, the BPA, in an attempt to reduce costs, stated that all 'half-caste' Indigenous people should be removed from Indigenous reserves and live within the wider Victorian community.⁷⁰ This statement marked the beginning of a long-standing official policy towards Indigenous people. In 1965, CAR argued that "assimilation of part-Aborigines has been the official policy of past Victorian governments since 1884".⁷¹

This argument by the BPA was addressed by the enactment of the *Aborigines Protection Act 1886 (Vic)*. Section two of this Act repealed section eight of the *Aborigines Protection Act 1869 (Vic)* which defined Indigenous people.⁷² Instead, section four of the *Aborigines Protection Act 1886 (Vic)* contained a new definition of Indigenous people.

STOLEN WAGES

Aborigines Protection Act 1886 (Vic)

4. The following persons shall be deemed to be aboriginals within the meaning of the Principal Act:-
- (1.) Every aboriginal native of Victoria ['full-bloods'].
 - (2.) Every half-caste who habitually associating and living with an aboriginal within the meaning of this section has prior to the date of the coming into operation of this Act completed the thirty-fourth year of his or her age.
 - (3.) Every female half-caste who has prior to the date aforesaid been married to an aboriginal within the meaning of this section and is at the date aforesaid living with such aboriginal.
 - (4.) Every infant unable to earn his or her own living the child of an aboriginal within the meaning of this section living with such aboriginal.⁷³

This Act thus stated that Indigenous people under the age of 34 (with some exceptions) were not considered to be Indigenous. This was a "significant shift in Aboriginal policy in Victoria ... [and the Act] was the first statute to legislate for the differential treatment of 'full-blood' and 'half-caste'".⁷⁴ The Act had a profound impact on those Indigenous people no longer deemed Indigenous under this Act. The "policy of forced assimilation or ethnocide"⁷⁵ meant that "'half-castes' under 34 could live on reserves only under licence from the Board. Those unlicensed were to move into the general community".⁷⁶ Meanwhile,

the “‘full-blood’ Aborigines were kept in centralised institutions”.⁷⁷ The Act saw the forced removal of “almost half the estimated 600 residents of the state’s stations and missions, representing some forty families and including 160 children”.⁷⁸ As well, “the eligible residents who ‘harboured’ them [people no longer deemed ‘Indigenous’] – even if they were unemployed or ill – risked the loss of their own rations”.⁷⁹ Also, while those Indigenous people that were forced off the reserves “could apply for rations, clothing and blankets for [up to] seven years to assist their transition into the wider society”,⁸⁰ they faced a “desperate situation”⁸¹ with difficulties in securing employment due to competition from non-Indigenous workers and discrimination, and the cessation of rations in 1893 coinciding with a significant economic depression with 30 percent general unemployment and no government social welfare.⁸² In addition, when unemployed Indigenous people attempted to return to the reserves, “they were ordered off as ‘trespassers’”.⁸³

In 1887, additional legislation was passed by the Victorian Government concerning the employment of children and the controlling of their wages. *The Neglected Children’s Act 1887 (Vic)* allowed for the Secretary to “sue for and recover any wages or earnings” owed to wards (section 36), all monies under the control of the Secretary in the role as “guardian” to be placed in a “State Wards’ Fund” (section 37), an amount “not exceeding Five pounds per cent., from the moneys paid to the credit of the State Wards’ Fund” to be paid into consolidated revenue (section 38), expenses incurred by the Secretary “for or on account of any person of whose estate he is guardian ... shall be payable out of the moneys received on

STOLEN WAGES

account of such estate" (section 40), "if any ward of the Department for Neglected Children is guilty of any misbehaviour [of which there is no definition in the Act], of which the Minister shall be the sole judge", then "The Minister may order the whole or any part of any moneys to which such ward is entitled" to be removed to address the misbehaviour (section 85(1)), the Minister may withhold monies from such a ward until the ward has been in "good conduct" for a year (section 85(2)) and regulations can be made regarding the "collection and investment ... of any earnings of any ward of the Department for Neglected Children" (section 89(7)).⁸⁴ Further, *The Neglected Children's Act* 1890 (Vic) contained the same clauses as *The Neglected Children's Act* 1887 (Vic) in relation to the controlling of children's wages.⁸⁵

In 1890, the Victorian Government continued to exert controls over Indigenous people in relation to employment. The *Aborigines Act* 1890 (Vic) contained several sections, in almost the same wording as the *Aborigines Protection Act* 1869 (Vic), that allowed the Governor to make regulations in a number of areas relating to Indigenous people.

Aborigines Act 1890 (Vic)

6. (II.) For prescribing the terms on which contracts for and on behalf of aboriginals may be made with Europeans, and upon which certificates may be granted to aboriginals who may be able and willing to earn a living by their own exertions:

Employment and Wages

- (III.) For apportioning amongst aboriginals the earnings of aboriginals under any contract, or where aboriginals are located on a reserve the net produce of the labour of such aboriginals: ...
- (V.) For the care custody and education of the children of aboriginals.⁸⁶

In 1890, government regulations were enacted in regard to Indigenous wages. The *Regulations relating to Half-Castes* 1890 (Vic), section 13, enabled Indigenous children over 14 years of age to be apprenticed out for any trade.⁸⁷ Section 17 of these Regulations required employers to send to the General Inspector of the BPA “one-half of the wages of every half-caste child licensed to service and of every apprentice”, which would be “paid to such child at the end of his or her service or apprenticeship”.⁸⁸ There is no evidence that these withheld wages were ever paid to Indigenous children.⁸⁹

The *Aborigines Act 1890 Regulations* 1890 (Vic), in the same manner as the *Regulations and Orders made under the Act* 1871 (Vic), allowed for the BPA to grant work certificates to Indigenous people (section 8), make contracts with employers regarding Indigenous workers (section 3), pay Indigenous wages to a third party (section 6), direct the application of the wages (section 7) and remove any “neglected” or “unprotected” Indigenous child to an Indigenous reserve or an industrial or reformatory school (section 13).⁹⁰

In 1899, the BPA’s power to remove ‘neglected’ and ‘unprotected’ Indigenous children was extended to incorporate all Indigenous

STOLEN WAGES

children. The *Aborigines Act 1890 Alteration of Regulations 1899* (Vic), amended section 13 of the Act to read:

Aborigines Act 1890 Alteration of Regulations 1899 (Vic)

13. The Governor may for the better care custody and education of any aboriginal child order that such child be transferred to the care of the Department for Neglected Children or the Department for Reformatory Schools.⁹¹

This power remained with the BPA until 1957⁹² and “removals to institutions, and then onto white families or employers, continued until 1967”.⁹³

At the beginning of the twentieth century, the BPA continued to discriminate against Indigenous people concerning their employment and wages. In 1909, the BPA wrote to the manager of Coranderrk reserve, instructing that, “it is not desirable that they [Indigenous people] be kept in idleness, nor should the Board be required to pay the natives for every hour worked by them”.⁹⁴

During this time, the financial administration at reserves was often inadequate. In 1905, a report into the finances at Lake Condah reserve complained that “as no bank books were produced I cannot certify to balances. It appeared to me that the Cash Books had been recently written up”.⁹⁵ In 1904, the Auditor-General for Victoria wrote to the BPA detailing concerns about the lack of auditing at some Indigenous reserves.

Employment and Wages

At present the books of the Coranderk and Framlingham Aboriginal Stations are inspected by Officers of this Department whilst those of Lake Condah, Lake Wellington and Lake Tyers are not so. There is no provision in the Aborigines Act or elsewhere for an audit of Station books and I have probably no power to come in as Auditor. I think it, however, very desirable as the stations are practically Government institutions that I should examine the books.⁹⁶

Following the BPA supplying the 'books' from Lake Wellington, Lake Tyers and Lake Condah to the State Audit Office, and the inspection of the 'books' by the Audit Office, the Auditor-General for Victoria then wrote to the Victorian Treasurer on 21 December 1905 regarding the findings.

The report ... shows that no audit could be made of the books of any one of the Stations and that it is very desirable that the accountancy should be reorganised and the Station accounts thoroughly checked.

I place these facts before you in order that you may consider the advisability of giving me authority to audit the Stations.⁹⁷

In 1906, the Audit Office did audit a number of reserves and expressed concern with several practices, including the inability to "reconcile the books with the cash on hand", the lack of a cash book, the inaccuracies of stock books, the intertwining of financial affairs between the reserve managers and the BPA, the use of Indigenous labour for the benefit of the reserve managers and the reserves, the lack of a "check" on the

STOLEN WAGES

manager and the practice of reserves forwarding cash into a bank account in the name of the reserve manager rather than into revenue.⁹⁸

Similarly, several audit reports submitted in the 1930s expressed concerns regarding the confusing state of much record-keeping at reserves, including 'cash books', ledgers, store records and individual trust accounts.⁹⁹

In 1910, given that "the Protection Board was forced to support distressed 'half-castes'",¹⁰⁰ the *Aborigines Act 1910* (Vic) was passed to extend the BPA's control over all Indigenous people, including 'half-castes'.

Aborigines Act 1910 (Vic)

2. Notwithstanding anything contained in the *Aborigines Act 1890* the Board in addition to any powers conferred upon it with regard to half-castes may if it thinks fit and subject to the approval of the Minister exercise in the case of any half-caste all or any of the powers conferred on the Board with regard to aboriginals by the said Act or any regulation thereunder.¹⁰¹

However, in practice, the BPA "insisted on helping only those families who moved to its station at Lake Tyers".¹⁰²

In 1916, the *Aborigines Act Regulations 1916* (Vic) imposed strict controls over all aspects of the lives of Indigenous peoples living on reserves, including over employment. These Regulations continued the system of certificates and contracts (sections 2-8), enabled the

BPA to sell produce made on reserves and decide on appropriate wages to Indigenous people (section 9), empowered the manager to require Indigenous residents to "do a reasonable amount of work" and to determine employment and wages on the reserve (section 10), controlled access to the reserve (section 25), which was relevant to Indigenous people seeking to work off the reserve, and enabled the BPA to keep one-half of Indigenous apprentices wages until the end of their apprenticeship (section 45).¹⁰³

The Regulations, section 56, also forced off the reserves all "quadroon, octoroon, and half-caste lads" who were "not again [to] be allowed upon a station or reserve, except for a brief visit to relatives, at the discretion of Managers of stations [not beyond ten days]".¹⁰⁴ These regulations remained in force until 1957.¹⁰⁵

Further, those Indigenous people forced off the reserves, due to their mixed ancestry, by the *Aborigines Act 1915* (Vic) and its predecessor Acts, and forced to "assimilate into townships",¹⁰⁶ had substantial issues regarding employment.

It was often difficult for people of Aboriginal descent to gain acceptance from the wider community and obtain employment. They were generally viewed as being Aboriginal, not white. They were, in a sense, between two worlds: regardless of how white their skin looked, they were not equal members of white society and, because they were not black enough, they were unable to access the government assistance that was granted to 'full-blood' Aboriginal people and were separated from family and community.¹⁰⁷

STOLEN WAGES

In 1917, the BPA decided to implement a "Concentration Plan"¹⁰⁸ which aimed to close all reserves in Victoria except for Lake Tyers reserve and "concentrate all [Indigenous people] down to half-caste standard" at Lake Tyers reserve.¹⁰⁹ All Indigenous people not living at Lake Tyers would then be ineligible for support from the BPA.¹¹⁰

By 1923, Lake Tyers was the last remaining staffed reserve in Victoria, although a few, largely elderly, Indigenous people continued to live at Coranderrk and Framlingham.¹¹¹ Like all reserves, life was extremely difficult for Indigenous people on Lake Tyers, with poor rations, minimal or no wages, strict controls and terrible living conditions.¹¹² Lake Tyers residents that left the reserve to work without first obtaining a pass could have their rations stopped or be fined "a couple of quid – a lotta money then".¹¹³ Indigenous workers at Lake Tyers continued to be fined by managers throughout the BPA era and the post-BPA era (after 1957) and continued to receive minimal wages and rations until 1966.¹¹⁴

Likewise, life was extremely difficult for those Indigenous people living in the wider Australian community, due to appalling living conditions on the outskirts of towns, little, often irregular and poorly paid, employment, discrimination from employers and others in the wider community, often no welfare or sustenance assistance and largely neglected by the BPA.¹¹⁵

In 1925, a report was provided to the BPA concerning Lake Tyers reserve. The report discussed several issues relating to Indigenous employment. The rations provided to Lake Tyers residents were described as "good and sufficient" with "variety".¹¹⁶ While the report mentioned

Employment and Wages

“there are few people actually working” as “the Aboriginals can make money too easy elsewhere” and “the influence of the Tourists”,¹¹⁷ there was no discussion in the report about wages. The report recommended that as Indigenous people earn money through selling boomerangs and other goods to tourists and playing the leaf to tourists, then “Tourists be requested to buy nothing direct from the Aboriginals ... [and] Aboriginals who show an aptitude for the work be employed to make boomerangs for the Station, which could be purchased by Tourists from the Station”¹¹⁸. Finally, the report recommended that Indigenous “inmates of the Station be prevented from working elsewhere when required for this work [agriculture] on the Station”, they be “paid piecework at the ruling rate for the district (less cost of rations etc)” and “the crop be sold and placed to the credit of the Station”.¹¹⁹

In 1927, the Victorian Government introduced another restrictive measure on Indigenous people.

Aborigines Act 1915 Additional Regulation No. 34 (A) 1927 (Vic)

Regulation 34A.- In order to maintain discipline, the Manager may, at his discretion, deal with any breach of good behaviour and minor offences on the part of any aboriginal and inflict a fine not exceeding Two pounds (£2).¹²⁰

In this period, the government continued to legislate regarding the controlling of children's wages. The *Children's Welfare Act 1928* (Vic), sections 35–37, 39 and 84 were similar to the *Neglected Children's Act*

STOLEN WAGES

1915 (Vic).¹²¹ Section 88(7) in the 1928 Act allowed for regulations to be made regarding “the collection and investment and deposit of any earnings of any ward of the Children’s Welfare Department”.¹²²

The *Aborigines Act* 1928 (Vic), section 6, enabled regulations to be passed concerning Indigenous employment and wages.¹²³ In 1931, the government introduced regulations under this Act. These Regulations continued to empower the reserve manager to control employment and wages on the reserve.

Aborigines Act 1928 Regulations 1931 (Vic)

10. Every able-bodied aborigine, half-caste, and other person resident on one of the Board’s reserves shall be required to do a reasonable amount of work, as directed by the manager, and while so engaged shall be remunerated at a rate to be arranged by the manager and approved by the Board. Any one persistently refusing to work when required to do so shall be reported to the Board, and may have all supplies for himself or/and his family withdrawn until he resumes work, and/or will be liable to be removed from the reserve.¹²⁴

Further, these regulations allowed for the development of two trust funds in regards to the wages of Indigenous people. The first trust fund related to a long standing power of the BPA to deduct all or some monies from the wages of Indigenous workers and direct these monies to a third party.

Employment and Wages

Aborigines Act 1928 Regulations 1931 (Vic)

7. Any deduction so made shall be paid into a trust fund in the name of the aborigine concerned, and shall be applied and expended as may be directed by the Board for his benefit and/or benefit of his dependents.¹²⁵

The second trust fund likewise related to a long-standing power of the BPA, in this instance, the authority to control and distribute the proceeds of the sale of any goods produced on reserves.

Aborigines Act 1928 Regulations 1931 (Vic)

9. When a number of aborigines are located on a reserve and cultivate fields and gardens, or raise and keep live stock, or otherwise by their labours produce marketable goods, the Board may from time to time order the sale of any produce, or live stock, or goods. All money so received shall be paid into a trust fund kept in the Treasury termed the 'Aborigines Board Produce Fund'. Any monies received from the leasing of reserves, sale of timber, wattle bark, or contracts for the sale of any commodities shall also be paid into the above fund. The Board may from time to time from this fund pay to the aborigines who have laboured on reserves such sums as it may determine, having regard to the kind and amount of labour performed by each. The Board may

STOLEN WAGES

also pay from this fund such accounts as it deems right for the purchase of stock, materials, goods, &c.¹²⁶

The Aborigines Board Produce Fund made significant profits for many years. These profits were £398.3.4 (1931-1935), £2208.19.5 (1935-1940), £2966.7.1 (1940-1945) and £477.13.0 (1945-1950).¹²⁷ The BPA could "carry forward any surplus from one financial year to the next".¹²⁸ In 1950, the Fund started to "collapse" due to the loss of income from leasing Lake Condah and Coranderrk reserves, as these areas were granted to soldiers.¹²⁹ Consequently, the Fund suffered a loss of £4112.6.6 between 1950 and 1955.¹³⁰ However, even with this loss, the Fund was £3684.5.10 in credit at the end of 1955.¹³¹ The Fund was wound up in 1957 with £3485.11.11 in credit being transferred to the Aborigines Welfare Fund.¹³²

Throughout this period, the BPA became far less accountable in regards to its reports to the Victorian Parliament. In 1912, the BPA stopped producing annual reports, except for three reports in the 1920s.¹³³ In 1925, the BPA produced its last report for over twenty years.¹³⁴ This failure to produce reports ensured that the BPA's "management at Lake Tyers remained closed to Victorian eyes".¹³⁵ Further, the BPA "was rarely convened and executive control remained with the Under Secretary and a clerk".¹³⁶ This situation continued for many years.

By the 1940s, Victoria's Aboriginal Protection Board, then over seventy years old, was moribund. It did not meet or report to parliament; its management of aboriginal Affairs, such as it was, was handled by a few

public servants ... The Board also pursued an outdated policy of refusing to recognise Aboriginal people of 'mixed descent', who formed the vast majority of the 2000 Aborigines in the state, as being 'Aboriginal'.¹³⁷

Even when the BPA was reconstituted in 1947, with four new members, including an Indigenous member, "because it was convened only once or twice a year from 1946 to 1957 two officers of the Chief Secretary's Department continued to control policy".¹³⁸

In 1955, the BPA itself was critical of the lack of meetings.

The infrequency of meetings over the past six years has meant that the Board has completely lost touch with administrative matters ... It has been necessary to carry on the work departmentally under the Minister's direction.¹³⁹

There were often protests in this period concerning Indigenous peoples and issues of employment and wages. In 1929, Thomas James, a non-Indigenous supporter of Indigenous rights, "publicly criticised discrimination against Aborigines in employment".¹⁴⁰ In the same year, James' son, Shadrack James, an Indigenous person, wrote:

I know of several Aborigines who were granted some 30 or 40 acres of land some years ago and were promised larger grants if they proved their capability of clearing and working this land. These men worked hard, their wives helping, on scanty supplies of rations, and fenced and cleared about 900 acres of densely timbered land, and just when they were

STOLEN WAGES

expecting fair returns from their land the blocks were taken away from them, with no prospect of compensation for their labour.¹⁴¹

William Cooper, an Indigenous leader, originally from Cumeragunja, who formed the AAL in 1934,¹⁴² argued in 1937 for “the right to work” for Indigenous people.¹⁴³ In 1936, the AAL called for “adequate wages ... on the same terms as whites”.¹⁴⁴ In 1948, the AAL, in discussing the future of Lake Tyers reserve, argued for the “abolition of the present Rations System” and stated that

the League believes that the present ration system, plus pay at the rate of 3d. per hour for work done at Tyers should be abolished and superseded by providing work on the station for all able-bodied persons at prevailing wage-rates.¹⁴⁵

The AAL argued in 1948 that social service entitlements, such as child endowment, maternity allowances and old-age and invalid pensions, should be available to both Indigenous residents at Lake Tyers reserve and to all Indigenous people living off the reserve.¹⁴⁶

As well, the Indigenous residents at Lake Tyers reserve protested, including going on strikes, about the conditions on the reserve.¹⁴⁷

Non-Indigenous organisations similarly opposed the employment discrimination suffered by Indigenous people. The Australian – New Zealand Civil Liberties Society argued that “Governments should force the payment to Aboriginal workers of the rates paid to European workers”.¹⁴⁸ The Australian Woman’s Charter Conference in 1957

Employment and Wages

argued for "the abolition of the system of employment by licenses" and "the payment in cash of total wages earned to adult Aboriginal and coloured men and women workers, and their right to earnings to be secured by law".¹⁴⁹ Many non-Indigenous organisations also criticised the general conditions, including employment, that existed at Lake Tyers reserve.¹⁵⁰

An interesting exchange occurred between CAR and the BPA in 1953 regarding Indigenous employment. On 14 August 1953, CAR sent the following letter to the BPA seeking information about Indigenous wages and trust funds.

Dear Sir,

This organisation is making a survey of wages paid to Aborigines in different parts of Australia.

Are we right in assuming that most Aborigines in Victoria would be entitled to receive the same wages as white workers for the same job. [sic] Would you have any figures for average wages received by Aborigines in this state. [sic]

What payment would be made for work done by Aborigines on the Lake Tyers Settlement, and would all the money be paid direct to them, or would part be paid into some form of trust fund. [sic] If this is the case are balance sheets available for trust funds, and where can they be obtained. [sic].¹⁵¹

The reply to this letter was sent by the BPA on 28 August 1953.

STOLEN WAGES

Dear Madam,

In reply to your recent letter ...

As to the Lake Tyers folk, they, of course, are wholly provided for by the Board, and have no expense to meet beyond 'extras' to please individual tastes, say in clothing or improvements to their homes. However, we consider that it is desirable that those who are physically and mentally capable should be engaged in some employment and they are required to help in producing the vegetables, meat, milk, butter and so on need for their own consumption and in carrying out the various chores connected with the general running of the Station.

For this work, the Board allows wages. There is no set rate, but for the men it generally ranges from £2 to £4/10/- per fortnight, on the basis of an average working week of about 30 hours. If extra or special work is done the payment is increased accordingly.

Yours faithfully,
SECRETARY.¹⁵²

While the Second World War saw some increased opportunities for Indigenous people seeking employment outside reserves, including "well paid share-farming",¹⁵³ these opportunities did not last following the conclusion of the war. A 1946 BPA conference stated that there was little work for Indigenous people due to "the necessity of paying award rates".¹⁵⁴ In addition, rations were generally only provided to those Indigenous people residing on Lake Tyers reserve.¹⁵⁵

Employment and Wages

From the end of the Second World War to 1956, Victorian governments continued their policy towards Indigenous people of mixed descent.

Successive governments insisted that persons of Aboriginal descent were legally white, had 'full civil rights' and could secure adequate aid from the resources available to ordinary citizens; thus it would be a 'retrograde step' to put them under the control of the Board.¹⁵⁶

In 1954, government controls over the wages of children continued through the *Child Welfare Act 1954* (Vic). This Act gave certain powers to the Director of the Children's Welfare Department.

Child Welfare Act 1954 (Vic)

26. (2) The Director may require the employer of any young person so placed in employment to remit to him at regular intervals a specified portion of the weekly earnings of such young person and any amounts so received shall be placed by the Director to the credit of such young person in a State Savings Bank account in the name of the Department.
- (3) While any young person is under the guardianship of the Director the whole or portion of the amount so standing to his credit may be applied to his benefit as the Director thinks fit.¹⁵⁷

STOLEN WAGES

These powers were retained in the *Child Welfare Act* 1958 (Vic) and the *Social Welfare Act* 1960 (Vic).¹⁵⁸

Aborigines Welfare Board: 1957–1967

In 1955, the Bolte Government initiated an inquiry, headed by retired magistrate Charles McLean, into Indigenous people in Victoria.¹⁵⁹ The Inquiry was criticised for not consulting sufficiently with Indigenous people.¹⁶⁰ This inquiry found that Indigenous employment, impacted on by prejudice from the wider Victorian community, needed to be addressed to improve Indigenous living conditions.¹⁶¹ The Inquiry recommended that new legislation be enacted that widened the definition of Aboriginality to include “any person having an admixture of Australian aboriginal blood”.¹⁶² It also recommended that new legislation allow for regulations to be made concerning any “funds in the possession or control of the Board” and “prescribing conditions of employment, other than payment, of aborigines”.¹⁶³ As well, the Inquiry recommended that a new Board be created to replace the BPA.¹⁶⁴ This Board, the Inquiry recommended, should “be empowered, in its discretion, to include in its administration any person having an admixture of aboriginal blood”.¹⁶⁵ In addition, the Inquiry recommended that “able-bodied” Indigenous people should be forced off Lake Tyers reserve to live in the wider community.¹⁶⁶ Further, the Inquiry found that, at Lake Tyers reserve,

Under the regulations, all able-bodied residents are required to do ‘a reasonable amount of work’ in return for rations, clothing, &c. There is

Employment and Wages

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.¹⁶⁷

The Inquiry noted that, in contrast to the wages earned at Lake Tyers reserve, Indigenous people who worked off the reserve could earn £5 or £6 per day.¹⁶⁸

Finally, the Inquiry argued that any new legislation did not need to incorporate any discussion on the removal of Indigenous children.

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 [1954], which are of general application, are, in my view, adequate in that respect.¹⁶⁹

All of McLean's recommendations, with the exception of selling land at Lake Tyers, were addressed by the *Aborigines Act 1957* (Vic), "ushering in a new era of bureaucratic interventionism".¹⁷⁰ The Act dissolved the BPA (section 12(a)), created the Aborigines Welfare Board (AWB) (section 3), expanded the definition of an Indigenous person to include "not only full-blooded aboriginal natives of Australia but also any person of aboriginal descent" (section 6(1)), stated the function of the AWB was to "promote the moral intellectual and physical welfare of aborigines ... with a view to their assimilation into the general community" (section 6(1)) and allowed for regulations to be enacted concerning "conditions

STOLEN WAGES

of employment (including housing) of aborigines in any area", with the exception of conditions relating to industrial awards or determinations regarding the employment (section 10(1)(c)).¹⁷¹

Additionally, the Act established another Indigenous trust fund.

Aborigines Act 1957 (Vic)

7. (1) There shall be established and kept in the Treasury a fund to be called the 'Aborigines Welfare Fund'.
- (2) Into the Fund shall be paid all monies appropriated by Parliament for the purpose, all monies received by the board in connexion with aboriginal reserves, and all other monies whatsoever received by the Board in the administration or for the purposes of this Act.
- (3) Monies to the credit of the Fund shall be applied to the payment of expenses of the Board and the members thereof and the administration of this Act.
12. (c) the trust fund known as the 'Aborigines Board Produce Fund' shall be closed and all monies standing to the credit thereof shall be transferred to the credit of the Aborigines Welfare Fund established under this Act.¹⁷²

Throughout the AWB era (1957–1967), there were several concerns regarding the financial accountability of the AWB.

The poor administration of the Aborigines Welfare Fund was illustrated in 1965 when the Superintendent of Aboriginal Welfare, P. E. Felton, in a letter to the Chief Secretary's Office concerning proposed amendments to the Aborigines Act 1958 (Vic), observed that

It would be desirable for moneys received for special purpose donations [such as an education fund for a specific person] to be paid into trust accounts so that they could be administered individually instead of becoming 'lost' in the Aborigines Welfare Fund.¹⁷³

Further, the arbitrary and inconsistent decisions that the AWB could take regarding the Aborigines Welfare Fund was demonstrated in 1962, when the AWB decided to forward the estate of one Indigenous person to her descendents and forward the estate of another Indigenous person to the Aborigines Welfare Fund.¹⁷⁴

Also, in 1962, the AWB stated that, following an audit, "unsatisfactory features were found to exist in the accounting methods which had been used at the [Lake Tyers] Station".¹⁷⁵ In 1967, the AWB acknowledged that they had not included a financial statement in their annual reports, which dated back to 1957.¹⁷⁶

In 1958, the Victorian Government enacted regulations under the *Aborigines Act 1957* (Vic), concerning Indigenous employment.

STOLEN WAGES

Aborigines Act 1957 Regulations 1958 (Vic)

9. Every able-bodied aborigine residing on a reserve shall do a reasonable amount of work as directed by the manager and if no industrial award or determination is applicable shall be remunerated therefor [sic] at a rate to be arranged by the manager and approved by the Board. Every such aborigine who persistently refuses to work may have his permit to reside on the reserve cancelled by the Board. ...
24. No person or company shall employ any male aborigine under the age of eighteen (18) years or any female aborigine without the approval of the Board ...
29. In relation to conditions of employment these regulations shall be subject to the provisions of any industrial award or determination which may be applicable.¹⁷⁷

In 1965, Amnesty International questioned these regulations.

This Regulation [number 9] could be held to contravene Articles 4 and 23 (1) of the Universal Declaration. Certainly it seems wrong that it has not been legislated that the workers should be paid at a rate of not less than that of a basic wage, and it could well be asked whether the requirement of work is justifiable as a consideration for accommodation at the reserve. It also contravenes Article 9 of the I.L.O. [International

Labour Organisation] Convention 107 which prohibits compulsory personal service in any form.

Reg.29: The absence of reference to the basic wage implies that circumstances can and do occur under which Aborigines receive less than the basic wage.¹⁷⁸

In addition, regulation 16 of the *Aborigines Act 1957 Regulations* 1958 (Vic), that allowed the manager of Lake Tyers reserve to "impose a fine not exceeding £2 on any aborigine who is guilty of any misconduct on a reserve",¹⁷⁹ was accepted by the Superintendent of Aboriginal Welfare, P. E. Felton, in 1961, as "especially discriminatory" but "necessary".¹⁸⁰ Further, the AWB reported in 1962, several years after the regulations, that receipts should be provided for "disciplinary fines and other official monies collected by the management".¹⁸¹

The residents of Lake Tyers faced more financial penalties if they worked off the reserve as they would have to pay £4 per week for the maintenance of their family still on the reserve.¹⁸² Additionally, in 1963, the AWB approved a scheme whereby all Indigenous people earning wages at Lake Tyers reserve would be required to "contribute 1/- per pay" to a fund that would be used to pay for any repairs at the reserve.¹⁸³

The FCAA argued that while, in theory, the *Aborigines Act 1957* (Vic) gave "full rights except for restrictions on the Aboriginal people on Lake Tyers Reserve",¹⁸⁴ in reality, in regard to equal wages, "in isolated areas ... it was reasonable to suppose they did not receive them".¹⁸⁵ In 1962, CAR argued

STOLEN WAGES

Aborigines employed outside Lake Tyers are entitled to equal wages and working conditions and the same rights of industrial protection as other workers in Victoria. ...

Some employers take advantage of Aborigines who are often less aware of their entitlements. This particularly applies to accommodation in work such as fruit picking. The Board has tried to counter this by a regulation which gives its officers power to inspect accommodation.¹⁸⁶

Many protests continued to be made throughout the 1960s regarding the discriminatory conditions relating to employment, wages and social security faced by Indigenous people, particularly at Lake Tyers reserve.

The Aboriginal-Australian Fellowship 1960 Constitution included an aim that Indigenous people should be paid equal wages and receive industrial protection.¹⁸⁷

In 1961, CAR argued that Indigenous people at Lake Tyers worked "at least 36 hours each week" for a "very low wage usually less than £2.5.0 per fortnight" and "pensions should be paid direct to aborigines and not to officials".¹⁸⁸ The FCAA argued that Lake Tyers residents received "£1 - £2.5 per Week for average of 30 hours [worked]".¹⁸⁹

In 1962, the FCAA Constitution stated as one of its principles that "All Aborigines to receive equal pay for equal work and the same industrial protection as for other Australians".¹⁹⁰ In that same year, the FCAA stated that

At Lake Tyers, in Victoria, cash wages for 34 hours of work per week vary from 7/6d. to £2... Aborigines urgently need the assistance of the

Employment and Wages

organised trade union movement to get full award rates and the same industrial protection as other workers.¹⁹¹

Again in 1962, CAR outlined its concerns with Lake Tyers.

At Lake Tyers the working conditions are not arduous, but are not interesting or calculated to develop initiative or a sense of responsibility. All work is under the direction of non-Aboriginal staff. ...

The work, mainly farming and maintenance, is based on the degrading hand-out system. If the Government will not permit the introduction of an Aboriginal co-operative it should expand the farming work and pay the workers a proper wage. They could then buy their own supplies instead of receiving rations.

When McLean made his report in 1957 wages were from 15/- to 30/- for a 34-hour week, and similar rates are still in force, despite there being an industrial award for farming work.¹⁹²

Moreover, the details of rations provided to Indigenous residents at Lake Tyers reserve were often unclear. CAR wrote to the Victorian Public Service Board on 28 March 1962, complaining that the manager of Lake Tyers reserve, Mr Miles, "gave evasive answers to a number of our questions e-g the value of rations, and how often there was a clothing distribution".¹⁹³ CAR received a reply to this letter from the Undersecretary of the Chief Secretary's Office on 11 April 1962 that simply stated, "I have received no complaints concerning the Manager's attitude to the residents at Lake Tyers but if a prima facie case of any breach of the regulations is made out

STOLEN WAGES

against the Manager he will be charged".¹⁹⁴ Further, the quality of diet provided by the rations throughout this period was often extremely poor, with deficiencies in many vitamins.¹⁹⁵

In 1962, CAR argued that if the "extremely low wages" paid to Lake Tyers workers were for work covered by an industrial award or determination, then "the Manager and the Welfare Board are illegally frustrating the intention of the legislature" as the 1958 Regulations, section 29, state that award rates should be paid in these cases.¹⁹⁶ CAR stated that the "minimal requirements" should be "the payment of award wages for all work done and the abolishing of the ration system".¹⁹⁷ The Combined Union Shops Committee likewise argued in 1962 for award rates to be paid to Indigenous workers at Lake Tyers.¹⁹⁸ Again in 1962, CAR listed an example of the poor wages paid to Indigenous workers at Lake Tyers.

There is no award in Victoria covering domestic help, but a prevailing rate (of approximately 7/6 per hour) exists and is generally paid. At Lake Tyers, however, only 25/- to 30/- per fortnight is paid in cash to the domestic servant, according to the manager.¹⁹⁹

In addition, CAR detailed the failure to pay workers' compensation to Indigenous people at Lake Tyers and advocated for this failure to be addressed.²⁰⁰

No Workers' Compensation. We met a man who had injured his leg while employed as butcher and slaughterman on the Settlement. Although unfit

Employment and Wages

for work, he was not receiving worker's compensation, and the Manager stated that it was not the practice to pay workers' compensation.²⁰¹

In 1963, CAR stated that Indigenous people at Lake Tyers demanded an "abolition of restrictive regulations" and "full award wages and social service benefits to be paid directly to persons concerned".²⁰²

Again in 1963, CAR argued that key issues relating to Lake Tyers included "The non-payment of workers' compensation... [and] Inadequate wages - 7/6d. to £4.0.0 per fortnight paid to residents".²⁰³ CAR similarly argued that these wages were "lower than award rates".²⁰⁴

In 1964, CAR again raised the issue of regulations and wages at Lake Tyers reserve. It argued, "with the State elections about to be held we should study these demands again - ... Abolition of restrictive regulations. ... Full award wages and social service benefits to be paid directly to persons concerned".²⁰⁵ CAR again argued that the wages received by Indigenous workers at Lake Tyers were "lower than award rates".²⁰⁶

A non-Indigenous campaigner for Indigenous rights, Dorothy Irwin, wrote to A. G. Rylah, the Chief Secretary, on 23 June 1964, asking that "social service benefits be paid in full directly to persons entitled to benefits, and full award wages be paid immediately in cash to persons employed at Lake Tyers".²⁰⁷ No reply to this letter has been found. Later, Irwin wrote the following letter on 9 February 1965 to the Chief Secretary's Office, in reply to a letter from the Undersecretary, J. V. Dillon, on 19 January 1965. Again, no reply to Irwin's letter has been found.

STOLEN WAGES

To my suggestion that full award wages be paid immediately in cash to persons employed at Lake Tyers, you replied that 'it is not possible to provide full employment at award rates at the settlement for all able-bodied inhabitants, however, desirable as this may be'.

For how many able-bodied people is work provided? And at what rates? Do any – and if so how many – people at Lake Tyers receive a cash income which allows them to purchase for themselves their entire living requirements? Or do all receive goods in kind?²⁰⁸

In 1965, the FCAA published the following information about the wage levels earned by Indigenous people throughout Australia, illustrating the low pay earned by Lake Tyers residents.

Aboriginal agricultural, domestic, pastoral, timber, and transport workers in Northern Territory: £2.8.3d a week plus keep for wife and child (or extra £2.13.0d a week in lieu of keep);

Drovers 21–45, Queensland: £10.12.0d, Drovers over 45 and classified as 'active', Queensland: £10.12.0d, Drovers over 45, judged 'Not Active' by employer, Queensland: £5.12.6d, non-Aboriginal award for all categories £17.9.4d

Cooks for Europeans, Queensland: £9.0.0d

Cooks for Aborigines, Queensland: £6.12.6d

Western Australia (no award) pastoral workers: from £1 plus keep;

Lake Tyers, for the required 32 hours weekly: 15/- to £2.²⁰⁹

Incidentally, the basic weekly wage in Victoria for 1964 was £15.7.0.²¹⁰

Employment and Wages

In 1965, CAR again discussed the inadequate wages paid to Indigenous workers at Lake Tyers and outlined the controls that reserves could have over outside earnings.

The lowest wages of all are those paid on Church Missions and Government settlements in some states. A striking example of this is the standard of wages paid on the Lake Tyers reserve in Victoria despite the fact that Aborigines outside the reserve are entitled to full award wages. On Lake Tyers the able-bodied residents are required to do 'a reasonable amount of work' in return for rations and accommodation and a small cash wage which ranges from 15/- to £2 per week. The regulations (No. 29) provide that where an award rate exists for the job being done, it should be paid but this is not adhered to. ...

In addition to the low wages paid for work on missions and settlements, Aboriginal residents often work at seasonal jobs outside. Sometimes, money earned in this way may be paid direct to the management of the mission or settlement and only small cash wages to the workers concerned.²¹¹

In April 1966, the AWB ceased the long-standing policy of providing rations to Indigenous people living at the Lake Tyers reserve.²¹² Indigenous people had previously argued that they would prefer wages than rations and that, if they were paid wages, they would buy food and clothing.²¹³ At the same time, the AWB abolished the requirement that Indigenous pensioners living at Lake Tyers contribute a proportion of their pensions for their 'maintenance'.²¹⁴

STOLEN WAGES

In 1966, the Federal Council for the Advancement of Aboriginals and Torres Strait Islanders (FCAATSI) criticised the *Aborigines (Amendment) Act* 1965 (Vic) as “a sad example of Government refusal to learn from past mistakes and failures” and an Act that “perpetuates most of the worst features of the Aborigines Act 1958 [1957]”.²¹⁵ In addition, FCAATSI criticised the AWB in 1966, stating that “no provision is made for the adequate representation of Aboriginal people on the Aboriginal [sic] Welfare Board”, there was “a ministerial abdication of responsibility” in Indigenous Affairs and “decisions are now made by a Board which has no public responsibility or accountability”.²¹⁶

A more recent criticism of the AWB comes from Haebich (2000) who outlined the “limited Board resources” and the “low staff levels and funding”²¹⁷. Further, West (2005) criticised the AWB’s management of Lake Tyers reserve, noting that in September 1966, several months after the ration system ceased in April 1966, “the *per capita* [original italics] weekly income of the whole community was the astonishing figure of \$4.05. [and] only one of the nine men on the station was employed”.²¹⁸ In addition, even with high unemployment amongst Indigenous people living on the reserve, the AWB often contracted non-Indigenous people to work on the reserve, despite objections from the Indigenous residents and some AWB staff.²¹⁹

In December 1967, the AWB reported that the balance of the Aborigines Welfare Fund was \$20,294.59 as of 30 November 1967.²²⁰

Ministry for Aboriginal Affairs: 1968–1975

During this period from 1968 to 1975, the issue relevant to this book concerned Indigenous trust funds.

In 1967, the Victorian Government enacted the *Aboriginal Affairs Act 1967* (Vic). This Act created the Ministry of Aboriginal Affairs (MAA) (section 4) and abolished the AWB (section 18).²²¹ The Act also created the Aboriginal Affairs Fund and abolished the Aborigines Welfare Fund.

Aboriginal Affairs Act 1967 (Vic)

20. (1) There shall be established and kept in the Treasury a Fund to be called the 'Aboriginal Affairs Fund'.
- (2) All moneys appropriated by Parliament for the purposes of this Act and all other moneys received by the Ministry shall be paid into that Fund.
- (3) Moneys to the credit of the Fund shall be applied to the payment of expenses of the Ministry and the administration of this Act.
- (4) At the commencement of this Act all moneys in the Aborigines Welfare Fund established under the *Aborigines Act 1958* shall be paid into the Aboriginal Affairs Fund.
29. The Housing Commission shall pay into the Aboriginal Affairs Fund all moneys received by way of rent or otherwise

STOLEN WAGES

in respect of lands houses or buildings vested in the Minister after deducting any expenses incurred by the Commission in the management of such land houses or buildings.²²²

In 1974, the Victorian Government passed the *Aboriginal Affairs (Transfer of Functions) Act 1974* (Vic). This Act, section 9, repealed the *Aboriginal Affairs Act 1967* (Vic).²²³ Moreover, as stated by the MAA

Under the authority of the Aboriginal Affairs (Transfer of Functions) Act 1974, on Saturday, 11 January, 1975, the Ministry of Aboriginal Affairs will cease to function as a State Government instrumentality responsible for Aboriginal Affairs in Victoria. ...

The functions of policy, planning and co-ordination previously performed by the Ministry will be transferred to, and administered by, the [Commonwealth] Department of Aboriginal Affairs Victorian Regional Office.²²⁴

In addition, the *Aboriginal Affairs (Transfer of Functions) Act 1974* (Vic) abolished the Aboriginal Affairs Fund.

Aboriginal Affairs (Transfer of Functions) Act 1974 (Vic)

8. Moneys standing to the credit of the Aboriginal Affairs Fund established under the *Aboriginal Affairs Act 1967* shall be applied as follows: -

Employment and Wages

- (a) Moneys contributed by the Commonwealth shall be refunded to the Commonwealth; and
- (b) All other moneys shall be paid to the Consolidated Fund.²²⁵

Despite section 8(b) abolishing a fund that, in various forms, had been operating since 1931, the parliamentary debates in the Victorian Parliament concerning this Act did not discuss this section or provide any details regarding the abolished Aboriginal Affairs Fund. In the Legislative Assembly, the first reading, the second reading, the debates on the second reading, the discussions in Committee and the third reading all failed to discuss or mention section 8(b).²²⁶ Likewise, in the Legislative Council, the first reading, the second reading and the debates on the second reading did not discuss or mention section 8(b).²²⁷

Further, there have been no records found that indicate that the monies outstanding to Indigenous people from the Aboriginal Affairs Fund were either paid to them in 1974 or paid at a later date.²²⁸

There are two additional concerns regarding Indigenous trust funds. First, Wampan Wages argued that some "Commonwealth benefits ... have also been identified by community members as funds held in trust with only partial payment and or no payment being made to the proper recipients".²²⁹ Second, the Senate Inquiry into Stolen Wages was informed by historians such as Kidd and Richardson that monies in Indigenous trust funds in some jurisdictions were sometimes misappropriated by governments.²³⁰

STOLEN WAGES

Overall, as Gray argues, “potential stolen wages plaintiffs have solid legal bases, either in trust or fiduciary law, for arguing that governments should be made to account for missing moneys held in Aboriginal trust funds”.²³¹

NOTES

Background

- 1 Stephen Gray, 2007, 'The Elephant in the Drawing Room: Slavery and the "Stolen Wages" Debate', *Australian Indigenous Law Review* 11(1): 30; see also Ann Curthoys and Clive Moore, 1995, 'Working for the White People: An Historiographic Essay on Aboriginal and Torres Strait Islander Labour', *Labour History* 69: 4-5; Jilpia Jones, 2004, 'Working for the White People', *Balayi: Culture, Law and Colonialism* 6: 7.
- 2 The Senate, 2006, *Standing Committee on Legal and Constitutional Affairs – Unfinished business: Indigenous Stolen Wages*, Canberra, 68-69; Victorian Aboriginal Legal Service, 2006, *Submission to Standing Committee on Legal and Constitutional Affairs*, Melbourne, 2; Wampan Wages, 2006a, *Submission to Standing Committee on Legal and Constitutional Affairs*, Melbourne, 5.

For more information about Indigenous socio-economic disadvantage, see Andrew Gunstone, 2009 (second edition), *Unfinished Business: the Australian Formal Reconciliation Process*. Melbourne, Victoria: Australian Scholarly Publishing, 174-215.

- 3 Ros Kidd, 2006, *Trustees on Trial: Recovering the Stolen Wages*, Canberra: Aboriginal Studies Press, 9.
- 4 For more information about the Queensland Government offer, see Kidd, *Trustees on Trial*; Scott McDougall, 2002, 'A Certain Commonality' Discriminating against the discriminated in the compensation of Queensland's underpaid workers', *Indigenous Law Bulletin* 5(14): 11-14; Sanushka Mudaliar, 2003, 'Stolen Wages and Fiduciary Duties: A Legal Analysis of Government Accountability to Indigenous Workers in Queensland', *Australian Indigenous Law Reporter* 8(3): 1-11; Queensland Stolen Wages Working Group, 2005, 'Survey results call for further negotiation and access to inheritances', *Journal of Australian Indigenous Issues* 8(2): 44-48; Thalia Anthony, 2007, 'Unmapped territory: wage compensation for Indigenous cattle station workers', *Australian Indigenous Law Review* 11(1): 20-21; Department of Aboriginal and Torres Strait Islander Policy, 2003, *Indigenous Wages and Savings (1890s-1980s) Reparation Process Information Sheet*, Department of Aboriginal and Torres Strait Islander Policy, Queensland Government.

For more information about the history of Stolen Wages in Queensland, see Ros Kidd, 2007, *Hard Labour, Stolen Wages: National Report on Stolen Wages*, Australians for Native Title and Reconciliation, 12-46; Cristy Dieckmann, 2001, 'Calling in

STOLEN WAGES

Debts: The Savings Accounts and Wages Project – formerly known as the Aborigines' Welfare Fund Project', *Indigenous Law Bulletin* 5(12): 10–12; The Consultancy Bureau, 1991, *Final report: Investigation of the Aborigines Welfare Fund and the Aboriginal Accounts*, Brisbane, Queensland: The Consultancy Bureau; Department of Aboriginal and Torres Strait Islander Policy, 2004, *Queensland Indigenous Wages and Savings Reparation Process*, Department of Aboriginal and Torres Strait Islander Policy, Queensland Government.

- 5 For more information about the New South Wales offer, see Robin Banks, 2008, 'Stolen Wages: Settling the Debt', *Australian Indigenous Law Review* 12: 55–67; Aileen Teo, 2005, 'Stolen Wages Update: Establishment of the NSW Aboriginal Trust Fund Repayment Scheme', *Indigenous Law Bulletin* 6(9): 12–14; Brian Gilligan, Terri Janke and Sam Jeffries, 2004, *Aboriginal Trust Fund Repayment Scheme: Report of the Aboriginal Trust Fund Repayment Scheme Panel*, Sydney, NSW; Anthony, Unmapped territory, 21; Aboriginal Trust Fund Reparation Scheme, 2004, *Media Release – Panel meets with Aboriginal people over reparation Scheme*, 18 June 2004; Minister for Community Services, Minister for Ageing, Minister for Disability Services, Minister for Youth, The Hon. Carmel Tebbutt, 2004, *Media Release – Aboriginal Trust Fund Repayment Scheme Announced*, 15 December 2004.

For more information about the history of Stolen Wages in New South Wales, see Kidd, *Hard Labour*, 48–67; Sean Brennan, 2006, *Eventually they get it all ...': Government management of Aboriginal Trust Money in New South Wales*, Sydney, NSW: Indigenous Law Centre, University of New South Wales; Indigenous Law Centre, 2004, *'Stolen Wages' and Entitlements: Aboriginal Trust Funds in New South Wales*, Sydney, NSW: Indigenous Law Centre, University of New South Wales; Victoria Haskins, 2005, '& so we are "Slave owners"!': Employers and the NSW Aborigines Protection Board Trust Funds', *Labour History* 88: 147–164.

- 6 The Senate, *Standing Committee*, 77–78; see also Wampan Wages, *Submission to Standing Committee*, 3, 8; Law Institute of Victoria, 2006, *Submission to Standing Committee on Legal and Constitutional Affairs*, Melbourne, 1.
- 7 Victorian Aboriginal Legal Service, *Submission to Standing Committee*, 1; Wampan Wages, *Submission to Standing Committee*, 3.
- 8 The Senate, *Standing Committee*, xiii–xiv, 24; see also Wampan Wages, *Submission to Standing Committee*, 3.
- 9 Victorian Parliament, Public Accounts and Estimates Committee. 2009. *Inquiry into budget estimates 2009–10*. Melbourne, 18 May 2009, 3.
- 10 For more information on archives and Indigenous issues, see Shannon Faulkhead and Kirsten Thorpe, 2008, 'Archival Education in Australia and the Needs of Australian Indigenous Communities', *Journal of Australian Indigenous Issues* 12: 309–321; Ros Kidd, 2005, 'Indigenous archival records at risk', in Nakata, Martin and Langton, Marcia (eds.), *Australian Academic and Research Libraries* 36(2): 159–167; Carolyn Landon, 2006, *Jackson's Track Revisited: History, Remembrance and Reconciliation*,

Notes

- Clayton, Victoria: Monash University ePress; Fiona Ross, Sue McKemmish and Shannon Faulkhead, 2006, 'Indigenous Knowledge and the Archives: Designing Trusted Archival Systems for Koori Communities', *Archives and Manuscripts* 34(2): 112–151; Lynette Russell, 2005, 'Indigenous Records and Archives: mutual obligations and building trust', *Made Kept and Used: Celebrating 30 Years of the Australian Society of Archivists Seminar*, National Museum of Australia, Canberra, ACT, 5 April 2005; Kirsten Thorpe, 2001, 'Indigenous Records: How Far Have We Come in Bringing the History Back Home?', *Archives and Manuscripts* 29(2): 10–31; Lynette Russell, 2004, 'Indigenous Knowledge and Archives: accessing hidden history and understandings', *Colloquium 2004: Libraries and Indigenous Knowledge*, State Library of New South Wales, Sydney, NSW, 9–10 December 2004. See also The Senate, *Standing Committee*, 87–89.
- 11 Some of the publications include: Australian Archives and PROV, 1993, *'My heart is breaking' A Joint Guide to Records about Aboriginal people in the Public Record Office of Victoria and the Australian Archives, Victorian Regional Office*, Canberra, ACT: Australian Government Publishing Service; Ros Fraser, 1993, *Aboriginal and Torres Strait Islander People in Commonwealth Records: A Guide to Records in the Australian Archives ACT Regional Office*, Canberra, ACT: Australian Archives; NAA and PROV, 2008, *Footprints: The Journey of Lucy and Percy Pepper*, North Melbourne, Victoria: NAA and PROV; PROV, 2005, *Finding Your Story: A Resource Manual to the Records of the Stolen Generations in Victoria*. North Melbourne, Victoria: PROV. See also Dianne Gardiner, 2007, 'Indigenous History Resources at PROV', *Agora* 42(4): 28–31.
- 12 See Bain Attwood and Andrew Markus, 1999, *The Struggle for Aboriginal Rights: A documentary history*, St Leonards, NSW: Allen and Unwin, 4–5; Bain Attwood, 2005, *Telling the Truth about Aboriginal History*, Crows Nest, NSW: Allen and Unwin, 172–174.
- 13 Cited in Landon, *Jackson's Track Revisited*, 02.5; for more information on oral histories and Indigenous people, see also Shannon Faulkhead and Lynette Russell, 2006, 'What is Australian Indigenous Oral History?', *International Oral History Association Conference*, University of Technology, Sydney, 12–16 July 2006; Joan Vickery, Shannon Faulkhead, Karen Adams and Angela Clarke, 2007, 'Indigenous insights into oral history, social determinants and decolonisation', in Anderson, Ian, Baum, Fran and Bentley, Michael (eds.), *Beyond Band-aids: Exploring the Underlying Social Determinants of Aboriginal Health – Papers from the Social Determinants of Aboriginal Health Workshop*, Casuarina, NT: Cooperative Research Centre for Aboriginal Health.
- 14 Richard Broome, 2005, *Aboriginal Victorians: A History since 1800*, Crows Nest, NSW: Allen and Unwin, 126.
- 15 See Public Record Office Victoria (PROV), 2008, 'Imperial to Metric Measures', *Provenance* 7: 147–148.

Chapter Two: Social Security

- 1 For more information on Commonwealth social security benefits, including the histories and payment amounts, see T. H. Kewley, *Social Security in Australia 1900–72*, Sydney, NSW: Sydney University Press; Brennan, *Eventually they get it all*; The Senate, *Standing Committee*; Australian Bureau of Statistics, 1988, *History of pensions and other benefits in Australia*, Australian Bureau of Statistics; Department of Family and Community Services. 2001. *A short genealogy of income support payments*. Department of Family and Community Services; SLV, FCAA, Shirley Andrews and Rodney Hall, *Social Services for Aborigines*, 1963, MS12913, Box 8; NAA, AWB, *Lake Tyers Social Services benefits – policy*, B356151, 1958–1965, 1–3 [states the eligibility for Indigenous people to access many benefits was broader in New South Wales than Lake Tyers].
- 2 Anna Haebich, 2000, *Broken Circles: Fragmenting Indigenous Families 1800–2000*. Fremantle, Western Australia: Fremantle Arts Centre Press, 162.
- 3 Kidd, *Hard Labour*, 119.
- 4 Kidd, *Hard Labour*, 119; Haebich, *Broken Circles*, 164–168; Richard Broome and Corinne Manning, 2006, *A Man of all Tribes: The Life of Alick Jackomos*. Canberra, ACT: Aboriginal Studies Press, 117.
- 5 NAA, BPA, *Lake Tyers – Social Services. Pension Deductions & Maintenance*, B356149, 1938–1941, 38.
- 6 For more information on the *Old-Age Pensions Act 1901* (Vic), see W. Pember Reeves, 1902, *State Experiments in Australia and New Zealand*, South Melbourne, Victoria: Macmillan Company of Australia, 292–300.
- 7 *Old-age Pensions Act 1901* (Vic), 3.
- 8 Under the Constitution (section 51 (xxiii)), the Commonwealth has the power to legislate for invalid and old-age pensions.
- 9 For more information on the *Invalid and Old-age Pensions Act 1908* (Cth), see Kewley, *Social Security*, 73–77.
- 10 *Invalid and Old-Age Pensions Act 1908* (Cth), 130, 131.
- 11 NAA, DSS, *Child Endowment for children of Aborigines – Introduction of Scheme – Payment through State Depts. of Native Welfare – Replies to Queries and Representations*, A885/B39PART2, 1941–1944, 7; see also NAA, Prime Minister's Department, *Invalid and old age pensions for Aborigines*, A461/N382/1/1, 1936–1947, 137; Diane Barwick, 1981, 'Equity For Aborigines? The Framlingham Case', in Troy, Patrick (ed.), *A Just Society: Essays on Equity in Australia*, Sydney, NSW: George Allen and Unwin, 202.
- 12 Brennan, *Eventually they get it all*, 18.
- 13 DSS, quoted in SLV, CAR, *Bulletin 11*, June 1959, MS12913, Box 5/4, 3; see also NAA, DSS, *Child Endowment for children of Aborigines*, 7.
- 14 SLV, *Bulletin 11*, 3.

Notes

- 15 SLV, CAR, Shirley Andrews, *Social Service benefits still denied to Aborigines*, MS12913, Box 8, 3, see also SLV, *Bulletin 11*, 3.
- 16 William Cooper, Secretary, AAL, 31 October 1936, cited in Bain Attwood and Andrew Markus, 2004, *Thinking Black: William Cooper and the Australian Aborigines' League*, Canberra, ACT: Aboriginal Studies Press, 57; see also Bain Attwood, 2003, *Rights for Aborigines*, Crows Nest, NSW: Allen and Unwin, 57; Attwood and Markus, *Thinking Black*, 63, 65–66, 120–124, concerning old-age and invalid pensions, maternity allowances and unemployment benefits.
- 17 *Invalid and Old Age Pension Act 1942* (Cth), 3–4.
- 18 Kewley, *Social Security*, 218.
- 19 *Invalid and Old Age Pension Act 1942* (Cth), 5.
- 20 *Social Services Consolidation Act 1947* (Cth), 212.
- 21 *Social Services Consolidation Act 1947* (Cth), 203.
- 22 Kewley, *Social Security*, 304.
- 23 *Social Services Act 1959* (Cth), 272.
- 24 SLV, West Australian, *Natives Get Pensions*, 14 January 1960, MS12913, Box 8.
- 25 SLV, Andrews, *Social Service benefits*, 4.
- 26 *Social Services Act 1959* (Cth), 270.
27. SLV, Andrews, *Social Service benefits*, 1; see also NAA, AWB, *Board meetings (extracts from minutes) 1961–1962*, B335/4, 1961–1962, 122.
- 28 *Social Services Journal*, 13(1), February 1960, 3, cited in SLV, Andrews, *Social Service benefits*, 1–2; see also SLV, FCAA, *Government legislation and the Aborigines*, 1964, MS12913, Box 7/2, 6.
- 29 SLV, FCAA, Shirley Andrews, *Social Service Benefits for Aborigines and Torres Strait Islanders*, circa 1961, MS12913, Box 8, 5.
- 30 NAA, AWB, *Lake Tyers Social Services benefits – policy*, 41.
- 31 NAA, AWB, *Lake Tyers Social Services benefits – policy*.
- 32 NAA, AWB, *Lake Tyers Social Services benefits – policy*, 60; see also NAA, AWB, *Lake Tyers Pensions* [120 pages], B356/52, 1960–1963, 17–18; NAA, AWB, *Lake Tyers Social Services benefits – policy*, 41–42, 45; NAA, AWB, *Minutes 11/2/1959 to 14/12/1961 Aborigines Welfare Board*, B314/9, 1959–1961, 9/12/59; AWB, 1961, *Report of the Aborigines Welfare Board 1960–1961*, [www.aiatsis.gov.au], 8.
- 33 NAA, AWB, *Pension deductions*, B354/8, 1960–1962, 9; NAA, AWB, *Social Services – Current endowment dockets*, B354/11, 1958–1962, 55, 58–59.
- 34 *Social Services Act 1966* (Cth), 478.
- 35 Brennan, *Eventually they get it all*, 17.
- 36 Kewley, *Social Security*, 3.
- 37 *Maternity Allowance Act 1912* (Cth), 17.
- 38 NAA, Commonwealth Treasury, *Payment of Maternity Allowances to Aborigines*, A6006/1938/06/09, 1938–1938, 2; see also NAA, Prime Minister's Department, *Invalid and old age pensions*, 137.

STOLEN WAGES

- 39 NAA, DSS, *Child Endowment*, PART 2, 2.
 40 *Maternity Allowance Act* 1942 (Cth), 6-7.
 41 *Social Services Consolidation Act* 1947 (Cth), 224.
 42 *Social Services Consolidation Act* 1947 (Cth), 225.
 43 SLV, *Bulletin* 11, 2-3.
 44 *Social Services Act* 1959 (Cth), 272.
 45 *Social Services Act* 1959 (Cth), 271.
 46 NAA, AWB, *Child endowment - monthly schedules*, B354/9, 1958-1963; NAA, AWB, *Lake Tyers Pensions*, 17-18; NAA, AWB, *Lake Tyers Social Services benefits - policy*, 47.
 47 Kidd, *Hard Labour*, 122.
 48 Haebich, *Broken Circles*, 160.
 49 *Social Services Act* 1966 (Cth), 478.
 50 Kewley, *Social Security*, 137.
 51 *Child Endowment Act* 1941 (Cth), 39; see also Ros Kidd, 1997, *The Way We Civilise*, St Lucia, Queensland: University of Queensland, 166.
 52 NAA, AWB, *Correspondence - Policy*, B357/12, 1957-1967, 3; NAA, BPA, *Lake Tyers - Social Services*, 38.
 53 *Child Endowment Act* 1941 (Cth), 40.
 54 *Child Endowment Act* 1941 (Cth), 40.
 55 NAA, DSS, *Child Endowment*, PART 2, 105-106; see also Brennan, *Eventually they get it all*, 32-33.
 56 NAA, DSS, *Child Endowment*, PART 2, 116; see also NAA, DSS, *Child Endowment*, PART 2, 57-62, 86-87.
 57 *Child Endowment Act* 1942 (Cth), 7-11.
 58 *Child Endowment Act* 1942 (Cth), 8.
 59 *Child Endowment Act* 1942 (Cth), 9.
 60 NAA, AWB, *Correspondence - Policy*, 3; NAA, AWB, *Child endowment and pensions - Lake Tyers social services*, B354/10, 1957-1964, 7, 23.
 61 *Social Services Consolidation Act* 1947 (Cth), 228.
 62 *Social Services Consolidation Act* 1947 (Cth), 226.
 63 *Social Services Consolidation Act* 1947 (Cth), 227.
 64 *Social Services Consolidation Act* 1947 (Cth), 231.
 65 NAA, AWB, *Lake Tyers Social Services benefits - policy*, 37.
 66 SLV, *Bulletin* 11, 2; see also NAA, AWB, *Child endowment - monthly schedules*, 38; NAA, AWB, *Lake Tyers Social Services Endowments*, B356/50, 1959-1963.
 67 SLV, Andrews, *Social Service benefits*, 2; NAA, AWB, *Social Services - Current endowment dockets*, 55.
 68 SLV, Andrews, *Social Service benefits*, 2.
 69 *Social Services Act* 1959 (Cth), 271-272.
 70 SLV, CAR, William Murray (ed.), *The Struggle for Dignity: A Critical Analysis of the Australian Aborigine Today, the Laws Which Govern Him, and Their Effects*, 1962.

Notes

- MS12913, Box 7/2, 13; see also SLV, FCAA, Shirley Andrews, *The Australian Aborigines, A summary of their situation in all states in 1963*, MS12913, Box 8, 6-7; SLV, FCAA, Shirley Andrews, *The Australian Aborigines, A summary of their situation in all states in 1964*, MS12913, Box 8, 15-16..
- 71 SLV, CAR, *Annual report 1962-1963*, 1963, MS12913, Box 7/3, 3; SLV, CAR, Colin Tatz, *Information delivered to the AGM 23/10/64*, 1965, MS12913, Box 8, 3; NAA, AWB, *Lake Tyers Social Services Endowments*, Letter from Superintendent of Aboriginal Welfare to The Director of Social Services, 4 September 1963.
- 72 SLV, Chief Secretary's Office, J. V. Dillon, Undersecretary, *Letter to Irwin in relation to Lake Tyers*, 19/1/65, MS12913, Box 7/5, 1.
- 73 SLV, Dorothy Irwin, *Reply to Dillon's letter*, 9/2/65, MS12913, Box 7/5, 1-2.
- 74 *Social Services Act 1959* (Cth), 271.
- 75 *Social Services Act 1966* (Cth), 478.
- 76 *Social Services Act 1966* (Cth), 477.
- 77 See Kewley, *Social Security*, 212; *Children's Maintenance Act 1919* (Vic), section 3, 7.
- 78 *Widows' Pensions Act 1942* (Cth), 37-38.
- 79 *Widows' Pensions Act 1942* (Cth), 44.
- 80 *Widows' Pensions Act 1942* (Cth), 44.
- 81 *Widows' Pensions Act 1942* (Cth), 44.
- 82 *Social Services Consolidation Act 1947* (Cth), 217.
- 83 *Social Services Consolidation Act 1947* (Cth), 220-221.
- 84 *Social Services Consolidation Act 1947* (Cth), 221-222.
- 85 *Social Services Consolidation Act 1947* (Cth), 214-223.
- 86 SLV, *Bulletin 11*, 3; see also NAA, AWB, *Correspondence - Policy*, 3.
- 87 *Social Services Act 1959* (Cth), 272.
- 88 *Social Services Act 1959* (Cth), 271.
- 89 *Social Services Act 1959* (Cth), 271.
- 90 SLV, Andrews, *Social Service benefits*, 2-3; see also NAA, AWB, *Lake Tyers Social Services benefits - policy*, 60.
- 91 *Social Services Act 1966* (Cth), 478.
- 92 Brennan, *Eventually they get it all*, 38; Kewley, *Social Security*, 21, 151.
- 93 Kewley, *Social Security*, 151-152.
- 94 Kewley, *Social Security*, 154.
- 95 BPA memorandum, cited in Barwick, *Equity For Aborigines?*, 194.
- 96 Brennan, *Eventually they get it all*, 39.
- 97 *Unemployment and Sickness Benefits Act 1944* (Cth), 79.
- 98 *Unemployment and Sickness Benefits Act 1944* (Cth), 76.
- 99 *Social Services Consolidation Act 1947* (Cth), 233.
- 100 *Social Services Consolidation Act 1947* (Cth), 238.
- 101 NAA, AWB, *Correspondence - Policy*, 3.
- 102 *Social Services Act 1959* (Cth), 272.

STOLEN WAGES

- 103 *Social Services Act 1959* (Cth), 272.
- 104 *Social Services Act 1959* (Cth), 272.
- 105 SLV, CAR, *Annual report 1961-1962*, 1962, MS12913, Box 7/3, 1; see also SLV, *Annual report 1962-1963*, 1.
- 106 SLV, Andrews, *Social Service benefits*, 3; see also SLV, Tatz, *Information delivered to the AGM*, 3.
- 107 NAA, AWB, *Board meetings*, 157.
- 108 SLV, Andrews, *Social Service benefits*, 3.
- 109 *Social Services Act 1966* (Cth), 478.
- 110 *Australian Soldiers Repatriation Act 1920* (Cth); Brennan, *Eventually they get it all*, 41.
- 111 Brennan, *Eventually they get it all*, 41.
- 112 NAA, Attorney-General's Department, *Aboriginal natives - Application of Commonwealth laws - Marriage*, A432/1955/3765, 1955-1956, 10-12.
- 113 *Wampan Wages, Submission to Standing Committee*, 4.
- 114 *The Senate, Standing Committee*, 39.
- 115 Barwick, *Equity For Aborigines?*, 191.
- 116 NAA, BPA, *Minutes of Meetings of the Board*, B314/6, 1907-1921, 397-398).
- 117 Gilligan, Janke and Jeffries, *Aboriginal Trust Fund*, s.2.5.2.
- 118 Brennan, *Eventually they get it all*, 42.
- 119 *Tuberculosis Act 1948* (Cth), 276; see Kewley, *Social Security*, 372.
- 120 SLV, *Government legislation*, 6-7, 21A.
- 121 Cited in SLV, *Government legislation*, 21A.
- 122 NAA, AWB, *Lake Tyers Social Services benefits - policy*, 41.
- 123 SLV, FCAATSI, *Wages and Employment Committee Annual Report (Equal Wages for Aborigines Committee)*, 1965, MS12913, Box 8, 18-19.

Chapter Three: Employment and Wages

- 1 For more information on the general history of Indigenous people in Victoria, see Attwood, *Rights for Aborigines*; Attwood and Markus, *Thinking Black*; Richard Broome, 1995, 'Victoria', in McGrath, Ann. (ed.), *Contested Ground: Australian Aborigines under the British Crown*, St Leonards, NSW: Allen and Unwin; Broome, *Aboriginal Victorians*; Jan Critchett, 1998, *Untold Stories: Memories and Lives of Victorian Kooris*, Carlton South, Victoria: Melbourne University Press.

For more information on the Indigenous reserves discussed in this book, see Barwick, *Equity For Aborigines?*; Diane Barwick, 1998, *Rebellion at Coranderrk - Aboriginal History Monograph 5*, Canberra, ACT: Aboriginal History Inc.; Richard Broome, 2006, 'There were vegetables every year Mr Green was here': Right Behaviours and the Struggle for Autonomy at Coranderrk Aboriginal Reserve', *History Australia* 3(2): 1-17; Veerle Simons, 2008, 'A history of Lake Tyers between 1957 and

Notes

- 1971', Unpublished Masters Thesis, Vrije Universiteit, Amsterdam, The Netherlands;
 Alan West, 2005, 'The Lake Tyers Aboriginal community, assimilation policy and
 practice', in Rigsby, Bruce and Peterson, Nicolas (eds.), *Donald Thomson: the man and
 the scholar*, Canberra, ACT: The Academy of the Social Sciences in Australia.
- 2 Gary Presland, 1985, *Aboriginal Melbourne: The Lost Land of the Kulin People*, Forest
 Hill, Victoria: Harriland Press, 92.
- 3 Presland, *Aboriginal Melbourne*, 93; Richard Broome, 1994, 'Aboriginal workers on
 south-eastern frontiers', *Australian Historical Studies* 26(103), 217.
- 4 Kidd, *Hard Labour*, 117.
- 5 Broome, Aboriginal workers, 213.
- 6 Broome, Aboriginal workers, 212–213.
- 7 Broome, Aboriginal workers, 217; Broome, *Aboriginal Victorians*, 62
- 8 Broome, Aboriginal workers, 215.
- 9 Broome, Aboriginal workers, 217.
- 10 Broome, Aboriginal workers, 215, 217.
- 11 Barwick, Equity For Aborigines?, 177.
- 12 Broome, Victoria, 132.
- 13 Critchett, *Untold Stories*, 83.
- 14 Kidd, *Hard Labour*, 117.
- 15 Kidd, *Hard Labour*, 117; Broome, *Aboriginal Victorians*, 155–156, re Indigenous
 Victorians also being involved in the Queensland Native Police in 1864 and 1865.
- 16 Gary Presland, 1998, *For God's Sake Send the Trackers*, Melbourne, Victoria: Victoria
 Press, 13.
- 17 Presland, *For God's Sake*, 130.
- 18 Broome, Victoria, 135.
- 19 SLV, *Government legislation*, 2.
- 20 Broome, Victoria, 135–136.
- 21 *The Neglected and Criminal Children's Act 1864 (Vic)*, 1844–1845.
- 22 *The Neglected and Criminal Children's Act 1864 (Vic)*, 1845.
- 23 *The Neglected and Criminal Children's Act 1864 (Vic)*, 1848.
- 24 Central Board, 1864, *Fourth Report of the Central Board appointed to watch over the
 interests of the Aborigines in the Colony of Victoria*, [www.aiatsis.gov.au], 10.
- 25 Central Board, *Fourth Report*, 10.
- 26 Central Board, *Fourth Report*, 10.
- 27 Kidd, *Hard Labour*, 120.
- 28 *Aborigines Protection Act 1869 (Vic)*, 1–2.
- 29 *Aborigines Protection Act 1869 (Vic)*, 3.
- 30 *Aborigines Protection Act 1869 (Vic)*, 2; NAA and PROV, *Footprints*, 2.
- 31 Broome, Victoria, 136; Attwood, *Rights for Aborigines*, 12.
- 32 *Regulations and Orders made under the Act 1871 (Vic)*, 338.
- 33 *Regulations and Orders made under the Act 1871 (Vic)*, 338.

STOLEN WAGES

- 34 *Aborigines Protection Act 1869* (Vic), section 6, 2-3; Kidd, *Hard Labour*, 118; Critchett, *Untold Stories*, 30.
- 35 *Regulations and Orders made under the Act 1871* (Vic), 338.
- 36 PROV, *Finding Your Story*, 85.
- 37 Wampan Wages, 2006b, *Submission to Standing Committee on Legal and Constitutional Affairs, Questions on Notice*, Melbourne, 2.
- 38 *Regulations and Orders made under the Act 1871* (Vic), 338.
- 39 Haebich, *Broken Circles*, 149.
- 40 *Regulations and Orders made under the Act 1871* (Vic), 338.
- 41 *The Neglected and Criminal Children's Amendment Act 1874* (Vic), 2-3.
- 42 *Regulations made under the Act 1880* (Vic), 1912.
- 43 PROV, *Finding Your Story*, 87.
- 44 NAA, BPA, *Royal Commission on the Aborigines*, B353/WHOLE SERIES, 1877-1877, vii.
- 45 NAA, BPA, *Royal Commission*, vii-xiii.
- 46 NAA, BPA, *Royal Commission*, xii, xiv.
- 47 Presland, *For God's Sake*, 27.
- 48 Report of Board for Dispersal of Kelly Reward, Papers presented to Victorian Parliament, 1881, 1315, cited in Presland, *For God's Sake*, 26.
- 49 Presland, *For God's Sake*, 26.
- 50 Kidd, *Hard Labour*, 121.
- 51 Critchett, *Untold Stories*, 93; Broome, *Aboriginal Victorians*, 141-142.
- 52 Broome, *Aboriginal Victorians*, 148.
- 53 Barwick, *Equity For Aborigines?*, 178-182.
- 54 Broome, *There were vegetables*, 43.7-43.8; Kidd, *Hard Labour*, 121; see also Attwood, *Rights for Aborigines*, 12.
- 55 Kidd, *Hard Labour*, 121.
- 56 Broome, *Aboriginal Victorians*, 142.
- 57 NAA, BPA - Aboriginal Station, *Report of the Board of Enquiry into Coranderrk Aboriginal Station*, B352/BOX 1, 1882-1882; Kidd, *Hard Labour*, 121; Broome, *There were vegetables*, 43.7-43.10.
- 58 Broome, *Aboriginal Victorians*, 148.
- 59 Broome, *Aboriginal Victorians*, 189.
- 60 Barwick, *Equity For Aborigines?*, 179.
- 61 Attwood, *Rights for Aborigines?*, 12.
- 62 Broome, *Victoria*, 137.
- 63 Alastair Campbell and Ron Vanderwal, (eds.), 1999, *John Bulmer's Recollections of Victoria Aboriginal Life 1855-1908*, Melbourne, Victoria: Museum Victoria, 84.
- 64 Broome, *Aboriginal Victorians*, 150.
- 65 Kidd, *Hard Labour*, 121.
- 66 Kidd, *Hard Labour*, 121; see also Critchett, *Untold Stories*, 151-152.

Notes

- 67 Kidd, *Hard Labour*, 121.
- 68 Kidd, *Hard Labour*, 122.
- 69 Broome, *Aboriginal Victorians*, 152-154.
- 70 PROV, *Finding Your Story*, 85; SLV, CAR, Pauline Pickford, *The Victorian Aborigines: the past, and it's effect on the present minority. Decisions to be made for the future*, 1965, MS12913, Box 7/2, 3; Broome, Victoria, 139; NAA, BPA, *McLean Inquiry - 1957 report: Aborigines Act (regulations; orders)*, B408/10, 1956-1957, 5; Broome, *Aboriginal Victorians*, 189.
- 71 SLV, CAR, Pickford, *The Victorian Aborigines*, 3.
- 72 *Aborigines Protection Act 1886* (Vic), 283.
- 73 *Aborigines Protection Act 1886* (Vic), 284.
- 74 Haebich, *Broken Circles*, 164-165.
- 75 Haebich, *Broken Circles*, 162.
- 76 Broome, Victoria, 139, also Critchett, *Untold Stories*, 108; SLV, CAR, Pickford, *The Victorian Aborigines*, 3; Haebich, *Broken Circles*, 165-167; Attwood, *Rights for Aborigines*, 23-27 for a discussion of this policy; the issuing of licences stopped in 1937 due to "the clerical work involved" (NAA, BPA, *McLean Inquiry*, 12).
- 77 Haebich, *Broken Circles*, 162.
- 78 Haebich, *Broken Circles*, 166.
- 79 Barwick, *Equity For Aborigines?*, 187; Broome, *Aboriginal Victorians*, 190.
- 80 Broome, Victoria, 139.
- 81 Haebich, *Broken Circles*, 166.
- 82 Kidd, *Hard Labour*, 118; Broome, Victoria, 140.
- 83 Barwick, *Equity For Aborigines?*, 187.
- 84 *The Neglected Children's Act 1887* (Vic), 126-128, 138-140.
- 85 *The Neglected Children's Act 1890* (Vic), 384-386, 396-398.
- 86 *Aborigines Act 1890* (Vic), 12.
- 87 *Regulations relating to Half-Castes 1890*, 1788.
- 88 *Regulations relating to Half-Castes 1890*, 1788.
- 89 *Wampan Wages, Submission to Standing Committee*, 5.
- 90 *Aborigines Act 1890 Regulations 1890* (Vic), 3720-3721; see also Broome, Victoria, 139-141; Haebich, *Broken Circles*, 165.
- 91 *Aborigines Act 1890 Alteration of Regulations 1899* (Vic), 4383.
- 92 SLV, CAR, Pickford, *The Victorian Aborigines*, 3.
- 93 Broome, *Aboriginal Victorians*, 193.
- 94 NAA, BPA, *Outward Correspondence Jan 1909-March 1911 No 10*, B329/8, 1909-1911, 15.
- 95 NAA, BPA, *Accountancy Files Audit*, B412/3, 1904-1956, F. Tuckwell, 19 December 1905.
- 96 NAA, BPA, *Accountancy Files Audit*, Auditor-General for Victoria, State Audit Office, 7 October 1904.

STOLEN WAGES

- 97 NAA, BPA, *Accountancy Files Audit*, Auditor-General for Victoria, State Audit Office, 21 December 1905.
- 98 NAA, BPA, *Accountancy Files Audit*, Auditor-General for Victoria, State Audit Office, 27 February 1906, 7 March 1906, 24 May 1906.
- 99 NAA, BPA, *Accountancy Files Audit*, 58-59, 65-66.
- 100 Broome, Victoria, 140.
- 101 *Aborigines Act 1910* (Vic), 1.
- 102 Haebich, *Broken Circles*, 167.
- 103 *Aborigines Act Regulations 1916* (Vic), 3547-3548, 3550, 3552; Broome, Aboriginal workers, 142; NAA and PROV, *Footprints*, 3; Broome, *Aboriginal Victorians*, 203.
- 104 *Aborigines Act Regulations 1916* (Vic), 3553.
- 105 SLV, CAR, Pickford, *The Victorian Aborigines*, 3.
- 106 NAA and PROV, *Footprints*, 13.
- 107 NAA and PROV, *Footprints*, 3-4.
- 108 NAA and PROV, *Footprints*, 13.
- 109 BPA, Minutes, 6 February 1918, cited in Barwick, *Equity For Aborigines?*, 191; see also NAA and PROV, *Footprints*, 13; Barwick, *Equity For Aborigines?*, 190; Critchett, *Untold Stories*, 108; NAA, BPA / AWB, *Board meetings (business sheets and minutes)*, B335/5, 1918-1963, 26.
- 110 PROV, *Finding Your Story*, 86; Barwick, *Equity For Aborigines?*, 191.
- 111 Broome, Victoria, 142; Kidd, *Hard Labour*, 119.
- 112 NAA and PROV, *Footprints*, 4; Haebich, *Broken Circles*, 167; Broome, Victoria, 144-145; Broome, *Aboriginal Victorians*, 231.
- 113 P. Pepper, *You are what you make yourself to be*, Melbourne, 1980, 91, cited in Mark Harris, 1988, 'A "New Deal" for Victorian Aborigines 1957-1968', Unpublished Master of Arts Thesis, Monash University, Victoria, 8; see also NAA, BPA, *Minutes of meetings of the Board*, B314/5, 1896-1907, 125A.
- 114 NAA, BPA / AWB, *General comments by manager (L Rule and others) [Lake Tyers]*, B356/78, 1949-1958, 45; Human Rights and Equal Opportunity Commission, 2007, *National Inquiry into the Separation of Aboriginal Children from their Families*, Canberra, ACT: Human Rights and Equal Opportunity Commission, 59.
- 115 Kidd, *Hard Labour*, 119; Barwick, *Equity For Aborigines?*, 194, 198; Broome, Victoria, 143-144; The Senate, *Standing Committee*, 26.
- 116 SLV, *Report on the Lake Tyers Aboriginal Station*, 19th August 1925, MS12913, Box 8, 7.
- 117 SLV, *Lake Tyers Aboriginal Station*, 10.
- 118 SLV, *Lake Tyers Aboriginal Station*, 15.
- 119 SLV, *Lake Tyers Aboriginal Station*, 25.
- 120 *Aborigines Act 1915 Additional Regulation No. 34 (A) 1927* (Vic), 2642
- 121 *Children's Welfare Act 1928* (Vic), 381-382, 392-393.
- 122 *Children's Welfare Act 1928* (Vic), 394.

Notes

- 123 *Aborigines Act 1928* (Vic), 2.
- 124 *Aborigines Act 1928 Regulations 1931* (Vic), 1558.
- 125 *Aborigines Act 1928 Regulations 1931* (Vic), 1558.
- 126 *Aborigines Act 1928 Regulations 1931* (Vic), 1558; for more information on the Produce Fund, see NAA, BPA, *Accountancy Files. Comparative Expenditure [Aborigines Board Produce Fund]*, B412/2, 1860-1956, 53-55.
- 127 NAA, BPA, *Accountancy Files*, 53.
- 128 P. E. Felton, 1960, 'Methods adopted by the Aborigines Welfare Board in Victoria', *Proceedings of Conference on Welfare Policies for Australian Aborigines, 1960*, Armidale, NSW: Adult Education Department, University of New England, 53.
- 129 NAA, BPA, *Accountancy Files*, 55.
- 130 NAA, BPA, *Accountancy Files*, 53.
- 131 NAA, BPA, *Accountancy Files*, 53; see also all of NAA, BPA, *Census & Statistics*, B313/247, 1879-1957, for amounts up to 1957; NAA, BPA, *Correspondence Re Acts and Regulations; 1929-1955*, B313/3, 1929-1963, 67.
- 132 NAA, BPA / AWB, *Aborigines Board Produce Fund [from 1957 Aborigines Welfare Fund] - Collector's cash book*, B2058/1, 1921-1966, 127-128.
- 133 Broome, Victoria, 142; Broome, *Aboriginal Victorians*, 206.
- 134 Barwick, Equity For Aborigines?, 193.
- 135 Broome, Victoria, 142.
- 136 Barwick, Equity For Aborigines?, 193.
- 137 Broome and Manning, *A Man of all Tribes*, 117; Kidd, *Hard Labour*, 120; Broome, Victoria, 150-151; NAA, BPA, *McLean Inquiry*, 13-14.
- 138 Barwick, Equity For Aborigines?, 202.
- 139 NAA, BPA, *Correspondence Re Acts and Regulations; 1929-1955*, 67.
- 140 Broome, Victoria, 146-147.
- 141 cited in Attwood and Markus, *Thinking Black*, 31.
- 142 Broome, Victoria, 147.
- 143 Broome and Manning, *A Man of all Tribes*, 65, also 78.
- 144 Attwood, *Rights for Aborigines*, 57.
- 145 SLV, AAL, *Terms of reference for an enquiry*, 1948, MS12913, Box 8, 1; Broome, Victoria, 143.
- 146 SLV, AAL, *Terms of reference*, 1; see also Attwood and Markus, *Thinking Black*, 57, 63.
- 147 Broome, Victoria, 143.
- 148 SLV, Australian - New Zealand Civil Liberties Society, *Statement on Australian Aborigines*, MS12913, Box 8, 7.
- 149 SLV, Australian Woman's Charter Conference, *Resolutions on Aboriginal and Coloured peoples*, Sydney, 23-24 August 1957, MS12913, Box 8, 1.
- 150 Broome, Victoria, 143.

STOLEN WAGES

- 151 SLV, CAR, *Letter to Victorian Board for the Protection of the Aborigines regarding wages and trust funds*, 14 August 1953, MS12913, Box 8.
- 152 SLV, BPA, *Letter to CAR regarding wages*, 28 August 1953, MS12913, Box 8.
- 153 Barwick, *Equity For Aborigines?*, 200.
- 154 BPA conference 5 June 1946, cited in Barwick, *Equity For Aborigines?*, 202.
- 155 see Barwick, *Equity For Aborigines?*, 203.
- 156 Barwick, *Equity For Aborigines?*, 202.
- 157 *Child Welfare Act 1954* (Vic), 160.
- 158 *Child Welfare Act 1958* (Vic), 492-493; *Social Welfare Act 1960* (Vic), 211.
- 159 see NAA, BPA, *McLean Inquiry*; NAA, BPA, *McLean Inquiry - notes on country visits*, B408/1, 1955-1956; NAA, BPA, *McLean Inquiry - notes on country visits*, B408/2, 1954-1956; NAA, BPA, *McLean Inquiry - notes on country visits*, B408/3, 1956-1956; NAA, BPA, *McLean Inquiry - police reports and population details*, B408/4, 1956-1956; NAA, BPA, *McLean Inquiry - board of inquiry*, B408/5, 1956-1956; NAA, BPA, *McLean Inquiry - correspondence of inquiry board (1)*, B408/6, 1956-1957; NAA, BPA, *McLean Inquiry - correspondence of inquiry board (2)*, B408/7, 1956-1957; NAA, BPA, *McLean Inquiry - correspondence of inquiry board (3)*, B408/8, 1956-1957; NAA, BPA, *McLean Inquiry - correspondence*, B408/9, 1954-1957; Corinne Manning, 2002, 'The McLean Report: legitimising Victoria's new assimilationism', *Aboriginal History* 26: 159-176; *Board of Inquiry into the Aborigines Act 1928 and the Regulations and Orders made Thereunder 1955* (Vic), 7049-7050; Broome, *Aboriginal Victorians*, 312-316.
- 160 Manning, *The McLean Report*, 171, 173-174.
- 161 NAA, BPA, *McLean Inquiry*, 11, 15; Broome, *Victoria*, 149; PROV, *Finding Your Story*, 88.
- 162 NAA, BPA, *McLean Inquiry*, 20.
- 163 NAA, BPA, *McLean Inquiry*, 21.
- 164 NAA, BPA, *McLean Inquiry*, 16, 19-20; PROV, *Finding Your Story*, 88.
- 165 NAA, BPA, *McLean Inquiry*, 20.
- 166 NAA, BPA, *McLean Inquiry*, 14; Broome, *Victoria*, 149; Haebich, *Broken Circles*, 498-499.
- 167 NAA, BPA, *McLean Inquiry*, 12.
- 168 NAA, BPA, *McLean Inquiry*, 13.
- 169 NAA, BPA, *McLean Inquiry*, 19; Haebich, *Broken Circles*, 500.
- 170 Broome, *Victoria*, 150; Manning, *The McLean Report*, 173; see also NAA, BPA, [*Correspondence re Acts & Regulations*], B313/4, 1957-1957, 1-109; NAA, AWB, *Acts and Regulations 1957-1959 Regulations [Including drafts] [Part box 1]*, B357/2, 1957-1959, 1-31.
- 171 *Aborigines Act 1957* (Vic), 489, 491, 493.

Notes

- 172 *Aborigines Act 1957* (Vic), 492, 494; see also SLV, Parliamentary Debates Hansard, Legislative Council and Legislative Assembly, Mr Rylah (Chief Secretary), *No 5, Aborigines Bill, 4/5/1957*, 1956-57, MS12913, Box 28/3, 346.
- 173 NAA, AWB, *Acts and Regulations 1964-1967 Correspondence re regulations and acts [Part box 1]*, B357/4, 1964-1967, 33.
- 174 NAA, AWB, *Board meetings (extracts from minutes)*, 77, 118.
- 175 NAA, AWB, *Minutes of the Aborigines Welfare Board - 1/1/62 to 11/12/64*, B314/10, 1962-1964, AWB minutes, 1962.
- 176 NAA, AWB, *Correspondence - Annual Reports [Part box 12]*, B357/151, 1958-1967, 70.
- 177 *Aborigines Act 1957 Regulations 1958* (Vic), 2-4.
- 178 SLV, Amnesty International, *The situation of Australian Aborigines*, 1965, MS12913, Box 7/4, 29.
- 179 *Aborigines Act 1957 Regulations 1958* (Vic), 2.
- 180 NAA, AWB, *Acts and Regulations 1958-1965 Correspondence re regulations [Part box 1]*, B357/3, 1958-1965, July Report, Felton, 2/8/1961, 3.
- 181 NAA, AWB, *Minutes - 1/1/62 to 11/12/64*, 24.
- 182 NAA, AWB, *Minutes - 1/1/62 to 11/12/64*, 20.
- 183 NAA, AWB, *Minutes - 1/1/62 to 11/12/64*, 107.
- 184 SLV, *Government legislation*, 5.
- 185 FCAA report on wage injustice, cited in Jack Horner, 2004, *Seeking Racial Justice: An insider's memoir of the movement for Aboriginal advancement, 1938-1978*, Canberra, ACT: Aboriginal Studies Press, 85.
- 186 SLV, CAR, Murray, *The Struggle for Dignity*, 14; see also NAA, BPA, *McLean Inquiry*, 11; Felton, *Methods adopted by the Aborigines Welfare Board*, 55-56.
- 187 SLV, Aboriginal-Australian Fellowship, *Constitution*, 1960, MS12913, Box 8, 1.
- 188 SLV, CAR, Pauline Pickford, *Lake Tyers*, 1961, MS12913, Box 7/3, 1-2.
- 189 SLV, FCAA, *Wage and Trust Funds Information Sheet*, MS12913, Box 8.
- 190 SLV, FCAA, *Constitution*, 1962, MS12913, Box 8, 1.
- 191 SLV, FCAA, Shirley Andrews, Campaign Organiser, *Circular to all Trade Union Papers, The Lowest Paid Workers in Australia*, 1962, MS12913, Box 8, 3.
- 192 SLV, CAR, Murray, *The Struggle for Dignity*, 13.
- 193 SLV, CAR, Hon. Sec., *Letter to Vic Public Service Board*, 28/3/62, MS12913, Box 7/7.
- 194 SLV, Chief Secretary's Office, Undersecretary, *Letter to P. Pickford, CAR, in reply to letter of 28/3/62*, 11/4/62, MS12913, Box 7/7.
- 195 see NAA, AWB, *Lake Tyers - Rations [23 pages]*, B356/41, 1958-1963, 14.
- 196 SLV, CAR, *Statement on the Lake Tyers Government Aboriginal Settlement*, 26/2/1962, MS12913, Box 7/8, 1; *Aborigines Act 1957 Regulations 1958* (Vic), 2981.
- 197 SLV, CAR, *Statement on the Lake Tyers*, 2.

STOLEN WAGES

- 198 NAA, BPA / AWB, *Lake Tyers – Administration [Correspondence re building works, fire damage, quotes, milking machines, sheds, electrical work, equipment for carpenter, repairs to pump motor]* [205 pages], B356/25, 17 Jul 1946–18 Dec 1962, 1.
- 199 SLV, CAR, *Statement on the Lake Tyers*, 2.
- 200 SLV, CAR, *Statement on the Lake Tyers*, 2.
- 201 SLV, CAR, *Statement on the Lake Tyers*, 1; see also SLV, CAR, Shirley Andrews, *The Aborigines – Wages and Work*, 1965, MS12913, Box 8, 11; this issue was eventually addressed in 1968 (NAA, BPA / AWB, *Lake Tyers Staff – Working hours – Wages* [66 pages], B356/75, 1957–1964, 4).
- 202 SLV, CAR, *Ownership and Development of Reserves by Aborigines*, 1963, MS12913, Box 7/3, 3.
- 203 SLV, CAR, Pauline Pickford, Hon Sec, *Letter to all unions affiliated with CAR*, 16/3/63, MS12913, Box 7/7, 1.
- 204 SLV, FCAA, Andrews, *The Australian Aborigines ... in 1963*, 4–7.
- 205 SLV, CAR, *Lake Tyers – An Election Issue?*, 1964, MS12913, Box 7/7, 1.
- 206 SLV, FCAA, Andrews, *The Australian Aborigines ... in 1964*, 13–16.
- 207 SLV, Dorothy Irwin, *Letter to A. G. Rylab, Chief Secretary*, 23/6/64, MS12913, Box 7/7.
- 208 SLV, Irwin, *Reply to Dillon's letter*, 1–2.
- 209 1965 Equal Wages for Aborigines Committee (FCAA) pamphlet, cited in SLV, Amnesty International, *The situation of Australian Aborigines*, 14.
- 210 Commonwealth Bureau of Census and Statistics. 1965. *Victorian Year Book 1965*. Commonwealth Bureau of Census and Statistics, 457; see also NAA, BPA / AWB, *Lake Tyers Staff – Working hours*, Commonwealth Bureau of Census and Statistics, 21 July 1964.
- 211 SLV, CAR, Andrews, *The Aborigines – Wages and Work*, 11.
- 212 NAA, AWB, *Policy [Includes correspondence re: cessation of handouts; proposed future of the Lake Tyers Settlement; Aboriginal Congress; training centre; family assistance; suppliers; lists of residents; Planning and Action Committee; overcrowding; report by Superintendent of Aborigines; provision of telephones services; Sub-Committee; Social Worker's reports; housing improvements; Property Officer's reports; ministerials; requests for publications]* [151 pages], B356/45, 1966–1967, 10.
- 213 NAA, AWB, *Minutes of the Aborigines Welfare Board – 1/1/62 to 11/12/64*, 1964.
- 214 NAA, AWB, *Policy*, B356/45, 1966–1967, 10.
- 215 SLV, FCAATSI, *Legislation for Aborigines and Torres Strait Islanders in Australia*, 1966, MS12913, Box 4/1, 17.
- 216 SLV, FCAATSI, *Legislation for Aborigines and Torres Strait Islanders*, 17.
- 217 Haebich, *Broken Circles*, 500.
- 218 West, *The Lake Tyers Aboriginal community*, 123–124.
- 219 NAA, BPA / AWB, *Lake Tyers Staff 1963–1967* [52 pages], B356/73, 1963–1966, 39, 47.

Notes

- 220 NAA, AWB, *Minutes—5 February 1965 to 15 December 1967—Aborigines Welfare Board*, B314/11, 1965–1967, 281.
- 221 *Aboriginal Affairs Act 1967* (Vic), 303, 307.
- 222 *Aboriginal Affairs Act 1967* (Vic), 307, 310.
- 223 *Aboriginal Affairs (Transfer of Functions) Act 1974* (Vic), 3.
- 224 NAA, MAA, *Minister for Aboriginal Affairs—Victoria*, B5106/A/23, 1970–1975; see also Broome, Victoria, 152.
- 225 *Aboriginal Affairs (Transfer of Functions) Act 1974* (Vic), 3.
- 226 SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 318, 699; SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 318, 908–912; SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 319, 1837–1853; SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 319, 2331–2340, 2411–2423; SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 319, 2423–2426.
- 227 SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 319, 2373; SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 319, 2497–2501; SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 320, 2895–2908.
- 228 Wampan Wages, *Submission to Standing Committee*, 5.
- 229 Wampan Wages, *Submission to Standing Committee*, 4.
- 230 The Senate, *Standing Committee*, 50–51.
- 231 Stephen Gray, 2008, 'Holding the Government to Account: The 'Stolen Wages' Issue, Fiduciary Duty and Trust Law', *Melbourne University Law Review* 32(1), 139.

BIBLIOGRAPHY

Books and articles

- Anthony, Thalia. 2007. 'Unmapped territory: wage compensation for Indigenous cattle station workers'. *Australian Indigenous Law Review* 11(1): 4-29.
- Attwood, Bain. 2003. *Rights for Aborigines*. Crows Nest, NSW: Allen and Unwin.
- Attwood, Bain. 2005. *Telling the Truth about Aboriginal History*. Crows Nest, NSW: Allen and Unwin.
- Attwood, Bain and Markus, Andrew. 1999. *The Struggle for Aboriginal Rights: A documentary history*. St Leonards, NSW: Allen and Unwin.
- Attwood, Bain and Markus, Andrew. 2004. *Thinking Black: William Cooper and the Australian Aborigines' League*. Canberra, ACT: Aboriginal Studies Press.
- Australian Archives and the PROV. 1993. 'My heart is breaking' A joint Guide to Records about Aboriginal people in the Public Record Office of Victoria and the Australian Archives, Victorian Regional Office. Canberra, ACT: Australian Government Publishing Service.
- Australian Bureau of Statistics. 1988. *History of pensions and other benefits in Australia*. Australian Bureau of Statistics.
 [http://www.abs.gov.au/ausstats/abs@.nsf/3d68c56307742d8fca257090002029cd/8e72c4526a94aaedca2569de00296978!OpenDocument]. Accessed 8 June 2009.
- Banks, Robin. 2004. 'PIAC proposes Aboriginal trust fund repayment model'. *Public Interest Advocacy Centre Bulletin* 20: 1, 3.
- Banks, Robin. 2008. 'Stolen Wages: Settling the Debt'. *Australian Indigenous Law Review* 12: 55-67.
- Barwick, Diane. 1981. 'Equity For Aborigines? The Framlingham Case', in Troy, Patrick (ed.). *A Just Society: Essays on Equity in Australia*. Sydney, NSW: George Allen and Unwin.
- Barwick, Diane. 1998. *Rebellion at Coranderrk - Aboriginal History Monograph 5*. Canberra, ACT: Aboriginal History Inc.
- Behrendt, Larissa, Cunneen, Chris and Lebesman, Terri. 2009. *Indigenous Legal Relations in Australia*. South Melbourne, Victoria: Oxford University Press.
- Broome, Richard. 1994. 'Aboriginal workers on south-eastern frontiers'. *Australian Historical Studies* 26(103): 202-220.
- Broome, Richard. 1995. 'Victoria', in McGrath, Ann. (ed.). *Contested Ground: Australian Aborigines under the British Crown*. St Leonards, NSW: Allen and Unwin.

Bibliography

- Broome, Richard. 2005. *Aboriginal Victorians: A History Since 1800*. Crows Nest, NSW: Allen and Unwin.
- Broome, Richard. 2006. "There were vegetables every year Mr Green was here": Right Behaviours and the Struggle for Autonomy at Coranderrk Aboriginal Reserve'. *History Australia* 3(2): 1-17.
- Broome, Richard and Manning, Corinne. 2006. *A Man of all Tribes: The Life of Alick Jackomos*. Canberra, ACT: Aboriginal Studies Press.
- Burrows, Helen. 2003. 'Reporting on State Sponsored Theft'. *Journal of Australian Indigenous Issues* 6(1): 12-18.
- Campbell, Alastair and Vanderwal, Ron (eds.). 1999. *John Bulmer's Recollections of Victoria Aboriginal Life 1855-1908*. Melbourne, Victoria: Museum Victoria.
- Chesterman, John and Galligan, Brian. 1997. *Citizens without Rights: Aborigines and Australian Citizenship*. Cambridge, United Kingdom: Cambridge University Press.
- Critchett, Jan. 1998. *Untold Stories: Memories and Lives of Victorian Kooris*. Carlton South, Victoria: Melbourne University Press.
- Curthoys, Ann and Moore, Clive. 1995. 'Working for the White People: An Historiographic Essay on Aboriginal and Torres Strait Islander Labour'. *Labour History* 69: 1-29.
- Department of Family and Community Services. 2001. *A short genealogy of income support payments*. Department of Family and Community Services. [<http://www.fahcsia.gov.au/about/publicationsarticles/research/facsheets/Documents/facsheet11.pdf>]. Accessed 8 June 2009.
- Dieckmann, Cristy. 2001. 'Calling in Debts: The Savings Accounts and Wages Project - formerly known as the Aborigines' Welfare Fund Project'. *Indigenous Law Bulletin* 5(12): 10-12.
- Faulkhead, Shannon and Russell, Lynette. 2006. 'What is Australian Indigenous Oral History?' *International Oral History Association Conference*. University of Technology, Sydney, 12-16 July 2006.
- Faulkhead, Shannon and Thorpe, Kirsten. 2008. 'Archival Education in Australia and the Needs of Australian Indigenous Communities'. *Journal of Australian Indigenous Issues* 12: 309-321.
- Fraser, Ros. 1993. *Aboriginal and Torres Strait Islander People in Commonwealth Records: A Guide to Records in the Australian Archives ACT Regional Office*. Canberra, ACT: Australian Archives.
- Gardiner, Dianne. 2007. 'Indigenous History Resources at PROV'. *Agora* 42(4): 28-31.
- Goodstone, Alexis. 2004. 'Stolen Aboriginal Wages'. *Public Interest Advocacy Centre Bulletin* 19: 3.
- Gray, Stephen. 2007. 'The Elephant in the Drawing Room: Slavery and the "Stolen Wages" Debate'. *Australian Indigenous Law Review* 11(1): 30-53.
- Gray, Stephen. 2008. 'Holding the Government to Account: The 'Stolen Wages' Issue, Fiduciary Duty and Trust Law'. *Melbourne University Law Review* 32(1): 115-140.

STOLEN WAGES

- Gunstone, Andrew. 2009 (second edition). *Unfinished Business: the Australian Formal Reconciliation Process*. Melbourne, Victoria: Australian Scholarly Publishing.
- Haebich, Anna. 2000. *Broken Circles: Fragmenting Indigenous Families 1800–2000*. Fremantle, Western Australia: Fremantle Arts Centre Press.
- Harris, Mark. 1988. 'A "New Deal" for Victorian Aborigines 1957–1968'. Unpublished Master of Arts Thesis, Monash University, Victoria.
- Haskins, Victoria. 2005. '& so we are "Slave owners"!': Employers and the NSW Aborigines Protection Board Trust Funds'. *Labour History* 88: 147–164.
- Horner, Jack. 2004. *Seeking Racial Justice: An insider's memoir of the movement for Aboriginal advancement, 1938–1978*. Canberra, ACT: Aboriginal Studies Press.
- Howes, Christine. 2005. 'Stolen Wages: Pushing the Issue onto the National Agenda'. *Indigenous Law Bulletin* 6(12): 6–8.
- Jones, Jilpia. 2004. 'Working for the White People'. *Balayi: Culture, Law and Colonialism* 6: 1–8.
- Kewley, T. H. 1973. *Social Security in Australia 1900–72*. Sydney, NSW: Sydney University Press.
- Kidd, Ros. 1997. *The Way we Civilise*. St Lucia, Queensland: University of Queensland Press.
- Kidd, Ros. 2005. 'Indigenous archival records at risk', in Nakata, Martin and Langton, Marcia (eds.). *Australian Academic and Research Libraries* 36(2): 159–167.
- Kidd, Ros. 2006. *Trustees on Trial: Recovering the Stolen Wages*. Canberra, ACT: Aboriginal Studies Press.
- Kidd, Ros. 2007. *Hard Labour, Stolen Wages*. Sydney, NSW: Australians for Native Title and Reconciliation.
- Kidd, Ros. 2008. 'Wealth and Poverty', in Gunstone, Andrew (ed.). *History, Politics and Knowledge: Essays in Australian Indigenous Studies*. Kew, Victoria: Australian Scholarly Publishing.
- Landon, Carolyn. 2006. *Jackson's Track Revisited: History, Remembrance and Reconciliation*. Clayton, Victoria: Monash University ePress.
- Manning, Corinne. 2002. 'The McLean Report: legitimising Victoria's new assimilationism'. *Aboriginal History* 26: 159–176.
- McDougall, Scott. 2002. 'A Certain Commonality' Discriminating against the discriminated in the compensation of Queensland's underpaid workers'. *Indigenous Law Bulletin* 5(14): 11–14.
- Mudaliar, Sanushka. 2003. 'Stolen Wages and Fiduciary Duties: A Legal Analysis of Government Accountability to Indigenous Workers in Queensland'. *Australian Indigenous Law Reporter* 8(3): 1–11.
- NAA and PROV. 2008. *Footprints: The Journey of Lucy and Percy Pepper*. North Melbourne, Victoria: NAA and PROV.
- Presland, Gary. 1985. *Aboriginal Melbourne: The Lost Land of the Kulin People*. Forest Hill, Victoria: Harriland Press.
- Presland, Gary. 1998. *For God's Sake Send the Trackers*. Melbourne, Victoria: Victoria Press.
- PROV. 2005. *Finding Your Story: A Resource Manual to the Records of the Stolen Generations in Victoria*. North Melbourne, Victoria: PROV.

Bibliography

- PROV. 2008. 'Imperial to Metric Measures'. *Provenance* 7: 147–148.
- Queensland Stolen Wages Working Group. 2005. 'Survey results call for further negotiation and access to inheritances'. *Journal of Australian Indigenous Issues* 8(2): 44–48.
- Reeves, William Pember. 1969. *State Experiments in Australia and New Zealand*. South Melbourne, Victoria: Macmillan Company of Australia.
- Ross, Fiona, McKemmish, Sue and Faulkhead, Shannon. 2006. 'Indigenous Knowledge and the Archives: Designing Trusted Archival Systems for Koori Communities'. *Archives and Manuscripts* 34(2): 112–151.
- Russell, Lynette. 2004. 'Indigenous Knowledge and Archives: accessing hidden history and understandings'. *Colloquium 2004: Libraries and Indigenous Knowledge*. State Library of New South Wales, Sydney, NSW, 9–10 December 2004.
- Russell, Lynette. 2005. 'Indigenous Records and Archives: mutual obligations and building trust'. *Made Kept and Used: Celebrating 30 Years of the Australian Society of Archivists Seminar*. National Museum of Australia, Canberra, ACT, 5 April 2005.
- Simons, Veerle. 2008. 'A history of Lake Tyers between 1957 and 1971'. Unpublished Masters Thesis, Vrije Universiteit, Amsterdam, The Netherlands.
- Smith, Charmaine. 2005. 'Indigenous Justice'. *Public Interest Advocacy Centre Bulletin* 22: 11.
- Teo, Aileen. 2005. 'Stolen Wages Update: Establishment of the NSW Aboriginal Trust Fund Repayment Scheme'. *Indigenous Law Bulletin* 6(9): 12–14.
- Thorpe, Kirsten. 2001. 'Indigenous Records: How Far Have We Come in Bringing the History Back Home?'. *Archives and Manuscripts* 29(2): 10–31.
- Vickery, Joan, Faulkhead, Shannon, Adams, Karen and Clarke, Angela. 2007. 'Indigenous insights into oral history, social determinants and decolonisation', in Anderson, Ian, Baum, Fran and Bentley, Michael (eds.). *Beyond Band-aids: Exploring the Underlying Social Determinants of Aboriginal Health – Papers from the Social Determinants of Aboriginal Health Workshop*. Casuarina, NT: Cooperative Research Centre for Aboriginal Health.
- West, Alan. 2005. 'The Lake Tyers Aboriginal community, assimilation policy and practice', in Rigsby, Bruce and Peterson, Nicolas (eds.). *Donald Thomson: the man and the scholar*. Canberra, ACT: The Academy of the Social Sciences in Australia.

Legislation

Social Service Legislation

Australian Soldiers Repatriation Act 1920 (Cth)

Child Endowment Act 1941 (Cth)

Child Endowment Act 1942 (Cth)

Children's Maintenance Act 1919 (Vic)

Invalid and Old-age Pensions Act 1908 (Cth)

STOLEN WAGES

Invalid and Old Age Pension Act 1942 (Cth)
Maternity Allowance Act 1912 (Cth)
Maternity Allowance Act 1942 (Cth)
Old-age Pensions Act 1901 (Vic)
Social Services Consolidation Act 1947 (Cth)
Social Services Act 1959 (Cth)
Social Services Act 1966 (Cth)
Tuberculosis Act 1948 (Cth)
Unemployment and Sickness Benefits Act 1944 (Cth)
Widows' Pensions Act 1942 (Cth)

Wages Legislation

Aboriginal Affairs Act 1967 (Vic)
Aboriginal Affairs (Transfer of Functions) Act 1974 (Vic)
Aborigines (Amendment) Act 1965 (Vic)
Aborigines Act 1890 (Vic)
Aborigines Act 1910 (Vic)
Aborigines Act 1915 (Vic)
Aborigines Act 1928 (Vic)
Aborigines Act 1957 (Vic)
Aborigines Protection Act 1869 (Vic)
Aborigines Protection Act 1886 (Vic)
Children's Welfare Act 1928 (Vic)
Child Welfare Act 1954 (Vic)
Child Welfare Act 1958 (Vic)
Social Welfare Act 1960 (Vic)
The Neglected and Criminal Children's Act 1864 (Vic)
The Neglected and Criminal Children's Amendment Act 1874 (Vic)
The Neglected Children's Act 1887 (Vic)
The Neglected Children's Act 1890 (Vic)

Wages Regulations

Aborigines Act 1890 Regulations 1890 (Vic)
Aborigines Act 1890 Alteration of Regulations 1899 (Vic)
Aborigines Act Regulations 1916 (Vic)
Aborigines Act 1915 Additional Regulation No. 34 (A) 1927 (Vic)
Aborigines Act 1928 Regulations 1931 (Vic)
Aborigines Act 1957 Regulations 1958 (Vic)
Board of Inquiry into the Aborigines Act 1928 and the Regulations and Orders made Thereunder 1955 (Vic)

Bibliography

Regulations and Orders made under the Act 1871 (Vic)

Regulations made under the Act 1880 (Vic)

Regulations relating to Half-Castes 1890 (Vic)

Newspapers/Media

- Aboriginal Trust Fund Reparation Scheme. 2004. *Media Release – Panel meets with Aboriginal people over reparation Scheme*. 18 June 2004.
- Editorial, 2004. 'Beattie won't be remembered fondly for flawed offer'. *National Indigenous Times*, 21 January 2004, 14.
- Graham, Chris. 2004a. 'Stolen wages storm grows'. *National Indigenous Times*, 21 January 2004, 1, 4.
- Graham, Chris. 2004b. 'They're still misleading us today'. *National Indigenous Times*, 4 February 2004, 7.
- Graham, Chris. 2004c. 'Marjorie's money a very long time coming home'. *National Indigenous Times*, 4 February 2004, 7.
- Graham, Chris. 2004d. 'Queensland is far from off the hook with stolen wages offer'. *National Indigenous Times*, 4 February 2004, 8.
- Graham, Chris. 2004e. 'The state of the nation'. *National Indigenous Times*, 4 February 2004, 9.
- Graham, Chris. 2004f. 'The international experience'. *National Indigenous Times*, 4 February 2004, 9.
- Graham, Chris. 2004g. 'Burney's interest in stolen monies'. *National Indigenous Times*, 18 February 2004, 4.
- Graham, Chris. 2004h. 'Carr's hand forced in stolen wages debate'. *National Indigenous Times*, March 3, 2004, 4.
- Graham, Chris. 2004i. 'Bob's big bluff on the records ... and off the planet'. *National Indigenous Times*, March 3, 2004, 4.
- Graham, Chris. 2004j. 'Bob Carr mugged on stolen wages'. *National Indigenous Times*, March 17, 2004, 4.
- Graham, Chris and Johnstone, Brian. 2004. 'NSW Government's shame over stolen wages payback'. *National Indigenous Times*, 4 February 2004, 6–7.
- Highland, Gary. 2007. 'Australians' stolen wages a major barrier to reconciliation'. *The Age*, 30 August 2007, 15.
- Hildebrand, Joe. 2004a. 'The puzzle of NSW's missing Aboriginal money'. *National Indigenous Times*, 18 February 2004, 4.
- Hildebrand, Joe. 2004b. 'Government destruction of records could foil stolen claims'. *National Indigenous Times* 3(58), 23 June 2004, 4.
- Kidd, Ros. 2004 'NSW vs Queensland'. *National Indigenous Times*, 4 February 2004, 8.

STOLEN WAGES

- Minister for Community Services, Minister for Ageing, Minister for Disability Services, Minister for Youth, The Hon. Carmel Tebbutt. 2004. *Media Release – Aboriginal Trust Fund Repayment Scheme Announced*. 15 December 2004.
- Nicholls, Sean and Totaro, Paola. 2004. 'Who, how and how much – panel to access return of Aborigines' stolen wages', *Sydney Morning Herald*, 6 May 2004, 5.
- Pecujac, Yvonne. 2007. 'State to investigate stolen wages – "This is not a handout; it's earning"'. *The Age*, 28 December 2007, 3.
- Unknown. 2004a. 'Anger over plans for welfare fund'. *National Indigenous Times*, 21 January 2004, 4.
- Unknown. 2004b. 'Stolen wages payback shame'. *National Indigenous Times*, 4 February 2004, 1.
- Unknown. 2004c. 'Victorians join the stolen wages push'. *National Indigenous Times* 3(52), 31 March 2004, 8.
- Unknown. 2004d. 'Queensland may be open to stolen wages renegotiation'. *National Indigenous Times* 3(58), 23 June 2004, 4.
- Unknown. 2006a. 'Wages anger is deep'. *The Koori Mail*, 7 June 2006, 18.
- Unknown. 2006b. 'Senate to probe stolen wages'. *The Koori Mail*, 21 June 2006, 1.
- Unknown. 2006c. 'Wages probe welcomed'. *The Koori Mail*, 21 June 2006, 3.
- Unknown. 2006d. 'Where's my money?'. *The Koori Mail*, 21 June 2006, 15.

Reports

- Aboriginal Legal Service of Western Australia. 2007. *Stolen Wages Update*. Aboriginal Legal Service of Western Australia.
- AWB. 1961. *Report of the Aborigines Welfare Board 1960–1961*. [www.aiatsis.gov.au]
- Brennan, Sean. 2006. 'Eventually they get it all ...': *Government management of Aboriginal Trust Money in New South Wales*. Sydney, NSW: Indigenous Law Centre, University of New South Wales.
- Central Board. 1864. *Fourth Report of the Central Board appointed to watch over the interests of the Aborigines in the Colony of Victoria*. [www.aiatsis.gov.au]
- Commonwealth Bureau of Census and Statistics. 1965. *Victorian Year Book 1965*. Commonwealth Bureau of Census and Statistics.
- Department of Aboriginal and Torres Strait Islander Policy. 2003. *Indigenous Wages and Savings (1890s–1980s) Reparation Process Information Sheet*. Department of Aboriginal and Torres Strait Islander Policy, Queensland Government.
- Department of Aboriginal and Torres Strait Islander Policy. 2004. *Queensland Indigenous Wages and Savings Reparation Process*. Department of Aboriginal and Torres Strait Islander Policy, Queensland Government.

Bibliography

- Felton, P. E. 1960. 'Methods adopted by the Aborigines Welfare Board in Victoria'. *Proceedings of Conference on Welfare Policies for Australian Aborigines, 1960*. Armidale, NSW: Adult Education Department, University of New England.
- Gilligan, Brian, Janke, Terri and Jeffries, Sam. 2004. *Aboriginal Trust Fund Repayment Scheme: Report of the Aboriginal Trust Fund Repayment Scheme Panel*. Sydney, NSW.
- Human Rights and Equal Opportunity Commission. 2007. *National Inquiry into the Separation of Aboriginal Children from their Families*. Canberra, ACT: Human Rights and Equal Opportunity Commission.
- Indigenous Law Centre. 2004. *'Stolen Wages' and Entitlements: Aboriginal Trust Funds in New South Wales*. Sydney, NSW: Indigenous Law Centre, University of New South Wales.
- Law Institute of Victoria. 2006. *Submission to Standing Committee on Legal and Constitutional Affairs*. Melbourne.
- National Tertiary Education Union. 2006. *Submission to Standing Committee on Legal and Constitutional Affairs*. Melbourne.
- The Consultancy Bureau. 1991. *Final report: Investigation of the Aborigines Welfare Fund and the Aboriginal Accounts*. Brisbane, Queensland: The Consultancy Bureau.
- The Senate. 2006. *Standing Committee on Legal and Constitutional Affairs – Unfinished business: Indigenous Stolen Wages*. Canberra.
- Victorian Aboriginal Legal Service. 2006. *Submission to Standing Committee on Legal and Constitutional Affairs*. Melbourne.
- Victorian Parliament, Public Accounts and Estimates Committee. 2009. *Inquiry into budget estimates 2009–10*. Melbourne, 18 May 2009.
- Wampan Wages. 2006a. *Submission to Standing Committee on Legal and Constitutional Affairs*. Melbourne.
- Wampan Wages. 2006b. *Submission to Standing Committee on Legal and Constitutional Affairs, Questions on Notice*. Melbourne.
- Wright, Joel. 2006. *Personal communication with Wampan Wages Victorian Stolen Wages Working Group*. Melbourne.

National Archives of Australia Records

- NAA, Commonwealth of Australia, Aboriginal Welfare. *Initial conference of Commonwealth and State Aboriginal authorities held at Canberra 21–23 April 1937*, A52/572/99429/912, 1937–1937.
- NAA, Attorney-General's Department, *Aboriginal natives – Application of Commonwealth laws – Marriage*, A432/1955/3765, 1955–1956.
- NAA, Prime Minister's Department, *Child endowment – Aborigines*, A461/N344/1/18, 1941–1950.

STOLEN WAGES

- NAA, Prime Minister's Department, *Invalid and old age pensions for Aborigines*, A461/
N382/1/1, 1936-1947.
- NAA, DSS, *Child endowment for Children of Aborigines - Introduction of Scheme - Payment
through State Depts. of Native Welfare - Replies to Queries and Representations*, A885/
B39PART1, 1941-1942.
- NAA, DSS, *Child Endowment for children of Aborigines - Introduction of Scheme - Payment
through State Depts. of Native Welfare - Replies to Queries and Representations*, A885/
B39PART2, 1941-1944.
- NAA, DSS, *Aboriginal Natives - Payment of child endowment through Department of Native
Affairs*, A885/B423, 1941-1956.
- NAA, Commonwealth Treasury, *Payment of Maternity Allowances to Aborigines*,
A6006/1938/06/09, 1938-1938.
- NAA, BPA, *Advance account book of the Aborigines Board Produce Fund*, B2011/WHOLE
SERIES, 1921-1957.
- NAA, Lake Tyers Aboriginal Station [Victoria], *Lake Tyers - population, 1934-1949 [lists
of aboriginal station residents and births deaths and marriages]* [33 pages], B2023/2,
1934-1949.
- NAA, AWB, (1) *Manager's diaries, chronological series (2) stock record, chronological series
[0.06 m, 5 volumes, 1966 diary missing]*, B2055/WHOLE SERIES, 1962-1967.
- NAA, BPA / AWB, *Aborigines Board Produce Fund [from 1957 Aborigines Welfare Fund] -
Collector's cash book*, B2058/1, 1921-1966.
- NAA, BPA / AWB, *Aborigines Board Produce Fund - Collector's cash book*, B2058/2,
1939-1961.
- NAA, Lake Tyers Aboriginal Station [Victoria], *[Record of debtors] - Lake Tyers Aboriginal
station*, B2059/1, 1 Sep 1956-8 Sep 1960.
- NAA, BPA / AWB, *Cash and Accounts Book ("Ledger" on Label)*, B2860/WHOLE SERIES,
1934-1963.
- NAA, BPA / AWB, *Wage book of Lake Tyers Aboriginal Station*, B2863/ VOLUME 1,
1948-1959.
- NAA, AWB / MAA, *Wage book of Lake Tyers Aboriginal Station*, B2863/ VOLUME 2,
1960-1970.
- NAA, BPA, *[Cash payments journal] Aborigines expenditure*, B2864/1, 1930-1936.
- NAA, BPA, *[Cash payments journal] Board for Protection of the Aborigines - register of
accounts*, B2864/2, 1938-1949.
- NAA, BPA, *[Cash payments journal]*, B2864/3, 1949-1958.
- NAA, AWB, *[Cash payments journal]*, B2864/7, 1964-1965.
- NAA, BPA, *Acts & Regulations - Acts*, B313/1, 1869-1957.
- NAA, BPA, *Acts & Regulations*, B313/2, 1871-1937.
- NAA, BPA, *Correspondence Re Acts and Regulations; 1929-1955*, B313/3, 1929-1963.
- NAA, BPA, *[Correspondence re Acts & Regulations]*, B313/4, 1957-1957.
- NAA, BPA, *General Correspondence*, B313/229, 1875-1884.

Bibliography

- NAA, BPA, *Welfare/Social Worker*, B313/231, 1947-1955.
- NAA, BPA, *Exhibitions*, B313/244, 1879-1886.
- NAA, BPA, *Victoria: Representations and Inquiries [Aborigines]*, B313/245, 1923-1957.
- NAA, BPA, *Visits & Displays*, B313/246, 1922-1934.
- NAA, BPA, *Census & Statistics*, B313/247, 1879-1957.
- NAA, BPA, *Minutes of meetings of the Board*, B314/5, 1896-1907.
- NAA, BPA, *Minutes of Meetings of the Board*, B314/6, 1907-1921.
- NAA, BPA, *Minutes of Meetings of the Board*, B314/7, 1921-1946.
- NAA, BPA, *Minutes of the Board for the Protection of the Aborigines 31.1.1946-10.12.1958*, B314/8, 1946-1958.
- NAA, AWB, *Minutes 11/2/1959 to 14/12/1961 Aborigines Welfare Board*, B314/9, 1959-1961.
- NAA, AWB, *Minutes of the Aborigines Welfare Board - 11/1/62 to 11/12/64*, B314/10, 1962-1964.
- NAA, AWB, *Minutes - 5 February 1965 to 15 December 1967 - Aborigines Welfare Board*, B314/11, 1965-1967.
- NAA, BPA, *Outward Correspondence Jan 1909-March 1911 No 10*, B329/8, 1909-1911.
- NAA, BPA, *Outward Correspondence Dec 1920-Jan 1922 No 11*, B329/9, 1920-1922.
- NAA, BPA, *Welfare Conference - Canberra*, B331/1, 1937-1937.
- NAA, BPA, *Welfare Conference - Canberra- Resolutions*, B331/2, 1948-1948.
- NAA, AWB, *Native/Aboriginal Welfare Conference - Commonwealth and State authorities - Canberra 26th-27th January 1961 - Final Bound copy of proceedings and decisions*, B331/16, 1961-1961.
- NAA, BPA, *Aboriginal Welfare Conference - Perth 1967 - Indexed copy*, B331/18, 1967-1967.
- NAA, Central Board / BPA, *Annual Reports*, B332/1, 1861-1906.
- NAA, BPA, *Annual Reports*, B332/2, 1921-1924.
- NAA, Central Board / BPA, *Board Meetings - Rough Draft of Minutes of the Central Board*, B335/1, 1860-1885.
- NAA, Central Board, *Board Meetings - List of Topics for Discussion at Board for Protection of the Aborigines*, B335/2, 1860-1862.
- NAA, AWB, *Board Meetings: Correspondence*, B335/3, 1958-1968.
- NAA, AWB, *Board meetings (extracts from minutes) 1961-1962*, B335/4, 1961-1962.
- NAA, BPA / AWB, *Board meetings (business sheets and minutes)*, B335/5, 1918-1963.
- NAA, AWB, *Minutes of Board Meetings (Copies)*, B335/6, 1965-1967.
- NAA, BPA - Aboriginal Station, *Report of the Board of Enquiry into Coranderrk Aboriginal Station [Note: this entry comprises the whole of the series]*, B352/BOX 1, 1882-1882.
- NAA, BPA, *Royal Commission on the Aborigines*, B353/WHOLE SERIES, 1877-1877.
- NAA, AWB, *Pension deductions*, B354/8, 1960-1962.
- NAA, AWB, *Child endowment - monthly schedules*, B354/9, 1958-1963.
- NAA, AWB, *Child endowment and pensions - Lake Tyers social services*, B354/10, 1957-1964.

STOLEN WAGES

- NAA, AWB, *Social Services – Current endowment docket*, B354/11, 1958–1962.
- NAA, AWB, *Lake Tjers Social Services – completed endowment docket and correspondence*, B354/12, 1961–1966.
- NAA, AWB, *Endowment accounts*, B354/39, 1963–1964.
- NAA, AWB, *Endowment accounts*, B354/40, 1959–1964.
- NAA, AWB, *Lake Tjers – Administration [Correspondence re electrical installation, bulldozing, fencing, renovation of cottages, tractors – purchase and repair] [153 pages]*, B356/24, 27 Sep 1958–17 Oct 1961.
- NAA, BPA / AWB, *Lake Tjers – Administration [Correspondence re building works, fire damage, quotes, milking machines, sheds, electrical work, equipment for carpenter, repairs to pump motor] [205 pages]*, B356/25, 17 Jul 1946–18 Dec 1962.
- NAA, AWB, *Lake Tjers – Administration [Correspondence re Maintenance Branch contract, cessation of “hand-outs”, stock management, building works, expenditure, equipment, supplies, water, conversion of houses] pensioner housing, Property Officer’s Report [86 pages]*, B356/28, 1966–1967.
- NAA, AWB, *Lake Tjers – Rations [23 pages]*, B356/41, 1958–1963.
- NAA, AWB, *Policy [includes correspondence re ABC television programme, recommendations/ suggestions, Education Department visits, rehousing, Methodist Statement on Aboriginal legislation and policy, The Aboriginal viewpoint by T G H Strehlou, discontinuing “handout” system]*, B356/44, 1964–1965.
- NAA, AWB, *Policy [Includes correspondence re: cessation of handouts; proposed future of the Lake Tjers Settlement; Aboriginal Congress; training centre; family assistance; suppliers; lists of residents; Planning and Action Committee; overcrowding; report by Superintendent of Aborigines; provision of telephones services; Sub-Committee; Social Worker’s reports; housing improvements; Property Officer’s reports; ministerials; requests for publications] [151 pages]*, B356/45, 1966–1967.
- NAA, BPA, *Lake Tjers – Social Services. Pension Deductions & Maintenance*, B356/49, 1938–1941.
- NAA, AWB, *Lake Tjers Social Services Endowments*, B356/50, 1959–1963.
- NAA, AWB, *Lake Tjers Social Services benefits – policy [60 pages]*, B356/51, 1958–1965.
- NAA, AWB, *Lake Tjers Pensions [120 pages]*, B356/52, 1960–1963.
- NAA, BPA / AWB, *Lake Tjers Staff 1963–1967 [52 pages]*, B356/73, 1963–1966.
- NAA, BPA / AWB, *Lake Tjers Staff 1964–1968 [158 pages]*, B356/74, 1964–1968.
- NAA, BPA / AWB, *Lake Tjers Staff – Working hours – Wages [66 pages]*, B356/75, 1957–1964.
- NAA, AWB, *Lake Tjers Staff Station Manager’s Diary (Mr Hawkes) 1966*, B356/76, 1966–1966.
- NAA, AWB, *Lake Tjers Staff – H W McDonald [16 pages]*, B356/77, 1959–1960.
- NAA, BPA / AWB, *General comments by manager (L Rule and others) [Lake Tjers]*, B356/78, 1949–1958
- NAA, BPA / AWB, *Lake Tjers Permits and conduct*, B356/105, 1951–1960.

Bibliography

- NAA, DAA, *Lake Tyers farm – Weekly Work Target*, B356/ LT70/43, 1969–1971.
- NAA, DAA, *Lake Tyers – Wages*, B356/ LT70/47, 1969–1971.
- NAA, DAA, *Social Services Department*, B356/ LT70/85, 1970–1972.
- NAA, AWB, *Acts and Regulations 1957–1958 Aborigines Bill [Part box 1]*, B357/1, 1957–1958.
- NAA, AWB, *Acts and Regulations 1957–1959 Regulations [Including drafts] [Part box 1]*, B357/2, 1957–1959.
- NAA, AWB, *Acts and Regulations 1958–1965 Correspondence re regulations [Part box 1]*, B357/3, 1958–1965.
- NAA, AWB, *Acts and Regulations 1964–1967 Correspondence re regulations and acts [Part box 1]*, B357/4, 1964–1967.
- NAA, AWB, *Correspondence – Policy*, B357/12, 1957–1967.
- NAA, AWB, *Aborigines – Government policy 1967 [13 pp][Part box 1]*, B357/14, 1967–1967.
- NAA, AWB, 1959–1966: *Minutes of the Framlingham Reserve Welfare Committee*, B357/28, 1959–1966.
- NAA, AWB, 1963–1965 – *Districts – Gippsland – Proposed Morwell Village*, B357/77, 1963–1965.
- NAA, AWB, 1958–1967 research [contains folders of: *Social Science Research Council-Aborigines project, Victorian Aborigines – Dr. D. Barwick, Australian Institute of Aboriginal Studies-correspondence 13/9/62–2/10/63, Monash Centre for Aboriginal Studies*], B357/104, 1958–1967.
- NAA, AWB, *Correspondence files – Employment*, B357/105, 1960–1966.
- NAA, AWB, *Policy documents 1961–1967*, B357/111, 1961–1967.
- NAA, AWB, *Re policy 1957–1967*, B357/112, 1957–1967.
- NAA, AWB, *Education – May 1966 – Monash Seminar “The Problems of Aboriginal Employment, Wages and Training” [Part box 11]*, B357/147, May 1966–May 1966.
- NAA, AWB, *Correspondence – Annual Reports [Part box 12]*, B357/151, 1958–1967.
- NAA, AWB, *Employment enquiries – Aboriginal [sic] Welfare Board*, B357/170, 1957–1967.
- NAA, AWB, *Correspondence – Employment enquiries and replies*, B357/178, 1959–1967.
- NAA, AWB, *Property officer's reports – Gippsland and Healesville [Aborigines Welfare Board properties at Bairnsdale, Bruthen, Buchan, Drouin, Warragul, Korumburra and Healesville]*, B358/4, 1964–1967.
- NAA, AWB, *Property officer's reports – Gippsland and Healesville [Aborigines Welfare Board properties at Lakes Entrance, Lake Tyers, Moe, Morwell, Newborough, Nowa Nowa, Orbost, Rokeby, Neerim South and Traralgon]*, B358/5, 1964–1968.
- NAA, BPA, *McLean Inquiry – notes on country visits*, B408/1, 1955–1956.
- NAA, BPA, *McLean Inquiry – notes on country visits*, B408/2, 1954–1956.
- NAA, BPA, *McLean Inquiry – notes on country visits*, B408/3, 1956–1956.
- NAA, BPA, *McLean Inquiry – police reports and population details*, B408/4, 1956–1956.
- NAA, BPA, *McLean Inquiry – board of inquiry*, B408/5, 1956–1956.
- NAA, BPA, *McLean Inquiry – correspondence of inquiry board (1)*, B408/6, 1956–1957.

STOLEN WAGES

- NAA, BPA, *McLean Inquiry – correspondence of inquiry board (2)*, B408/7, 1956–1957.
- NAA, BPA, *McLean Inquiry – correspondence of inquiry board (3)*, B408/8, 1956–1957.
- NAA, BPA, *McLean Inquiry – correspondence*, B408/9, 1954–1957.
- NAA, BPA, *McLean Inquiry – 1957 report: Aborigines Act (regulations; orders)*, B408/10, 1956–1957.
- NAA, BPA, *Report upon the operation of the Aborigines Act 1928 and the Regulations and Orders made thereunder [Item consists of one printed copy and 2 photocopies of the Report]*, B408/11, 1957–1957.
- NAA, AWB, *Rent book [various districts]*, B409/37, 1960–1962.
- NAA, AWB, *[Revenue accounts]*, B409/44, 4 January 1962–4 July 1962.
- NAA, AWB, *[Revenue accounts]*, B409/45, 28 June 1962–21 December 1962.
- NAA, AWB, *[Revenue accounts]*, B409/46, 22 December 1962–1 July 1963.
- NAA, AWB, *[Revenue accounts]*, B409/47, 27 June 1963–30 December 1963.
- NAA, AWB, *[Revenue accounts]*, B409/48, 30 September 1963–5 June 1964.
- NAA, DAA, *Aboriginal Affairs Advisory Council Agenda items*, B411/V1968/369Part1, 1968–1971.
- NAA, DAA, *Aboriginal Affairs Advisory Council matters referred by Minister*, B411/V1968/371, 1968–1974.
- NAA, DAA, *Aboriginal Affairs Advisory Council Meetings*, B411/V1968/372Part1, 1968–1973.
- NAA, DAA, *Aboriginal Affairs Advisory Council correspondence to and from*, B411/V1970/281Part1, 1968–1973.
- NAA, BPA, *Accountancy files – Aborigines Board Produce Fund – balance sheets*, B412/1, 1920–1957.
- NAA, BPA, *Accountancy Files. Comparative Expenditure [Aborigines Board Produce Fund]*, B412/2, 1860–1956.
- NAA, BPA, *Accountancy Files Audit*, B412/3, 1904–1956.
- NAA, BPA, *Accountancy Files. Audit & Treasury Correspondence*, B412/4, 1876–1890.
- NAA, BPA, *Correspondence*, B412/5, 1932–1933.
- NAA, BPA, *Rents Framlingham*, B412/6, 1939–1956.
- NAA, BPA, *Accountancy Files. Ledger Accounts. Aborigines Board Produce Fund*, B412/7, 1949–1957.
- NAA, MAA, *Master set of Copies of Memoranda 1973–1974*, B4698/1973/1974, 1973–1974.
- NAA, MAA, *Lake Tyers*, B5106/A/14, 1970–1975.
- NAA, MAA, *Minister for Aboriginal Affairs – Victoria*, B5106/A/23, 1970–1975.

State Library of Victoria Records

- SLV, FCAATSI, *Legislation for Aborigines and Torres Strait Islanders in Australia*, 1966, MS12913, Box 4/1.

Bibliography

- SLV, CAR, *Bulletin 11*, June 1959, MS12913, Box 5/4.
- SLV, FCAA, *Government legislation and the Aborigines*, 1964, MS12913, Box 7/2.
- SLV, CAR, Pauline Pickford, *The Victorian Aborigines: the past, and it's effect on the present minority. Decisions to be made for the future*, 1965, MS12913, Box 7/2.
- SLV, CAR, William Murray (ed.), *The Struggle for Dignity: A Critical Analysis of the Australian Aborigine Today, the Laws Which Govern Him, and Their Effects*, 1962, MS12913, Box 7/2.
- SLV, CAR, *Ownership and Development of Reserves by Aborigines*, 1963, MS12913, Box 7/3.
- SLV, CAR, *Annual report 1961-1962*, 1962, MS12913, Box 7/3.
- SLV, CAR, *Annual report 1962-1963*, 1963, MS12913, Box 7/3.
- SLV, CAR, Pauline Pickford, *Lake Tyers*, 1961, MS12913, Box 7/3.
- SLV, Amnesty International, *The situation of Australian Aborigines*, 1965, MS12913, Box 7/4.
- SLV, Chief Secretary's Office, J.V.Dillon, Undersecretary, *Letter to Irwin in relation to Lake Tyers*, 19/1/65, MS12913, Box 7/5.
- SLV, Dorothy Irwin, *Reply to Dillon's letter*, 9/2/65, MS12913, Box 7/5.
- SLV, CAR, *Lake Tyers - An Election Issue?*, 1964, MS12913, Box 7/7.
- SLV, CAR, Hon. Sec., *Letter to Vic Public Service Board*, 28/3/62, MS12913, Box 7/7.
- SLV, Chief Secretary's Office, Undersecretary, *Letter to P. Pickford, CAR, in reply to letter of 28/3/62, 11/4/62*, MS12913, Box 7/7.
- SLV, CAR, Pauline Pickford, Hon Sec, *Letter to all unions affiliated with CAR*, 16/3/63, MS12913, Box 7/7.
- SLV, Dorothy Irwin, *Letter to A. G. Rylah, Chief Secretary*, 23/6/64, MS12913, Box 7/7.
- SLV, AWB, P.E.Felton, Superintendent of Aborigines Welfare, *Letter to Pauline Pickford, Hon Sec CAR*, 7/8/62, MS12913, Box 7/7.
- SLV, CAR, Hon Sec, *Letter to Felton*, 30/7/62, MS12913, Box 7/7.
- SLV, CAR, *Statement on the Lake Tyers Government Aboriginal Settlement*, 26/2/1962, MS12913, Box 7/8.
- SLV, *Report on the Lake Tyers Aboriginal Station*, 19th August 1925, MS12913, Box 8.
- SLV, Australian - New Zealand Civil Liberties Society, *Statement on Australian Aborigines*, MS12913, Box 8.
- SLV, Australian Woman's Charter Conference, *Resolutions on Aboriginal and Coloured peoples*, Sydney, 23-24 August 1957, MS12913, Box 8.
- SLV, Aboriginal-Australian Fellowship, *Constitution*, 1960, MS12913, Box 8.
- SLV, AAL, *Terms of reference for an enquiry*, 1948, MS12913, Box 8.
- SLV, FCAA, Shirley Andrews, *The Australian Aborigines, A summary of their situation in all states in 1963*, MS12913, Box 8.
- SLV, FCAA, Shirley Andrews, *The Australian Aborigines, A summary of their situation in all states in 1964*, MS12913, Box 8.
- SLV, CAR, Shirley Andrews, Hon. Secretary, *Social Service benefits still denied to Aborigines*, MS12913, Box 8.

STOLEN WAGES

- SLV, CAR, Shirley Andrews, *The Aborigines – Wages and Work*, 1965, MS12913, Box 8.
- SLV, FCAA, *Constitution*, 1962, MS12913, Box 8.
- SLV, FCAA, Shirley Andrews, Campaign Organiser, *Circular to all Trade Union Papers, The Lowest Paid Workers in Australia*, 1962, MS12913, Box 8.
- SLV, CAR, Colin Tatz, *Information delivered to the AGM 23/10/64*, 1965, MS12913, Box 8.
- SLV, FCAATSI, *Wages and Employment Committee Annual Report (Equal Wages for Aborigines Committee)*, 1965, MS12913, Box 8.
- SLV, West Australian, *Natives Get Pensions*, 14 January 1960, MS12913, Box 8.
- SLV, FCAA, Shirley Andrews and Rodney Hall, *Social Services for Aborigines*, 1963, MS12913, Box 8.
- SLV, FCAA, Shirley Andrews, *Social Service Benefits for Aborigines and Torres Strait Islanders*, circa 1961, MS12913, Box 8.
- SLV, CAR, *Letter to Victorian Board for the Protection of the Aborigines regarding wages and trust funds*, 14 August 1953, MS12913, Box 8.
- SLV, BPA, *Letter to CAR regarding wages*, 28 August 1953, MS12913, Box 8.
- SLV, FCAA, *Wage and Trust Funds Information Sheet*, MS12913, Box 8.
- SLV, Parliamentary Debates Hansard, Legislative Council and Legislative Assembly, Mr Rylah (Chief Secretary), *No 5, Aborigines Bill, 4/5/1957*, 1956–57, MS12913, Box 28/3.
- SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 318.
- SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 319.
- SLV, Victoria Parliamentary Debates, Session 1974–1976, Volume 320.

INDEX

- Aboriginal Affairs Act 1967* (Vic) 113-14
 Aboriginal Affairs Fund 113-15
Aboriginal Affairs (Transfer of Functions) Act 1974 (Vic) 114-15
 Aborigines Board Produce Fund 93-4, 102
Aborigines (Amendment) Act 1965 (Vic) 112
Aborigines Act 1890 (Vic) 84-6, 88
Aborigines Act 1910 (Vic) 88
Aborigines Act 1915 (Vic) 89, 91
Aborigines Act 1928 (Vic) 92-3
Aborigines Act 1957 (Vic) 101-5
Aborigines Protection Act 1869 (Vic) 74-5, 77, 81, 84
Aborigines Protection Act 1886 (Vic) 81-2
 Aborigines Welfare Board (AWB) 35, 42, 62, 101, 103, 105, 111-13
 Aborigines Welfare Fund 42, 94, 102-03, 112-13
Australian Soldiers Repatriation Act 1920 (Cth) 64
- Board for the Protection of Aborigines (BPA) 4, 6, 17-18, 48, 58, 65, 75-6, 79, 81, 85-90, 92-5, 97-8, 100-01
- Child Endowment xviii, 14, 22-3, 43-52, 96
Child Endowment Act 1941 (Cth) 43-4, 46-7
Child Endowment Act 1942 (Cth) 46
Children's Welfare Act 1928 (Vic) 91
Child Welfare Act 1954 (Vic) 99
Child Welfare Act 1958 (Vic) 100
- Coranderrk x, xxi, 1, 12-18, 73, 77-80, 86-7, 90, 94
 Council for Aboriginal Rights (CAR) 27, 31-2, 40, 55, 57, 61, 81, 97, 105-09, 111
- Department of Aboriginal Affairs (DAA) 114
 Department of Social Services (DSS) 26, 36, 40, 63, 66
- Federal Council for Aboriginal Advancement (FCAA) 34, 105-06, 110
 Federal Council for the Advancement of Aboriginal and Torres Strait Islanders (FCAATSI) 112
- Framlingham xxi, 1, 19-20, 65, 77, 79-80, 87, 90
- Invalid and Old-age Pension 24-37, 41-3, 49, 55-6, 67, 96
Invalid and Old-age Pensions Act 1908 (Cth) 25, 27, 29, 36-7
Invalid and Old Age Pension Act 1942 (Cth) 27-30, 53
- Lake Tyers xi, xviii, xxi, 1-12, 17, 19, 21, 23-4, 35-6, 40, 42-3, 46, 48, 50-1, 56-7, 60, 67, 77, 80, 87-8, 90, 94, 96-8, 100-01, 103, 105-12
- Maternity Allowance xviii, 21-2, 26, 33-4, 36-43, 49, 96
Maternity Allowance Act 1912 (Cth) 36-7

STOLEN WAGES

- Maternity Allowance Act* 1942 (Cth) 37-9, 53
- Native Police 71
- Old-age Pensions Act* 1901 (Vic) 24-5
- Social Services Consolidation Act* 1947 (Cth)
29-31, 36, 38-9, 43, 46-9, 52, 55, 57,
59-60, 64
- Social Services Act* 1959 (Cth) 31-3, 35,
41-2, 49-50, 52, 56-7, 60-1
- Social Services Act* 1966 (Cth) 36, 43, 52,
57, 63-4
- Social Welfare Act* 1960 (Vic) 100
- The Neglected and Criminal Childrens Act*
1864 (Vic) 73
- The Neglected and Criminal Childrens
Amendment Act* 1874 (Vic) 77
- The Neglected Childrens Act* 1887 (Vic)
83-4
- The Neglected Childrens Act* 1890 (Vic) 84
- Tuberculosis Act* 1948 (Cth) 64, 66, 68
- Tuberculosis Allowance xviii, 65-8
- Unemployment and Sickness Benefit 57-64
- Unemployment and Sickness Benefits Act*
1944 (Cth) 58-60
- Unfinished Business: Senate Report into
Stolen Wages* xvii, 65, 115
- War Pension 64-5
- Widows' Pension 14, 31, 36, 42, 52-57, 67
- Widows' Pensions Act* 1942 (Cth) 52-55

Over most of the twentieth century, Indigenous people throughout Australia have had their wages, savings and pensions largely controlled by governments and their agencies. These practices are referred to today as the Stolen Wages policies.

This book is the first comprehensive study on the history and impact of past Stolen Wages policies in Victoria. The book details the findings of several consultations conducted with Indigenous communities. It also analyses the exclusion of Indigenous people from Commonwealth and Victorian social security benefits. Further, the book explores the history of employment and wages of Indigenous people in Victoria, including employment controls, underpayments and Indigenous trust funds.

This book addresses a significant period in the history of Indigenous and non-Indigenous relations in Victoria.

DRANDREW GUNSTONE *is a Senior Lecturer in the Centre for Australian Indigenous Studies, School of Humanities, Communications and Social Sciences, Monash University.*

SADIE HECKENBERG *is a Wiradjuri woman from New South Wales and an Honours student and tutor in the Centre for Australian Indigenous Studies, School of Humanities, Communications and Social Sciences, Monash University.*



AUSTRALIAN SCHOLARLY PUBLISHING

P.O. BOX 299 KEW, VIC 3101 • WWW.SCHOLARLY.INFO

7 LT LOTHIAN ST NORTH, NORTH MELBOURNE 3051

ASPIC@OZEMAIL.COM.AU • 03 9329 6963

ISBN 978-1-921509-59-9

