'& so we are “Slave owners”!: Employers and the NSW Aborigines Protection Board Trust Funds

Victoria Haskins

The issue of the ‘Stolen Wages’ – earnings withheld from Aboriginal workers throughout the twentieth century – has made prominent headlines in the last few years. The questions surrounding these disappearing monies will undoubtedly continue to be vexed, given the history of state control over Aboriginal labour, and the concomitant practice of governments withholding the wages of Aboriginal workers in trust funds. The following discussion of the trust fund system as it operated in New South Wales under the Aborigines Protection Board’s regime (1883-1940), is intended to illuminate the context and the complexities of the issue and its significance for racial interrelations then, and indeed now. By interrogating the role of white employers in particular, this article makes a contribution to a deeper comprehension of the white experience and involvement in this history of wage withholding, an understanding critical in achieving the support of non-Aboriginal Australians in the Aboriginal workers’ cause today.

In early May 2004 New South Wales Labor premier Bob Carr announced his government’s intention to

repay those Aboriginal people who had their wages stolen or lost through the Aboriginal Trust Fund scheme between 1900 and 1969 ... if they can provide documentary or other evidence to prove it.¹

The ‘Stolen Wages’ issue has made prominent headlines in the past few years, in Queensland as well as New South Wales. While recent calls for the repayment of long overdue wages emerge today in the context of the equally recently understood policies of Aboriginal child removal, like the Stolen Generations experience there is a much longer history here. It is, however, a little known history. In 1995 Ann Curthoys and Clive Moore called for further studies on Aboriginal child labour history, but despite a proliferation of testimonies to the Aboriginal experience of child removal since, an older theme of labour exploitation is masked in these more recent accounts. Relatively little has been published specifically on the history of the trust fund systems, especially outside Queensland. The lack (or destruction) of documentary evidence that plagues Aboriginal claimants has been reflected in the lack of historical research on the subject.²

Although Curthoys and Moore specifically called for analysis of the effect of withholding incomes on workers, in the following examination of the NSW Aborigines Protection Board’s system, my focus is on the white employers. As Curthoys and Moore noted, the ‘desire on the part of many Aborigines to tell their own stories, rather than be written about, places non-Aboriginal historians in a new situation’.³ Being a non-Indigenous historian working in the field of Aboriginal and race relations history, it is important to state from the outset that for several generations, my family has personally benefited from the exploitation of Aboriginal labour. This is notwithstanding my great-grandmother’s career as an activist for
Aboriginal rights – indeed, her entry into the movement arose directly out of her experiences as an employer of Aboriginal servants. While my background raises problems for my capacity and right to reconstruct the Aboriginal experience of wage withholding, it is certainly appropriate for me to undertake a reconstruction of the role of white employers, like my great-grandmother, in the history of Aboriginal labour exploitation, and the effects of these roles on racial interactions. A number of insights into the intricacies of the trust fund system can be gleaned from this approach, including the disparities of power it created between worker, employer, and the state, and the startling realisation that this wage withholding provided an issue that might bring the first two together in alliance against the third. In Joan Kingsley-Strack’s case, her personal experiences as an employer led her from being an advocate of the interests of her individual workers, to the advocacy of the rights of Aboriginal people in general. Though her actions were anything but typical, her story, and the stories of those few other employers who contested the state, hidden as they are in the official records, provides a unique insight into this history.

In 1934, Joan Kingsley-Strack found herself at a social fund-raising function declaring passionately that ‘& so we are [“Slave owners”] just exactly that’. She was addressing a woman who had told her of how she had seen Howard Morley, secretary of the Association for the Protection of Native Races, in London describing the treatment of Aborigines in Australia as slaveholding. Joan explained to the sceptical lady how the trust fund system worked for Sydney employers, how the children were taken from their parents to be exploited, their wages never to be paid out to them. But it was the so-called Protection Boards in fact, Joan told her, who were the ‘real slave owners & exploiters’.5

Joan was at the time one of some 850 white employers, most of them women, listed on the books of the NSW Aborigines Protection Board; unknown numbers more were unrecorded, including one of Joan’s aunts. Those clustered on Sydney’s north shore and in the eastern suburbs (where most of the recorded urban employers lived) formed a tiny sub-group of the urban elite bound together by an intricate female network of friends and family, who swapped and transferred successive servants between each other.6

The participation of these women was crucial to the success of the government’s policy of removing Aboriginal children to be placed in ‘apprenticeships’. To understand the role they played, and the context in which relations between employers, workers and the state were set, we need first consider the policy itself, and the debates and issues that surrounded its construction.

Whether those who hired state-indentured Aboriginal labour were aware of it or not, the Aboriginal ‘apprenticeship’ scheme that operated in New South Wales was constructed on an agenda that aimed at the break-up of Aboriginal communities, and was conceived virtually from the outset as the means to achieve this end. Here, the policy of withholding workers’ wages was concentrated upon those young workers taken from their families and ‘apprenticed out’ as servants or labourers by the Aborigines Protection Board, and later the Aborigines Welfare Board. Most employers were women because under the Protection Board, young Aboriginal females were overwhelmingly the targets both for initial removal and
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for apprenticeship, as domestic servants. This gendered bias was mirrored in the withholding of wages, with over 60 per cent of the accounts on the Protection Board ledgers being held on behalf of females.7

The system derived from a pre-existing mainstream approach to neglected and destitute children, but there were crucial differences. The wage rates, set in 1913 (two shillings and sixpence a week for a first-year female apprentice, up to 5 shillings for a fourth-year) and only minimally raised in the late 1930s, were not made equivalent with those paid to Child Welfare Department apprentices in NSW until 1941; the discrepancy between the rates by that time was to ‘the extent of £1 per quarter [three months] for the younger children to £3 per quarter for youths and older girls 17 to 18 years of age’.8 Out of these artificially low wages Aboriginal apprentices received only a tiny amount (between a sixpence and two shillings and sixpence a week) directly, as ‘pocket-money’, for their personal use. The rest was paid by employers to the Board and held on behalf of the individual workers within one large interest-bearing ‘Trust Account’ (opened in 1897) that was transferred from the Savings Bank department to the Rural Bank department of the Government Savings Bank in 1923. Further research is required into the records of the State Children’s Department in NSW in order to make conclusive comparisons regarding wage withholding, but the South Australian state ward system suggests that a much greater proportion of Aboriginal wards’ wages were withheld.9 Finally, the Board had the power to indenture children and control their wages simply because they were Aboriginal, and after 1915 did not even require a court finding of neglect in the absence of parental consent. By that time the practice of apprenticesing had fallen into disfavour with regard to the children of poor white people.10

The wage rates were kept low, the Board consistently claimed, so as to encourage employers to take on Aboriginal apprentices, although women working independently of the Board could and did earn higher wages. The trust fund system was justified on the grounds that ‘the girls only waste the money buying rubbish’ and it ‘was for their own benefit’, in an attempt by the Board in 1918 to compel employers of independent workers to remit wages to it as well.11 The Board had a particular concern with preventing Aboriginal parents from accessing their children’s earnings (not as significant an issue for the Child Welfare Department, handling orphans and children formally removed from their parents). Paid work undertaken by Aboriginal children and young women in the rural areas would have, indeed, made a contribution of increasing significance to their families, as outside opportunities for adult male employment narrowed under Board control. Under the trust fund system, however, not even the apprentices themselves could access their money without their employer’s written support, or, if their apprenticeship was over, the support of their local reserve manager or police, and a detailed explanation of what they intended to purchase. Although the Board calculated the interest on individual deposits, no financial statements were made available to those whose money it was, so apprentices and ex-apprentices were unsure of the amount of money ‘saved’ in their name. At any rate, the records show very few ‘lump sum’ payments being made at all. The Board, on the other hand, had virtually free access to the trust monies. Authorisation was sought and recorded to put money from the so-called ‘special deposits account’ towards a general expenditure blow-out in 1921, but most often this power was over how the money might be spent on an individual, and
went unquestioned. While employers were expected to supply clothing and medical expenses, the Board would and could approve withdrawals from the apprentice’s own trust account to cover such costs. Wages owed could be ‘written off’ against the cost of property damage by an apprentice, and even for clothing when an apprentice absconded. In at least one case, money was withdrawn from a worker’s trust account in compensation. Such withdrawals against their accounts could be done without their consent or even knowledge, and the possibilities for abuse are obvious. Wage withholding not only ensured that the young workers’ usefulness as a labour resource to their parents and to the wider Aboriginal communities was denied, but also meant their absolute vulnerability to unscrupulous authorities (employers, managers, or police). The policy of obstructing access to these funds prevented the use of such savings in any constructive way for the individual or the community: the cycle of poverty and dependence of Aboriginal adults was ensured, facilitating the removal of each new generation of children, a pattern that would become evident in the case of Aboriginal wards.

Child removal policies were clearly formulated as a way of controlling Aboriginal employment, with the Board demanding legislative powers in loco parentis over all Aboriginal children explicitly to remedy the ‘comparatively small’ number of Aboriginal children in service. Complaining that parents refused to allow their girls to be sent away, and, repeatedly, that they refused to allow their wages to be held in trust, the Board aggressively pursued powers to enable it to remove and apprentice Aboriginal children even where they could not be legally considered ‘neglected’, and sought to bring all young workers under apprenticeship conditions, whether or not they were first removed from their parents. While this determination might be seen as a way of ‘protecting’ Aboriginal children from employer exploitation, it is quite evident that securing control of their labour – and the wages of their labour – was the Board’s paramount consideration in this intervention.

**Taking Control**

The power to intervene between white employers and Aboriginal workers had been sought in the Board’s very first report, on the year it was established. At the time some 81 per cent of the Aboriginal population in New South Wales was self-sufficient, combining wage or ration labour with traditional subsistence foraging, and where they had stable land bases, their living standards were equal to those of the white settlers around them. The persistence and indeed flourishing of Aboriginal communities flew in the face of Social Darwinist logic, and had raised the ‘problem’ of a non-white native population as the colonies headed towards a Federated ‘White Australia’. The solution was the state control of Aboriginal reserves and then the ‘absorption’ of the younger generations into white society, at the lowest rungs, via the apprenticeship system.

The official report that led directly to the establishment of the Aborigines Protection Board in 1883 had called for the ‘boarding-out’ of ‘young half-castes’ with white families as domestic servants and members of the ‘industrial classes’, so they would be ‘gradually absorbed’. It also recommended that the government set up its own Aboriginal stations, and in 1885 the first government run reserve was gazetted at Brewarrina in western NSW. Apprenticing began in a limited way from the girls’ dormitory built at Brewarrina, and from a ‘Training Home’ set up at Warangesda
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mission in 1889, under the supervision of the Aborigines Protection Association, a missionary body formed in 1880.15

In 1897, the Board took over the administration of the Warangesda Training Home – and, soon afterwards, of the wages paid to girls apprenticed from there. In January 1898, the wages received from employers of apprentices by the Aborigines Protection Association, totalling £171 1s 6d, were transferred to the Board’s newly opened Government Savings Bank Trust Account, adding to the £107 8s 3d the Board had accumulated from apprentices from Brewarrina. The following year the Board recorded their dissatisfaction with Warangesda Home, proposing instead a new ‘training home’, isolated from the camps and reserves, and that some direct control of the children at any rate should be vested in the Government Board.16

Now, the Board began to turn its attention to the employers. In January 1900 the Board approved an application form for potential employers of Aboriginal ‘apprentices or servants’, to be provided to Board managers and ‘Local Boards’. The latter, committees of interested white townsman resident near Aboriginal populations, took the responsibility both for finding positions for young women on the reserves and for recommending individuals when someone applied for a servant, with the central Board in Sydney arrogating the right to confirm or veto such employment.17

In the rural areas, where female labour especially was in short supply, it was common practice to utilise the Aboriginal camps and reserves as ready sources of casual domestic and rural workers. This could come at a cost white employers sometimes considered outrageous. As one country townswoman complained to her cousin in 1888:

“We trained a half caste girl for six months. All she did was mind the baby about four hours a day and wash the dinner dishes, but she grew too fat and lazy for that at last and she had 8/- a week and only 14 years old.”18

This was hardly exorbitant, being about half the rate commanded by a white housemaid in the city at the same time,19 but the writer expressed her preference for a state-indentured worker instead. The Board might well have expected such employers to take on apprentices – with their fixed low wage rates, and their unfree conditions of labour – with enthusiasm. But as it turned out, the local boards reported that prospective employers were disinclined to take apprentices. Perhaps most preferred the convenience of more casual arrangements.20

At this point the Board began aggressively intervening in existing employment arrangements, reprimanding those who hired young women without Board sanction. When one of my great-grandmother’s aunts took an Aboriginal girl from the far South Coast to work for her in western NSW without first seeking such approval, although almost certainly with the consent of the girl’s family, the Board was incensed. In the absence of legislative powers, however, there was little they could do, beyond demanding a police report on the girl’s new employers, and a somewhat indifferent refusal of the girl’s new employer’s request that the Board reimburse the costs of her travel to her new situation.21

In 1909 the Board finally secured a legislative base with the passage of the Aborigines Protection Act. This enabled ‘the child of any aborigine, or the neglected child of any person apparently having an admixture of aboriginal blood in his
veins, to be apprenticed to any master’ by the Board, subject to the provisions of the Apprentices Act 1901 – and enabled the Board to collect their wage. Board member and parliamentarian, Robert Donaldson (an ardent advocate of child removal powers), proposed an additional clause to enable the Board to remove Aboriginal children at its own discretion without recourse to the court system but failed to achieve this power. The assumption it seems was that children placed in apprenticeships would and should only include genuinely neglected children (as found by a court), or those whose parents consented. At the same time, parliamentarians were quick to seek reassurance that Aboriginal parents would be unable to access the wages paid to their children.22

Initially gratified with the 1909 apprenticing legislation, the Board soon realised that it had scarcely improved its position. The flaw was that the Board still required a court finding of neglect to apprentice children (and hold their wages) in the absence of parental consent. Having obtained lists of potential employers from managers, the Board complained that now the supply of apprentices was not equal to the demand. From this point, the Board began a determined campaign to convince the government and the general public that the Aboriginal stations and reserves were ‘far from suitable places in which to bring up young children’. A deputation to the government in 1912 argued that ‘saving’ the children by placing them in ‘a position where they would be sought after for healthy occupations’ would be a way of cutting the government’s administration costs. (It was an argument of considerable cupidty, given that the government had set out to take over such administration in the first place in order to remove and indenture the children.) The Cootamundra Aboriginal Girls Training Home began functioning that same year and the Board appointed a ‘Homefinder’, Alice Lowe, a woman whose responsibility was ‘to make inquiry as to suitable homes for female apprentices, and to visit such apprentices in their situation’.23

During intense debates in the Legislative Assembly, concerns were raised about the character of those who would employ Aboriginal apprentices. ‘We are going to hand over these children to merciless, grasping, cruel people, who are looking for cheap labour all the time,’ argued MLA Patrick McGarry, ‘mean, cringing and crawling people …’. More surprisingly, concerns about the integrity of the Board itself were raised – by none other than a current Board member, Robert Scobie MLA. Characterising the bill as the ‘reintroduction of slavery into New South Wales’, he warned that ‘[this measure] proposes to put power into the hands of the board with which they should not be entrusted’. Nevertheless, the Bill went through with an overwhelming majority, and the infamous clause 13(A) empowering the Board to

assume full control and custody of the child of any aborigine, if after due inquiry it is satisfied that such a course is in the interest of the moral or physical welfare of such child

was enshrined in law in 1915, and remained on the statute books until it was replaced by the new section 13 of the Aborigines Protection (Amendment) Act in 1940.24
NSW Aborigines Protection Board Aboriginal Apprenticeship Contract

Source: Series 7, Item 2, Joan Kingsley-Strack Papers MS 9551, National Library of Australia
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Employers and the Trust Fund

It was a system that depended entirely upon the acquiescence of white employers, and unlike the Aboriginal workers, their participation was entirely voluntary. Once the Board could simply cut short informal arrangements, rural employers were no doubt keener to agree to apprenticeship conditions, especially if they realised that these limited the wages and freedom of their workers. (There was little penalty to them in any event as the Board made little effort to pursue defaulting employers.) The situation was, however, somewhat different for those employers clustered in the well-to-do suburbs of Sydney. Those well-to-do wives raising families in the eastern and northern suburbs would have had no other access to Aboriginal labour.

The Aboriginal apprenticeship scheme may well have offset the shortage of domestic labour in Sydney, as Walden has argued. It is, however, important to keep in mind the prevailing discourse of the time equating Aboriginality with disease, vice and racial degeneracy. The respectable, aspirational middle-class women who made up the Board’s clientele in the city were unlikely to construct their decision to engage an Aboriginal servant to keep house and care for their children as being anything other than an act of kindness, even philanthropy. They were likely, rather, to find the Board’s explanation of how the girls would actually benefit from being in their ‘first class private homes’ appealing, embracing the Board’s aim, as stated in response to a letter querying the scheme: ‘the uplifting of the girl by placing her in service with respectable families give [sic] them proper domestic training.’

For these women, being supplied an Aboriginal worker might be taken as a recognition of their social standing. The daughter of one Sydney employer, for instance, was adamant that her mother ‘thought a lot of the girls’ and that the Board only ‘allowed’ her to have two apprentices working for her at once ‘because she had had them for so many years and cared for them’. Reflecting on the role of the employers generally, she asserted: ‘their motives were of the highest ... it wasn’t just to provide cheap labour for wealthy Sydney people’.

Such protestations of benevolent intent did not mean that employers were likely to take issue with the wages system, however. If engaging an Aboriginal servant was seen as an act of charity, there was no imperative to pay a decent wage. As far as employers were concerned, the purpose of the apprenticeship policy was not to give these young workers economic independence (even if this was in their interests as an employer, which it was not), so there was no reason for them to quarrel with the Board’s insistence upon paying the wages into its trust account. There was, however, an expectation – by some employers if not all – that the money they were paying would eventually reach the person who earned it. For employers wanting to see themselves as benevolent philanthropists, the idea that they might be ‘exploiters’, even ‘slave owners’, was abhorrent.

The withholding of the apprentices’ wages thus provided a potential site for conflict between employers and the Board. When the secretary of the nationalist Australian Natives’ Association complained in 1926 ‘that [A]boriginals were being ill-treated, and that they were being paid only sixpence per week by their employers,’ the Lang government’s defensive response suggests an awareness of their employer clientele. ‘It is doubtful whether any group of white children of similar ages could be found in an equally good financial position. . . .’ the Chief Secretary stated, having claimed that the majority of workers had ‘credits of £60 and upwards’ and that
‘over £1200’ had been paid out from their accounts to apprentices in the past eight months. ‘It is extremely regrettable that statements of this nature should be made, as they create an altogether erroneous impression in the public mind.’

That very year, Joan Kingsley-Strack had the opportunity to observe the Board’s wage-holding policy in practice, when her first servant Mary Hollis wrote to the Board for the reimbursement of her trust fund monies. Mary had just turned 25 and had been working continuously as an apprentice for close on a decade: Board records show she had been paid at a third-year rate since first coming to work for the Stracks in early 1920.

The Board ‘promptly refused’ her request, Joan Strack wrote, insisting instead that she take a ‘holiday’:

She would not go away and after persuasion and threats on our part they condescended [sic] to send her £5.0.0 but on condition that she left me and went for this ‘holiday’.

The Board did not ever record Mary’s application for her wages. However, the minutes do show that in May 1926 she was offered a ‘holiday’ at Brungle Station, and although no money was mentioned, the trust account records show that Mary was allowed, indeed, £5 of her money soon afterwards. In connection with her case, the Board stated its commitment to the principle of allowing apprentices who completed five years of service to return to their reserves to afford them the opportunity for marriage. Such a principle had been supposed Board policy since 1916, but had evidently not been regular practice, or Mary’s case would not have drawn such special notice. The Board’s response was conditioned by the press attacks of the time, as it claimed in its defence to be planning the return of apprentices to their communities. Ironically, Mary may have been one of the first of the apprentices to be actually returned to reserves in the face of public pressure.

Mary returned from Brungle, unmarried, and the Stracks began paying her wages directly. This was not an altogether uncommon occurrence, as a surprisingly sizeable minority of apprenticed workers were permitted by the Board to continue in their existing situation, receiving their wages directly, when their apprenticeships finally expired. But within a year, the Board had taken Mary from Joan’s employ, against the stated wishes of both women, despatching her interstate to Lake Tyers mission in Victoria.

A similar case had occurred in January 1926 (probably around the time Mary applied for her monies), with the Board consenting to pay out £25 of the monies held for another apprentice ‘when arrangements for the girl’s wedding are finalised, and balance after that event’. This worker’s employer (a farmer) may not have had anything to do with the worker’s claims, as she had been out of service by then for some five months, and was living on an Aboriginal station, but we cannot know.

She may have been like Mary, who kept up a correspondence from Victoria with her former employer through 1927 and 1928, sending her copies of letters to the Board from a solicitor she enlisted – probably with Joan’s help – to get her wages back. Despite this legal assistance, Mary did not receive the full balance of her trust account until after her marriage at Lake Tyers in early August and an inquiry from the NSW Board to the Victorian authorities in September as to her ‘bona fides’.
By marrying, an Aboriginal female worker attempting to reclaim her wages evidently had a slight advantage – revealing the Board’s determination to restrain single Aboriginal women’s autonomy in particular. An unmarried ex-servant was in a different position, although with the support of an employer she too just might be able to succeed. The Board was forced to ‘write off’ wages owing to its trust accounts from three separate employers in the first half of 1928. While the records are oblique – the wages were simply ‘found to be irrecoverable’ – at least one of those employers had, apparently successfully, assisted her worker to recover her trust monies. The employer, a Mrs Watson, had been paying into her trust account for six years when the Board sent an escort to take the young woman away for a ‘holiday’ (by then she had been apprenticed for eight years). Claiming that she did not want to leave, the Watsons instead demanded the Board release her trust money. When the Board refused, Mr Watson took proceedings against them, according to Joan Strack, who would meet him some years later. An entry in the Board minutes in 1930 noted that the girl’s application for her trust monies was refused, and a ‘confidential police report’ was to be secured on Mr Watson’s ‘business character and financial standing’. There was no further mention in the records nor any indication of any follow-up to this dispute, only that she was returned to the care of her father (nearly four years later). But Mr Watson told Joan that he had indeed ‘got the money for [her] and had the girl freed from the Board’.36

Police surveillance or not, employers wielded a kind of power in relationship to the Board that their workers did not. For Joan Strack, or the Watsons, there was a clear expectation that the Board would release to their workers the wages they (or previous employers) had paid them, simply at an employer’s request. Employers certainly did not have that kind of power, however. The apprenticeship system structured a relationship between employer and servant in which the interjacent bureaucratic administration functioned not as an agent of either, nor indeed a banker, but rather as a branch of the colonising state, carrying out a wider social policy targeting Aboriginal communities. Unconcerned with controlling employers, the Board perhaps was prepared to capitulate in those rare instances of determined resistance by an employer; such individual cases were of little significance. They highlight the way white employers might have contested their role in this system, and provoke thought on why most did not. Much more problematic for the Board was when such difficult employers met with each other to discern a broader pattern, and, more importantly, to focus public attention on the Board’s administration.

By 1934, when Joan was passionately declaring herself a ‘slave owner’, she had gone to the Association for the Protection of Native Races (APNR), during the course of a fierce battle with the Board over her third apprentice. Joan had met Mr Watson through this organisation, and indeed was introduced to the APNR by another couple, the Bryces, who had had their own run-in with the Board, some years earlier. In their case, the conflict over the trust monies had arisen in the first instance out of the Board’s refusal to reimburse their apprentice’s trust monies to pay her dentist’s bill (leaving that cost with them). Increasingly convinced that the Board was in fact involved in a ‘racket’, Joan began to nurse hopes of an investigation into the Board’s trust fund system. The APNR was at that point making inquiries into the trust fund system as it operated in Queensland.37
It is clear that when Mary had battled for her wages, Joan had seen nothing really untoward – as opposed to inconvenient – in the wageholding system as it operated. Nor did the Board see her as a threat, being happy to supply her with another apprentice in 1931 (removed a year later by the Board), and yet another in 1933. Having not really understood the Board’s resistance to paying out Mary’s wages, Joan’s conflict with the Board over her third worker, Del, escalated in a chain of shocking events and disclosures, beginning with Joan’s annoyance to find she was expected to pay Del’s medical expenses. Joan resolved that she would personally see that Del returned to her own family and, unlike Mary and her second apprentice, with her wages in hand.

The Board refused. Joan was not mollified by the offer made, eventually, by a Board member, E.B. Harkness, to allow Del a portion of her money to buy ‘some pretty things’ and to return home for a ‘holiday’. Nor was she persuaded by Harkness’s argument that the Board could not pay out the girls in a lump sum, ‘as someone would instantly hear about it and get it from them’. As far as she was concerned, she told him, there was no difference between that outcome and ‘the Board sticking to it’ – and she was scathing about his limp response that the Board gave them their money back ‘some time’.38

Del had written to the Board some six months earlier demanding ‘half’ her trust monies and announcing her intention to place them in her own bank account, since then Joan paid her wages directly into this account. ‘I wish the girl to have her earnings she is not a slave’, Joan wrote in a letter to the APNR secretary, Morley. ‘... Not one single penny will I pay to a Board which is so dishonorable’.40 By openly refusing to pay Del’s wages to the Board, Joan hoped that the Board might take her to court and bring the issue to public attention. It was not until well into the argument that the Board secretary realised that she had never signed Del’s original contract, so could not be sued (similar sloppiness meant that her second worker’s contract had never even been returned to the Board office). She was sent a new contract to sign and a polite reminder that she was in arrears, along with a request she inform them what purchases Del intended making. Joan responded furiously that she intended to keep Del with her until Del had back ‘every penny that is owing her by the Board’:

I have interested every organisation in Sydney in this case, also the ‘Press’ & Members of parliament as I said I would do and will not now or at any time pay one penny to the Abo. Board for Del Molloy – but any money which she considers owing by us shall be paid into her own account where it will be safe. I shall not give you any detailed account of what Del Molloy wishes to buy or to spend her money upon. She is quite capable of spending it wisely – the money is her own & she has a perfect right to do with it as she pleases.41

Joan had also enlisted the support of the Feminist Club, a Sydney conservative women’s group, giving a speech before them on how the Board sent away any apprentice who might ‘summon enough courage’ to ask for the money held in trust for her. The Club passed a resolution to support ‘any organization or society for the Protection of Native Races’, and to hold a public protest meeting in cooperation with other women’s groups. Joan wrote to Morley:
[T]hey showed such intense interest and were so horrified at the cruelty of our present system in regard to the Aboriginals and half-castes especially women that I feel if we could only follow this up with other meetings and protests from all the Societies who have the real welfare of these people at heart some notice would be taken of it. ... We could easily get the other womens Clubs or organizations to join forces it is only that people have not known about these things before and I feel sure that we will succeed in getting an enquiry into the infamous behaviour of the so called Aborigines Protection Board and its handling of the trust funds now.42

Joan’s speech to the Feminist Club was written up in the Smith’s Weekly, a sensationalist news magazine, many months later. Approached by the journalist ‘a Board official emphatically denied’ her claims.

He admitted, however, that it was not usual to hand over lump sums to the girls, for the Board had to guard against the money falling into unscrupulous hands. The money was paid out in dribs and drabs as the girl needed it. If a girl died then her relatives received her earnings.43

The Board had already sent the local police to physically remove Del (but they were prevented by Joan); following this no less than the Police Commissioner, the Chairman of the Board, called the Stracks in for a meeting, at which he sent his Deputy to attempt to intimidate her and her husband with threats of libel. But by making such public statements, indeed speaking before the kind of audiences of well-to-do women as she did, Joan’s protest was becoming more than just a mild irritation to the Board. The Board minutes show that it was in the midst of this altercation with Joan that the Board began drawing up proposed amendments empowering it to remove workers from any employer and to enforce the payment of wages into its trust account – contract or no contract – as well as the power to compel Aboriginal people onto reserves. Though Joan did eventually see Del return to her family, they were unable to get Del’s wages back. Del’s letters to Joan told of her return to a life of poverty and subjection to the local police, and locating Mary again, Joan was distressed to learn that she too was virtually destitute.44

No inquiry eventuated, and two years later the Board’s repressive amendments had become law. The muted critique during the Assembly debates of proposed clause 13C, empowering the Board to enforce the payments of any worker to its trust account, indicate the extent to which the Board’s right to control and administer Aboriginal earnings had become accepted. Whether this was in ‘the best interests of the [Aborigines]’ was mildly queried – many were ‘men who were capable of looking after their own best interests’ – but the discussion moved quickly on to Aboriginal health and was not raised again.45

Wage withholding was, however, one of the issues raised during the 1937 Parliamentary Enquiry into the Board’s administration. Board secretary A.C. Pettitt told the Enquiry that the balance of the girls’ wages was held in trust for them, earning interest and ‘eventually’ all paid back to them. Bill Ferguson, leader of the recently emerged Aborigines’ Progressive Association (APA), who as a witness claimed that the system was ‘very close to slavery’, asked Pettitt how he would explain sworn testimony from Aboriginal women that they had not received their trust monies. Pettitt first responded that they must have not made an application; then
admitted that if the girl had applied for ‘£20 or more’ they would, ‘on investigation’ find ‘that some fellow is trying to get at her for it. Our job is to try to protect these girls’.

Joan Strack was there prepared to give evidence against such an account, but was unable to do so due to the lack of a quorum on the two occasions she was supposed to speak. But when a new group of white supporters of the APA formed out of the ashes of the Enquiry, Joan took up the trust funds cause with a passion now heightened by the news from Mary’s husband that Mary had died of pneumonia. In a letter to the editor of the *Sydney Morning Herald* describing the Board as ‘a great poisonous fungus’, Joan held up Mary’s case as an example of the Board’s ‘ghastly treatment’ of Aboriginal girls. ‘They have been exploited long enough’, she railed.

‘Attempts to alleviate the plight of Australian [A]boriginal girls are being made by a newly-formed body of citizens known as the Committee for Aboriginal Citizenship’, the left wing newspaper, *Labour Daily*, announced in May 1938:

> In outlining the ambitions of the committee yesterday, Mrs Kingsley Strack, secretary, declared that the members intended taking every step to focus public attention on what she described as ‘a national scandal’.

The Committee for Aboriginal Citizenship’s (CAC) plans included, the article continued in bold typeface, the aim of ‘set[ting] up a magisterial inquiry into the trust fund into which the girls’ wages were paid by their employers’. Joan was quoted as declaring:

> The girls are entitled to their money whenever they want it, but we claim that they have to wage a long and sometimes losing fight to get what is their own property.

Joan’s original idea (almost certainly conceived in collaboration with APA leader Pearl Gibbs, whom she had met prior to the Enquiry at a ‘tea-party’ she, Joan, was hosting for Aboriginal servants in the city) was to adapt these social meetings she had been holding into a kind of ‘Club’ or ‘headquarters’ from which pressure for a magisterial inquiry could be coordinated. Such a plan did require the cooperation of sympathetic employers, and perhaps this obstacle, as much as Joan’s inability to find a room to rent for such a purpose, explains why the proposal never really got off the ground. Nevertheless Joan did become the point of contact for a number of Aboriginal workers and their families or friends who sought her assistance in connection with apprenticeship and the trust funds, and it may have been her exertion that resulted in Del finally seeing her trust money reimbursed as did Joan’s mother’s worker, Jane King, who had completed her apprenticeship some years earlier.

Functioning as a lobby and support group for the Aboriginal-only APA, it would seem from the CAC minutes that the wages issues was seen perhaps as a somewhat less significant ‘women’s issue’. As Joan and Pearl spoke to a range of women’s groups and corresponded with other female activists like Mary Bennett and Helen Baillie on the matter, the dominant focus of the CAC campaign increasingly became the make up of a new, reformed Board of administration, with the CAC calling for representatives of trade unions, women’s groups, and Aboriginal people.
The Aborigines Protection Board was indeed reformed, as the Aborigines Welfare Board, in 1940, following a Public Service Board inquiry, held in secrecy to avoid a recurrence of the public furor that had surrounded the Parliamentary Inquiry. The Inquiry’s report had strongly endorsed the existing apprenticeship system, arguing that ‘it should be a regular part of the Board’s functions to ensure the placement of as many children as possible’. Accordingly, the proposed legislation actually refined and extended the powers vested in the Board to remove and apprentice Aboriginal children. While the system would be brought into line with that existing for white state wards, the old discrimination that enabled the Board to remove and indenture Aboriginal children as it chose, without, as parliamentarian Mark Davidson pointed out, parental consent, remained.

By now the trust fund system was so deeply entrenched that it would remain a feature of Aboriginal administration until the late 1960s. An account of a major public meeting of the CAC in Sydney in January 1941 was sent to Professor A.P. Elkin (newly installed on the Welfare Board) by Ruth Swann, secretary of the APNR since 1940. (An Aboriginal man, Bill Onus, had replaced Joan as CAC secretary, though Joan attended the meeting.) Swann’s account reveals how normalised the wage withholding system had become. Dismissing the concerns expressed by various speakers, including Bill Ferguson and Pearl Gibbs, about the continuing apprenticeship system, Swann implied that the Aboriginal speakers’ statements about the ‘large sum’ of trust monies withheld by the Board were unreliable. Her unwillingness to acknowledge this issue was reflected in her suggestions for new Board regulations pertaining to apprenticeship, which she sent to Elkin in February. Recommending provisions for holidays, social activities, and allowing the apprentices to choose their own clothing, she made no mention of provisions to ensure an adequate wage was actually received by those in service.

Nor did the Welfare Board, as it was now called, revise the apprenticeship regulations. Wage rates becoming the same as those paid to Child Welfare Department apprentices, they remained in trust, the Board to purchase clothing for the apprentices out of their accounts. Those who completed their apprenticeships were now to be informed of the amounts held in credit for them, to be asked to direct the Board ‘whether they desire to use this money or any portion thereof, and, if so, the purpose to which they propose to put any amounts made available’. Despite this new direction, it is evident that it was not carried out. Having corresponded throughout the year with Elkin on the matter of the ‘girls’ back money’ without success, Ferguson alleged that the Board had destroyed the records of various ex-apprentices (their claims for reimbursement having been met with the Board’s denial of having any knowledge of them). Elkin assured him that the Board would supply him with a list of apprentices, but in October, following an APA resolution that all moneys of Aborigines be taken from the Board and paid direct to the people themselves, and that a complete list of all moneys held by the Board be sent to the General Secretary of the Aborigines’ Progressive Association, in order to expedite payments to the people concerned.

Ferguson’s request for the list of apprentices’ names was denied. The following month, the Board considered comparative schedules showing the amounts held on behalf of ex-wards, at the end of February and at the end of October,
Haskins • Employers and the NSW Aborigines Protection Board Trust Funds

May 2005

1941, 'together with a resume of the action taken to trace the persons concerned and make the money available'. A 'very satisfactory position was disclosed', apparently, but there are no further details available. Two years later, the regulations were amended to allow the Board to use the wages held in trust for the 'maintenance, advancement, education or benefit of' apprentices or ex-apprentices up to the age of 21. Should any balance remain, it was to be paid out when they turned 21, the Board to write to them and inform them of the monies remaining.57

It is beyond the scope of this study to consider the trust fund system under the Welfare Board, on which both Ferguson and Gibbs eventually served, but it is evident that the Aboriginal workers remained vulnerable to abuse and exploitation. As the Welfare Board turned to fostering-out of children with white families, and 'exemption' certificates, as its primary tools of 'assimilation', control of Aboriginal earnings probably became of less importance in the broader scheme. But as we know today, the issue was not resolved then – nor has it been resolved since. Nearly 50 years later, numbers of Aboriginal ex-workers around the state have never received the money they earned for their enforced labour.

The role of white employers in the system was crucial. Without their agreement to pay wages at the rates set by the Board and directly to the Board, the scheme would not have continued – in fact, the whole system of removing Aboriginal children hinged upon the acquiescence of these women employers. Further, the evidence suggests that if they did align with their worker or ex-worker to support their claim on the Board, that worker had at least an improved chance of securing their trust monies. But while employers had much more agency than their workers in terms of their decision to comply or not, it was not in their interests, generally, to contest the system. The few cases – well hidden within the Board’s inscrutable records – suggest that employers would only take a stance where their own interests were, at least in the first instance, under threat. However, given the rhetoric of the scheme, to simply accept that the Board had no real intention of paying out the apprentices’ wages in any case was to admit they were complicit in a system of bald exploitation. Self-interest intersecting with a challenge to cosy notions of ‘protecting’ Aboriginal girls by taking them on as servants then obliged at least some employers to prove that they were not, indeed, ‘slave owners’. Wage withholding made the contradictions inherent in the so-called ‘protection’ policies sharply apparent.

In key ways the NSW state government’s announcement in 2004 of a panel to hear the claims of ex-workers, who will be repaid the wages withheld, ‘if they can provide documentary or other evidence to prove it’, repeats the longstanding pattern where accountability falls solely on those whose money was withheld.58 In this unjust situation, those who actually employed these workers are obliged to provide what evidence they can to assist these claims. Out of what might have been nearly a thousand white employers in the state the vast majority did not support the interests of the Aboriginal apprentices against the Board; the evidence left by the few who did contest the system suggests that acknowledging this responsibility is perhaps the first step in making restitution.
Endnotes

1. "This paper has been peer-reviewed by two anonymous referees for Labour History."
5. Burke, 'Kingsley-Strack’s diary.'
6. Aborigines Protection Board (hereafter APB) Salary Registers, 1917-1923, 2/8380, 1922-1934, 4/8560-61, APB Ward Registers 1916-1928, 4/8553, 4/8554, Sydney. State Records NSW (hereafter SRNSW, formerly Archives Office NSW, Sydney), Pers. comm. Rona Mackay, 7 November 1994, 10 January 1995. With regard to the NSW Aborigines Protection Board (renamed the Aborigines Welfare Board in 1940), the official records are particularly notorious for their lack of objectivity and their profound inaccuracy. Furthermore, a substantial proportion of the records have (mysteriously) not survived, and those that do are scattered and difficult to locate. The Board’s regime was from 1883 to 1940, but its Register of Wards accounts only for girls placed in Cootamundra Home between 1912 and 1928. Its Salary Registers cover only the period 1917 to 1934. An ‘explained gap’ in the Board files between 1938 and 1948 was identified by the recent Human Rights Commission into the removal of Aboriginal children: Human Rights and Equal Opportunity Commission, Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, Commonwealth of Australia, Canberra, 1997, 325. I have personally uncovered numerous cases of girls working in Australia and the Commonwealth of Australia, Canberra, 1997, 325. I have personally uncovered numerous cases of girls working in Australia, where I have found records of girls working in Australia.
12. APB Minutes, 11 July 1912, 30 March 1921; APB Salary Registers.
13. APB Reports, 1904, 1905, 1906, 1907, 1908.
17. APB Minutes , 11 January 1900.
20. APB Minutes, 8 November 1900, 7 March 1901.
21. APB Minutes, 22 March 1900, 26 April 1900, 31 May 1900, 13 September 1900.
26. APBR 1926; APB Minutes, 8 February 1917, 3 April 1918.
27. Adams/Horner correspondence, 5 April 1984, PMS 4179; AIATSIS (Australian Institute of Aboriginal and Torres Strait Islander Studies), Canberra.
29. APB Salary Registers, APB Ward Registers. Mary’s name has been changed, as has Del’s name below, to protect the privacy of their descendants. This article is published with the permission of the families of both women.
33. APB Salary Register; APB Minutes, 22 January 1926.
34. Mary to Strack, 27 October 1927; four envelopes from Mary to Strack postmarked November 1927 to December 1938: JKS Papers 7:11; Strack, Draft letter (fragment) to the Editor, 9 March 1938 (not known if sent): JKS Papers 6:15; Jack Horner, Letter, 10 September 1939 [enclosed copy above letter 9 March 1938]; Strack to Morley, 31 March 1934: 69/12/153 Elkin Papers; Lake Tyers Manager’s Report, for week ending 3 August 1928; Lake Tyers Correspondence Register Entry no.195, 7 September 1928; Lake Tyers Managers’ Reports 1927-1930, Board for Protection of Aborigines Correspondence Files 1889-1946, VPRS 1694 Box 10 Public Records Office of Victoria, Laverton; Strack to Mr Walker (draft letter), 18 November 1934: JKS Papers 7:3-5; APB Salary Registers.
35. APB Minutes, 18 May 1926.
36. Diary entry, 6 June 1933: JKS Papers 7:3-5, APB Ward Register, APB Salary Register, APB Minutes, 20 February 1930.
37. Diary entry 8 June 1933: JKS Papers 7:3-5; Diary entries, 5 July 1933, 6 July 1933, 31 July 1933 (extract from Joan Strack’s diary held in Elkin Papers, 69: 1/12/153); Notes, Elkin Papers 69: 1/12/153; APNR Minutes, 10 October 1933, Elkin Papers 67: 1/12/124; ‘Aborigines: Deductions from Wages’, Sydney Morning Herald, 17 October 1934.
38. Diary entry, 2 March 1934: JKS Papers 7:3-5.
39. Copy (handwritten by JKS), letter, Del to Pettitt, nd, c September 1933: JKS Papers 7:3-5.
40. Draft letter, Strack to Morley, 31 [March 1934]; Elkin Papers
43. Diary entries, 3 March 1934, 17 March 1934, 19 [March 1934]: JKS Papers 7:3-5; APB Minutes, 1 December 33, 11 January 1934; Letters, Del to Strack, c early 1935; c.1935, 1 November [1937]: JKS Papers 7:3-5; Mary to Helen Strack, 2 January 1935; Mary to Narrelle Strack, 2 January 1935; Mary to JKS, 18 June [1937]: JKS Papers 7:1.
46. Draft letter (fragment), Strack to the Editor, 9 March 1938 (not known if sent): JKS Papers 6:15.
47. Horner, pers. comm. 10 September 1993 (enlosed copy).
51. Committee for Aboriginal Citizenship Minutes: JKS Papers 8:2.
52. Public Service Board Inquiry, Report to the Chief Secretary, d. 16 August 1938, pp. 36, 47; Premiers Department Correspondence Files, 12/8749A, SRNSW.
54. Letter, [Illegible] to Elkin, 30 January 1940: Elkin Papers 68:1/12/144; APB Minutes, 26 June 1940; Letter, Swann to Elkin, 31 January 1941: Elkin Papers 68: 1/12/151; Copy, Letter, Swann to Elkin, delivered to the Board, 21 January 1941: Elkin Papers 68:1/12/151. See also Report of Meeting called by the Committee for Aboriginal Citizenship … 25th January 1941, 1-3; JKS Papers 8:7; ‘Native Slavery Charges’, Sunday Sun, 26 January 1941.
55. AWB Minutes, 21 January 1941, 25 February 1941.
56. Horner, Bill Ferguson, p. 120. Letter, Sawtell to Elkin, 28 February 1941; Letter, Ferguson to Sawtell, 26 March 1941; Letter, Sawtell to Elkin, 28 March 1941; Letter, Elkin to Sawtell, 1 April 1941; Letter, Elkin to Ferguson, 1 April 1941; Letter, Elkin to J.H. Maloney (Acting Secretary of AWB), 1 April 1941; Letter, Ferguson to Elkin, 7 April 1941; Letter, Elkin to Ferguson, 9 April 1941; Letter, Maloney to Ferguson, 10 April 1941: Elkin Papers 67/1/12/131. AWB Minutes, 28 October 1941.
57. AWB Minutes, 18 November 1941, 21 September 1943.
58. In January 2005 the NSW Community Services Minister announced that the Government will set up an administrative scheme to repay ex-workers or their descendants. Oral evidence would be accepted: ‘Stolen wages to be repaid’, The Koori Mail, 12 January 2005, p. 19.