7

If the ‘white parents object’

In 1920 an Aboriginal girl, Barbara Timbery, was expelled from the school at Roseby Park Station.¹ She had refused to pick up fresh cow dung to put on the manager’s strawberry patch at his residence (Figure 7.1). The manager/teacher at the station had regularly asked Barbara to do this distasteful job but she had decided that she did not want to do it anymore. As punishment, the manager excluded her from the school.

Figure 7.1: The manager’s house at Roseby Park Aboriginal Station.

Source: Photograph album of New South Wales Aboriginal reserves, c.1910, presented by the Department of Youth and Community Services, PXB 492. Mitchell Library, State Library New South Wales.

1 Roseby Park Aboriginal Station (now known as Jerringa) was established on the Crookhaven River some 15 km west of Nowra on the south coast of NSW in 1906. For background to the establishment, see: *Cullunghutti: The Mountain and its People*, 220–29; Bennett, ‘For a Labourer Worthy of His Hire’, 217–20.

Barbara continued her education at the local public school at Greenwell Point that was located across the Crookhaven River – a rough crossing of some 150 metres (Figure 7.2). Each day, Barbara rowed a small boat in a difficult manoeuvre across the fast-moving river that ran between two peninsulas. To negotiate the dangerous return crossing, her father, standing on high ground, used hand signals to instruct her as to when to ‘pull in’ or ‘stay out’ according to the currents. This was a formidable start and end to the school day.²

Figure 7.2: View from Greenwell Point across to Orient Point (Roseby Park); this was the punt journey for young Barbara Timbery to attend school.

Source: Author, September 2016.

2 Sonny Simms (a Bidjigal man, from La Perouse Aboriginal Reserve, now living in Nowra), interview by the author, 28 June 1916, Norwa.

This incident raises several issues concerning the education of Aboriginal children in New South Wales, not least of which was the unfettered powers of the manager/teachers who controlled Aboriginal stations throughout the state (in 1920, there were 21 such stations).³ More important still is what the incident reveals about Aboriginal access to education.

The Timbery family remained at Roseby Park and Barbara attended Greenwell Point Public School. In this case, an Aboriginal girl excluded from an Aboriginal school was now enrolled at the local public school. This was the exception to the rule, for across the state the reverse was happening. From the end of the nineteenth century and well into the twentieth, Aboriginal children were being excluded from the local public schools when white parents complained about their presence in the classrooms. Consequently, the Board established separate Aboriginal schools on their stations and reserves.

The New South Wales Aboriginal Protection Board (APB) could not have envisaged that, by 1900, 13 Aboriginal schools would be required, mostly because of the forced exclusions of Aboriginal children from the state system, and that there would be 41 separate schools by 1915. Exclusion of Aboriginal children from public schools continued for the life of the Board. Indeed, the exclusions continued even when the government embraced the policy of assimilation under the new Aborigines Welfare Board after 1940 and the Department of Education took full responsibility for the education of Aboriginal students.⁴ When the Board was established in 1883, there was no clear understanding between it and the government as to who had control over Aboriginal education – the Education Department or the Board? To what level would Aboriginal children be educated? What did the law say in relation to the education of Aboriginal children? Were Aboriginal children to be educated separately or within the white community? As with other Board matters, there were just vague guiding principles and assumptions.

3 *Protection of Aborigines: Report of the Board* (the APB Report: hereafter *APBR*) 1920, 2. Accessed via aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/23673.pdf. Most managers were 'self-made' men with only a basic education; teaching was secondary to running the station. See Bell, 'A Benevolent Tyranny', 42–50.

4 Fletcher, *Clean, Clad and Courteous*, 171–93.

'Amongst the industrial classes'

The *Public Instruction Act 1880* (NSW) introduced by the Parkes–Robertson Government required all children between the ages of six and 14 to attend school. From 1880, all children of school age, living within a 2-mile radius of the local school, had to attend at least 70 days every half year. Inadvertently, the government had made it mandatory for Aboriginal children to attend school. The Act did not specify Aboriginal children – but then it did not identify Chinese, German or Irish children living in New South Wales either. In the second reading of the Bill, Premier Henry Parkes emphasised the fairness of compulsory education. It sought to establish a 'splendid system in throwing open the doors of our schools to all children of all sects ... inviting all to sit side by side'.⁵ Parkes probably felt no need to mention Aboriginal children, as there was a strong community belief that Aboriginal people would soon die out.⁶ Just as likely though, he did not even consider them in the same context as the Chinese, Dutch, Irish or German children; Aboriginal people were viewed as being *apart* from society and not *of* it. Educational historian Alan Duncan concludes that it was obvious that 'Aboriginal and part-Aboriginal children were not included in the meaning of the Act'.⁷ Also, Heather Goodall observes:

Townpeople regarded [Aboriginal] reserves as always being 'somewhere else', where Aborigines rightly 'belonged' and to which they should be 'sent back'. Aboriginal people were seen to have no automatic right to a domestic dormitory area for themselves within the town boundaries nor any rights to access ... the hotel, the stores, the school or the very streets.⁸

In 1883, the Board could have demanded, with the full backing of the law, that all Aboriginal children attend local public schools. But the Board never considered that Aboriginal children would, or indeed should, be integrated into the school system on an equal basis with white children. Instead, a report on the two mission stations at Maloga and Warangesda in early 1883 advocated segregation and determined that Aboriginal children would 'take their places amongst the industrial classes' and as

5 NSW, *Parliamentary Debates*, Legislative Assembly, 20 November 1879, 274 (Henry Parkes).

6 As discussed in Chapter 1.

7 Duncan, 'A Survey of the Education of Aborigines in New South Wales', 224.

8 Goodall, *Invasion to Embassy*, 2008, 109.

domestic servants and rural labourers.⁹ The policy was not to nurture Aboriginal children's potential but to prepare them for menial jobs. Preferably, they would be taught a limited program, away from white children in separate Aboriginal schools. The Board hoped that Aboriginal families would move to 'quiet calm river banks' or by the coast in numbers significant enough to justify a school.¹⁰

Providing separate schools was, however, a burden on the Board's limited funds. To mitigate the cost, the Board created a second policy. The Board hoped that Aboriginal families living close to towns should be able send their children – if few in number – to the local public school. This would reduce the number of separate Aboriginal schools to be built. The Board considered that if the children were 'decently clad and sufficiently fed', there could be 'no serious objections' to their admission.¹¹ It is noteworthy that in the late nineteenth and early twentieth century many *white* children were barred from public schools due to their 'rowdy behaviour, dirty or untidy appearance and their parent's inability to pay the smallest fees'.¹²

The early education policy of the APB did foresee the possibility of complaints about Aboriginal children enrolling at public schools from 'parties chiefly interested' and signalled that it would accept 'reasonable' objections.¹³ Its resolve was soon tested. The Board faced its first occurrence of Aboriginal exclusion from a public school in June 1883 at Yass. White parents had objected to 15 Aboriginal children from the local 'camp' attending the school and threatened to withdraw their children if the Aboriginal students were not removed.¹⁴ The APB had asked Premier Alex Stuart to intervene because excluding the Aboriginal children was contrary to the department's guidelines as per the 1880 Act, but the premier suggested the Aboriginal children go to either Warangesda or Maloga (some 500 km away!).¹⁵ The Minister for Education, George Reid,

9 *Aboriginal Mission Stations at Warangesda and Maloga (Report on Working Of)*, New South Wales Legislative Assembly, 18 January 1883, 3.

10 *APBR* 1883–84, 3. Accessed via 'NSW', To Remove and Protect, AIATSIS: aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/22818.pdf.

11 *APBR* 1883–84, 3.

12 The issue was one of poverty and neglect. Ragged Schools, originating in late eighteenth-century Britain, took hold in Sydney with the first school in 1862 in Sussex Street. The aim was to provide free education for the poorest of the poor who were not accepted in other institutions. Henrich, 'Ragged Schools in Sydney', 50.

13 *APBR* 1883–84, 3.

14 *Goulburn Evening Penny Post*, 2 June 1883, 4.

15 Warangesda and Maloga were the only two Aboriginal schools at the time. Fletcher, *Clean, Clad and Courteous*, 62.

ordered the Aboriginal children out of the school. The APB considered the prospects of setting up an Aboriginal school in Yass, but the local Catholic School of St Augustine's defused the situation by taking in the Aboriginal students.¹⁶

The incident prompted the Department of Education to formulate a policy platform on the education of Aboriginal children. The Board noted the department's new policy:

The Minister is of [the] opinion that in all localities where a sufficient number of aboriginal children can be grouped together for instruction it would be advisable to establish a school for their benefit exclusively; but in places where there are only a few such children, there will be no objection offered to their attending the nearest Public School, provided they are habitually clean, decently clad, and that they conduct themselves with propriety both in and out of school.¹⁷

This policy fitted neatly with the Board's own dual policy. From a department and Board perspective, it was 'always best' to educate Aboriginal children away from whites, but where there were few Aboriginal children in a locality they could attend the local school.¹⁸ Yass was an aberration because an alternative solution was found. However, by 1893, due to successful pressure from white parents to remove Aboriginal students from local schools, mainly on the north coast, no fewer than 13 Aboriginal schools had been established.¹⁹ Eight of those schools were in walking distance of the local public schools. In other words, they had been created because of exclusions. Jim Fletcher contends:

This meant that facilities and teachers were being duplicated and a separate system of schools was emerging, contrary to the Board's policy of educating in local schools those Aboriginal children who lived on the outskirts of white settlement.²⁰

16 *The Burrowa News*, 21 September 1883, 2.

17 *APBR* 1885, 2. Accessed via aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/22813.pdf.

18 Fletcher, *Clean, Clad and Courteous*, 64.

19 *APBR*: 1883–93: Maloga and Warangesda (1883); Brungle (1889); Brewarrina (1889); Wallaga Lake (1890); Barrington (1890); Pelican Island in the Macleay River (1890); Wauchope (1890); Forster (1890); Rollands Plains (1890); Cabbage Tree Island (1893); Cowra, later called Erambie (1893); and Grafton (1893).

20 Fletcher, *Clean, Clad and Courteous*, 69.

The Board's dual policy was under pressure and separate schools were being established much faster than the Board had anticipated and could afford. The level of Board frustration was evident in its report for 1892–93:

The Board continue their efforts to secure the attendance at public schools of children of Aborigines camped near European settlements. A large number do attend but in a few places it has been found necessary to withdraw them, owing to the objections from the parents of the European children, not that they were not clean or decently clad, but simply because they were aboriginal children.²¹

The Board's apparent indignation is curious. In 10 years, the Board had never argued for racial equality, yet now it objected to the fact that children were being excluded because they were Aboriginal. It had foreseen the exclusions but now complained about them. Was the Board demanding racial equality or was it more concerned about the additional cost that exclusions incurred? The answer most probably lies somewhere between. It was evident, however, that the Board had little influence in these disputes.

The Board's level of annoyance was voiced publicly in early 1898, at Wollar, a small town near Gulgong in the central west of New South Wales. The Minister for Education expelled seven Aboriginal children because they were a 'health risk'. But the grounds for removal were contradicted by both the local police officer and the teacher. The *Evening News* reported that Edmund Fosbery, Inspector-General of Police and chair of the APB, took the policeman's word, described the expulsions as 'an absolute disgrace' and said he 'wished the Minister was present and he would tell him so'. He added that 'through the country there was no difficulty with regard to these children, who were well behaved, cleanly, and intelligent'.²² Why Fosbery decided to make this stand in 1898 is a matter of conjecture. But Fosbery was clearly frustrated and most likely reasoned that it was unfair for Aboriginal children to be barred from schools and financing separate Aboriginal schools had become costly.

21 APBR 1892–93, 3. Accessed via *Journal of the Legislative Council*, Q328.9106/7, *NSW Parliamentary Papers, Consolidated Index* (hereafter *Journal of LC*), Vol. 50, Part 2 (SLNSW).

22 *Evening News*, 4 February 1898, 3.

The depth of mistrust between the department and the Board surfaced in May 1898 when the Board requested the original documents of complaints from the white parents. The Department of Education refused. The Board remonstrated, declaring that it was in the public interest that all the facts should be made available, but the department held firm.²³ The department was under no official obligation to reveal anything to the Board and the Board was unable to gain any leverage.

‘They must be excluded’

The exclusion of Aboriginal children slowly came to the attention of others. In early February 1902, Mr Thomas Colebrook, the secretary of the New South Wales Aborigines Mission (who had led a deputation to prevent the removal of the Aboriginal community at La Perouse in 1900), protested to the Department of Education about the general exclusion of Aboriginal students across the state.²⁴ On the reverse side of Colebrook’s letter is a small, seemingly insignificant, entry from the Minister for Education John Perry. Perry’s directive – encapsulated in one short sentence – consigned Aboriginal education to a second-class entity for decades to come (Figure 7.3):

Inform – and instruct all teachers that if white parents object to the black children’s admission to school they must be excluded
JP 6.3.2.

Minister Perry ignored Colebrook’s protestations. Perry sought a simple policy instrument that would be clear and effective: it was ‘exclusion on demand’. Perry’s instruction went out to the 2,800 teachers across the state of New South Wales.²⁵ In effect, it only required the objection of one white parent – *regardless of the grounds* – to exclude *all* Aboriginal children from a school. The APB’s secretary, Robert Beardsmore, was disappointed, and wrote: ‘Board note the Minister’s decision and desire to express their extreme regret thereat, no objection having been raised at other Public Schools’.²⁶ It was of course dishonest for the APB to say that

23 *Evening News*, 20 May 1898, 2.

24 Letter from T. Colebrook to Department of Education, 2 February 1902, Euroka School Files, 5/15854 (Bundle A), Item 14572, State Records of New South Wales (hereafter SRNSW).

25 Fletcher, *Clean, Clad and Courteous*, 78.

26 Note from Secretary of APB, Beardsmore, Euroka School Files, 5/15854 (Bundle A), Item 08319 (reverse side) (SRNSW).

no objections had been raised at any other schools – many had – but the Board was clearly trying to protect its finances and the access of Aboriginal children, if few in number, to local schools. The department's decree was extraordinary to say the least and blatantly racist. Premier John See, who oversaw this edict, made no obvious objections to the instruction, despite being a Board member himself.²⁷

Submitted
5-30-02
Inform - and instruct all Teachers that if white parents object to the black children's admission to school, they must be excluded
Secretary
written to
J.P. for

Figure 7.3: Internal note from Minister for Education, John Perry, 6 March 1902.

Source: Euroka School Files, 5/15854 (Bundle A), Item 14572. State Records of New South Wales.

27 John See (Progressive Party) was premier from 28 March 1901 to 14 June 1904 and was a Board member from 1897 until 1904. I have been unable to discover any correspondence between Perry and See over the issue of 'exclusion on demand'.

Figure 7.4: Aboriginal schools established between 1883 and 1915.

Source: APB reports from years 1883–1915. Cartographer: Peter Johnson, Cordeaux Heights, NSW.

The APB had a policy dilemma: it was being ‘squeezed’ by white parents and the Department of Education, and had limited funds and no real influence. Further exclusions of Aboriginal children were now made easier by Minister Perry’s decree. The number of Aboriginal schools slowly but surely increased (Figure 7.4). By the time the Board had been reconstituted in 1916 nearly 30 additional Aboriginal schools had been established since 1900.²⁸

28 Schools added since 1900: Gulargambone (1900); Bril Bril (Rollands Plains) (1905); Burnt Bridge (Kempsey) (1906); Purfleet (Taree) (1906); Forked Mountain (Coonabarabran) (1907); Tobwabba (near Forster) (1907); Coraki (1908); Nymboida (Clarence River) (1908); Roseby Park (near Nowra) (1908); Ngoorumba (near Bundarra) (1908); La Perouse (1908); Calimo (near Deniliquin) (1909); Dunoon (near Lismore) (1909); St Clair (Singleton) (1909); Ugundahi Island (Macleay) (1909); Nanima (Wellington) (1909); Walhallow (near Quirindi) (1909); Runnymede (Stony Gully) (1909); Fattorini Island (Macleay River) (1911); New Angledool (1911); Nulla Nulla Creek (Bellbrook) (1911); Nundooran (Edgerton, near Yass) (1911); Moonahcullah (west of Griffith) (1911); Terry Hie Hie (1912); Pilliga (1912); Cootamundra (1912); Euraba (Boomi) (1913); Kyogle South (1914); Sevington (1915). *APBRs* 1899–1916.

Figure 7.5: Map of the Shoalhaven.

Source: Peter Johnson, cartographer, Cordeaux Heights, NSW.

The restructure of the Board in 1916 provided it with no new powers with respect to the education of Aboriginal children. However, as noted, the reconstituted Board (see Chapter 5) enabled a trio of Board officials to undertake the day-to-day running of the Board and to initiate policy. This made the Board even less able to respond in a coherent or coordinated way to the continued exclusions. Also, in a strange twist, under the restructure, a high-ranking education bureaucrat always had a position on the Board. So, any discussions about exclusions invariably involved a Board member acting in his capacity as spokesperson for the Department of Education – a clear conflict of interest.

The long history of exclusions, up to this point, had already placed the Board and the Education Department at odds. Post-1916, the potential for a conflict of interests was real. That conflict played out very clearly in the Shoalhaven, in the southern portion of Dharawal Country – a region that has always been home to a large Aboriginal population.²⁹ As noted above, Roseby Park Aboriginal Station (see Figure 7.5) was established

²⁹ The last Board report that provided population figures for districts was 1916. The population for the Nowra area was 123: *APBR* 1916, 11. The Aboriginal population at Roseby Park Station for the year ending 1915 was 66: *APBR* 1916, 6. Accessed via *NSW Legislative Assembly: Aborigines Report of Board for the Aborigines 1915–1922*, Q572.991 N (SLNSW).

in 1906 and was the only Board station in the Shoalhaven, and indeed in all Dharawal Country. In 1921 the Roseby Park population was 100 residents (16 'full-bloods' and 84 'half-castes') with a school roll of 24 children.³⁰ Greenwell Point was the closest township to Roseby Park. The following two examples of the exclusion of Aboriginal children from Greenwell Point School and Huskisson North School demonstrate the marginalisation of the Board in the disputes, the conflict of interests of some Board members, contradictory policies of the Education Department and Aboriginal parent pushback.

Greenwell Point Public School: 'Of learning their antecedents'

On 5 March 1919, a petition was received by Augustus James MLA, the education minister, from residents and parents at Greenwell Point complaining about the admittance of Aboriginal children to the local school. The 27 petitioners simply stated: '[we] respectfully protest against the admission of aboriginal children to this school. The aboriginals have a local school [Roseby Park] and we contend their children should attend it'.³¹ From April until August a battle between the white parents and the Department of Education was waged over the exclusions.

On 19 April 1919, acting Board secretary T.J. Foote wrote to Board member James Dawson in his capacity as the Education Department's chief inspector of schools. He requested all the relevant information concerning the petition at Greenwell Point School and stated that it was a matter of 'serious consequences'.³² Glaswegian James Dawson had taken up a teaching position at Sydney Grammar School in 1880. At age 25, he was appointed as a school inspector, and in 1905 was elevated to chief

30 APBR 1921, 3. Accessed via *NSW Legislative Assembly: Aborigines Report of Board for the Aborigines 1915–1922*, Q572.991 N (SLNSW).

31 Petition from parents to Minister for Education, 5 March 1919, Greenwell Point School Files, 5/16146.2 (Bundle B), Item 12778 (SRNSW).

32 Letter from APB to Chief Inspector, 12 April 1919, Greenwell Point School Files, 5/16146.2 (Bundle B), Item 22981 (SRNSW). The Board did not elaborate but may have feared a wider inquiry into its affairs. A month later, Roseby Park Aboriginal Station Manager Mr Burns alerted the Board to a possible inquiry into the matter. Telegram from Burns to the APB, 20 May 1919, Greenwell Point School Files, 5/16146.2 (Bundle B) (SRNSW).

inspector.³³ Peter Board, Director of Education (1905–22), described Dawson as ‘a dour Scot with a pawky wit, a friendly manner [and someone who] proved himself a “very able inspector”’.³⁴

In response to the situation at Greenwell Point School, the Department of Education sent three letters at the end of May 1919: one to Mr Weichman, the teacher at Greenwell Point School; one to Mr Wilson, the author of the petition; and one to secretary T.J. Foote of the APB – all stating that the Aboriginal children had been officially excluded.³⁵ An internal departmental report from James Dawson outlined the reasons for the exclusion. He claimed that the residents at Roseby Park Aboriginal Station ‘are eccentric ... some of them quarrel with the manager or get a distaste for Station life, and then they want to send their children to another school’. Dawson stated that the ‘white parents complain that the coloured children are not clean, and say they have an “itch” which is contagious. Mr Weichman says he sees no sign of it’. Dawson concluded that there is ‘no doubt that in many ways it is objectionable to have the white and coloured children in the same school’, especially when there was an Aboriginal school close by.³⁶

The Cruikshanks and Lonesboroughs, two Aboriginal families whose children had been excluded, wrote to the local MP, Mark F. Morton, in protest at the exclusions. Mark Morton was born at Numbaa near Nowra and became a stock and station agent and auctioneer in the late 1880s. He moved into politics in 1901, representing the seat of Shoalhaven and was a member of the parliament until his death in 1938. He was regarded as the ‘Father of the House’ and had ‘endeared himself to the people far and wide in this State’.³⁷ Morton had also been a Board member for five years from June 1910. Whether the Cruikshanks and Lonesboroughs knew of his previous association with the Board is unclear. However, their letter provoked Morton to intervene by way of a letter to the department in early June.³⁸ His correspondence gained traction. Suddenly and with no reason provided, the decision to exclude the children was overturned – but only for the children from the Cruikshank and Lonesborough families. In an internal departmental note (that echoed the words in Morton’s letter), James Dawson noted that both Lonesborough and Cruikshank were

33 *Goulburn Evening Penny Post*, 12 February 1935, 2.

34 Crane and Walker, *Peter Board*, 291.

35 Greenwell Point School Files, 5/16146.2 (Bundle B), Items 17572 and 17573 (SRNSW).

36 Greenwell Point School Files, 5/16146.2 (Bundle B), Item 37616 (SRNSW).

37 *Camden News*, 29 September 1938, 1.

38 Letter from Morton to the Department, 1 June 1919, Greenwell Point School Files, 5/16146.2 (Bundle B), (no item number) (SRNSW).

white men married to 'half-caste' women 'of the very best of character' and that these fishermen were good workers, and that 'they have never received government rations and ... their children have never attended the Aboriginal school'. Dawson explained that the policy was only designed to exclude those children who had come from the Aboriginal school at Roseby Park, or whose parents had received or were receiving government rations.³⁹ But Dawson then added a caveat: the department would accept the children of Cruikshank and Lonesborough 'until it is seen whether the residents will raise any objection, when the matter can be re-considered'.⁴⁰

Mr Wilson, the author of the original petition, found this second decision 'inexplicable' and reminded the department that the original objection was that the white children had fallen ill from what he described as the 'black-itch', which was 'brought to the school by the aborigines'.⁴¹ On 2 August the department advised that 'due to further protest' (presumably from Wilson), it was reversing its revised decision and excluding the students once more.⁴²

Undeterred, the families of Cruikshank and Lonesborough organised a meeting with chief inspector James Dawson when he visited Nowra. Dawson wrote of the meeting:

I had the opportunity of seeing the children and of learning of their antecedents. They show no trace of aboriginal descent although my investigations show that through a very remote relationship there is some native blood in their veins.

No reasonable objection can be taken to the attendance of these children at the Greenwell Point Public School, and I promised the parents that their children would be readmitted on application.⁴³

39 It is unclear where this 'nuanced' policy that Dawson articulated came from. Exclusion on demand, regardless of the circumstances, was still operational in 1919.

40 Internal departmental note from Chief Inspector Dawson, 10 June 1919, Greenwell Point School Files, 5/16146.2 (Bundle B), Item 19116 (SRNSW). See also a precis of Morton's letter prepared by Peter Board, Under-Secretary to the Minister, 10 June 1919, Greenwell Point School Files, 5/16146.2 (Bundle B), Item 46376 (SRNSW).

41 Letter from Mr Wilson to the Department of Education, Greenwell Point School Files, 5/16146.2 (Bundle B), Item 51719 (SRNSW).

42 Letter from Under-Secretary to Morton MLA, 2 August 1919, Greenwell Point School Files, 5/16146.2 (Bundle B), Item 23679 (SRNSW).

43 Internal Departmental letter from Chief Inspector Dawson, Greenwell Point School Files, 5/16146.2, (Bundle B), 20 August 1919, (Item number visible but not clear). (SRNSW). It is unknown how this meeting was arranged.

Unfortunately, there is no further correspondence in the school files to confirm the outcome of the last reinstatement and there was no apparent press coverage of these events. However, this example demonstrated the fickle nature of the department's policy, its acquiescence to political pressure and the determination of Aboriginal families to fight the exclusions.

Huskisson North School: Policy reversals and Aboriginal protest

In early December 1921, secretary of the Huskisson Progress Association T.A. Cahill wrote in conjunction with the Parents and Citizens Association to the Education Department to demand the exclusion of Aboriginal children from North Huskisson School. Mr Cahill's letter noted the recent influx of Aboriginal and 'half-caste' children from Roseby Park and Greenwell Point.⁴⁴ Cahill stated that these children were 'brought up under disgusting circumstances' and that the children attended school 'in a dirty, verminous condition and are a menace to the local white children'.⁴⁵ However, a report by the teacher Mr A.E. George supported the Aboriginal children. George explained that there were 10 Aboriginal children attending in very cramped conditions but the 'white children don't mind sitting with them'. He informed the inspector that the Aboriginal children were generally well-mannered, their conduct satisfactory and that their attendance was likely to be permanent while the parents were able to 'eke out' an existence.⁴⁶

The Department of Education, appropriately, endorsed the teacher's view. The school was informed that the Aboriginal children should not be excluded, that a larger classroom should be built, and that the teacher already had the power to exclude any child under the Infectious and Communicable Diseases regulations.⁴⁷ But, by late January 1922, the decision not to exclude had been reversed and the Aboriginal children were to be excluded. The Huskisson Progress Association had obviously pressed the department again after the first ruling. In February 1922, the department informed the school, Mr Cahill and the Board of its decision.⁴⁸

44 Roseby Park and Greenwell Point are only 1 km apart but separated by the Crookhaven River. They are about 15 km east of Nowra and approximately 15 km from Huskisson (see Figure 7.5).

45 Cahill to Education Department, 2 December 1921, Huskisson North School Files, 1919–1939, 5/16348.1, Item 93167 (SRNSW).

46 Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

47 Huskisson North School Files, 1919–1939, 5/16348.1, (item number unclear) (SRNSW).

48 Huskisson North School Files, 1919–1939, 5/16348.1, Items 4917, 4916 and 4919 (SRNSW).

The letter from Peter Board on behalf of the Department of Education informed the APB that the Aboriginal children had been excluded and requested that the Board 'kindly make suitable arrangements for the education of the students concerned'.⁴⁹ On this occasion, the department's under-secretary acted as the spokesperson. Perhaps to avoid a perceived conflict of interest, W.G. Armstrong (the department's representative on the Board) does not appear in the correspondence. Under-secretary Peter Board (Figure 7.6) had also been an APB member under the old structure from 1907 until 1911 and would have been familiar with Board processes and its concerns over exclusions during that period. Peter Board has been described as an outstanding educationalist, intellectual, humanitarian and visionary with a 'deep sympathetic interest in delinquent and neglected children'.⁵⁰ His biographers, Alan Crane and William Walker, claim that to 'many he was an educational oracle, and an administrator by divine right and a born reformer'.⁵¹ His quiescence about Aboriginal exclusions is noteworthy. Minister Perry's 1902 decree imposing 'exclusion on demand' was by now 20 years old. Who better to review it than someone like Peter Board? His failure to do so reinforced the ever-widening chasm separating Aboriginal people from mainstream Australia. Aboriginal people faced an impenetrable barrier to social mobility.

Figure 7.6: Peter Board.

Source: Crane and Walker, *Peter Board*, iii.

The APB did not object to the department's ruling and informed the department that the children would be sent to Roseby Park Aboriginal School.⁵² It did so without any obvious consultation with the Aboriginal parents. The Board assumed, with some encouragement from the police, that the Aboriginal families would pack up their possessions,

49 Letter from P. Board to APB, 22 February 1922, Huskisson North School Files, 1919–1939, 5/16348.1, Item 4919 (SRNSW).

50 'Peter Board, M.A., C.M.G.', by E. Williams, Peter Board Papers, 1872–1944, MLMSS 1095, Part 3, 29, Mitchell Library (hereafter ML).

51 Crane and Walker, *Peter Board*, 319.

52 Letter from APB to Department of Education, 9 March 1922, Huskisson North School Files, 1919–1939, 5/16348.1, Item 15190 (SRNSW).

leave their employment, accept the loss of income, sever ties with the community and move to Roseby Park without complaint. Their assumption was incorrect.

Mr John Carpenter and Mr A. Penrith, both Aboriginal men whose children had been excluded from Huskisson North, sent a letter of complaint to Mr Austin Chapman, the federal member for Eden-Monaro. They pointed out the injustice of the situation and stressed that they were independent families receiving no rations:

Dear Sir,

As I know you take a great interest in your constituents in this part of the State I make bold to bring before your notice a case of injustice on behalf of the School Board in stopping my Children and Grand Children from attending the Public School at Huskisson Although we are Half Casts we are earning our own living and receive no help from the Government and I think it is very hard that our children should be debarred from receiving an education at the nearest school to their house trusting that you may be able to do something to help us,

We remain your reply,
Mr J. Carpenter Mr A. Penrith⁵³

In March 1922, another parent, Aboriginal father Mr T. Campbell, wrote to the Minister for Education. He sought the reason for his children's exclusion, reported that the police had harassed him and suggested the white children were just as 'filthy' as the Aboriginal children were accused of being. He made known that the local police officer had come to his house instructing him to 'shift to Wreck Bay ... some 12 or thirteen miles distant'. Campbell challenged the policeman's authority in this matter:

I would like to know what he has to do with instructing anybody as to where they are to send their children to school I suppose he thinks that I am a fool like a few more of the coloured folks about here [to] run away and leave the town but as I have my work here I do not intend to leave so if there cannot be something done in the matter will only have to do the best I can with the teaching of the children my-self ... I have been reared here ... It comes very hard to think that our children are turned away from the school

53 Letter from J. Carpenter and A. Penrith to Austin Chapman, MHR, 7 March 1922, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

my father who cleared the timber off the land so as the school could be erected in 1883 and he had six of us attend the same school ... he was paying weekly for our Education as we are some of the oldest inhabitants of Huskisson.⁵⁴

J. Moore, from the Huskisson Parents and Citizens Association, restated the white parents' objections in another letter to the inspector of schools, claiming that it was 'impossible to keep their children clean', that there was insufficient room at the school to cater for the Aboriginal children, and that the Aboriginal children should be taught at Aboriginal stations.⁵⁵ The Huskisson Progress Association offered that 'it was obvious' why the Aboriginal children should not be attending the public school.⁵⁶

However, the white community was not united. The local Sunday school teacher Mr Bannister wrote to the school board in late April 1922 and complained of the exclusions, stating that the Aboriginal children were always well-dressed and as clean as 'the parents means would allow' and that they should be admitted to school.⁵⁷ His protestations came to nothing. In May 1922, Mr T. Campbell received a letter from department under-secretary, Peter Broad stating that his children would not be admitted to the school, and that

very real objections have been raised by the white population to the attendance of coloured children at the school. In the circumstances the Minister regrets that he has no alternative but to sanction the exclusion of such children from attendance at Huskisson Public School, which is the procedure adopted in similar instance across the State.⁵⁸

It would have been hurtful, humiliating and annoying for Mr Campbell that the department did not provide any specific reasons for the exclusion of his children, other than that it was policy applied elsewhere in the state. Another letter from John Carpenter (using a surprisingly, under

54 Letter from T. Campbell to Minister for Education, 22 March 1922, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW). This letter, in full, is found in Fletcher, *Documents in the History of Aboriginal Education in New South Wales*, 124–25.

55 Letter from J. Moore to Inspector of Schools, Braidwood, 18 April 1922, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

56 Letter from Huskisson Progress Association to Inspector of Schools, 8 April 1922, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

57 Letter from Bannister to Secretary of the School Board, 25 April 1922, Huskisson North School Files, 1919–1939, 5/16348.1, Item 25899 (SRNSW).

58 Letter from P. Broad to Mr T. Campbell, 15 May 1922, Huskisson North School Files, 1919–1939, 5/16348.1, Item 14424 (SRNSW).

the circumstances, respectful tone) to the Minister for Education, Mr Bruntnell, in June 1922, represented the frustration of Aboriginal parents:

As our children have been stopped from attending the public school at Huskisson through some report that was sent to the school board from the white residents of this place we would beg of you to enquire into the matter for us, and kindly let us know the reason and also who made the complaint as our children had been attending the school and we are all working in the district for some time, hoping you will be able to help us in this matter, we are respectfully yours, John Carpenter (Aboriginals).⁵⁹

The minister replied to Carpenter in the same vein as he had to Campbell and the original complaints from the white parents were kept off-limits to the Aboriginal parents.⁶⁰

In 1923, the APB intervened dramatically. Having previously claimed that it would relocate the Aboriginal families to Roseby Park, it now sought to absolve itself of all responsibility for the education of those excluded from Huskisson. It explained to the department that because the APB had already provided educational facilities at Roseby Park for Aboriginal children then 'responsibility for providing for those living outside is really one for your Department'.⁶¹ Having failed to move the families, the Board now considered that the department needed to solve the problem of educating these children. After almost 40 years of operation, the APB (and the department) had no clear understanding of who had responsibility for the education of Aboriginal children excluded from public schools. For the first time since Edmund Fosbery's outcry over the exclusion of Aboriginal children in 1898 at Wollar, the Board had thrown the responsibility of educating 'excluded Aboriginal children' back onto the Education Department.

Over the course of the next two years the department received complaints about the Huskisson exclusions from a teacher at Methodist Ladies College in Burwood (Sydney) and from the president of the New South

⁵⁹ Letter from John Carpenter to Minister for Education (Bruntnell), 15 June 1922, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

⁶⁰ Letter from Minister for Education (Bruntnell) to John Carpenter, no date, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

⁶¹ Letter from Pettitt, Secretary of the APB, to the Education Department, 29 May 1923, Huskisson North School Files, 1919–1939, 5/16348.1, Item 8608 (SRNSW).

Wales Teachers Federation.⁶² These interventions may have had some effect. In March 1925, the teacher at Huskisson North, Mr Dunlop, received instruction from Mr H.D. McLelland, chief inspector of primary schools and Board member, to admit the local Aboriginal and 'half-caste' population if the children were clean.⁶³ Three months later in early June, bizarrely, and with no explanation, the decision was overturned and the children were excluded once more.⁶⁴ It is unclear what happened to the Aboriginal children after this last exclusion but it appears they remained barred from the school.

Years later, in 1935, an officer of the Government Printing Office named Mr Jenkins wrote to the APB after a holiday visit to Huskisson, requesting that Aboriginal girl Fay Carpenter (daughter of John Carpenter) be admitted to the Huskisson School.⁶⁵ Education Department Inspector White offered that she be admitted as 'a one off', that it was not to set a precedent, and that the decision would be reviewed.⁶⁶ When the APB was informed, it agreed with the decision, and suggested that the whole issue may settle down as it believed that the white protestors had left the district.⁶⁷ However, once more the department fell back on its policy of exclusion. A letter from G.R. Thomas, Director General of Education and Board member, to Mr Jenkins in July 1935 regretfully indicated that the child could not be admitted to the school. In a final insult, enclosed were enrolment forms to the Education Department's Correspondence

62 Letter from Under-Secretary, Education Department to Rev. Frederick Potts of Methodist Ladies College, 5 December 1923, Huskisson North School Files, 1919–1939, 5/16348.1, Item 46655 (SRNSW). Fletcher, *Clean, Clad, and Courteous*, 119–20. Fletcher outlines this exchange but does not provide any sources.

63 Letter from McLellan to Dunlop, 27 March 1925, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

64 Letter from Under-Secretary to APB, 4 June 1925, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW). A departmental report sheds some light on the general situation. In May 1927 a report from school attendance staff officer Mr Robertson indicated that the Campbell children should be able to attend school but provided no specific reason. Robertson's report also fleshed out what might have been, in part, behind the exclusions. The white families feared competition from Aboriginal workers in the town and a felt that a 'further influx of other black families ... would compete against the white fishermen'. This may well have been a factor, but there can be little doubt that the exclusions were racially motivated. Huskisson North School Files, 1919–1939, 5/15348.1, Item 60813 (SRNSW).

65 Letter from Jenkins to APB, 20 May 1935, Huskisson North School Files, 1919–1939, 5/15348.1, Item 046103 (SRNSW).

66 Letter from Inspector White to Jenkins, Huskisson North School Files, 1919–1939, 5/16348.1, Item 046103 (SRNSW).

67 Letter from APB to Under-Secretary, Department of Education, 21 May 1935, Huskisson North School Files, 1919–1939, 5/16348.1, Item 3817 (SRNSW).

School, which came highly recommended.⁶⁸ Tragically, over the course of 15 years, Aboriginal families were unsuccessful in seeking a public education for their children. Yet Aboriginal families persisted in politely seeking answers of the department in attempts to have their children reinstated in school. Their protest provoked high-level action, even if they ultimately failed.

These two disputes, at Greenwell Point and at Huskisson, raised several issues. First, the Board was unable to provide any leverage and, in the end, abrogated all responsibility for the education of 'excluded Aboriginal children'. Second, during the disputes the Education Department had adopted contradictory positions. It excluded Aboriginal students on the basis that families were receiving Board assistance, or that they came from an Aboriginal school, or on health grounds. Then it decided to include some Aboriginal children based on degrees of whiteness or the likelihood of complaints, and purposely withheld information from Aboriginal families. Its policy was unworkable. Third, Aboriginal families caught up in the disputes were resourceful and went to considerable lengths to have their children reinstated. However, the generally 'silent' power of the white parent lobby was considerable, and the Education Department was complicit. Aboriginal children could not go to a public school. Lastly, it was apparent there were other groups and teachers who supported the Aboriginal parents and spoke out against the exclusions.

By the mid-1930s the Board was under severe pressure on a whole range of policy fronts as witnessed in the following chapter. One of these pressure points, the mobility of Aboriginal people, is the focus of this next example.

Bomaderry: 'Invited to co-operate'

The exclusion of Aboriginal children at Bomaderry School exposed a broader issue confronting the Board in the mid-1930s. The Board regularly expelled Aboriginal people from the reserves and stations, only to have the municipal authorities of towns to where they relocated demand their removal back to Board locations.⁶⁹ An exclusion controversy at Bomaderry School brought this issue to a head.

68 Letter from Thomas, Director of Education, to Mr Jenkins, 18 July 1935, Huskisson North School Files, 1919–1939, 5/16348.1, (no item number) (SRNSW).

69 Read, 'A Rape of the Soul so Profound', 23–33.

Across the state the Board faced pressure from local municipalities and white residents to remove many Aboriginal groups congregating on the fringes of towns. This situation had developed partly as a result of the Board's own dispersal policy of removing Aboriginal people who were classified as 'quadroons' and 'octoroons' from stations, reserves and camps and by the Board's general expulsion policy for misdemeanours.⁷⁰ Moreover, the economic downturn due to the Great Depression had caused considerable dislocation in both the white and Aboriginal communities with many labour lay-offs, and Aboriginal people sought refuge back on the reserves and stations. White activist for Aboriginal equality Jack Horner observed that

hundreds [of Aboriginal people] turned to the Board's rations for sustenance, pocketing their pride. If houses on reserves and stations could not accommodate them, they pitched tents outside and defied the police to send them away.⁷¹

Many Aboriginal people, though, refused to return, choosing instead to be free of the police and the strictly controlled life on the stations. These groups, or 'fringe dwellers', lived on 'uncontrolled' camps on the edges of country towns to avoid supervision by authorities. Richard Broome describes them as 'cultural warriors, refusing to surrender Aboriginal ways'.⁷² Tension over fringe camps was exacerbated by the outbreak of the eye disease gonococcal ophthalmia in some Aboriginal reserves and stations. This led to pressure to have Aboriginal camps removed from white communities so as to avoid 'contamination'. The colonial secretary, Captain Chaffey, generated a sense of fear and panic when he suggested, wrongly, that while it was not too destructive to Aboriginal people, this disease would be devastating within white communities as it caused blindness.⁷³

This issue of removing Aboriginal people from rural towns drove the dispute over the Aboriginal children at Bomaderry School. The inspector of schools, Mr H. Campbell, filed a report on 16 October 1935 that the public school at Bomaderry was 'fully taxed' with an enrolment of 141 and only three classrooms. Since there were 41 children of 'aboriginal blood', it would 'appear preferable to transfer these to a separate school

70 The 1918 amendment changed the definition of the word 'Aborigine'. From 1918, an Aborigine was 'any full-blood or half-caste who is a native of NSW'. It meant that 'quadroons' and 'octoroons' were now 'not Aborigines' and had to leave the reserves and stations. See Chapter 5.

71 Horner, *Bill Ferguson*, 23.

72 Broome, *Aboriginal Australians*, 2010, 196.

73 *NSWPD*, Legislative Assembly, 18 June 1936, 4750.

for aborigines in locality'. This would relieve the pressure upon 'existing accommodation for white children'. He urged that the matter be taken up with the APB immediately.⁷⁴

In November 1935 the Nowra Municipal Council had already discussed the matter of removing Aboriginal people from the municipality. J.J. Carrall, the health inspector, recommended to council that it seek the cooperation of the APB to 'have all the aborigines removed to the camps provided for them'.⁷⁵ Also, in the same month, G.R. Thomas (no longer a Board member but now the Under-Secretary of the Department of Education) wrote to the APB urging 'early consideration' in providing some separate schooling alternative for the Aboriginal children at Bomaderry.⁷⁶ APB Secretary Pettitt explained to the Department of Education that the removal of the families concerned would probably be difficult as 'my Board does not at present possess the necessary powers to compel these people to remove to an Aboriginal Reserve'. Pettitt suggested a way around the issue. Perhaps the local municipal councils of Berry and Nowra could be 'invited to co-operate' by exercising their powers under 'ordinances & insanitary conditions' to remove the Aboriginal families.⁷⁷ Pettitt submitted that if this avenue did not prove successful, then it must wait until a proposed Bill to amend the *Aborigines Protection Act 1909* (NSW) had become law. The Department of Education raised no opposition to Pettitt's proposal.

The APB's proposed amendment sought considerable powers. The Board had signalled its intention to change the Act in its report of 1932–33:

Apart from the stations, there are a large number of reserves situated at various centres ... Unauthorised camps have also been formed at many places, in most instances adjacent to a town, which presents certain attractions to the Aborigines concerned ... The Board contemplates ... certain amendments of its Act, which will enable it to remove these camps and concentrate the residents thereof on to stations where they, and particularly the women and children will be housed, and encouraged to live, under better conditions.⁷⁸

74 Internal departmental note – extract from Inspector of Schools, 31 October 1935, Bomaderry School Files, Pre-1939, 5/14993 (Bundle B), Item 710 (SRNSW).

75 Health Inspector's report to Nowra Council, Nowra Council Minutes, 11 November 1935, *Nowra Council Minute Book* (November 1933 to December 1935), Shoalhaven City Council, Nowra.

76 Letter from Thomas to Secretary of the APB, 29 November 1935, Bomaderry School Files, Pre-1939, 5/14993 (Bundle B), Item 108827 (SRNSW).

77 APB Minutes (hereafter *APBM*), 5 February 1936, Item 7. All *APBM* accessed via: Minute Books (Aborigines Welfare Board), NRS 2, NSW Department of Aboriginal Affairs, Sydney.

78 *APBR* 1934, 2. Accessed via 'NSW', To Remove and Protect, AIATSIS: aiatsis.gov.au/sites/default/files/docs/digitised_collections/remove/23911.pdf.

The amendment had several features but the main thrust was to seek various powers to apply to the courts to remove Aboriginal people to a 'reserve or other place controlled by the board', to authorise medical examinations of Aboriginal people, to remove Aboriginal people from employment positions if the Board felt necessary and to direct the wages of Aboriginal people in employment directly to the Board.⁷⁹

The *Shoalhaven Telegraph* was more revealing about Pettitt's suggestion inviting the councils 'to co-operate'. It reported that the 'Inspector of aborigines [Mr Smithers] had recently been to Nowra and in conversation with him [Health Inspector Carrall] asked the co-operation of Council and adjoining Councils to stop aborigines camping in municipal areas'. The *Telegraph* further informed readers that the idea was to have the Aboriginal people moved to Roseby Park, and Mr Smithers would arrange for the men – who were wanted on farms for pea-picking – to be brought in daily and returned home to the station in the afternoon. Alderman Stewart opposed the motion. He offered that most of the men were 'well conducted, as were their women folk. They did no harm, and were useful to many farmers'. Smithers disagreed with Stewart and argued that the APB was 'anxious to have these people brought under proper control, which he thought would be to their own interest and the interest of the community generally'.⁸⁰ The *Nowra Leader* fleshed out more details: Smithers wanted the men to work Monday to Friday and then be returned to Roseby Park for the weekend and the farmers would have to accommodate them during the working week.⁸¹

In mid-November 1935, the Nowra Town Clerk requested the Berry Municipal Council to have the Aboriginal families transferred to Roseby Park and put under control of the APB. Aldermen Barham and Knapp agreed with the proposal, but the Mayor of Berry Council felt they should remain in the community. He noted that some of these men were an 'asset to local farmers'. They were 'well conducted and good at certain classes of farm labour'.⁸²

79 *NSWPD*, Legislative Assembly, 18 June 1936, 4749. See also *Aborigines Protection (Amendment) Act 1936* (NSW), Sections 2(c), (i) and (j). The Amendment successfully passed the Parliament in July 1936. Heather Goodall notes that the amendment was known as 'the Dog Act'. Brewarrina resident Henry Hardy explained: Aboriginal people 'felt that now they could be penned up and shifted around just like animals'. Goodall, *Invasion to Embassy*, 2008, 230.

80 *Shoalhaven Telegraph*, 13 November 1935, 5.

81 *Nowra Leader*, 15 November 1935, 1.

82 *Berry Council Minute Book* (1928–1936), 20 November 1935, Item 19, 505, Shoalhaven City Council, Nowra; *The Shoalhaven News and South Coast District Advertiser*, 23 November 1935, 1.

Both councils decided against imposing any orders, agreeing in the end that Aboriginal workers were of use to local farm workers. In early April 1936, the Board let the matter rest. Pettitt informed the Department of Education that there had been no direction from the Berry or Nowra municipal councils and that the Aboriginal families at Bomaderry did not wish to remove to Roseby Park due to the 'distance from their work' and their current ability to 'secure relief work'.⁸³ The Board's endeavours to influence local authorities to move Aboriginal families had failed and Smithers's solution that local farmers house the men up for five days and then to arrange transport to Roseby Park on a Friday night did not resonate with anyone. The Aboriginal people were never removed. Even after the amendment was passed in July 1936, there were no mass removals in the Shoalhaven, unlike in other areas in New South Wales.⁸⁴

Because of the Board's failure to remove the Aboriginal families, the situation at Bomaderry School remained as it was. On 19 August 1937, the minister, D.H. Drummond, urged that the matter of overcrowding be ended quickly. Drummond's impatience was perhaps driven by the fact that he had been publicly embarrassed by a group of Aboriginal parents whose children had been refused entry to another local school and he sought to avoid a similar situation.⁸⁵ In early October 1937 the Parents and Citizens Association from

83 Letter from Pettitt to Education Department, 2 April 1936, Bomaderry School Files, Pre-1939, 5/14993 (Bundle B), Item 032501 (SRNSW).

84 The residents at Angledool Aboriginal Station on the Queensland border were forcibly removed to Brewarrina by the APB on the grounds of inaccessibility in the wet season and an outbreak of trachoma. The Yuwalaray (Angledool residents) did not want to move where they would be among strangers and with less prospect of work. The APB forced the move, stripped their houses, burnt the remains, trucked them to Brewarrina and placed them in two-roomed tin shacks, 10 feet by 20 feet, with no windows or doors. See Goodall, *Invasion to Embassy*, 1996, 203–5.

85 Minister Drummond was generally sympathetic to the concerns of white parents and supported the exclusions of Aboriginal children; he had expressed a view, unsolicited, that relationships between white and black were 'embarrassing and may be harmful'. In July 1937, 44 white children were withdrawn from Woolbrook School due to the presence of 15 Aboriginal children. The Aboriginal community demanded of the department that the white parents should be prosecuted for not sending their children to school. The press became involved and Drummond acted – he instructed the principal to exclude all the Aboriginal children. The Aboriginal parents threatened legal action and they refused to allow their children *not* to attend. The principal closed the school for a week. When it reopened, only white children attended and their parents said they would send their children to nearby Walcha Public if the Aboriginal children returned. Some Aboriginal parents and five of their 'excluded children' intercepted Drummond at an official function. Drummond was embarrassed – he saw that the children were well-mannered, clean and almost unrecognisably Aboriginal! He immediately overturned his decision, threatened the white parents with prosecution if their children did not attend school and refused them admission to another public school. His concession to the white parents was that no children with 'marked Aboriginal characteristics' would be enrolled until approval was given by his department. See several press reports between 15 July and 11 August 1937 (available through the National Library of Australia's Trove service: trove.nla.gov.au); Fletcher, *Clean, Clad and Courteous*, 141–43.

Bomaderry School changed tack – it now sought to remove the children on health grounds. The association had arranged health checks at the school and a Dr van Someren, who conducted the checks, had advised the association that some of the ‘coloured children were suffering from scabies and pediculi [lice] and also that other children [white] were liable to become infested by using the same latrines seats or lavatory basins’.⁸⁶ Some of the more overzealous white parents had deliberately misrepresented Dr van Someren’s findings, suggesting he had referred to ‘dangerous’ conditions and that the ‘coloured’ children may have been suffering from venereal disease. In a report to the Education Department on the Bomaderry situation, the Principal Medical Officer ignored the specious claims of venereal disease. He advised the Department of Education that scabies and lice were common in ‘any type of school in New South Wales’ and could not be considered a danger to other children, and that such conditions would ‘certainly not be considered to be sufficient ground for the permanent exclusion of the children’.⁸⁷

The district inspector of schools in Wollongong, C. Harrold, wrote on 23 September 1938 about the Bomaderry situation:

In view of the Medical Officer’s report, I recommend that the request for the exclusion of Aboriginal children from the school be declined. The matter has not been discussed by the P & C [Association] since my investigation. I suggest that no communication on the subject be forwarded to the P & C Association unless a further request is made for the exclusion of the coloured children.⁸⁸

The Department of Education was on firmer ground with health concerns: if a child was unwell or infectious, they could be excluded until they were well again. When the complaint was based on Aboriginality, the department’s policy was found wanting. The Aboriginal children remained at school. However, District Inspector Harold’s recommendation *not* to contact the Parents and Citizens Association and ‘let sleeping dogs lie’ demonstrates the department’s continued unease about requests to remove the Aboriginal children.

86 Letter from Principal Medical Officer to the Under-Secretary of the Department, 6 October 1937, Bomaderry School Files, Pre-1939, 5/14993 (Bundle B), Item 102975 (SRNSW).

87 Letter from Principal Medical Officer to the Under-Secretary of the Department, 6 October 1937, Bomaderry School Files, Pre-1939, 5/14993 (Bundle B), Item 102975 (SRNSW).

88 Internal departmental note from C. Harold, District Inspector Wollongong, 23 September 1938, Bomaderry School Files, Pre-1939, 5/14993 (Bundle B), Item 094006 (SRNSW).

By early 1938, Berry Municipal Council had not resolved the issue of Aboriginal removals. The moderating voice of the mayor stated that these

coloured people have citizens' rights provided they live as citizens. They have bought certain land, and as far as council is concerned, if they comply with the housing condition ... and build to the requirements ... they are all right.⁸⁹

So the Board's attempt to use council regulations to move Aboriginal families backfired. The Berry and Nowra councils were clearly split over the removal of the communities because Aboriginal labour was crucial to local agriculture and Aboriginal families had every right to reside if their land had been acquired appropriately. Perhaps realising the possibility of opposition from several quarters, the Board did not utilise its new-found powers acquired in 1936.

Trapped in a mire of hypocrisy

The Board hoped that some Aboriginal students would be able to slip under the radar of white rural parent opposition and sit in classrooms across New South Wales. When the racially based exclusions occurred, its dual policy became unsustainable. The Board had little leverage in the local public school disputes as it had no moral authority – it had never argued that all Aboriginal children were entitled to a full public education. When it did defend the right of some students to attend local schools, it often displayed weakness in its response to exclusions, employed coercive strategies towards Aboriginal families to relocate, criticised the Department of Education, colluded with municipal bodies and, when all else failed, disengaged.

Fosbery, in 1898, was probably genuine in his criticism of the Education Department for allowing Aboriginal children to be barred on the basis of skin colour, but there was no serious retreat from the Board's initial preferred position. It had always held that Aboriginal children, in large numbers, were better educated apart from white children. Compounding the Board's inability to solve some of the disputes about integrated schools was the reconstitution of the Board in 1916. The fact that one

⁸⁹ *Nowra Leader*, 25 February 1938, 6.

Board member was always a high-ranking bureaucrat from the Education Department – and often the department's representative in these disputes – ensured that the Board's voice was ineffectual.

On any level, the role of the Department of Education was indefensible. Its defined policy of 'exclusion on demand' was a complete capitulation to the white parent lobby. But when confronted with 'almost white' children being excluded, it had no appropriate policy response other than to reverse decisions previously made. Even the progressive educationalist Peter Board, as Director of Education, could not provide a sensible policy, or indeed any security for the education of Aboriginal children.

Significantly, the examples reveal the tenacity of Aboriginal parents who engaged different strategies to fight the exclusion of their children from schools. In doing so they fought to remain in their homes, continue their connection with the district, and maintain employment opportunities. They found support among interested educational groups and from some teachers; a sign of things to come. However, even after 1940 when the Department of Education assumed complete control of schooling for Aboriginal children, the entrenched preference for separation was still apparent. David H. Drummond, the Minister for Education from 1932 to 1941, held the view that Aboriginal people were a 'child-like' race and those children with a predominant 'admixture of Aboriginal blood' should not be schooled alongside white children.⁹⁰

Yet change was on the way. By the mid-1930s deep cracks had appeared in the Board's façade. Uncomfortable questions about the Board's processes and management of the reserves and stations were raised by emerging Aboriginal activists and white civil rights advocates. The Board's moribund structure, enshrined in the reconstitution of 1916, had run its course; scrutiny that had been absent during the 1920s was now being applied. Slowly but surely the foundations crumbled while an increasingly paranoid Board resisted to the end.

90 Department of Education policy statement, 6 August 1936, Premiers Letters Received 1927, File No. A27/915, Premiers Special Bundles, File No. 62/1515 (Part 1), Item 560 (SRNSW).

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