USE OF THESES

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ABORIGINAL ADMINISTRATION

IN THE

NORTHERN TERRITORY

OF

AUSTRALIA

A Thesis
Submitted for the Degree of
Doctor of Philosophy
in the Australian National University

Colin Martin Tatz
31st March 1964.
This thesis is my original work.

Chin Tat  
31st March 1964
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SUMMARY

This thesis is an appraisal of the administration of the Commonwealth Government's policy of assimilating the Aborigines of the Northern Territory into the ordinary community.

It has several theoretical aspects. It explores the reasons for the demonstrated gap between the policy and its administration. It assesses the effects on the execution of policy of the allocation of most relevant functions to the Welfare Branch of the Northern Territory Administration. It suggests guide-lines, in administrative terms, for a critical assessment of the Aboriginal 'problem' both in the Northern Territory and in other Australian states.

The bulk of the thesis, on which these analytical conclusions are based, consists of a detailed empirical examination of the substantive problems and difficulties in administering the full-blood Aborigines of the Territory.

As an introduction to the physical problems confronting the administrators of the policy, relevant aspects of the geographic, demographic and economic context of the Northern Territory are presented in Part 1.

Part 2 briefly recounts the steps leading to the formulation of the policy. It summarizes official statements of the policy, setting out the legislative and administrative methods designed to advance it. There follows an analysis of some inconsistencies in the policy and its intended application.

The organisations and persons concerned with the policy's administration are described in some detail: the Department of Territories, Welfare Branch, missions, pastoral properties, the judiciary, Attorney-General's Department, Health Department, the police and the Legislative Council. The relations between these agents of policy, the relationships within some of them and how far each has a similar understanding and acceptance of the policy are discussed. The criticisms and defences of the Welfare Branch's functions and the nature of mission agency are important in understanding whether or not there is unity of policy between the agents.

The main part of the thesis, Part 3, is an analysis of the administrative practices associated with the policy. It measures policy aims against official claims of achievement and the realities of Aboriginal administration in eleven fields of administrative activity. In each there is an assessment of how far legislative and
administrative measures conflict with policy aims, how far they are adequate for the achievement of these aims, how far practices fall short of these measures, and why. For example, an analysis of Aboriginal wages, training and employment shows that neither the Welfare Branch nor the missions conform to the standards laid down in the relevant employment legislation. Conditions in these fields vary from one Aboriginal centre to another, revealing haphazard and anti­thetical policies within the major policy aim of trying to assimilate Aborigines economically to a position of equality with other Australians.

Social service benefits for Aborigines reflect the administrative dilemma of trying to give the benefits available to ordinary citizens to a class of persons who are legally minors and considered incapable of managing their own affairs. The relevant chapter demonstrates that the claim of Aboriginal eligibility - under the same conditions as other members of the community - is incompatible with the actual payments made to Aborigines and the use made of the money by the controlling authorities who receive the bulk of payments on behalf of Aborigines. Aborigines are not eligible for some benefits to which they are said to be entitled. Aboriginal ineligibility for unemployment benefits is discussed in detail because it illustrates the inadequate wage structure for Aborigines.

A major policy aim is that a positive health programme is essential to Aboriginal advancement. An attempt is made to present the Aboriginal ill-health pattern, so far as is possible in the absence of reliable vital statistics. The prevalence of communicable diseases, the infant mortality rate and the causes of infant deaths are discussed. A number of factors contribute to the ill-health pattern: the standard of health services provided, housing, excreta disposal, water supplies, nutrition and feeding and the lack of health education. Another contributing factor is the sharing of certain health services between the Welfare Branch and the Health Department.

Aboriginal education is a pivotal point in the assimilation policy; of all subjects, the most detailed policy aims have been laid down for it. The principles of the education programme are stated. After outlining the administration of the programme by the Commonwealth Office of Education up to 1955, the reasons for transfer of control to the Welfare Branch are set out. Then follows a critical evaluation of Welfare Branch control which tries to explain why there is so great a gap between aspirations and results.

The political rights of Aborigines are linked with the education theme. After giving an outline of the steps leading to Aboriginal
enfranchisement, there is an analysis of the extent to which Aborigines are politically educated according to policy aims and official claims. This is linked with the question of how far Aborigines participate in their administration. An account is given of the formation, structure, aims and activities of the Northern Territory Council for Aboriginal Rights.

Legislative provisions often conflict with policy aims and this is illustrated by the various legal restrictions which apply exclusively to Aborigines. The chapter on Aborigines and the criminal law examines in detail the liquor restrictions on Aborigines, stating the cases for and against prohibition. Other provisions affecting Aborigines are the protection of Aboriginal women, removal and detention for disciplinary reasons, powers of arrest over Aborigines and discipline on missions and settlements. There follows a description of the administration of the criminal law, concluding with a discussion of the divergent views on the application of the criminal law to Aborigines.

Part 4 attempts to explain the gap between the policy and its implementation with reference to relevant theories of administration. There has been a failure to break down the assimilation policy into mutually consistent subordinate aims which are progressive in time. Incompatible policies, interpreted differently by various agents and not held together in a regulated time pattern, have resulted in the administration of some other policy, more akin to the earlier protection-segregation policies, but not the assimilation policy. The assimilation policy has remained a potential policy, not an active one. The various agents of policy, and the Aborigines themselves, are found to have different, sometimes antithetical, views of the assimilation policy. The lack of Aboriginal participation in administration is notable.

A number of other administrative factors contribute to the gap between policy and practice: inadequate research and policy-making, planning, communications, staffing, delegation, review and so on.

Another element is the difficulty faced by the Welfare Branch in attempting to provide almost all services to virtually one clientele, the Aborigines. In this particular case Haldane's principle of allocation of functions to departments by service to be rendered rather than by clientele to be served is applicable. The surrender by the Welfare Branch of certain of its functions to professional bodies is more likely to achieve policy aims.
The final consideration is the role of precedent in policy and practice. The Aboriginals Ordinance and the Native Affairs Branch had a distinct influence on the Welfare Ordinance and the Welfare Branch. The likely influence of the latter on the 1964 proposals for a Social Welfare Ordinance and Social Welfare Branch is discussed.
The literature available on the important social question of Aboriginal administration is meagre. Much of the current information on Aboriginal welfare and administration comes from official sources. Government reports have a tendency to gloss, to include the praiseworthy and omit the critical and difficult.

This thesis may fill one of the many gaps in the knowledge by examining, over an extensive area and in a variety of fields, one of the six Aboriginal administrations in Australia. It appraises the administration of Commonwealth Government's policy of assimilating the Aborigines of the Northern Territory into the ordinary community.

It is a case study in the administration of the assimilation policy. As such, there are several theoretical aspects. It determines whether or not there is a gap between the policy and its administration and, if so, why. It discusses to what extent the allocation of most of the relevant functions to the Welfare Branch of the Northern Territory Administration affects the execution of policy. It suggests guidelines, in administrative terms, for a critical assessment of the Aboriginal 'problem' both in the Northern Territory and in other Australian states.

There is at the same time a more practical aspect: an analysis of the substantive problems and difficulties of administering the full-blood Aborigines of the Territory.

Regarding this practical aspect, I have attempted a critical analysis of the policy in practice. In many spheres - employment, training, health, housing, hygiene, nutrition, social services and education - there have been official and political claims of success in applying the policy. The nature of these claims justifies, in my view, the critical element in this appraisal.

When the assimilation policy was formally adopted in 1951, the government considered it a declaration of hope and a statement of aspirations. This thesis is therefore concerned both with measuring the realities of Aboriginal administration and with an analysis of the substance of claims. The record of achievement in the Territory has been widely publicised by the Department of Territories and its Minister in Parliament, in the press and in official literature. Apart from a few articles on assimilation as a policy, there is nothing of substance which reviews its achievement. Several senior officials have said to me that the policy and its programme are 'too young' to be reviewed. Almost thirteen years have passed since the adoption
of the policy and almost ten years since the establishment of the Welfare Branch to put it into effect. I believe that there is a case for review after ten years. There is perhaps a stronger case for a review which examines the present pattern of administration and which might, in some way, serve as a guide for future action.

METHODS OF RESEARCH

(i) Records

With the permission of the Hon. Paul Hasluck, Minister for Territories until the end of 1963, I was given access, under certain conditions, to past and current records relating to Aboriginal administration. The main conditions were that material quoted from these records should be subject to scrutiny by the Department of Territories and that publication of any work based on such material required the prior approval of the Department. This scrutiny and approval applied to citation of current government records only: all interpretations, inferences and opinions have been my own.

As custodians of official records, the Minister and his Department have examined the passages extracted from records. In four instances I was asked either to substitute alphabet letters for individual's names (Appendix 5) or to avoid attributing certain statements or memoranda to individual officials. Departmental officers assisted in several chapters by pointing out factual errors, and in some cases proposed alternative descriptions and interpretations to those suggested by my own observations and data. Where quotations from government files were not involved, I have used my own discretion in drafting the final text.

Similar access to records was granted by the Director-General of the Commonwealth Department of Health. One deletion was requested. I was asked to use my own description of the subject in question rather than the official one.

Some files were examined in the Commonwealth Archives Office, Canberra. The great majority were worked on in the Territory, at the head office of the Welfare Branch in Darwin, at the District Welfare Offices at Alice Springs, Tennant Creek, Katherine and Darwin, and at the government Aboriginal settlements. I am grateful to the Hon. Paul Hasluck, and to his officers in the Department of Territories and the Welfare Branch, for the liberal access they gave to official records and for their assistance in numerous ways. I also wish to thank the Director-General of Health and his Territory officers, and the Director-General of Social Services, for their assistance in making records available.

The four major mission authorities operating in the Territory -
Roman Catholic, Methodist, Church Missionary Society and Lutheran gave me access to local files and documents. The material in this thesis based on or quoted from mission records has been used with the permission of those authorities, to whom I express sincere thanks for their co-operation.

(ii) Officials and Missionaries

Of great importance was my access to settlement and mission staffs and to senior officers of the Departments of Health and Territories, the Crown Law Office in Darwin and the Welfare Branch. The heads of each government agency and mission authority asked their officers to co-operate in the project and to discuss matters with frankness. At no time was I treated as an 'outsider' trying to probe into private affairs; the attitude to me was one of being an 'insider' who could possibly contribute something to a problem with which everyone was grappling.

Personal relationships in the Territory are extremely informal. There appears to be no place in this kind of research for formal interviews, prepared questions and questionnaires. The methodology was to establish trust and goodwill, to become 'on side' to a point where personnel were prepared to discuss matters without reservation. All discussions were informal. I had not many of the government officials on my first short visit to the Territory and discussions with them were on a basis of acquaintanceship with me and what I was attempting to do. My hope is that I have avoided the obvious danger of such a method: identification with the people concerned to a point of subjective analysis.

(iii) Visits

A preliminary visit was made to the Northern Territory and Queensland in May–June 1961. Two weeks were spent in Queensland and three in the Territory. The purpose of the trip was to meet officials and arrange a longer field trip later in the year. In this time I had talks with the then Queensland Director of Native Affairs and some of his officers and visited, for one to two days each, Cherbourg and Yarrabah settlements and Mona Mona mission. In the Territory there were discussions with senior officers of the Health Department and the Welfare Branch. Visits of from five hours to three days each were made to Delissaville, Bathurst Island, Bagot, Snake Bay, Warrabri, Hermannsburg, Arvyonga, Haasts Bluff, Papunya, Yuendumu and Amoonguna.

The main field work began in October 1961. I stayed in the Territory until mid-September 1962, a period two weeks short of a full year. In that time these Aboriginal centres were visited:
While living in Darwin, periodic visits.

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<td>Number of Days</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Santa Teresa</td>
<td>7</td>
</tr>
<tr>
<td>Hermannsburg</td>
<td>10</td>
</tr>
<tr>
<td>Bathurst Island</td>
<td>10</td>
</tr>
<tr>
<td>Elcho Island</td>
<td>4</td>
</tr>
<tr>
<td>Milingimbi</td>
<td>2</td>
</tr>
<tr>
<td>Yirrkala</td>
<td>9</td>
</tr>
<tr>
<td>Angurugu</td>
<td>3</td>
</tr>
<tr>
<td>Umbakumba</td>
<td>4</td>
</tr>
</tbody>
</table>

Total: 173 days

These missions were not visited: Roman Catholic - Daly River and Port Keats; Church Missionary Society - Oenpelli, Roper River and Rose River; Methodist - Coulburn Island. Mission authorities felt that access to records, discussions with senior personnel and visits to at least two of their 'stations' would give a fair picture of their particular administration. With the possible exception of Daly River, it was felt that the principles of administration were common to each set of missions.

Some 25 weeks were spent visiting twelve settlements and eight missions. The remaining 25 weeks were spent in the head offices of the Welfare Branch and Health Department and in the District Welfare Offices examining files and having discussions with officials. In the total period, twelve pastoral properties were visited and brief visits were made to Ernabella mission in South Australia and Warburton mission in West Australia.

My practice was to stay at each place, depending on its size, population and facilities, until I felt that the centre had been observed following its normal routine. Some missions were visited for shorter periods because I had to rely on mail planes. Where possible I participated in activities; for example, teaching school-children (from one day to a week), conducting adult education classes, assisting in training courses for Aboriginal tribal councillors, lecturing to new teachers as part of their induction and so on.

No serious attempt was made to interview resident Aborigines. Professor A.P. Elkin has pointed to the difficulties and ambiguities
in the traditional answer to questions: 'Might be' or 'Maybe'. Without any Aboriginal language, coming fresh to each centre, being outwardly no different in appearance and manner from 'another government man', I felt that little of real value would be achieved by questioning Aborigines directly. Aboriginal reactions to policy and practice, as discussed in chapters following, have been assessed by observing outward physical behaviour and, in a few instances, recording their volunteered information, statements and opinions.

In September 1962 I went again to Queensland and in the following nine weeks had discussions with the senior officers of the Departments of Native Affairs and Education. Four major government settlements were visited: Cherbourg for six days, Yarrabah for four, and Palm Island and Woobinda for six days each. This was to gain some balance in relation to Territory administration and to have a comparative yardstick on certain issues.

The field research concluded with a visit to the Australian School of Pacific Administration in Sydney, and discussions with senior officers of the Methodist Overseas Mission Board and the Aborigines Committee of the Church Missionary Society in Sydney. In October 1961 I visited the Pine River Mission Board in Adelaide. Between January 1963 and February 1964 I had lengthy discussions with officials in the Department of Territories, Canberra.

In addition to assistance with records from officials and missionaries, I am indebted to a considerable number of people who made various visits possible, spent a great deal of time in discussions and who, in short, made the whole project possible. To those persons, whose names appear in Appendix 47, I offer my appreciative thanks.

(iv) Analysis and Conclusions

There are two central issues in the theoretical aspect of this study. The first one is an assessment of what relation there is between 'policy' and 'administration'. This raises several questions. First, can any line of principle be drawn between these concepts of 'policy' and 'administration'? Secondly, does a 'policy' derive its real character from the administrative practices which are adopted rather than from the words of its formulation? Thirdly, what steps can policy-makers take to ensure that the details of administration conform with broad policy aims? Fourthly, what influence have the different administrative agencies and non-governmental groups, such as the missions, on the outcome of a 'policy'?
The second theoretical issue is concerned with finding out what kind of administrative structure is necessary for applying certain types, and aspects, of policy. In this study there is discussion of the problem of organisation 'by clientele' versus 'by function', as it was raised and formulated by the Haldane Committee on the Machinery of Government in 1918.

On these theoretical issues I have tried to draw some conclusions from the case study. Some conclusions have been by way of extension or modification of the generalisations in the literature cited in the Bibliography.

In the light of the present political, social and administrative context in Australia, and in the Northern Territory in particular, the 'practical' part of the analysis seeks to apply these conclusions to an appraisal of the effectiveness of the Commonwealth's Aboriginal policy in practice. I believe that this is not outside the scope of an academic research project on government administration. The test of an empirical and theoretical analysis in this field is whether it clarifies specific problems, helps to diagnose their causes, and at least in some respects points the way to more effective action. No apology should be needed, therefore, for the major concern of this thesis with the substantive aspects of Aboriginal policy-administration. Some of the more practical conclusions may owe more to the systematic and comprehensive collection of data and 'commonsense' deductions from this, than to the application of administrative generalisations in the literature. If this is the case, it is perhaps an index of the immature state of the 'science' rather than a depreciation of the value of an academic study of an important social question.

(v) Terms, Appendices and Enclosures

I have abbreviated the names of some organisations and documents in the text and appendices. Because constant reference is made to the same appendices in different chapters, they are numbered consecutively. Several documents, mainly Ordinances, are enclosed separately, and marked 'Enclosures'. Rather than type extracts from Ordinances and place them in appendices, I feel it is of more help to the reader to have the full text of the Ordinances and their amendments in loose-leaf form.

Throughout this thesis I use the noun 'Aborigine(s)' and the adjective 'Aboriginal' because the terms are the popular ones in the Australian context. The capital A is a personal choice, I believe this usage invests the people known by the term with dignity.
<p>| A.C.T.U. | Australian Council of Trade Unions |
| A.E.U. | Amalgamated Engineering Union |
| A.T.A.S. | Australian Institute of Aboriginal Studies, Canberra |
| Amer. Soc. Rev. | American Sociological Review |
| A.N.Z.A.A.S. | Australian and New Zealand Association for the Advancement of Science |
| A.R.D.G.H. | Annual Report of the Director-General of Health |
| A.R.D.C.S.S. | Annual Report of the Director-General of Social Services |
| A.R.N.T. | Annual Report for the Northern Territory |
| A.S.O.P.A. | Australian School of Pacific Administration |
| B.A.E. | Bureau of Agricultural Economics, Canberra |
| C.A.O. | Commonwealth Archives Office, Canberra |
| C.B.C.S. | Commonwealth Bureau of Census and Statistics, Canberra |
| C.M.S. | Church Missionary Society |
| C.o.A. | Commonwealth of Australia |
| C.O.E. | Commonwealth Office of Education |
| C.P.A. | Centralian Pastoralists' Association |
| C.P.D. | Commonwealth Parliamentary Debates |
| C.P.P. | Commonwealth Parliamentary Papers |
| C.S.I.R.O. | Commonwealth Scientific and Industrial Research Organisation |
| Centre, the | Refers to the area in the Northern Territory south of the 20th parallel |
| Centralian | |
| F.R.M.B. | Finke River Mission Board |
| Government | Commonwealth or Federal Government |
| Health Department | Commonwealth Department of Health |
| H. o R. | House of Representatives in the Federal Parliament |
| M.E.A.B. | Minutes of the Employment Advisory Board |
| M.F.F.C.M. | Church Missionary Society: Minutes of the First Field Council Meeting |</p>
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>M.O.M.</td>
<td>Methodist Overseas Missions</td>
</tr>
<tr>
<td>M.U.P.</td>
<td>Melbourne University Press</td>
</tr>
<tr>
<td>N.A.W.U.</td>
<td>North Australian Workers' Union</td>
</tr>
<tr>
<td>N.H.M.R.C.</td>
<td>National Health and Medical Research Council</td>
</tr>
<tr>
<td>N.T.A.</td>
<td>Northern Territory Administration</td>
</tr>
<tr>
<td>N.T.A.G.</td>
<td>Northern Territory of Australia Gazette</td>
</tr>
<tr>
<td>N.T.C.A.R.</td>
<td>Northern Territory Council for Aboriginal Rights, Darwin</td>
</tr>
<tr>
<td>N.T.L.C.D.</td>
<td>Northern Territory Legislative Council Debates</td>
</tr>
<tr>
<td>N.T.L.R.</td>
<td>Northern Territory Law Reports</td>
</tr>
<tr>
<td>N.T. News</td>
<td>The Northern Territory News, Darwin</td>
</tr>
<tr>
<td>N.T.P.L.A.</td>
<td>Northern Territory Pastoral Lessees' Association</td>
</tr>
<tr>
<td>N.U.P.</td>
<td>Natal University Press</td>
</tr>
<tr>
<td>O.U.P.</td>
<td>Oxford University Press</td>
</tr>
<tr>
<td>O.Y.B.C.A.</td>
<td>Official Year Book of the Commonwealth of Australia</td>
</tr>
<tr>
<td>Q.U.P.</td>
<td>Queensland University Press</td>
</tr>
<tr>
<td>S.A.I.R.R.</td>
<td>South African Institute of Race Relations</td>
</tr>
<tr>
<td>The Territory</td>
<td>The Northern Territory of Australia</td>
</tr>
<tr>
<td>Top End</td>
<td>Refers to the area of the Northern Territory north of the 20th parallel</td>
</tr>
<tr>
<td>UNESCO</td>
<td>United Nations Education, Scientific and Cultural Organization</td>
</tr>
<tr>
<td>UNO</td>
<td>United Nations Organization</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
<tr>
<td>W.B.A.S.</td>
<td>Welfare Branch District Office, Alice Springs</td>
</tr>
<tr>
<td>W.B.H.O.</td>
<td>Welfare Branch Head Office, Darwin</td>
</tr>
<tr>
<td>W.H.O.</td>
<td>World Health Organization</td>
</tr>
</tbody>
</table>
PART 1

CHAPTER I: THE CONTEXT OF ABORIGINAL POLICY IN THE NORTHERN TERRITORY

Part 1 of this thesis contains a description of the geographic, demographic and economic context in which the assimilation policy operates.

Part 2, The Policy, contains two chapters: one defines the policy of assimilation and the accepted means, administrative and legislative, of giving it effect; the other describes the organisations and groups of people entrusted or concerned with its execution.

Part 3, The Policy in Practice, occupies the bulk of the thesis. It examines the policy in practice under a number of headings: wages, training, employment, social security, health, housing, hygiene, nutrition, education, political rights, and criminal law.

Part 4 is the chapter on conclusions.

A. GEOGRAPHY AND DEMOGRAPHY

The Territory lies between approximately $11^\circ$ and $26^\circ$ south latitude and between $129^\circ$ and $138^\circ$ east longitude. It covers 523,620 square miles, more than one-sixth of the continent, and is 1,000 miles from north to south and about 540 from east to west. In this thesis reference is made to the 'top end', the area north of the 20th parallel, and to the 'centre', the area south of it. 'Centralian' refers to this latter area.

Over four-fifths of the Territory is north of the Tropic of Capricorn, and a great part of it has a monsoonal climate. The wet season, hot and humid, is from November to March. The dry, warm season is from May to September. April and October are transitional months. Darwin, in the north, averages 56 inches in the 'wet' and only two inches in the 'dry'; Alice Springs, in the centre, has respective averages of eight and two inches (see Table I.1.).

In the centre there are extensive semi-deserts and deserts, and large tracts of pastoral country patterned by numerous river courses which are mostly dry. In the extreme north, by contrast, are extensive swamps, wide rivers and tropical vegetation.
### TABLE I.1.

<table>
<thead>
<tr>
<th>Centre</th>
<th>Average Rainfall (inches)</th>
<th>Average Mean Temps. °F</th>
<th>Annual Evaporation Rate</th>
<th>Mean Relative Humidity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darwin</td>
<td>58.68</td>
<td>88.9</td>
<td>73.4</td>
<td>80</td>
</tr>
<tr>
<td>Alice Springs</td>
<td>9.93</td>
<td>52.9</td>
<td>55.3</td>
<td>100</td>
</tr>
<tr>
<td>Daly Waters</td>
<td>24.72</td>
<td>93.9</td>
<td>67.0</td>
<td></td>
</tr>
<tr>
<td>Finke</td>
<td>6.60</td>
<td>84.0</td>
<td>57.2</td>
<td></td>
</tr>
<tr>
<td>Katherine</td>
<td>35.45</td>
<td>93.9</td>
<td>67.8</td>
<td>81</td>
</tr>
<tr>
<td>Tennant Creek</td>
<td>13.65</td>
<td>89.6</td>
<td>65.2</td>
<td>42</td>
</tr>
</tbody>
</table>

Water is a major problem in Territory development. The Forster committee, appointed in 1959 to investigate Territory agricultural prospects, reported that there was an erroneous belief held by many that there were large volumes of water available for irrigation to "save the north". Groundwater is important as a stock and domestic supply and for irrigation of agricultural crops and pastures. While there is a reasonable supply, more water is needed for the cattle industry since 'cattle should normally range only about 5 miles from watering points'. The committee felt that any idea of development on a grand scale by irrigation was 'far from reality'; there could be no justification for believing that irrigation could make the deserts of the north 'blossom like the rose'. Water supply in relation to Aboriginal population centres is discussed fully in Chapter VI.

Another problem in Territory development is its remoteness from the main centres of industrial, agricultural and cultural life in the rest of Australia. The nearest capital city to Darwin is Adelaide, a distance of almost 2,000 miles. Major population centres are far apart, and long road and rail hauls are necessary to supply vital materials. Darwin is the only port with facilities for large ships. High freight charges have become an important factor in the Territory economy. The Central Australian Railway runs from Port Augusta in South Australia to Alice Springs, a distance of 822 miles of which some 200 miles are in the Territory. The North Australia Railway runs between Darwin and Larrimah, a distance of 300 miles. There are approximately 13,000 miles of roads, secondary and tracks. There are two bitumen sealed highways: the Stuart Highway between Darwin and Alice Springs (954 miles) and the Barkly Highway which leaves the Stuart at Tennant Creek and runs

---

east 403 miles to Mt. Isa in Queensland. Construction has begun on a series of 'beef roads' to provide better outlets for cattle.

At 31 December 1962, there were 45,644 persons in the Territory, or approximately one person to every 11.5 square miles.

**TABLE I.2.**

<table>
<thead>
<tr>
<th>Year</th>
<th>Full-blood Aborigines</th>
<th>Other</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1958</td>
<td>17,897</td>
<td>21,746</td>
<td>39,643</td>
</tr>
<tr>
<td>1959</td>
<td>17,896</td>
<td>23,523</td>
<td>41,419</td>
</tr>
<tr>
<td>1960</td>
<td>18,137</td>
<td>25,107</td>
<td>43,244</td>
</tr>
<tr>
<td>1961</td>
<td>18,461</td>
<td>26,243</td>
<td>44,704</td>
</tr>
<tr>
<td>1962</td>
<td>18,671</td>
<td>26,973</td>
<td>45,644</td>
</tr>
</tbody>
</table>

Of the non-Aboriginal population in June 1961, a census year, 62.65 per cent, lived in the two urban centres of Darwin and Alice Springs, and 36.35 per cent, lived in rural, outback areas. Urban centres, that is, places with populations exceeding 500 and which have a school, church, hospital, shopping centre and recreation facilities, are:

<table>
<thead>
<tr>
<th>Centre</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alice Springs Town</td>
<td>4,648</td>
</tr>
<tr>
<td>Batchelor</td>
<td>614</td>
</tr>
<tr>
<td>City of Darwin</td>
<td>12,326</td>
</tr>
<tr>
<td>Katherine</td>
<td>826</td>
</tr>
<tr>
<td>Pine Creek</td>
<td>502</td>
</tr>
<tr>
<td>Tennant Creek</td>
<td>1,368</td>
</tr>
</tbody>
</table>

Thus 74.8 per cent, of the non-Aboriginal population lives in these six centres. By contrast, most of the Aboriginal population is found in rural areas.

---

3. A.R.W.B., 1962–63, p.81. These are conservative figures, provision having been made for possible duplications on account of the variability of some aboriginal names.


TABLE I.3.
ABORIGINAL POPULATION BY 'CONTACT' GROUPS

<table>
<thead>
<tr>
<th>Category</th>
<th>31.12.61</th>
<th>31.12.62</th>
</tr>
</thead>
<tbody>
<tr>
<td>In contact with government settlements &amp; depots</td>
<td>5,219</td>
<td>4,935</td>
</tr>
<tr>
<td>In contact with missions</td>
<td>5,956</td>
<td>6,046</td>
</tr>
<tr>
<td>In pastoral and agricultural areas</td>
<td>6,139</td>
<td>6,530</td>
</tr>
<tr>
<td>In towns and environs (excluding settlements)</td>
<td>500</td>
<td>687</td>
</tr>
<tr>
<td>At East Arm leprosarium and in institutions in other states</td>
<td>156</td>
<td>123</td>
</tr>
<tr>
<td>Nomadic - not in contact with settlements or missions</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>Recorded total population</td>
<td>18,270</td>
<td>18,621</td>
</tr>
<tr>
<td>Estimated number not yet included in a census of Aborigines</td>
<td>+ (206)</td>
<td>50</td>
</tr>
<tr>
<td>GRAND TOTAL</td>
<td>18,476</td>
<td>18,671</td>
</tr>
</tbody>
</table>

(+figures received subsequent to 31 December 1960 and 1961.)

Bagot settlement is in Darwin and Amoonguna is seven miles from Alice Springs. If their populations are included under 'towns and environs', a total of 8.1 per cent. of the Aboriginal population is living in urban centres, as opposed to 74.8 per cent. of the non-Aboriginal population.

Almost 35 per cent. of the Aborigines live on pastoral properties which are spread throughout the Territory and which vary considerably in distance from the urban centres.

Mission and settlement populations account for almost 59 per cent. of the population (see Table I.3. and Appendix 1). Enclosure 1 contains a copy of an official pamphlet, Progress Towards Assimilation, In part 2, descriptions are given of the history, location, size, populations and activities of thirteen government settlements and fourteen missions. Although the writer does not accept all the claims made in these descriptions, it is felt that they provide useful information on the centres concerned. Their geographic situation, and in particular their isolation from the 'ordinary' (white) communities, can be gauged from the map following and from this extract from Enclosure 1.

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Population 30.6.63</th>
<th>Distances From</th>
<th>Alice Springs</th>
<th>Darwin</th>
<th>Katherine</th>
<th>Tennant Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amoonguna</td>
<td>512</td>
<td>7R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Areyonga</td>
<td>273</td>
<td>145R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bagot</td>
<td>313</td>
<td>within</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beswick Creek</td>
<td>279</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>48R</td>
</tr>
<tr>
<td>Borroloola</td>
<td>124</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>400R</td>
</tr>
<tr>
<td>Delissaville</td>
<td>112</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>90R</td>
</tr>
<tr>
<td>Hooker Creek</td>
<td>277</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>400R</td>
</tr>
<tr>
<td>Jay Creek</td>
<td>117</td>
<td>28R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maningrida</td>
<td>595</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>250A</td>
</tr>
<tr>
<td>Papunya</td>
<td>617</td>
<td>150R</td>
<td></td>
<td></td>
<td></td>
<td>70A</td>
</tr>
<tr>
<td>Snake Bay</td>
<td>239</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warrabri</td>
<td>511</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>100R</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>610</td>
<td>185R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mission</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Angurugu</td>
<td>422</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>450A</td>
</tr>
<tr>
<td>Coopellia</td>
<td>299</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>150A</td>
</tr>
<tr>
<td>Roper River</td>
<td>228</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>220R</td>
</tr>
<tr>
<td>Rose River</td>
<td>223</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>220R + 80A</td>
</tr>
<tr>
<td>Umbakumba</td>
<td>215</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>450A + 30A</td>
</tr>
<tr>
<td>Hermanns Burg</td>
<td>502</td>
<td>80R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elcho Is.</td>
<td>579</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>330A</td>
</tr>
<tr>
<td>Goulburn Is.</td>
<td>212</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>200A</td>
</tr>
<tr>
<td>Milingimbi</td>
<td>481</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>280A</td>
</tr>
<tr>
<td>Yirrkala</td>
<td>501</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>400A</td>
</tr>
<tr>
<td>Bathurst Is.</td>
<td>869</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>45A</td>
</tr>
<tr>
<td>Daly River</td>
<td>140</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>145R</td>
</tr>
<tr>
<td>Port Keats</td>
<td>452</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>151A</td>
</tr>
<tr>
<td>Santa Teresa</td>
<td>490</td>
<td>56R</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Of the 27 centres, access to eleven is confined to air travel or long, somewhat hazardous sea voyages; to most other centres access by road is limited by weather conditions.

Slightly over 9,000 Aborigines live on 16 Aboriginal reserves covering 93,671 square miles in varying density:area ratios, as shown in Table I.5.
TABLE I.1
ABORIGINAL RESERVES, JUNE 1963

<table>
<thead>
<tr>
<th>RESERVE</th>
<th>POPULATION</th>
<th>AREA (Sq. Miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amoonguna</td>
<td>512</td>
<td>2</td>
</tr>
<tr>
<td>Arnhem Land</td>
<td>3,231</td>
<td>35,680</td>
</tr>
<tr>
<td>Groote Eylandt</td>
<td>637</td>
<td>830</td>
</tr>
<tr>
<td>Daly River</td>
<td>452</td>
<td>5,450</td>
</tr>
<tr>
<td>Bathurst Island</td>
<td>869</td>
<td>786</td>
</tr>
<tr>
<td>Melville Island</td>
<td>343</td>
<td>2,100</td>
</tr>
<tr>
<td>Hooker Creek</td>
<td>277</td>
<td>845</td>
</tr>
<tr>
<td>Beswick Creek</td>
<td>279</td>
<td>1,315</td>
</tr>
<tr>
<td>Bagot</td>
<td>313</td>
<td>1</td>
</tr>
<tr>
<td>Jay Creek</td>
<td>117</td>
<td>116</td>
</tr>
<tr>
<td>Warrabri</td>
<td>518</td>
<td>170</td>
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<tr>
<td>Yuendumu</td>
<td>649</td>
<td>850</td>
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<tr>
<td>R,1028</td>
<td>984</td>
<td>44,800</td>
</tr>
<tr>
<td>Larrakuyah</td>
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<td>Woolwonga</td>
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<td>162</td>
</tr>
<tr>
<td>Wailalt</td>
<td>0</td>
<td>550</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>9,181</strong></td>
<td><strong>93,671</strong></td>
</tr>
</tbody>
</table>

In his demographic survey of the Aboriginal population, F. Lancaster Jones estimated the likely population growth between December 1960 and December 1975 to be from 17,226 to 22,593. The Welfare Branch claims to have accounted for all but fifty Aboriginals. Considering the Welfare Branch figure of 18,157 at December 1960, the increase over the next twelve years seems likely to be higher than Jones' forecast. The significant feature of Aboriginal demography is that full-blood Aborigines are increasing rapidly and are not the 'dying race' whose inevitable disappearance is so widely believed in.

B. ECONOMICS

In 1937 the Payne-Fletcher report reviewed Territory agricultural development: 'enthusiastic hopes, destined soon to be dashed and shattered on economic rocks' and 'disappointment followed disappointment'. The Forster committee stated that the history of

7. Ibid., Appendix "B", p.98.
Territory development was 'full of failures of one kind or another, which infuse a note of despair into any new plan to develop the north'. 10 It is perhaps significant that this committee chose as its prefatory text an extract from Holtze's 1887 report: 11

I really do not know whether another appeal to the Government and the honourable Members of Parliament will have more success than my previous attempts to rouse sympathy with the efforts I have till now made, to prove the suitability of the Northern Territory for tropical agriculture, or shall my report have again the fate of its precursors. I can assure you I would not trouble the Government again and again with my complaints if I did not consider it my duty to point out that it is impossible to go on in this way. Either the Government must take it for granted that the Territory is unfit for agriculture, and this I maintain means that it is unfit for permanent settlement, or the means must be afforded to prove the suitability of the soil and climate.

At present, agricultural production is practically confined to vegetable and small-scale fruit growing for local consumption. During 1960-61, government expenditure on agricultural research and development work was £85,353 and the C.S.I.R.O. was given £49,017 for rice research. 12

Aborigines generally do not work in the agriculture industry. Apart from a few males employed as labourers on C.S.I.R.O. experimental farms, Aboriginal agricultural activity is confined to fruit and vegetable growing on settlements and missions where water supplies allow or regulate such subsistence production. In 1961-62 the per capita fruit and vegetable production on settlements was 35.5 lbs. and on missions, 97.1 lbs. 13 Although missions tend to be more productive generally, the difference in these figures is accounted for largely by geographic location and rainfall. These gardens cannot be considered as industries providing an economic base, or gainful employment except for a few Aborigines.

In 1960-61 the value of the mining industry's output was £4,753,572, excluding uranium. 14 Copper ores and concentrates

10. Ibid., p.10.
accounted for most of the production. Other important minerals are gold, mica and manganese. Uranium has been produced at Rum Jungle and in the South Alligator River area. Until 1964, the Territory produced about one-third of Australia's output, but the long-term contract to supply uranium to the United States and the United Kingdom ended on 6 January 1964. The report of the Australian Atomic Energy Commission, released in January, stated that the Rum Jungle project was the largest single industrial enterprise in the Territory; officials had estimated that it was responsible directly and indirectly for about one-quarter to one-third of the total economic activity of the Territory. The report concluded that current production was being stockpiled 'pending suitable market opportunities'. At 30 June 1961, 1,208 persons were engaged in mining, prospecting and quarrying in the Territory. Aborigines are not engaged in modern, large-scale mining in any capacities.

The present government has still to discuss the recommendations of the select committee appointed to investigate the grievances of the Yirrkala Aborigines relating to the excision of part of the Arnhem Land reserve for bauxite leases. A total of 140 square miles was excised and four special mining leases granted to companies to mine bauxite. The committee recommended that Aborigines be compensated for loss of 'traditional occupancy' by way of an additional land grant, a capital grant and money. In the negotiations between the mining companies (Gove Bauxite Corporation Limited and the Pechiney Company of France), the Welfare Branch and the mission authorities, it has been thought that Aborigines will participate in the new industry and may have a chance of acquiring technical skills leading to employment at award rates. The project's future is not certain: for example, the original scheme for an alumina plant at Melville Bay has probably fallen away as a result of the Pechiney Company's decision to invest in a large alumina plant at Gladstone in Queensland rather than on Gove Peninsula. Even if successful, the bauxite project on Gove will probably not require labour other than that available at Yirrkala mission. There is also a possibility of manganese mining on Groote Eylandt. Although the government has taken steps to safeguard Aborigines in various ways - the Minister has power to insert in a special mineral lease on a reserve any condition he thinks necessary - it remains problematical whether Aborigines will become miners in the usual sense. The mining companies are not

prepared to guarantee Aboriginal employment and training for employment in skilled work. Mechanised methods rather than manual ones appear likely at these two missions.

In August 1958 the government approved a six-year forestry improvement and development project. Two projects have begun on Aboriginal reserves: one at Maningrida and another on Melville Island (further details are given in Chapter IV). It is hoped that the cypress-pine afforestation schemes will eventually form an economic base for resident Aborigines. However, since the trees take thirty years to mature, and since there is no certainty that the pine will not be displaced by some other white-ant resistant material by 1988, these projects cannot be viewed with too much optimism.

There is little in the way of secondary industry. Those factories established have been largely service industries such as home building, electrical repairs, printing, and motor and marine engineering. Major industrial investments by private interests in recent years include two breweries and a factory producing milk, ice-cream and soft drinks. The total number of factories - that is, those which employ more than four persons and use other than manual power - was 127, in 1960-61. The average total number employed was 953 persons. Very few Aborigines are employed in these industries.

The pastoral industry has been the mainstay of the Territory for the past half-century. Sheep have not been successful, but the cattle industry has expanded in cattle numbers. In 1961-62, 134,901 head were exported and in 1962 the cattle population was 1,063,866 head. The Forster Committee, in discussing the 'low state of development of the stations', stated that 'because of the poor markets in past years there has been no incentive and, indeed, very little money to justify any large fencing programme or similar improvements.'

Because of the almost slum conditions of the industry in the Top End, most of the small good men have gone. However, it is true to say that no one in the Top End, big pastoral company or small struggling pastoralist, has been able in past years to make enough money out of his place to put any large amount back into it.

Of labour in the industry, the committee stated that 'it is very bad indeed', The climate, very real isolation and lack of contact

18. Ibid., p.52.
with any culture, discouraged young men. Women faced difficulties in the tropics and housing standards were low.

The industry has depended in the past almost entirely on aboriginal labour. Government welfare policy towards the aborigines has changed to some extent, and we were often told that native labour is neither as good nor as easy to obtain as it used to be. The complaint was not that the labour is more expensive but that it is less reliable. The station owner believes that the natives, by going to a government settlement, can get food without working for it, and so lose their willingness to work. We do not feel ourselves capable of making a sound judgment on this issue, but the present shortage of good aboriginal labour is a serious handicap. We feel that future government policy regarding the natives should take this into account.

J.H. Kelly\(^{19}\) has endorsed the view that Aborigines have been the backbone of the industry, but he has also written of 'the comparatively few station holders who have had the humanity to treat them properly, and the sagacity to appreciate their latent qualities as skilled labour if properly housed, fed and trained'. The question of Aboriginal pastoral labour - its productivity, usefulness, necessity, wages, labour conditions and treatment by pastoralists - is discussed fully in Chapter IV.

This chapter traces briefly the steps which led to the adoption of the assimilation policy. It attempts to define that policy and discusses some of the administrative practices and legal measures designed to give it effect.

A. FORMULATION OF THE POLICY

Several works have recounted the steps taken in the search for a satisfactory Aboriginal policy, and only recent developments need be discussed here. Following detailed reports by J.W. Bleakley in 1929, Dr. D.F. Thomson in 1935-37 and a Board of Inquiry in 1935, the N.T.A. in 1938 reported a 'new deal' in Aboriginal policy: 'the conviction of the ultimate possibility of adapting the aboriginal to the conditions of western civilization is held ... notwithstanding advice to the contrary from certain anthropologists'. It was not thought practicable to start this policy's immediate application to the 'uncivilized aborigines' on reserves. Reserves would be regarded as 'refuges' or temporary sanctuaries. The government's acceptance of a new outlook was made clear in a formal policy statement known as the McEwen Memorandum. Its essence was that 'the final objective of the Government in its concern for these native Australian people should be the raising of their status so as to entitle them by right, and by qualification to the ordinary rights of citizenship, and enable them and help them to share with us the opportunities that are available in their own native land'. To achieve this end a long-range programme was envisaged which would transform people from a nomadic tribal state and allow them to 'take their place in a civilized community': this would certainly take 'not only many years, but many generations'. Tribal natives ('myalls') would be left alone until

3. (a) Interim General Report of Preliminary Expedition to Arnhem Land, 1935-36, printed by the Department of the Interior, April 1936; (b) Recommendations of Policy in Native Affairs in the Northern Territory, December 1937.
more progress had been made 'in the care of those who through their contact with civilization are in need of training, education, medical attention and general care'. Tribal Aborigines would be left protected by law from white intrusion. The programme required a new administrative unit: 'a separate branch of Native Affairs in the Northern Territory, thus divorcing the aboriginal work from that of the medical service'.

From April 1937 to 1948 no further talks took place on Aboriginal policy between state and Commonwealth officials and ministers responsible for Aborigines. In 1948 there was a conference between officials in Canberra. In June 1950 the then private member, Mr. P. Hasluck, proposed a resolution in the House of Representatives 7 which called for co-operation between federal and state governments in measures for Aboriginal social advancement and protection. No one, he said, was by any means 'satisfied with the conditions of aborigines at present': his purpose was not to blame administrations 'but to arouse the Australian nation to some sense of its responsibility for its short-comings in this matter'. At least two-thirds of the Aborigines had white contact: 'For either good or ill, the future of those aborigines lies in close association with the white community'. The problem was not one of 'crude protection' but of social advancement:

Their future lies in association with us, and they must either associate with us on standards that will give them full opportunity to live worthily and happily or be reduced to the social status of pariahs and outcasts living without a firm place in the community.

The problem was a diversified one and 'we cannot deal with it by adopting a single and uniform policy'. The task required patience and involved a risk of a certain amount of disappointment. No single plan could repair 'this great social evil' overnight.

Mr. Hasluck became Minister for Territories in 1951. In September that year he convened a native welfare conference in Canberra. State ministers and all senior officials concerned with Aboriginal administration were present. Here the states and the Commonwealth adopted the assimilation policy and spelled out some of the measures for its advancement. Further native welfare conferences were held in Canberra in September 1952 and January 1961 and in Darwin in July 1963. At these meetings the policy was more

clearly defined, the administrative practices to give it effect were set out in greater detail, policy over the previous years was reviewed and statements on future needs were made.

B. THE POLICY OF ASSIMILATION

From the various native welfare conferences, Ministerial statements in Parliament and official publications, it is possible to define the policy and the accepted means of implementing it.

The genesis of the move for Aboriginal advancement and the foundation and justification of Australian native policy was 'distinctively Australian': first, the principle of equality of opportunity in 'the land of opportunity' and the 'land of the "fair go"'; secondly, no class division 'but that men should stand on their own worth'. The logical conclusion was that Aborigines 'should not be regarded as a class but as a part of the general community whenever and as soon as their advancement in civilisation permits them to take their place on satisfactory terms as members of that community'.

The native welfare conferences defined the assimilation policy: it aims at ensuring that 'all aborigines and part-aborigines will attain the same manner of living as other Australians and live as members of a single Australian community enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians'. Under this policy 'any special measures taken for aborigines and part-aborigines are regarded as temporary measures, not based on colour, but intended to meet their need for special care and assistance to protect them from any ill effects of sudden change and to assist them to make the transition from one stage to another in such a way as will be favourable to their social, economic and political advancement'.

Segregation, as an alternative policy, was rejected since two-thirds of the Aborigines were 'either detribalised or well on the way to losing their tribal life'. Assimilation did not mean the suppression of the Aboriginal culture 'but rather that, for generation after generation, cultural adjustment will take place'.

8. Ibid., p.15.
Segregation on standards which, in time, might reach those of the rest of the community would result in 'a series of minority groups living in little bits of territory on their own'. Assimilation was the policy of opportunity; it gave the Aborigine 'a chance to shape his own life'; it meant an open door whereas segregation opened 'the door into a peculiar and separate world for coloured people only'.

The Director of Welfare has stated the basic principles or 'the raw material of which policy is made',

1. The only possible future for Aborigines 'is to merge into and be received as full members of the European community'.

2. The problem was primarily a social and not a racial one.

3. The welfare programme had to consider diverse groups, from the 'sophisticated' to the 'primitive', and there could be no 'assembly-line approach': the programme had to treat people as individuals.

4. 'We must recognise that they should not be withheld from exercising their rights as citizens because of some judgment as to the standards which might apply in respect of Europeans in the community, but should be withheld from the exercise of those rights simply because they require special care and assistance'.

5. To be assimilated each individual must change; change must concern itself with a 'discarding of tribal ideas, values, traditions, loyalties and an acceptance of standards of conduct, social conventions and general purposes of the Australian community into which the native will eventually move'. The Aborigine could only accept our ideals and values if he could 'see a purpose in changing and in being accepted'.

6. Vocational skills, enabling an Aborigine to support his family, 'will assist his assimilation into the community beyond the mere exercise of a right to vote or drink'.

7. Whites must be educated to the problem: the bridgeheads to be built between the Aborigines' present way of life and their future life 'will require some careful social engineering'.

8. For the older Aborigines there could be little change 'apart from the acquisition of improved hygiene practices and some better work habits and skills'. Emphasis had necessarily to be on the younger Aborigines but there should be no separation of children from adults since 'family life is strong in these people' and 'the integrity of the family group in our welfare measures should be accepted and in fact emphasised'.

11. *Handbook of Instructions for the Guidance of Settlement Superintendents and Staff under their Control, Department of Territories, (roneoed, unpublished), in a foreword by the Director of Welfare.*
On policy, several qualifications and reservations have been expressed. The native welfare conferences deprecated the loose use of the word 'citizenship'; the Aboriginal position was 'somewhat like that of a minor who is basically a citizen but who, because he is under the age of 21 years, may not be able to do everything that other inhabitants of Australia may be able to do, and may be protected and assisted in ways in which the adult is not protected and assisted'. The restrictions on an Aborigine did not 'in any way take his Australian citizenship away from him' although they might limit for the time being his exercise of some of the rights enjoyed by other citizens; however, they might afford him assistance not given to other citizens.

In August 1952 the Minister for Territories sounded several warnings in relation to Aboriginal administration. The mere provision of medical care, education and so on did not mean that 'we are fully masters of whatever change is to take place. There are forces behind social change which are greater than the directive power of any of those participating in it'. Governments and officials had a limited capacity to produce change or govern its outcome because of the continual change in the three basic elements: the whites, the Aborigines and their common environment. In social matters, 'too great a certainty and the surrender of minds to a declared policy can often lead into foolishness'. It would be wrong to 'adopt a policy and follow it as though it were a set of rails'. There was not 'a static and a uniform condition' among Aborigines. We have, he said, neglected our observance of the 'changing mind of the native',

yet it must surely be obvious that, to an increasing extent, the ideas which the aboriginal himself has about his own future will be a factor in shaping that future, and that, as and when change takes place in a manner that gives fuller possibility for the native to make an effective choice about his own life, he will certainly want to make some decisions for himself.

The policy was defined and it represented 'a statement of governmental intention and a declaration of hope'; it determined what kind of native welfare measures would be adopted, not the outcomes of them.

C. ADMINISTRATIVE METHODS OF ADVANCING THE POLICY

The three native welfare conferences discussed the means of implementing the policy. What follows is mainly the text of the

12. 'The Future of the Australian Aborigines', presidential address to Section F (Anthropology) of the 29th Meeting of ANZAAS, Sydney, 22 August 1952, reprinted in Native Welfare in Australia, pp.40-59.
1951 conference resolutions. 13

The objective of native welfare measures was to see 'all persons born in Australia enjoying full citizenship rights'. The exemption system was objectionable because it suggested that all persons defined as 'aborigines' or 'natives' constituted 'a different class of citizens by their very nature'. The more correct statement of the conference view was that the persons to whom special legislation applied were 'wards of the State who, for the time being, stand in need of guardianship' and who would cease to be wards when they were able 'to assume the full citizenship to which they were entitled'. Thus the first step was to give expression to this view by amending legislation which would then apply only to persons in need of its provisions for 'their guardianship and tutelage'.

The policy could only be put into effect if Aborigines were healthy and reached acceptable standards of hygiene. A positive health programme, including child welfare services, was basic to their advancement. Eradication and control of disease, and nutrition, housing, water supply and excreta disposal had to be satisfactory. A pre-requisite for the improvement of Aboriginal health in north Australia was 'systematic investigation to ascertain the prevalence of diseases by mass surveys and by sustained medical supervision of the individual'.

The long-term objective of Aboriginal education was 'education for living in full citizenship as part of the Australian community':

Education must embrace the spiritual as well as the cultural, provide for training in health and hygiene, and should include preparation for work and other useful endeavour to fit the individual to maintain a position of independence in and service to the community.

Where possible, Aborigines should have the same education as whites in the same schools: 'prejudices and social conditions which operate against this policy should be actively combated'. If this was not possible because of isolation, 'temporary segregation in communities' or the 'degree of social and cultural development', special schools should be provided on settlements, missions and pastoral properties. They should conform in every way to government or state education authority standards, 'with adaptation, as required, to the special needs of the children being catered for'. Education should be given

13. From File No.55/857, 'Australian Council of Native Welfare: Record of First Meeting, Canberra, 3-4 September 1951', C.P.926, C.A.W.
at all levels, including pre-schooling. Aborigines should be trained to earn their own living and all schools should provide special facilities for training in rural and pastoral work, trades and crafts, domestic sciences and the use and value of money. Scholarships should be provided. Some organisation should place youths and girls in employment and supervise wages, accommodation and working conditions until the worker reached majority. Teachers in special schools required special qualifications and training. In 1952 the Minister for Territories stated:

At present there is probably too strong a tendency in administrative circles to think of their education only in terms of class-room work, overlooking the fact that the progress of any such education is necessarily limited by the pace of social change and the educator, whether he be a school teacher, a pastoralist, a patrol officer or a doctor - (and these are all educators in their different ways) - is sure to fail unless he is conscious of the forces of social change.

Full citizenship included the right to the same conditions as all other Australians 'for work of a similar class' and the right to full trade union membership. Where Aborigines were state wards, an authority should supervise their employment conditions, determine their minimum wages and accommodation standards. Adequate inspectorial services were essential. The controlling authority should allow special arrangements with an employer because 'the standards of advancement and capacity of these aborigines vary considerably'. An Aboriginal should be allowed to accept work at better than minimum prescribed wages. Employers of Aboriginal wards should be subject to supervision; they should be obliged to conform to prescribed employment regulations and the penalty for breach of them should be cancellation of the right to employ. In some cases portions of wages should be deducted 'for the aborigines' own welfare'. This money should be paid into a trust account, accrue interest, and be available to the Aborigine for his spending with the advice and guidance of the controlling authority. Housing standards should be prescribed. Proper single and married quarters should be insisted upon 'instead of compounds or barrack-like accommodation'.

Other objectives were the encouragement of social and sporting activity among Aborigines and their participation in general community activity; extension of social welfare work, particularly among urban Aborigines; the further removal of protective and restrictive legislation; the education of the public in the part it had to play in policy implementation, and further research into special problems.

14. 'The Record in the Northern Territory' in Native Welfare in Australia, p.25.
associated with the welfare programme. In regard to social service benefits, the federal government was asked to 'review and liberalise the application of social services to our native peoples, with a view to removing existing anomalies'.

The continuation of the missions was 'part of the essential machinery' for Aboriginal welfare. The material resources and equipment of a settlement and mission should include:

(a) buildings of satisfactory standard for housing;
(b) satisfactory sanitary arrangements;
(c) adequate health and treatment facilities;
(d) educational facilities;
(e) satisfactory recreation facilities;
(f) vocational training facilities for adults and children;
(g) an employment and guidance service;
(h) gardens and similar facilities.

A systematic government survey should determine to what extent existing establishments fell short of these resources. Housing should be so arranged 'as to encourage living after the normal Australian manner' and attention given to hygiene, home-came and 'normal domestic self-dependence'. Staff should be specially selected and trained and only qualified personnel engaged. All government settlements and Christian missions should be subject to regular inspection. Missions should receive financial assistance 'conditional upon maintenance of reasonable requirements of policy and the attainment of the Government's objectives' (sic).

Settlements are 'key instruments' in the assimilation programme. While it was not government policy to isolate Aborigines in reserves, 'it is Government policy to establish settlements - operated either by the Government or by Christian missions - to serve as training centres in social change for aboriginals'. They were not ends in themselves but were a means of giving temporary protection and assistance during a transitional period.

The policy has three stages. The first is the most time-consuming 'and will encompass the whole period of residence at a settlement or mission'. In this period Aborigines, most of them having led tribal nomadic lives, will be introduced 'to the various special facilities on the settlement and will become familiar with

their use and function in the larger pattern of society'. This phase is at present the main function of settlements and missions.

In the second phase, trainees will then move about 'in a less circumscribed environment and may even occupy an accepted place within a somewhat restricted non-aboriginal community'. Examples of this phase are to be found among the teaching and hygiene assistants and nursing aides trained by the Welfare Branch.

The extent to which these persons will proceed further into the wider community will be determined largely by individual self-confidence. At this point, the aboriginal is still in need of guidance; at the same time he will be moving away from the special dependence typical of persons still in the first phase.

In the third phase the Aborigine will be ready to go out into the community 'as a worker following a chosen vocation'.

Employed side by side with other Australian workmates to whom he is now a true competitor for all benefits offered within the wider society, he will come to experience the full impact of competitive society. If the initial training given during the preceding phases has been adequate the need to seek assistance from Welfare Officers (still keeping him under observation) should decline significantly. In the ideal case it will cease almost entirely, for the task will have been taken over by fellow citizens within the settled community prepared to offer encouragement and give assistance whenever such is required.

The Director of Welfare has defined settlement functions and purposes: 17

1. To break down the Aborigines' nomadic habits by settling them in communities 'there to teach them the habits and skills of living in a permanent community'.
2. To provide welfare services 'fitted both to their needs and to their stage of social development'; for example, infant welfare, health, and nursing and feeding services.
3. To educate and train children and adolescents. In the past education had been too academic. An attempt was now being made to relate these studies to a wide series of training courses, conducted in school time, which 'would give at least some basic skills in that vocation'. Settlements and missions have become the major training centres at this stage: 'all staff on settlements have as their prime responsibility the training of natives in specific fields related to their own technical skill'.
4. To 'introduce to all members of the group the general concept of work as a worthwhile aim in life'. Settlements must provide

productive employment and 'while some of this employment can be found in what might be called "municipal-type" services some employment will necessarily have to be found also in subsistence activities'.

5. To 'prepare the younger age groups for a wider life outside the settlement and tribal community'. The settlement must create new wants in young people which can only be satisfied in the outside community and by their own efforts.

6. The settlements are training centres where work and living habits and attitudes will be developed, skills taught, education and health services provided', which would bridge the gap between the present conditions of Aborigines 'and those which they will necessarily have to attain to be acceptable in the community'.

D. LEGISLATIVE METHODS OF ADVANCING POLICY

Until 1953 Territory Aborigines were administered through the Aboriginals Ordinance 1918-1953, a copy of which is given in Enclosure 2. An 'aboriginal' was defined as an Aboriginal native of Australia (full-blood), a half-caste living with an Aboriginal spouse, a half-caste who habitually lived or associated with full bloods, a half-caste under 21, a female half-caste not married to a white man, and a male half-caste over 21 who, in the opinion of the Director of Native Affairs, 18 was incapable of managing his own affairs. Amendments in 1936 and 1943 allowed the Director to exempt first half-caste and then Aborigines from the application of the Ordinance.

The Director's duties included the distribution of the money at his disposal for carrying out the Ordinance; the distribution of blankets, clothing, provisions and other relief or assistance to Aborigines; the supply of food, medical attendance, medicines, and shelter for the sick, aged and infirm; the custody, maintenance and education of children; the management, regulation and use of reserves and the 'general supervision and care over all matters affecting the welfare of the aboriginals, and to protect them against immorality, injustice, imposition and fraud'.

Considerable powers were vested in the Director. At any time he could 'undertake the care, custody, or control' of any Aborigine 'if, in his opinion, 'it is necessary or desirable in the interests of the aboriginal or half-caste for him to do so'. He was legal guardian of all children until they reached 18, 'notwithstanding that the child has a parent or other relative living'. Aborigines could

18. The office of Chief Protector of Aboriginals was changed to that of Director of Native Affairs in 1939, under Ordinance No.4 of 1939.
be removed from one district to another and to reserves. He could order Aborigines 'who are camped, or are about to camp, within the limits of or near any municipality, town, township, public house, or wine and spirit store' to move such camp, and Aborigines could not loiter in these places. Permits were needed to enter reserves and missions and Aborigines could not be removed or enticed from them.

Employers required licences to employ Aborigines and these were granted subject to terms and conditions. A licence could be cancelled if the holder 'is or has become an unfit person to employ aboriginals'. An employer could be directed to pay the Director a prescribed portion of a worker's wages, which would be invested at interest. With the Aborigine's consent, the Director could act as curator of his estate.

A female Aborigine could not marry a non-Aborigine without the Director's consent. Aboriginal women were protected by making it an offence for a non-Aboriginal male to consort with, keep as a mistress or have sexual intercourse with such a woman. Procurement for intercourse was an offence and Aboriginal women were forbidden to solicit.

Supply of liquor to Aborigines was forbidden and Aborigines were debarred from drinking.

Following the 1951 native welfare conference the government decided to revise its legislation; the concept of assimilation rather than protection needed a new legal framework. The first step was the introduction into the Legislative Council, in January 1953, of an amendment to the Aboriginals Ordinance which, in effect, made citizens of all half-castes ('part-Aborigines' is the current term). The bill re-defined 'aboriginals' by omitting all references to half-castes, but the time was 'not yet ripe for the full-blooded aborigine to have complete exemption'. At the request of an elected member, a clause was inserted which gave a measure of protection to exempted half-castes: if the person himself requested it, or the Director felt it necessary, the Director could, with the Administrator's approval, declare that person to be an Aborigine. When introducing the bill, the Director said:

Doubt has been expressed in some circles as to what will happen when the half-castes are given full citizenship by the Bill. I have been assured that very few will misbehave themselves. From my knowledge of the half-caste population I cannot foresee more difficulties; they are not a troublesome group of people.

To give effect to the 1951 conference resolutions, the Director of Native Affairs introduced the Welfare Bill in the same month. Australia, it was felt, was 'lagging in her treatment of certain persons through having for them what might be termed discriminatory legislation' such as the Aboriginals Ordinance which dealt 'with a group of persons as a class and by their colour'. Half-castes were now free; it was time to provide Aborigines, and others, with assistance which did 'not highlight them as a group' but which would help the needy 'not because a person is an aborigine or a white person'. There were people in the Territory, other than Aborigines, who could not look after themselves and the bill provided for their assistance and rehabilitation.

The essence of the bill was that the Administrator, under clause 14, could declare a person to be a ward if that person, by reason of—

(a) his manner of living;
(b) his inability, without assistance, adequately to manage his own affairs;
(c) his standard of social habit and behaviour; and
(d) his personal associations,

stood in need of special care and assistance. The Director would keep a register of wards containing the names of declared persons. A wards' appeal tribunal, presided over by a judge, would hear appeals by wards for the revocation of their status. Appeal grounds would be that, having regard to the clause 14 criteria, the person did not stand in need of special care and assistance. Regarding wards, the Director of Welfare's duties would be:

(a) (i) 'to promote their social, economic and political advancement for the purpose of assisting them and their descendants to take their place as members of the community of the Commonwealth';
(ii) to arrange for their education and vocational training;
(iii) 'to promote their physical well being, to inculcate proper habits of hygiene and sanitation and to improve their standards of nutrition and housing';
(iv) to 'detect, prevent and cure disease' in liaison with the Health Department;

22. Ibid., pp.80-85.
(v) to arrange for their vocational training and suitable employment;
(vi) to provide necessary 'relief and assistance';
(vii) 'to exercise a general supervision and care over matters affecting their welfare';
(b) to apply and apportion available moneys as he sees fit;
(c) to 'supervise and regulate the use and management of institutions' other than Commonwealth-established ones;
(d) to control institutions established by the Commonwealth; and
(e) 'to supervise and regulate the use and management of reserves'.

For non-wards and indigents, the Director could arrange for their accommodation and treatment in institutions; arrange for their accommodation, food, clothing, financial assistance, transport inter-state and burials; and take steps for 'the relief of the distress and the promotion of the welfare of those persons'.

The bill dealt with reserves, institutions and camping grounds: non-wards were prohibited from entering them and certain areas were declared prohibited to wards. Amongst other similar provisions, a non-ward, other than a relative of a ward, could not habitually live with a ward; nor could a male non-ward enter into any sexual relationship with a female ward. Female wards could not solicit. The Director would be legal guardian of wards and they could not marry without his consent. Wards could be removed from one reserve or institution to another. It would be an offence to ill-treat a ward by failing to provide him with reasonable food, shelter, clothing and hygiene facilities. Liquor restrictions were omitted from this bill but placed in the Licensing Ordinance. The Welfare Ordinance is set out in Enclosure 3.

The bill was severely criticised by elected and official Council members. The acting Crown Law Officer felt 'revulsion' at it; he believed that the proper method of assimilation was 'to bring them up to our level, not to permit them to have free intercourse, not to put them away on reserves and let them breed from the worst possible stock there is'. In analysing the four declaration criteria, he queried an individual's right - the Administrator's - to arbitrate on anyone's manner of living, personal associations and so on. To declare persons on these subjectively assessed grounds and then to confine them in reserves or institutions defied 'every principle of British justice and every principle of "fair go" by which we in Australia try to conduct our affairs'. The bill was akin to war-time emergency legislation; it contrasted with Lunacy

23. Ibid., pp.85-89.
and Aged and Infirm Persons Property Acts, where persons could be deemed unable to manage their own affairs, but only after judicial inquiry. The appeal right was meaningless; what right of appeal, and access to legal advice, had an Aborigine when he was 'in the middle of Arnhem Land, Catfish, Haast's Bluff or some other Siberia?' He questioned whether there had been consultation on the bill with settlement and mission staff, religious leaders and with the Aborigines. The bill offended 'against the principles of basic justice' and, although a government member, he opposed it.

The member for Darwin condemned the declaration criteria, the section enabling the Director to remove an Aborigine from one place to another and the section which, he said, prohibited non-ward males from forming any sexual liaisons with female wards but which apparently allowed wards to do so.

The deputy Director of Health stated that though he was a government member he would prefer to 'vote against it and resign tomorrow'. In his opinion it was 'one of the worst pieces of legislation' ever introduced in the Council and a piece of legislation 'which is harsher and more oppressive than the legislation in any other part of Australia'. Comparing clauses of Magna Carta with the bill, he felt that all members would be 'absolutely horrified to find that the things which were fought for in 1215 are to be given away in this year of grace 1953'.

The Director of Works regretfully added his voice 'to the already loud volume of the hymn of hate'; it was apparent, he said, that the bill would be defeated on clause 14 'because of an elementary transgression of the principles of British justice'. All other members, except the acting Government Secretary and the Director of Lands, opposed the bill. In committee, the Council adjourned on discussion of clause 14.

The debate resumed in June 1953. Two of the members present at the previous debate did not resume their seats: 'an acting Director of Native Affairs replaced the Director and the Government Secretary replaced the acting Government Secretary. In his opening

24. Ibid., pp.89-91.
25. Ibid., pp.91-94.
26. Ibid., p.95.
27. N.T.L.C.D., 8-10 June 1953, pp.3-23 and pp.27-32, especially at pp.4-5 and pp.31-32.
remarks the Government Secretary explained an amendment which, he said, would allay some of the members' fears:

Clause 14 deals with the power of the Director to declare certain persons . . . it confines itself to a description of the circumstances which might bring about the need for assistance of that kind. It does this rather than refer to any particular part of or group in the community. In other words, it seeks to define the needs of the individual . . . We know that in our community the aborigines represent the only people who could be described as standing in need of assistance as a group . . . So it needs only to be looked at superficially to decide that under this Bill the powers of declaration under clause 14 will apply only to the particular group which needs that special kind of assistance. In short, it will apply only to aborigines.

It was necessary to 'avoid discrimination by legislation against any particular group of people, and to avoid even the appearance of discrimination'. If that was accepted, so should the avoidance of the word 'aborigine' be accepted. The exclusion in clause 14 of voters, would-be voters and recent immigrants would 'in practice restrict the powers of declaration in the Director to his care of Aborigines only'. The bill was then rather surprisingly passed without strenuous opposition and little amendment.

In September 1953 the acting Director of Native Affairs introduced the Wards' Employment Bill. Much of the industrial and labour legislation, he said, could not apply to the majority of wards 'because of their limited competence in the economic sense'; hence the need for this bill:

The Bill also acknowledges certain inadequacies on the part of wards, and makes special provision for compensating for these inadequacies so as to assist them to maintain themselves. The Bill is a positive measure in another sense: it aims not merely to help the wards but also to help the wards to help themselves . . . Its purpose is to stimulate the growth of the individual wards in an economic sense, to help to bring about their economic assimilation by bringing them to a point where they can hold their own in the industrial and commercial world.

There was little opposition to the bill. The Wards' Employment Ordinance is discussed in detail in Chapter IV; the Ordinance and its Regulations are in Enclosure 4.

E.  SOME INCONSISTENCIES IN THE POLICY AND ITS APPLICATION

A brief analysis follows of whether or not some of the policy advancement measures can be reconciled with policy aims and aspira-
Basic principles were that no 'single and uniform' policy was possible because of the diversity among Aborigines; they should not be treated as a class; an assembly-line approach was wrong and Aborigines should be treated as individuals. Legislation should not be based on race and it should seek to define an individual's needs.

The Aboriginals Ordinance applied to all Aborigines as a race and provided for individual exemption from its provisions. The Welfare Ordinance represented an advance: although it was meant to apply to Aborigines only, it left the way open for some of them not to be declared wards. The policy aim was to provide the means of assisting only those Aborigines in need of care.

However, the implementation of these aims hinged on which persons were declared wards. The declaration machinery is on an individual basis: 'his manner of living' etc., it then gives the Director duties in relation to 'their social, economic and political advancement'. This could be a semantic quibble but for the manner of compilation of the Register of Wards.

Administratively, all full-blood Aborigines who could be counted by Welfare Branch field officers were placed on the Register, some 15,700 in number, whether 'sophisticated' Aborigines at Bagot or the Bungalow, or 'tribal, nomadic primitives' at Papunya. At no time did the Welfare Branch investigate an individual's or family's manner of living, standard of social habit and behaviour and so on. The administrative and legal measures to implement policy give the appearance of a single and uniform policy which applies to a distinct legal class of persons, all of one race. Thus the Wards' Employment Regulations laid down prescribed wages for wards in various callings. All Aboriginal workers in a particular calling qualify for that wage, irrespective of ability, skill and productivity. This practice seems to conflict with the policy aim of allowing Aborigines 'the same conditions for work of a similar class'. The hypocrisy of the 'new deal' lay in the administrative declaration of all but nine Aborigines as wards.

A full decade after the policy declarations, the Welfare Branch devised an 'assimilation rating' scheme on an individual basis. No method has yet been devised to put this scheme into operation. The rating scheme is: D means a person who is ready for exemption; C a person who has made considerable progress and with special assistance and training over a few years should not need that care; C+ a person who needs only job placement, housing or some material change in his situation to gain exemption; B a person who has some idea of white
ways and is following some of them, but is likely to need special care for the rest of his life. A means a person who has absorbed practically nothing of white ways and ideas.

Another major policy aim was social advancement rather than crude protection: advancement to a point of sharing the same rights, privileges, responsibilities, hopes, beliefs, customs and loyalties as other Australians. The administrative approach to the problem would be defined in clear and precise terms in the legislation; yet it is difficult to see where the original Welfare Ordinance indicated an approach to social advancement as opposed to the outright protection in the former Ordinance. It gave authoritarian powers in a way which took decision-making on personal matters out of the hands of all Aborigines and gave them to an official. Prohibitions and controls on drinking liquor, disposing of property, movement, marriage, and sexual relationships were ill-calculated to achieve a sharing in white Australian beliefs, customs and responsibilities. Amendments to the Ordinance and to the Police and Police Officers Ordinance still give wide powers over drinking, sexual and other matters, as discussed in Chapter IX.

Assimilation implies movement, a merging into white communities; yet the Ordinance restricts movement into or out of reserves and institutions and debars certain areas to Aborigines, presumably for their protection. The 1951 conference recognised in some measure the need for movement and close contact: "These stations should be strategically located so as to give the greatest value in contact with and care of the natives . . .". Settlements and missions are considered the keys to successful social change, and hence assimilation, but most of them are remote from urban centres. Can 'social engineering', this detribalisation and Europeanisation, take place isolated from the values, culture and material things of the communities into which Aborigines should merge? The answer perhaps depends on the attitudes, personnel, tools, techniques and facilities used in the 'social change' process on geographically remote and segregated institutions. If this experiment fails, only one other answer seems possible, the one observed among Africans in South Africa:

South African urban slums must be regarded as an untidy phenomenon of transition . . . Slums in Johannesburg, Durban and Capetown are the unsightly camping grounds of men who are laboriously migrating into a new environment in which their rags and filthy shacks are not signs of decline but evidence of their escape from the hopelessness

of their collapsed tribal systems. The truest optimism in South Africa is in the crowded, disease-ridden and crime-infested urban locations. They represent the black man's acceptance of the new life of the western world, his willingness to endure a harsh schooling and an unequal apprenticeship in its ways. The dingiest slum is yet a place of learning... They may be likened to the medieval peasants who settled under the walls of Paris or Augsburg, and endured for generations the pains of living in towns that took little thought how to receive them, and long delayed the recognition of their citizenship... But all the while their residence was an education in the things which the towns represented, so that the day came when the descendants of peasants served in the counting houses of the wealthy, went forth in great trading ships, rose to high office in armies, or led their fellows in the conquest of new freedom.
CHAPTER III: THE AGENTS OF POLICY

Before examining the administration of the assimilation policy, an outline must be given of the government and administration of the Territory and of the organisations and groups entrusted with or concerned in the achievement of the policy goals. They are called here, for convenience, the agents of policy. The systems, relationships and machinery within the administering bodies, relations between the different bodies and between those bodies and the administered Aborigines are discussed briefly. They emerge more clearly in the analysis of the policy in practice in Part 3.

A. GOVERNMENT AND ADMINISTRATION OF THE NORTHERN TERRITORY

Two Acts administered by the Minister for Territories, assisted by the Department of Territories, regulate the government and administration of the Northern Territory.

Territory representation in the federal Parliament is by an elected member with a limited vote. The Legislative Council, constituted in 1947, consists of the Administrator as president, six official members, three non-official members appointed by the Governor-General on the nomination of the Administrator, and eight elected members representing the electorates of Alice Springs, Arnhem, Barkly, Elsey, Fannie Bay, Nightcliff, Port Darwin and Stuart. Electors, including Aborigines, qualified to vote for the Territory member in the House of Representatives, may vote for Council members. The procedures for assent to ordinances allow the Administrator or the Governor-General (as appropriate) to return ordinances with suggested amendments for the Council's re-consideration. Every ordinance, whether assented to or disallowed must be tabled in Parliament, and

1. The information following is drawn from annual reports for the Territory, especially A.R.N.T., 1960-61, pp. 9-11.
3. He may participate in debates but his vote is confined to questions connected with proposed laws relating solely to the Territory; he may also vote on motions connected with the disallowance of a regulation made under a Northern Territory ordinance.
4. From time to time changes are made in official representation. In November 1963 the official members were the Assistant Administrator (Economic and Social Affairs), the Crown Law Officer and the Directors of Agriculture, Lands, Mines and Welfare.
5. The electorates have undergone changes over the years. The eight electorates mentioned were laid down for the last Council elections in December 1962.
when assent is withheld, the Minister must give each House the reason for disallowance.

The Governor-General appoints an Administrator to hold office during his pleasure. The Administrator 'is charged with the duty of administering the government of the Territory on behalf of the Commonwealth' and is required 'to exercise and perform all powers and functions that belong to his office in accordance with the tenor of his Commission and in accordance with such instructions as are given to him by the Minister'. The Administrator's Council, which began its operations in March 1960, consists of the Administrator, two official and three other members of the Legislative Council, of whom two must be elected members. All members are nominated by the Administrator and appointed by the Minister. The Council advises the Administrator on any matters he refers to it and on other matters as provided by legislation; has also replaced the Minister as the maker of regulations in many instances.

The Territory is administered by the N.T.A. division of the Department of Territories in conjunction with 24 other Commonwealth departments and instrumentalities. Excepting the Police Branch, which is under the Administrator's direct control as Commissioner of Police, the other eleven functional branches of the N.T.A. are divided into two groups, each under the control of an assistant administrator but subject to the general direction of the Administrator:

**Assistant Administrator (Economic and Social Affairs)**
- Agriculture
- Animal Industry
- Harbours and Marine
- Lands and Survey
- Mines
- Water Resources

**Assistant Administrator (Administration, Services and Finance)**
- Administrative
- Education
- General Services
- Prisons and Fire Services
- Welfare

The Prisons and Education Branches fall administratively under the Northern Territory Public Service, the others under the Commonwealth Public Service. By agreement between the Commonwealth and South Australian governments the Education Branch is staffed entirely by

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the State Education Department and provides education services for all except Aboriginal children in special schools on settlements, missions and pastoral properties. The administrative arrangements of the N.T.A. and the main functions of each branch are shown in Appendix 2. Those most relevant to this thesis are the Agriculture, Animal Industry, Mines, Water Resources and Welfare Branches.

The Commonwealth departments which operate in the Territory are not subject to the Administrator's direction or control. Relevant to this thesis are: the Department of Health, Attorney-General's Department, Department of Labour and National Service (Commonwealth Employment Service), Department of Social Services, Department of Works, Departments of the Army, Navy and Air, and the Department of the Interior (Forestry and Timber Bureau).

The Supreme Court of the Northern Territory is the highest judicial tribunal with criminal and civil jurisdiction. Courts of summary jurisdiction may hear minor criminal cases and commit those accused of more serious crimes for trial in the Supreme Court.

B. THE DEPARTMENT OF TERRITORIES

Until 1951 the administration of Australian territories was in the hands of the Department of External Territories which was organised on a territorial basis, that is, units of specialist officers were responsible for territories of which they usually had special knowledge. In 1951 the Department of Territories was created. Its organisation was on a functional basis. Thus various divisions, for example, Social and General Services, and branches, for example, Government and Justice, are concerned with those specialised activities for Papua and New Guinea, the Northern Territory and the other island territories under the Department's control (see the organisation chart in Appendix 3).

In 1956 the Minister for Territories explained the role and functions of the Department to the House of Representatives. There was, he said, a mistaken idea that the territories were administered by 'remote control'. The facts were that less than 200 officers were engaged on territorial affairs in Canberra and Sydney and some 3,000 were so engaged in the territories. Canberra and Sydney officers did 'not attempt in any way to administer the Territories';

8. Regulated by the Justices' Ordinance, 1928-1957. These courts are presided over either by a stipendiary magistrate, a special magistrate, two or more justices of the peace, or in certain instances, by one justice.
they were concerned, for example, with procurement and supply services on behalf of the territories.

A second function of the Department was to act as 'a central secretariat on all territorial matters'. It brought together and prepared for presentation to the Minister, Cabinet and Parliament matters which affected all or any of the territories. This secretariat function occupied a great deal of the Department's time.

A third function was to assist the territories 'to overcome their problems', for example, by giving skilled assistance in such matters as the preparation of annual estimates.

I wish to insist, and to emphasize as clearly as I can, that it is not the function of the Department of Territories to govern the Territories, to administer the Territories, to run the Territories - that is something that is done by the territorial administration. In my experience of this portfolio, the Department of Territories has never presumed to go beyond its proper function and . . . the responsibility of any Minister for Territories . . . is to ensure that these two units of government - the department in Canberra, and the territorial administration - run together and work together as a team, neither of them trying to supersede the other or to ride on the back of the other, but each assisting the other as opportunity arises.

E.P. Milliken, in a critical analysis of the relations between the Department of Territories in Canberra and the N.T.A., has described administration by the N.T.A. as unduly characterised by delays in obtaining decisions, by frequent emergency demands on its officers and by accumulations of work in various fields of activity:

There is a frustrating awareness on the part of senior officers that a considerable amount of policy and planning work has continually to be shelved because of the daily volume of current business which demands attention, and because of the need, in the case of every new proposal, to set out a very detailed description of the total situation. The main organisational shortcomings are inadequate delegation, under-staffing, unduly attenuated lines of communication and control, the divergence in nature of the Northern Territory Government business from the regular Commonwealth pattern, and the lack of first-hand knowledge of local conditions and needs by officers in the Central Office who have the authority to approve, reject, vary or comment on proposals advanced by units of the Northern Territory Administration.

Milliken criticises the functional basis of the Department of Territories since 'no official becomes a specialist in the affairs of any one territory to the exclusion of others'. Other criticisms

are that N.T.A. officials rarely attend inter-departmental discussions and never Cabinet discussions: 'the case for extra supply has to be presented by functional agents in the central office'. The time involved in referring matters back to the Territory 'results in some important issues being lost sight of altogether, or given incomplete reconsideration because they come as emergency demands'. Vast exchanges of paper are needed to present an accurate case.

Milliken's central argument is based on two of his own assumptions: that specialists in the Central Office (Canberra) 'are no better qualified by training and experience' than their Territory counterparts, and that Territory specialists are better informed on the local situation than Canberra staff. The Canberra officers cannot function effectively as agents because of 'the sheer impossibility' of acquainting them with all the local facts and of 'conveying the general "feel" of the intangibles, all of which are so necessary to ensure that their convictions on and enthusiasm for the various proposals are appropriate to the demands of the situation'.

On my assumptions, as functional specialists, they would have little really new to add on specific local proposals prepared by specialist officers in the Northern Territory. Their contribution would in the main be limited to offering their own informed opinions and appraisals on the basis of facts supplied, alongside those of the person who collected the facts.

C. THE WELFARE BRANCH

When the Welfare Ordinance was enacted the Native Affairs Branch of the N.T.A. changed its name to the Welfare Branch. The former administered Aborigines through the Aboriginals Ordinance; the new Branch administered welfare services for wards and non-wards, that is, for all persons in need of special care and attention. The Welfare Ordinance, as shown, embodied much of the spirit and content of the Aboriginals Ordinance; however, the 'emancipation' of some 2,000 part-Aborigines necessitated the provision of welfare services for those formerly protected persons and provision was thus made for non-wards' welfare (or general welfare). The inclusion of general welfare services in the functions of the Welfare Branch, the euphemism of 'wards' for 'Aborigines' and the change in Branch nomenclature aimed at removing criticism on the ground of race discrimination.

11. Section 8(f) of the Welfare Ordinance has been described in Chapter II. Section 78 states that if a non-ward is convicted of an offense, a court may waive the penalty and commit that person to the care of the Director of Welfare for not more than a year.
(i) Functions

Since the appointment in September 1954 of a Director of Welfare, with duties in respect of wards and general welfare, a number of new functions have accrued to the Welfare Branch. These functions form an important theme in the thesis and criticisms of them need examination. In Appendix 4 a full statement is given of the present Branch functions, those functions which were taken over from the Native Affairs Branch, those which have resulted from the enactment of the Welfare Ordinance and ones which have since accrued. Briefly, present functions are:

**WARDS' WELFARE**

1. Management of settlements.
2. *Aboriginal education.*
3. *Settlement nursing and hygiene services.*
4. Settlement feeding schemes.
5. Training courses for Aborigines.
6. Supervision of all Aboriginal employment.
7. In some respects, supervision of mission administration.
9. *Certain construction work on settlements.*

**GENERAL WELFARE**

1. *Care of State children.*
2. *Co-ordination of work of agencies concerned with State children.*
3. Assistance under section 8(f) to needy persons.
4. *Probationary services.*
5. Housing for part-Aboriginal families.
6. Family guidance and counselling services.
7. Education of part-Aboriginal children in other states.
9. *Pre-school education.*
10. *Hostels for school children and young working people.*
11. *Grants to cultural, sporting and welfare organisations.*
12. *Home nursing services.*

*(Major functions acquired since 1954).*

An aim of this thesis is to pose, discuss and possibly answer several questions:

1. Should Aborigines, who are a distinct legal class of persons, be administered as a separate class by a Branch specialising in Aborigines?
2. If so, should the Branch become internally self-sufficient, that is, handle all matters relating to its clientele, or should it be serviced in some fields by existing or new specialist branches?
3. Should the Welfare Branch become a branch specialising in
social welfare services for the entire Territory community, specialising in a service rather than in a particular clientele?

4. If so, should it become internally self-sufficient for all these services or should it be serviced in certain spheres by existing (or future) specialist branches?

These questions can be answered after reviewing the Welfare Branch's administration of some of its functions. However, as a background to the description of the policy in practice which follows, it is desirable to indicate two things at this point: first, the relations between the Welfare Branch and bodies such as the Legislative Council, other N.T.A. branches and private welfare organisations as some indication of the context in which Aboriginal administration is carried on; secondly, to give some prevailing opinions on the attitude of the Welfare Branch and its officers towards Aboriginal administration.

(a) The Legislative Council

More noticeably since 1957 elected members, and in some instances official members, have criticised the range of the Welfare Branch's functions. The main suggestion has been that general welfare services, including child welfare, should be divorced from the Branch. In April 1957 the Director of Welfare introduced a Child Welfare Bill which vested child welfare administration not in a State Children's Council but in himself. 12 The Crown Law Officer, in proposing a select committee on the matter, queried whether there could not be 'some confusion between the assimilation of the aboriginal ward and the proper treatment to be given to a white child who is entitled to full rights of citizenship'. 13

In April 1960 the member for Elsey, Harold Brennan, introduced a trio of bills whose central purpose, he said, was 'to assist in the operation of separating aboriginal or ward welfare from other welfare'. 14

The problems of child welfare and general welfare are totally different from the problem of aboriginal welfare. In my view the Welfare Branch has a full-time job in looking after wards. I am not casting any aspersions on the Welfare Branch or on the Director of Welfare, but I consider that it is time another authority was created for . . . all those other matters that are not concerned with wards . . . General social welfare is not being handled adequately.

He was not introducing the measures 'in a spirit of hate' but was

13. Ibid., pp.59-60.
trying to make members realise 'that the Director of Welfare has a big job with aboriginal welfare alone'. The Crown Law Officer felt that Brennan's bills had 'been designed and brought in to carry on an old and ragged fight against the present Director of Welfare': he 'merely seeks to strip the Director of some of his powers'.\(^\text{15}\) He opposed the bills because they aimed at affecting a change not in legislation but in administration, which was not the concern of the Council. The member for Port Darwin, R.C. Ward, felt that it was detrimental to the interests of children generally that they should be determined and affected by an organisation whose devotion - 'and proper devotion' - was towards Aborigines.\(^\text{16}\)

The Director of Welfare declared that the time was not ripe for separation and it was unsound in principle to suggest that there should be separation.\(^\text{17}\)

Whether we like it or not, the inference in the Bill presented . . . is that there will be racial discrimination in the Northern Territory; there will be different standards of welfare for white, part-coloured, and full-blood people; there will be different people working in each field. It is not a very great step from that to the sort of thing that we see happening in other parts of the world. Any tendency to discriminate on racial grounds should be very strongly deplored.

The three bills failed. Brennan's Child Welfare Amendment Bill,\(^\text{18}\) under which the Director of Child Welfare would be unconnected with the Welfare Branch, failed again in June 1961,\(^\text{19}\) and was re-introduced in August 1962.\(^\text{20}\) Brennan claimed that financially child welfare was 'receiving an altogether secondary sort of handout'. The administrative officer responsible for child welfare had resigned and his position had remained vacant for a year; further, he said, a question in the Council as to how many Welfare Branch personnel were working solely on child welfare had elicited the answer, 'none'. The Director of Welfare defended the status quo.\(^\text{21}\)

\(^{15}\) N.T.L.C.D., 30 May - 9 June 1960, pp.220-221.
\(^{16}\) Ibid., p.224.
\(^{17}\) Ibid., p.234 and pp.238-239.
\(^{18}\) N.T.L.C.D., 28 November - 2 December 1960, pp.999-1000.
\(^{21}\) N.T.L.C.D., 29 October - 9 November 1962, pp.3740-3749, especially at p.3749.
irrespective of the status of the person, there is no
difference in the nature of the welfare services which are
available to him and which should be available to him at all
times; and this is one of the major reasons why there should
be no differentiation whatsoever in either the persons or the
institutions which are used to carry out . . . the Govern-
ment's welfare programme and policy . . .

The Bill was passed but refused assent. 22 Before another attempt
could be made in November 1963, the non-official member, J. Fisher,
proposed a motion, agreed to be a majority of one, for an independent
inquiry to decide whether child welfare administration could be more
effective if a separate branch were created for it: 'We cannot
continue to take up so much time of this Council in debating abortive
legislation'. 23

(b) The N.T.A., Developmental Branches and the Legislative Council

The table below indicates the appropriations and expenditures for
some branches: 24

<table>
<thead>
<tr>
<th>DIVISION NUMBER</th>
<th>N.T.A. APPROPRIATIONS AND EXPENDITURE</th>
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<tbody>
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<td>3. Welfare of Wards</td>
<td>£1,577,000</td>
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<td>4.01. General welfare services</td>
<td>62,000</td>
</tr>
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<td>02. Community activities</td>
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<td>03. Pre-school centres</td>
<td>12,900</td>
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<td>04. Animal Industry Branch - operational expenses</td>
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<tr>
<td>08. Lands; Administration and Survey</td>
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<td>09. Mines Branch; operational expenses</td>
<td>88,700</td>
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<td>10. Assistance to and development of mining industry</td>
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<tr>
<td>11. Agriculture; Research and Development</td>
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</tr>
<tr>
<td>12. Water Resources Branch; operational expenses</td>
<td>135,000</td>
</tr>
<tr>
<td>TOTAL FOR DEPARTMENT OF TERRITORIES (All divisions, EXCLUDING salaries, administrative expenses and capital works and services)</td>
<td>£5,700,000</td>
</tr>
</tbody>
</table>

24. The table was compiled from Printed Estimates 1962-63, issued by the Finance Branch of the N.T.A. on 20 August 1962.
In 1961-62 the Welfare Branch's expenditure was 21.6 per cent. and that of the five developmental branches - Animal Industry, Agriculture, Lands, Mines and Water Resources - slightly under 1 per cent. of the total Territory allocation. Expenditure on general welfare was £72,103 or just under 6 per cent. of total Welfare Branch expenditure. The reactions by various Branch heads to these 'disproportions' have been strong. Members of the public and elected Legislative Councillors have also expressed resentment. A variety of statements - in the press, in the Council and to the writer - have been made in this connection: condemnation of the amounts spent on Aborigines because they are Aborigines; the developmental branches, which feel that the future of the north lies in their hands, rate a very poor second financially to the Welfare Branch; while not grudging money spent on Aborigines, there is strong feeling that the Welfare Branch wastes its allocations. In August 1962, elected Council members drew up a 'Remonstrance', setting out the grievances of the people of the Northern Territory, for presentation to the federal Parliament. The original clause 6, which the Assistant Administrator successfully urged be deleted, read:

Of all the moneys expended in the Northern Territory by the Commonwealth Government, a large proportion is wasted in a futile albeit altruistic attempt to advance the aborigines of the Territory.

The devotion of more than £2,500,000 of a total of £5,700,000 to Aboriginal welfare, together with the fact that after twelve years of 'cradle to grave intimate guidance' not a single aborigine had graduated to higher education, bore witness to this 'waste'.

Senior officials in the N.T.A. feel that the general welfare allocations, together with appropriations for pre-schooling and Aboriginal education, inflate the Welfare Branch vote. However untenable this contention (the total Branch appropriation of £1,671,000 would be reduced to £1,502,000 if these 'extraneous' functions were excluded), senior officials and the Administrator have expressed concern at the adverse political reactions to high Welfare Branch expenditure. They claim it is antagonising not only the public whose co-operation and goodwill are essential if the assimilation policy is to work, but also the officers of the developmental branches. The latter anxiety seems well-founded: senior Welfare Branch officers are emphatic on the non-cooperation of other servicing branches, a feature often observed by the writer. It seems that this attitude stems not so much from high expenditure on

25. N.T.L.C.D., 13-23 August 1962, p.3404. The figure of £2,500,000 quoted by the 'Remonstrance' framers includes salaries and other costs not shown in Table III.1.
## TABLE III.2.
### INTERNAL ORGANIZATION OF THE WELFARE BRANCH

#### DIRECTOR OF WELFARE

<table>
<thead>
<tr>
<th>Administrative Director</th>
<th>Assistant Director (Policy and Research Investigation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jr. Administrative Officer</td>
<td>Investigation Officers</td>
</tr>
<tr>
<td>Administrative Officer (General)</td>
<td>Social Welfare (ex-Center Research Officer)</td>
</tr>
<tr>
<td>Administrative Officer (Policy &amp; Research)</td>
<td>Resources and Employment</td>
</tr>
<tr>
<td>Administrative Officer (Investigations)</td>
<td>Extensions Officer</td>
</tr>
<tr>
<td>Administrative Officer (Staffing)</td>
<td>Training and Procedures</td>
</tr>
</tbody>
</table>

#### Assistant Director (Northern Division)

<table>
<thead>
<tr>
<th>District Welfare Officer, Darwin</th>
<th>District Welfare Officer, Katherine</th>
</tr>
</thead>
</table>
| Catering Officers, Employment Officers, Social Welfare Officers (fem.), Inspector of Special Schools, Store & Services Officer, Senior Clerk, etc. | Catering Officers, Employment Officers, Social Welfare Officers (fem.), Inspector of Special Schools, Store & Services Officer (appr.)

#### Assistant Director (Southern Division)

<table>
<thead>
<tr>
<th>District Welfare Officer, Alice Springs</th>
<th>District Welfare Officer, Tennant Creek</th>
</tr>
</thead>
</table>
| Patrol Officers, P.O.'s-in-training, Proposed Social Welfare Officer (fem.), Works & Services Officer, Inspector of Special Schools, Works & Services Officer, Senior Clerk, etc. | Patrol Officers, P.O.'s-in-training, Proposed Social Welfare Officer (fem.), Works & Services Officer, Inspector of Special Schools (appr.)

### SUPERINTENDENTS

- Managers, teachers, sisters, mechanics, carpenters, stewards, cooks, clerks, engineers, supervisors, kitchen supervisors, part-time matrons, etc.
- Superintendents, teachers, sisters, mechanics, carpenters, stewards, cooks, clerks, engineers, supervisors, kitchen supervisors, part-time matrons, etc.

#### Missions in Leichhardt District:

- Angurugu, Oomell, Urahumbu, Ellebo Is., Goulburn Is., Timakala, Elingkong, Daly River, Bathurst Is., and Port Keats.
- missions in Leichhardt District:
  - Angurugu, Oomell, Urahumbu, Ellebo Is., Goulburn Is., Timakala, Elingkong, Daly River, Bathurst Is., and Port Keats.
- Missions in Gregory District:
  - Borroloola, Babinda, Bloomfield, and Kandia
- Missions in Gregory District:
  - Borroloola, Babinda, Bloomfield, and Kandia
- Missions in Gregory District:
  - Borroloola, Babinda, Bloomfield, and Kandia

#### Missions in Giles and Lindsay Districts:

- Borroloola and Narrabri
- Missions in Leichhardt District:
  - Angurugu, Oomell, Urahumbu, Ellebo Is., Goulburn Is., Timakala, Elingkong, Daly River, Bathurst Is., and Port Keats.

### NOTES:

1. This table was compiled in consultation with the Director of Welfare. It is not intended as a detailed chart showing the full establishment of the Branch.
2. The position of Superintendent of Special Schools has been reclassified and the new Assistant Director (Education) moves from the supervision of the Assistant Director (Operational) to a direct line to the Director of Welfare.

AD = Administrative Officer.
Aborigines, as from disproportions in allocations, from 'waste' of money by the Welfare Branch 'which has little to show for it all' and, in large measure, from personal antagonisms.

(c) Private Welfare Organisations

Members of the public and heads of private welfare organisations have been critical of the Branch's handling of general welfare services, in the same vein as Legislative Councillors. There is a view that the Branch has adopted certain attitudes towards Aborigines which are offensive when adopted towards whites. For example, it is felt that welfare officers tend to be superior, rude and bullying and while these attitudes may be necessary or suffice for Aborigines, they are unacceptable to whites. It is claimed that the Branch shows little compassion for those in need of help. There has been condemnation of the practice of making those who apply for relief sign an undertaking to repay and then refusing them further aid if sums loaned have not been repaid. There is complaint that ex-convicts receive no aid and that certain needy persons such as confirmed 'metho' drinkers are deemed beyond the pale and unworthy of aid.

(ii) Internal Organisation

There has been criticism of the Branch's internal administration by its officers. From 1954 to 1962 the internal arrangement of head office was on these lines:

**DIRECTOR OF WELFARE**

**ASSISTANT DIRECTOR**

- Chief Welfare Officer
- Superintendent of Special Schools
- AO
- Pre-School Supervisor
- General AO
- Employment Welfare
- Senior Research Officer
- Public Relations Officer
- DISTRICT WELFARE OFFICERS
- SUPERINTENDENTS

(AO = administrative officer)

In 1962, several senior officers in head office proposed changes to the Director, who then, together with the Assistant Administrator (A.S. & F.) evolved the scheme shown in Table III.2. opposite. This plan was adopted with minor changes.

Internal administration comprises three major units: an opera-
tional unit, consisting of an Assistant Director co-ordinating the work of formerly seven, now five specialist officers; a policy and research investigation unit, containing a number of graduate research officers; and a field unit, in which two field Assistant Directors control field operations.

Several officers have stated that since the operational unit 'consults' with the field unit, the former has become a largely advisory body in which truly specialist staff are redundant. For example, the operational unit is left with a trained AO Employment who is severed from field operations. The research unit was created 'because the weight of work in essential day-to-day operation decisions made it virtually impossible for the necessary thinking and planning ' in all functions of the Branch to be undertaken'.

Some officers in the operational unit have criticised the research unit as being too little concerned with research and planning and too involved in day-to-day operational matters. Research personnel have defended this involvement on the ground that past experience had shown how research was ignored in Branch field operations.

According to the Director, day-to-day decisions, entailing greater delegation of authority, are made by the two field Assistant Directors. The writer's observation is that delegations in policy and financial aspects to these two officers have been extremely limited. The Assistant Director (Northern Division) appears to be 'over-guided' by the head office, since the district office including the Assistant Director (Northern Division) and the head office are both in Darwin. There is a tendency to decree for the Southern Division what is considered effective in the north: what is feasible on northern settlements and missions is often unworkable and unrealistic in the centre.

Although the Director is a constant traveller to the centre, his senior officers are not: the AO General paid his first visit to the centre in three years in July 1962. Milliken's contention that 'local', that is Darwin, officers are more acquainted with situations than Canberra personnel should be seen against this background and in the light of Southern Division officers' view of Darwin as being the

26. The AO General and Superintendent of Special Schools were originally included under the Assistant Director (Operational); the Home Management position is a new one, unfilled as yet.

27. A.R.W.B., 1961-62, at p.5, contains this description of the Operational unit: amongst other things, it co-ordinates the work done by divisional staff and provides 'them with top level professional advice and assistance as required'.

28. Ibid.
same kind of remote control 'enemy' as Canberra viewed from Darwin.

The writer's observation is that in practice internal administration is like a bicycle wheel, with the Director at the hub and all other staff as so many points on the circumference.

(iii) Personnel and Morale

Officers at all levels complain of lack of trust and delegation of authority. More serious, from the point of view of effective administration, is their claim that there is no communication down the line of the goals of policy. The writer, before he could pose the questions to senior officers, found himself asked such questions as: 'What is Welfare's aim?'; 'why does it exist?'; 'do we just feed and try to house Aborigines?'; 'can you spell out something more definite than merely to enable Aborigines to live as white Australians do?'

In head office every senior officer had a different conception of the Branch's aims. The majority of settlement staff either have formed no conception, or have not been given any, of what their function is in relation to policy.

At June 1962 the Branch had an establishment of 412 positions, of which 290 were filled; in June 1963, of 430 positions, 260 were filled. Inevitably officers have to carry out duties in addition to their official ones, duties for which they often have no special qualifications. Certain specialist positions remain unfilled for lengthy periods: the AO General Welfare position was unfilled for over a year and from June 1962 to January 1964 there has not been a full-time specialist officer in charge of education. Turnover of settlement staff is discussed in Chapters IV and VII. The lack of communication of aims and goals has meant that few precedents are set in many spheres of activity. It is not uncommon to have three or more superintendents in one year at a settlement, each with his own version of what is policy, and each discarding the policies and practices of his predecessors.

Facilities for field staff are sub-standard. Staff housing, single quarters, recreation facilities, facilities for obtaining fresh food supplies and arrangements for schooling of staff children are inadequate. Most officers on settlements stated to the writer that attraction to a remote settlement post was financial; some said it was both financial and an opportunity 'to do some good work'. Once there, officers have stated that they fail to see where and how good work can be done. Others complain that they do not fulfil the tasks for which they were brought to the Territory. The result is very often short tenure of office. There is little inducement for
a wife and mother of children to stay for any reasonable period.
Field staff are constantly moved, usually in times of staff crisis,
and staff crises are common. These factors, together with the con-
stant criticism of the welfare programme by the public, the press and
other N.T.A. officers, have led to a great deal of negative criticism
of the Branch by its personnel, which amounts to disloyalty.

(iv) Attitudes

Relations between the Welfare Branch and its clientele are
important in determining the Branch's effectiveness as an administra-
tive unit. Its major clients (numerically) are Aborigines, and
attitudes towards them are best seen in discussion of the policy in
practice. One aspect needs mention here. The predominant attitude
- more evident perhaps in Canberra than in the Branch itself - is the
approach to Aborigines as a mass, a race, 'so many wards'. For many
Branch officers Aborigines have formed a stereotype, people with a
common set of characteristics, many of them negative: 'they' cannot
handle liquor, 'they' lack responsibility, are apathetic, are in-
capable of learning elementary personal hygiene and so on.

The validity of the Legislative Councillors' criticism of the
Branch's functions depends on whether the Branch has a different set
of attitudes for Aborigines and non-Aborigines. General welfare is
administered by the professionally qualified AO General Welfare in
head office and by the two field Assistant Directors and four District
Welfare Officers. Of the latter six officers, one has professed
himself capable and willing to undertake the work involved in general
welfare, including delinquency, family and marriage guidance, poor
relief and so on. Not one of these officers has any professional
training or experience in this field. All, however, feel competent
to handle 'wards' welfare. Welfare officers are primarily con-
cerned with Aborigines, a distinct class of persons legally, socially,
economically, physically and culturally. Their administration is
characterised by a tendency to paternalism and to domination in the
absence of articulate resistance to instructions, ideas and methods
of change. It is common to see officers adopt their 'Aboriginal'
attitudes when dealing with others, and this does cause a real resent-
ment in the non-Aboriginal clientele. (It also causes resentment
in Aborigines, usually expressed in overt physical resistance, but
this is very often rationalised in terms of a facet of the stereo-
type). It is a curious fact that while there is substance to this
criticism of the Welfare Branch, nowhere has there been any suggestion
that the Branch should insist on a higher standard of treatment and
service for Aborigines, except perhaps the recent instruction from
the Director to his officers to avoid using the words 'boy', 'lubra'
and 'pic'.


Before missions were given substantial subsidies in the early 1950's, it appears that once granted a mission lease, they were not bound by the government's policy dictates. They administered Aborigines according to their interpretation of what was necessary for Aboriginal advancement, but worked within the framework of the Aboriginals Ordinance.

The acceptance by the missions of the assimilation policy, by endorsement of it at various Missions-Administration and other conferences, the enactment of the Welfare Ordinance and the Wards' Employment Ordinance, and their respective Regulations, and the acceptance of subsidies to carry out the policies of the government, resulted in a more definitive agency relationship. While missions are not specifically mentioned in the Welfare Ordinance, Section 42 provides for the granting of (mission) leases which may contain conditions as to 'minimum developmental work to be done' and such 'other conditions as the Administrator thinks fit'. Section 71 is more specific in declaring that a person 'who has the control or management of a ward shall not ill-treat a ward by failing to provide the ward with reasonable food, shelter, clothing, and facilities for hygiene', on penalty of five hundred pounds or two years imprisonment, or both. The Welfare Regulations lay down certain duties for superintendents of reserves: mission superintendents are bound by these Regulations. The Wards' Employment Ordinance now applies to all employers of Aborigines.

The nature of the agency becomes clear in connection with subsidies:

This provision (of subsidies) is for the purpose of making grants to Missions to enable them to carry out their work in the Northern Territory in relation to the care, welfare, education and advancement of aborigines and coloured children. The responsibility for this work rests with the Commonwealth Government, but it has been found both convenient and economic to utilize the services of the Missions for this work.

In July 1961 the Minister for Territories stated that the government 'does look to the missions to conduct their temporal activities in a way that advances the aims of policy'. This meant

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29. E.N.E.E., 1963-64, Department of Territories, p.28.
30. 'The Future of the Missions', a paper by the Minister for Territories (the Hon. Paul Hasluck, M.P.) presented to the Missions-Administration Conference, Darwin, 17 July 1961, reprinted, pp.1-6. This paper, under the same heading, has been printed in *Australian Territories*, Vol.1, No.5, August 1961, pp.4-9.
that the conduct of pre-schools, schools, health, hygiene and nutrition services, training, employment, housing and 'the accustoming of the people to the habits and the customs that are acceptable in the general body of the Australian community' became an essential part of mission work. If it happened that a mission did 'not wish to engage in these activities to serve these ends', the government would be obliged to require the mission to surrender all but its religious functions.

As agents of policy, he said, missions were subsidised in various ways: first, by capital assistance for buildings and equipment, on condition that annual financial statements are provided; secondly, by a subsidy for each qualified mission worker and to various trained Aboriginal assistants; thirdly, by contribution towards wages of Aborigines employed on long-term economic projects which had no immediate cash return; fourthly, by contributions to the maintenance of dependants incapable of work 'at rates which will ensure the maintenance of the subsidised persons at the same level as the scales of rationing applicable under the Wards Employment Regulation, on the understanding that these maintenance subsidies are used solely for the purpose of the maintenance of these persons and are not a subsidy for the general activities of the missions'; fifthly, social service benefits were available, and child endowment, which formed part of the subsidy rate for children, should be regarded 'as an additional support to ensure that all wards are maintained at an acceptable standard'; finally, special assistance was available to finance certain projects 'from which aborigines as well as other sections of the community share the benefit'.

The details of financial assistance are set out in Chapter V. The way in which missions perform their function as agents in respect of the activities mentioned by the Minister, and in respect of those for which they receive subsidies, is best seen in Part 3 of the thesis.

(i) THE FINKE RIVER MISSION BOARD

The United Evangelical Lutheran Church in Australia administers Hermannsburg mission through the Board of the Finke River Mission (South Australian and Victorian districts). The Board consists of three religious and five lay members, elected every three years, nominated by the District Church synod and confirmed by the General Church Synod. The latter lays down general policy, while the former controls Hermannsburg policy through the Board.

31. Some of the information following was supplied by the F.R.M.B. in Adelaide and by Hermannsburg field staff.
The Board has a chairman, vice-chairman, secretary and treasurer, with each other member having a set portfolio, such as transport. The Board is allocated a budget for three years by a district finance board, as approved by General Synod. For all practical purposes, Hermannsburg's policies and finances, the activities in Alice Springs, at Amoonguna and various pastoral properties, are under the Board's control. However, in May 1962 a field superintendent was appointed to have an oversight of all activities and to have contact with the Welfare Branch.

Relations between field staff and the Board sitting in Adelaide have something in common with those existing between the Welfare Branch in Darwin and Central Office in Canberra, with perhaps greater intensity of field staff resentments. Board members complained of the quality of field staff and their failure to carry out Board policy. Field staff complained, with considerable bitterness, of remote control by a Board in Adelaide largely ignorant of local conditions. Some Board members have apparently not been to the Territory.

Until 1960 Hermannsburg was traditionally superintended by a religious pastor. Thereafter a lay superintendent was appointed since it was felt that a cleric was unqualified to supervise industries and temporal activities and because relations with the Welfare Branch had become strained. The appointment of a field superintendent, with a small measure of local autonomy, appears to have improved matters. His liaison with the Branch improves on the formerly unsatisfactory system by which a superintendent, without authority, was left to handle complaints or suggestions from the Welfare Branch.

Resentments of field staff are not confined to the Board. Relations with the Welfare Branch, on the part of some of the older and long-service field staff, are complicated by resentments resulting from the Branch's establishment of settlements on what were formerly Lutheran-run ration depots at Haasts Bluff and Areyonga. These pastors still nurse grievances at the removal from their control — but not sphere of influence — of the Aborigines at Areyonga and Haasts Bluff (the settlement is now at Papunya) and their reduction in status and function to resident chaplains. These grievances are purely personal, since the Board requested the Native Affairs Branch to take control of these depots.

Recruitment of suitable mission staff has been difficult. Since 1961 the mission has been below its establishment and turnover of staff, while not great, is sufficient to concern the Board. A number of young missionaries have volunteered for service, but the Board insists on at least three years general church service and
training first. One senior missionary commented somewhat harshly to the writer that 'the Northern Territory is the dumping ground for missionaries who are not wanted down south'. On the other hand, the mission has a number of staff with excellent qualifications and records of long service, particularly the nursing staff.

The Board and its field staff, as will be shown, have tried to carry out their agency function in the contexts for which they receive subsidies. Board members are determined to conform to government requirements even though some of their traditional practices have been felt to be superior; for example, the Board ceased advocating and promoting the vernacular in schools and in church services and conformed to the English medium, particularly in the school, at Welfare Branch request. A singular feature of Hermannsburg administration has been the successful compilation of a written vernacular, with grammar and dictionary, and the large number of missionaries who have mastered it. The degree of communication between the staff and the Aborigines is perhaps equalled only on some of the Methodist missions.

(ii) THE CHURCH MISSIONARY SOCIETY

Anglican church mission activity in Australia is in the hands of two bodies: the Australian Board of Missions, constituted by the General Synod of the Church in Australia and the Church Missionary Society, a voluntary society of members of the Church of England, with its own constitution, completely autonomous and evangelical in purpose. C.M.S. missions in the Territory - Oenpelli, Rose River, Roper River, Umbakumba, and Angurugu - do not come under Synod control.

The Aborigines Committee of the C.M.S. functions as a regional committee for liaison between central headquarters and field operations on such matters as personnel and policy, and is also a management committee for the conduct of Territory missions. Until July 1962 policy-making and control of mission activity was in the hands of the Secretary for Aborigines on the Aborigines Committee; liaison between the Welfare Branch and C.M.S. was through the Secretary in Sydney and through local superintendents without policy and financial delegations. This unsatisfactory situation was remedied by creating a field council, of which the Secretary for Aborigines is also field superintendent. A deputy field superintendent was appointed in Darwin (this re-organisation is discussed elsewhere). While some areas of work are

32. This question of the vernacular in schools is discussed fully in Chapter VII.
33. Some of the information following was obtained from C.M.S. headquarters and from field staff in the Territory.
still controlled by the Aborigines Committee, the final arbiter of policy is the field superintendent in (field) council.

In the past relations between C.M.S. and the Welfare Branch have been strained, partly because of the absence in the Territory of a C.M.S. representative with authority, but mainly because of difficulties over several missions. Difficulties have also arisen over religious convictions: for example, the resignation of an able superintendent because he refused to issue tobacco rations as laid down in the Wards' Employment Regulations, and the difficulties involved in C.M.S. insistence on monogamy which has resulted in numerous and often violent disturbances at Groote Eylandt. In 1960 discussions took place between the Minister for Territories and C.M.S. representatives on the future of one mission as a result of Welfare Branch contentions that the mission had failed to develop over the years, that clerical superintendents lacked the training and experience needed to carry out the assimilation programme, that C.M.S. had failed to provide its full quota of specialists who could attract subsidy and that stores and feeding services were below par.

With internal reorganisation and the appointment of a senior official in Darwin, relations appear to have improved considerably. The Society, however, still has difficulty in recruiting efficient staff for longer than one term (of two years). 'They overstaff with incompetent staff' has been the comment of a senior welfare officer.

The Society's attitude towards its agency, as expressed by the field superintendent, is this: it is bound only by two provisions of the Wards' Employment Ordinance, namely the payment of workmen's compensation premiums and the ration scale. The latter is said to be unrealistic but confirmed to, a matter discussed in Chapters IV and VI. As an agent it is bound on matters for which it receives subsidies but not on non-subsidised activities. In view of the percentage of government contribution to C.M.S. annual budgets, however, there do not seem to be many areas in which the Society can exercise its own policies. The government, it is argued, is responsible for Aborigines and must therefore bear the costs if missions are to conduct work for the government the latter must provide the funds. C.M.S. will continue with its work and has no intention of handing over control of its missions, in spite of the feeling of the Secretary for Aborigines that C.M.S. funds and personnel could be better used in mission work in Asia 'among a more stable, enthusiastic and greater number of people than in the Northern Territory'.

The field superintendent has stated that C.M.S. policy is the
policy adopted by the National Missionary Council of Australia. The Council's fundamental principles are: the distinct Aboriginal ethnic group has rights which must be recognised and safeguarded; legal restrictions on political and social rights based on race are intolerable; the assimilation of the Aborigines must be subject to their consent; Aborigines must participate freely in drawing up and executing policies concerning their welfare; and because of 'their prior occupation of the land, the Aborigines have a just claim to adequate provision for their economic, social and educational advancement'. The implementation of these principles by the C.M.S. can be gauged from the chapters on the policy in practice.

(iii) METHODIST OVERSEAS MISSIONS

The Methodist Church of Australasia works through a general conference consisting of a number of departments, one of which is the Methodist Overseas Missions department. It functions through a Board of Missions elected for three years by the general conference and is therefore virtually a committee of the general conference. The Board controls and supervises the work of a number of districts, including the North Australia District, and meets once a year to discuss the districts' synod reports. The Board is the final arbiter on proposals in North Australia District synod reports and although it seldom rejects synod proposals, it has power to do so. The Board controls district finances in the limited sense of deciding what amounts the Church will contribute to a district.

The North Australia District - controlling Yirrkala, Elcho Island, Milngimbi, Goulburn Island and Croker Island (for part-Aboriginal children) - has its headquarters in Darwin and is represented by a district chairman who handles all matters arising out of mission administration with the Welfare Branch. The annual synod in Darwin, comprising the chairman, all mission superintendents and elected staff representatives on a rotation basis, reviews administration of missions, makes policy, discusses financial needs and makes representations to the Welfare Branch for capital, operational and maintenance subsidies. The degree of staff participation in policy-making and of local autonomy has made this group the most efficient mission unit in the Territory.

34. See the following publications of the National Missionary Council of Australia, Sydney: General Policy on Aborigines, reprinted 1963; Four Major Issues in Assimilation, June 1963; and The Meaning of Assimilation, June 1963.
35. Some of the information following was supplied by M.O.M. headquarters and field staff.
M.O.M. staff terms are for three years and it is common for staff to spend from three to five terms in the field. A general complaint by staff is that the Board has not provided satisfactory facilities for the education of their children. In August 1962 three highly qualified men announced their intention of not renewing their next term because of lack of financial aid in sending their children to the better Methodist schools in southern states. Apart from this matter, the writer found a higher standard of morale, sense of purpose and technical qualification among staff than on any other Aboriginal centres, government or mission. Some staff have a knowledge of the local Aboriginal lingua franca and all staff are now required to pass examinations in the language which has been consolidated in grammars and a dictionary. While there may be truth in assertions by some staff members that Elcho Island has been the most favoured mission financially, that mission is an example of what can be achieved by an efficient administrative unit, well-trained staff (from both technical and mission points of view) and communication with the Aborigines. The relationship between superintendent and Aborigines reaches its highest point, in the writer's view, at Yirrkala.

The general secretary of M.O.M. and the district chairman have said of their agency: 'When we accept subsidies we know the work is open for inspection and we will carry out instructions; in other matters we reserve the right to determine our own action'. In his personal capacity the general secretary believes that it is not the proper purpose of missions to carry out the functions they exercise at present and that the government should accept responsibility for all temporal matters, leaving the clerical missionaries with the function of resident chaplains. The Methodists have appointed their first resident chaplain at Maningrida and are hopeful of spiritual success with the Aborigines, 'the godless white staff', and perhaps of a demonstration of the general secretary's view of the true function of a missionary. The policy principles of the National Missionary Council have been endorsed by the Methodist mission group.

(iv) ROMAN CATHOLIC MISSIONS

The Roman Catholic Church in the Territory administers four Aboriginal missions: Bathurst Island, Daly River, Port Keats and Santa Teresa. All priests and lay brothers are members of the Society of the Missionaries of the Sacred Heart, who work to a regional superior, assistant to the Bishop of Darwin. The nuns in the diocese are members of the Daughters and Sisters of Our Lady of the Sacred Heart Society; their work includes nursing super-

36. Some of the information following was supplied by the Bishop of Darwin and members of his staff.
vision at East Arm leprosarium. The Bishop is the final authority on mission affairs within his diocese and the nuns are responsible to a Mother Provincial in Darwin.

The Bishop's policy is to appoint religious priests as mission superintendents. In more recent years, these young men come to the field direct from theological training and in many ways seem ill-equipped to superintend missions where considerable non-religious activity takes place. The efficiency of the nuns is outstanding, particularly in the face of some considerable obstacles, not the least of which is their lack of voice in matters affecting their professional tasks. The nursing sisters, for example, have no say in the rationing requirements for patients and for infants in need of supplementary diets. It may well be that the relations between the male and female orders is unalterable, but it is clear that the male staff is in control of local policy matters and it is the male staff which is not only in short supply but which at present is clearly the weak link in Catholic mission operations.

The Bishop's autonomy and his closeness to the field are doubtless reasons for his outspokenness on government policy and his criticism of the Administration. Other mission authorities have criticisms, but they rarely express these publicly or in correspondence. The Bishop has been an open critic of the Welfare Branch's implementation of the assimilation policy and has stated that present practices amount to segregation. At the 1961 Missions-Administration conference he accused the Welfare Branch of having a double standard for Aborigines on settlements and on missions. He queried, in the light of the Forestry Bureau projects being established at Snake Bay and Manning river as opposed to Bathurst Island and Milangimbi, whether the aim was to assist all Aborigines or to seek the aggrandisement of government settlements.37

In many respects the Bishop considers himself a more independent agent than do other mission authorities. In 1953 the system of capital subsidies to missions was introduced and, excepting certain construction work at Daly River, the Bishop has steadfastly refused to accept capital assistance. He is not prepared to furnish financial statements on mission activities, a Treasury requirement when subsidies are given. He considers his mission finances a private affair and that capital grants imply government control over a number of activities, unacceptable in principle to him especially as he is

37. The Forestry and Timber Bureau indicated to the writer that there were sound technical reasons for not selecting Bathurst Island and Milangimbi as sites for the cypress pine afforestation projects.
in fundamental disagreement with such Welfare Branch practices as communal dining-rooms. Thus water supply, sewerage, electricity, erection of pre-schools, schools, hospitals, kitchen-mess units and Aboriginal housing are not provided by government assistance and are not open to inspection in the same manner as at other missions. These facilities are, of course, provided in some measure by the mission. Some of the implications of this non-acceptance of capital subsidies are discussed in later chapters.

The Welfare Branch has constantly sought to change the Bishop's attitude, since there are urgent needs for certain facilities, such as a water supply, at places like Bathurst Island. At one stage the Branch proposed that staff subsidies should be continued only if financial statements were given, especially since staff subsidies were considerable and in Catholic practice staff were not paid salaries as such. The Administrator's response throws further light on the nature of mission agency:

It must be remembered that the subsidy is to the Mission for services rendered. What concerns the Government is that the Mission renders services in respect of functions which are the responsibility of Government generally... and which, in the absence of the Mission, would have to be performed and paid for by the Government. The Government is not, and should not be, concerned beyond that... It is no argument against this to adduce that some Missions procure services from persons pursuing a vocation and not requiring the same remuneration as others. It is not proper to attempt to impose conditions so that the benefit of a vocation accrues to the Government rather than to the Mission. The only condition which was imposed and should be continued is that the benefit shall accrue to the particular Mission and not to some central funds and possibly for expenditure for the benefit of other persons than aboriginal wards in the Northern Territory.

The question of the use made by all missions of various subsidies is discussed at length in Chapter V.

The Bishop has stressed to the writer that in the cases of Santa Teresa and Bathurst Island he may not be able to continue through lack of finance. However, a cardinal point in his policy is that missions can conduct temporal activities and should do so because 'the teaching of a different way of life cannot come about through mere Church observance on Sundays - it must be inculcated all the time in all activities'. In order to continue the operation of his missions, the Bishop may well have to give way on either the financial side or the control of administration.

38. From File No.60/33, 'Review Inspection Reports - Bathurst Island Mission', W.B.H.O.
E. THE PASTORAL PROPERTIES

Pastoral properties' agency is similar to, but much more limited than that of the missions. It exists in terms of section 71 of the Welfare Ordinance relating to feeding, clothing and housing, and the Wards' Employment Ordinance and Regulations, which stipulate wages, feeding, clothing and housing conditions. By agreement between the pastoral lessees' associations and the government, subsidies are accepted for maintenance of dependants of Aboriginal workers, and by acceptance of social service benefits in respect of persons who are not required to be maintained, pastoralists are obliged to do certain things. The manner in which pastoralists conform to the legal provisions and the way in which they perform the services in respect of which subsidies are given, is discussed in the chapters following.

F. THE DEPARTMENT OF HEALTH

The Health Department has always been a participant in Aboriginal affairs, in policy decisions, in conferences on policy, and in actual administration, dating from the time when the Chief Medical Officer also held the office of Chief Protector of Aborigines. At present the Department provides a variety of medical services for Aborigines and has a voice in the health, housing, hygiene and nutrition aspects of Welfare Branch, mission and pastoral property administration of Aborigines. The role of the Health Department as an agent of policy is discussed at length in Chapter VI.

G. THE JUDICIARY, THE ATTORNEY-GENERAL'S DEPARTMENT AND THE POLICE

The Courts are not normally concerned with the way in which political policy is implemented or with the merits of legislation itself; however the judiciary and officers of the Attorney-General's Department can and do have considerable influence on policy and its interpretation in the Territory context. Judgments and opinions from the bench on the relationship and applicability of the criminal law to Aborigines are an important feature in policy implementation as shown in Chapter IX. The Attorney-General's Department, through the Crown Law Officer, has been an active participant in matters affecting the Aboriginal franchise, the framing of Aboriginal legislation and the enactment of legislation through the Crown Law Officer's membership of the Legislative Council. In Chapter IX the role of the police becomes clear in connection with law enforcement and their attitudes towards various laws which give effect to the assimilation policy.
H. THE LEGISLATIVE COUNCIL

The extent to which Legislative Councillors are hostile to or sympathetic towards Aboriginal interests and towards government policy is most important, since their assistance is essential in providing the legislative framework within which Aborigines are administered. Some indication has already been given of Council attitudes towards Aborigines and the Welfare Branch. The elected members of Council are the most vociferous critics of policy and the Branch's execution of it. Several members have introduced measures which have been in advance of official thinking; for example, Mr. R.C. Ward's introduction, and withdrawal, of a bill early in 1963 which aimed at abolishing the entire concept of wardship, and Mr. D.D. Smith's introduction, and withdrawal on promise of officially introduced legislation in 1964, in November 1963, of a bill to abolish liquor restrictions on Aborigines. In August 1962 the Administrator's Council declined to accept the Welfare Branch's proposal to add some 2,500 names to the Register of Wards, and in doing so advised, inter alia.

1. Persons under 15 and over 65 should not be declared wards.
2. An amendment to the Welfare Ordinance should be introduced by which the Director of Welfare 'may (without declaring them to be wards) extend to the children of wards, while they are minors all the benefits to which they would become entitled if they were wards'.
3. If the Director considers that any child reaching 15 (and being a ward) still stands in need of care, such a case should be submitted to the Council.
4. In future, when the Director submits to the Council names for declaration as wards he must make available a welfare officer who has an intimate knowledge of the people proposed.

There is good authority for believing that detailed provisions were not recommended as practicable administrative measures; rather, they believed that the difficulties involved in administering them would cause the authorities concerned seriously to reconsider their Aboriginal policy. While the Minister for Territories endorsed the Council's advice - he suggested the age of 21 rather than 15 - no further action had been taken by December 1963. Three of the men who rejected the additional names for the Register of Wards in the same week framed and proposed Clause 6 of the 'Remonstrance' discussed above.

There may be truth in the assertion that some Councillors in attacking the Welfare Branch, its growth of functions and expenditure, have for political motives sought to demonstrate the lack of federal development of the north and federal refusal to grant greater measures of self-government. They have also indicated, in their struggle for greater local autonomy,\(^{42}\) that they consider Aborigines a federal responsibility and would not, given a measure of self-government, accept the responsibility of Aboriginal administration. There is certainly ambivalence in the Council's attitude towards Aborigines; yet it is the writer's belief that attitudes since 1953 have been more sympathetic than hostile. Some members have demonstrated a genuine interest in Aboriginal advancement and rights. Thinking has often been in advance of official policies and practices, and criticism of the Welfare Branch stems more from the manner of its expenditure than from expenditure itself and, also, regrettably, from personal animosities.

A. THE WARDS' EMPLOYMENT ORDINANCE

The Wards' Employment Ordinance\(^1\) is a complex measure to provide for the employment, wage rates, training, feeding, clothing and housing of Aborigines. The purposes and aims of the Ordinance were discussed in Chapter II: amongst other things, it is meant 'to facilitate the emergence of wards as self-sustaining units in our economic structure'. These commendable objectives, however, have not started on the road to fruition because two of the major employers of Aborigines, the Welfare Branch and the missions, have not in practice been bound by the Ordinance, while on pastoral properties, which employ more Aborigines than any other industry, it has not been fully enforced.

The Crown, of which the Welfare Branch is a part, is not bound by legislation unless the legislation itself provides so expressly or by necessary implication. In June 1961\(^2\) the Member for Elsey, H. Brennan, introduced an amendment to the Ordinance in order that 'what is binding on the public should be binding on the Crown'. The amendment was passed in November 1961,\(^3\) but was only assented to in February 1963;\(^4\) while the official members did not oppose the amendment, it is significant that the binding clause stemmed from an elected and not from an official member.

The missions are legally bound by the Ordinance as employers of Aborigines; but they represented to the Minister for Territories that they should be excluded from its provisions, claiming, inter alia, that it is not financially possible for them to conform to the standards required in the legislation. The Minister approved the principle that, except in respect of the ration scale and the workmen's compensation provision, the Ordinance shall not apply to missions.\(^5\) To give this approval legal effect the Ordinance would have to be amended in the Legislative Council specifically to exclude

1. The Ordinance and Regulations are given in Enclosure 4.
4. Ordinance No. 18 of 1963 was reserved for assent on 19 January 1963 and assented to on 15 February 1963.
the missions, in the same manner as the Council amended the Ordinance
to bind the Welfare Branch and other government departments. 6

It is clear, however, that the missions have presumed their exemption
and have acted on this presumption. Questions put to the relevant
mission authorities 7 elicited the same general reply: they were
certain of a general exception, but were not sure whether both the
workmen's compensation regulations (Nos. 48-53) and the ration scale
regulations (No. 24), or only the compensation regulation, applied to
them. The Director could use his power under s. 24(6) to exempt an
employer from the whole or part of the provision of Regulation 24
(relating to food, clothing and tobacco allowances), or to authorise
the employer to substitute such other food, clothing and tobacco as
he, the Director, specified. The Director has not formally exempted
any employer from these regulations. Missions made representations
to the Minister seeking government subsidy for the payment of workmen's
compensation insurance premiums. 8 As a result, in the 1963-64
Welfare Branch estimates provision was made to subsidise missions to
the extent of £459 9 for 'workers' compensation premiums for native
assistants'.

There does not seem to have been any independent enquiry by a
government agency to substantiate the claim of financial inability to
comply with the Ordinance's requirements. Mission finances are
discussed in Chapter V. Their practice in terms of wages, training,
employment and rationing is discussed below.

Thus for practical purposes, the Ordinance has been applied to

6. The Northern Territory (Administration) Act, 1910–1959, the Wards' Employment Ordinance as amended and the Welfare Ordinance as amended, contain no authority to exempt any person or group from this legislation.

7. The Bishop of Darwin on behalf of the Roman Catholic missions; the field superintendent, Alice Springs, on behalf of the Lutheran mission at Hermannsburg; the field superintendent (also Secretary for Aborigines) on behalf of the C.M.S.; and the General Secretary, W.O.M., on behalf of the Methodist missions in the North Australia District.

8. M.E.A.B., sixth meeting, p.3; 'General Business: Rev. Symons stated that following the introduction of the Wards' Employment legislation providing for compensation for employed wards the missions expressed their entire agreement with the proposal and the case of wards employed on missions was discussed at the Missions-Administration Conference last year. A request to the Minister that funds be made available to subsidise compensation insurance premiums for missions had been made by the Conference. He was extremely disappointed that the request for special provision to be made for funds in July 1961 was still under consideration.'

the pastoral industry only. The employment and wage returns of pastoralists (see Appendix 5) suggest that there has been compliance with the prescribed wage scale. However, in view of the large number of pastoral properties, and the shortage of Welfare Branch patrol officers whose function is to inspect employment conditions and verify wage payments to Aborigines, it is difficult to accept as accurate, in all cases, the returns of pastoralists. In the past many have not submitted returns and others have indicated that 'they put down anything' on returns. In August 1962 the Employment Advisory Board discussed the question of 'Statistics on Unemployment and Lack of Returns'. The chairman (the Director of Welfare) said that matters had improved as more patrol officers were in the field; but 'difficulty was being experienced in obtaining returns from small employers'. A Board member, A. Callinan, 'suggested that prosecution should be introduced for non-supply of this type of information'. The chairman stressed that 'he was not thinking of making any such move at this juncture'. Section 64 of the Ordinance prescribes a severe penalty for making a false or misleading statement in a return: £100 or six months imprisonment.

The following statements indicate that there is little compliance with the regulations, particularly in relation to living conditions. In an annual report the N.T.A. stated:

Emphasis has been placed on the provision of accommodation of the standard required under the employment legislation but it will be some years before requirements are fully met. Employers who have not improved facilities progressively over the years are now faced with heavy capital costs and in some cases it has therefore been necessary for the Administration to establish priorities for the erection of particular facilities.

In its report on Aboriginal employment, the Welfare Branch stated that the development of new settlements and developmental projects on existing settlements had 'opened new avenues for employment of wards on tasks requiring levels of skill higher than formerly

10. By virtue of an amendment to the Wards' Employment Ordinance, No.6 of 1959, s.5, the 1959 wage determination appearing in the Regulations is the prescribed rate, not the minimum rate. Strictly speaking, it is illegal for an employer to pay Aborigines at a rate above the gazetted rate unless an agreement is reached between the employer and a welfare officer. Under a proposed amendment, gazetted rates will become the minimum rates and an employer may pay any rate above those without agreement.

required of them in a general labouring capacity'. It was stressed that while pools of employable labour existed on some missions and settlements 'it is quite often the case that employment possibilities open to them do not carry conditions of employment suitable for the welfare of the ward and his family'. It is the aim of settlements and missions to develop and improve Aboriginal living standards, by providing them with 'good accommodation, proper and regular feeding, and medical and education facilities'. The corollary of this is that it is unreasonable to expect anyone to leave a mission or settlement for outside employment where there are unsatisfactory living conditions:

In other words, the widespread lack of suitable accommodation and sanitary and ablution facilities militate against official encouragement of married wards to accept employment away from their 'home' mission or settlement. The solution to this problem lies in the development of facilities by employers to the standards prescribed in the Wards Employment Regulations. This will not happen overnight and some years will certainly pass before mobility can be achieved in regard to these pools of employable labour.

The Welfare Branch is responsible for enforcing the regulations. Ministerial policy is that Aborigines should leave settlements and missions for 'outside' employment. Yet it would seem that the principal agent of policy is not encouraging movement because pastoral facilities and standards, for which it is responsible, do not conform to the legal requirements. Why are pastoral industry facilities sub-standard? Why cannot the Welfare Branch demand compliance with the regulations? One answer is that the Welfare Branch is unable to recruit enough patrol officers of sufficient calibre to inspect pastoral conditions. Also, it is widely believed that to penalise pastoralists for non-compliance, or to deprive them of their Aboriginal labour for non-compliance, would be injurious to the Territory's foremost, but struggling, industry.

B. GOVERNMENT SETTLEMENTS

(1) Employment

In June 1962 the Welfare Branch had 4,871 Aborigines living on thirteen settlements; of these 1,420 were adult men and 1,352 adult women.¹⁴ It is difficult to discover how many of these adults are workers, aged and infirm and pregnant mothers as these figures are not given in annual reports. (The number of pensioners is given in Chapter V.)

Most superintendents contend that their greatest problem is the

gainful employment of Aborigines. Lack of water makes agricultural activity difficult, and impossible in some areas; few known mineral resources are worth exploiting; there are no industries on settlements which can readily use the few natural resources available. Cattle raising is not possible on all settlements; where it is feasible, it is not possible to organise an industry capable of employing all workers. The Snake Bay and Maningrida cypress pine afforestation projects cannot employ all labour. No other settlements have any 'natural' (such as afforestation) or 'artificial' (such as tanning) projects which can gainfully employ the majority of workers or which can be foreseen as economic industries leading to self-reliance and self-employment.

These difficulties are reflected in the discussions of the Employment Advisory Board. The Board, created by s.13 of the Wards' Employment Ordinance, advise the Administrator on all matters relating to training and employment of wards, and in particular, on matters relating to -

(a) the vocational training of wards;
(b) the placing of wards in employment;
(c) the apprentice training and training under agreement of wards;
(d) the promotion and development of industries and activities that will afford employment opportunities for wards; and
(e) the regulation of conditions of employment of wards.

At the Board's second meeting the possibility of establishing a sisal industry was canvassed. At the third meeting there was discussion on the creation of coconut, copra, cashew nut and limes industries; the possibility of an artifacts and handcraft shop in Darwin was mooted. At the fifth meeting a resolution was carried 'on the advisability and possibility of using some of the unemployed wards to combat the increase of noxious animals in Central Australia'. But at the sixth meeting the Chairman advised that he had had discussions with the Animal Industry Branch and it appeared doubtful whether at this stage there was any need to continue the bonus for dingo scalps. He said the matter was reported in the Press some time ago and there were views expressed by people in this area about the waste of money on this particular activity.

The abolition of the dingo scalp bounty ($1 per scalp) would constitute a considerable loss of revenue to Centralian Aborigines.

18. M.E.A.B., sixth meeting, p.5.
A motion carried at the fifth meeting was that 'owing to the serious unemployment position that now exists and which is most likely to continue in Central Australia on pastoral properties and at some missions and settlements, serious consideration should be given as soon as possible to providing funds for maintenance of roads or other capital works'.

A mobile road gang was suggested. At the sixth meeting the possibilities of a tourist industry for Melville Island was discussed. Government policy disapproves of the concept of 'Aboriginal zoos'; reserves are meant to be inviolable and permits are necessary to enter them. It would be difficult to justify the opening to the public of Melville Island with the continued closing of all other settlements.

There is confusion on the part of settlement staff as to policy, reflected in their attitude to employment. The differing views of the function of settlements and the nature of employment on them may be summed up this way:

1. Settlements are temporary, transition camps in which Aborigines should be trained 'to accept responsibility' and acquire skills for later life in the outside community. Encompassed in this premise are found the following attitudes to employment:

(a) employment on settlements should be as realistic as possible in order to correspond to 'real' employment later in the outside community: thus there should be concentration on fewer workers at higher rates of pay;

(b) employment is essential for all and not the few, and hence must be at a lower skill level, and therefore lower wage level;

(c) the categories of employment on settlements have no counterpart in the outside community and it makes no difference what employment is made available provided Aborigines are in some way kept occupied and able to earn money;

(d) the employment is of the unskilled and general labouring type: Aborigines should not be penalised because only this type of employment is available, they should not be penalised because they are Aborigines, hence they ought to be paid to the maximum of wage allocations available;

(e) such unskilled labouring is worth little and Aborigines should be paid in relation to its worth.

2. Settlements are permanent and should form the bases for permanent rural communities or villages; this premise encompasses the following attitudes:

(a) money should be spent on secondary and artificial industries to provide an economic base and an outlet for labour.

20. M.E.A.B., sixth meeting, p.11.
Aborigines should be trained in skills usable both in the rural and in the outside community;
(b) a lower level of skills and occupation is acceptable for the isolated rural communities.

Whatever the merits and demerits of these differing views when translated into practice, as will be shown, the aims of policy cannot be realised unless the Welfare Branch head office establishes a firm line and communicates it to its field officers.

(ii) Training

Appendix 6 lists the categories of workers on eleven settlements and two cattle stations controlled by the Welfare Branch. There are 99 categories of male and 36 categories of female workers. Many of them are synonymous, as 'general works force', 'general worker', 'labourer' and 'hygiene assistant', 'hygiene ganger' and 'hygiene labourer'. There is no uniform classification of workers for all settlements: more precise terminology could reduce the 135 categories to less than half that number.

Some of the terms used are misleading. The wage sheets include 'bakers', 'butchers', 'painters', 'plumbers', 'apprentice mechanics', 'cooks', 'carpenters', 'storemen' and so on. In some instances these workers perform their tasks to the extent and skill expected of qualified persons; in many instances they do not. These terms carry an implication of training and/or apprenticeship. The majority of workers are totally untrained in the accepted sense of the term; others have had training, under Welfare Branch auspices, for short periods; others have come to their tasks with experience, usually acquired in employment by pastoralists and the armed services during the war. By June 1963 no Aborigine had been apprenticed under the relevant Territory legislation.

Much of Welfare Branch training takes place in Darwin and Alice Springs, rather than on individual settlements. Training courses are given for: nursing assistants, hospital assistants, hygiene assistants, hygiene workers, teaching assistants, home management, patrol assistants, forestry, butchering, baking and cooking. In November 1961 the Director of Welfare gave the Employment Advisory Board an outline of some of the training courses given.
<table>
<thead>
<tr>
<th>PLACE</th>
<th>TYPE OF COURSE</th>
<th>PERIOD</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Darwin</td>
<td>Nursing assistant</td>
<td>3 April to 7 June 1961</td>
<td>Five trainees from Methodist Overseas Missions. All received value from course but owing to limited knowledge of English possessed by some candidates they did not receive the benefits it was expected they would receive.</td>
</tr>
<tr>
<td>Darwin</td>
<td>Hygiene assistant</td>
<td>August - September</td>
<td>Course attended by wards from Catholic Missions and two settlements. Most trainees progressed satisfactorily. Limited knowledge of English prevented one or two from gaining full benefit from course.</td>
</tr>
<tr>
<td>Darwin</td>
<td>Hygiene course</td>
<td>18-29 Sept. 1961</td>
<td>Attended by trainees from Church Missionary Society missions and settlements. Instruction was given by health inspector from the Dept. of Health. All trainees progressed satisfactorily.</td>
</tr>
<tr>
<td>Darwin</td>
<td>Teaching assistants</td>
<td>July, August, September 1961</td>
<td>Attended by wards from most missions and settlements in the Territory. All received benefits from course and progressed satisfactorily.</td>
</tr>
<tr>
<td>Alice Springs</td>
<td>Butchering</td>
<td>May 1961</td>
<td>Attended by wards from southern settlements. Progress of all wards quite satisfactory.</td>
</tr>
</tbody>
</table>

A report on trainee nursing aides by the Health Department in August 1962 gives a different picture of the 'satisfactory progress' of trainees; this report, given in Appendix 7, is perhaps a more realistic yardstick for assessing the value of these training courses.

The Welfare Branch controls two cattle stations, Haasts Bluff and Beswick Station, for a three-fold purpose: to train Aboriginal stockmen for work in the pastoral industry; to supply beef to the neighbouring settlements; and to reach a stage when there are sufficient trained pastoralists to enable the division of the stations into small leases for Aborigines to manage independently. Haasts Bluff in five years to 1963, and Beswick Station in eight years to 1963, have produced six graduates in stockmanship. In connection with Haasts Bluff, the Director of Animal Industry stated in 1960:  

The present emphasis on the training of wards as stockmen is premature. The first priority must be the proper staffing, equipping and development of the Project as a cattle station. The productive purpose of the Project is fundamental. On it can be superimposed the laudable objective of ward training. Without efficient production training is impossible!

The nature of the training courses, their duration, their effectiveness and their value require comment. The remarks in the table above and in Appendix 7 show that the value of training is lost in most cases because of language difficulties. While this difficulty can only be overcome with better education, it must be pointed out that mission and settlement officers - and not the officers who conduct the training courses - choose the trainees, and choices are often made with too little consideration. It would seem more logical to follow the practice of African countries where training officers investigate and interview each candidate before the start of a course. It would be no more expensive for a training officer to visit settlements and missions for this purpose than to fly candidates to Darwin for courses which often prove valueless. Mission and settlement officers are keen to have young Aborigines trained. The fact that training is given is an indication of progress - but it is more important that the recipient obtains something of value than that authorities can claim a given number of Aborigines 'trained'.

The trainees for the teaching assistants course in 1962 were selected from over 40 candidates; of the 24 chosen, the highest educational assessment of any candidate was 'Grade 5', an assessment which varied according to whether it was made in terms of Welfare Branch school or South Australian school gradings. The master of method imported for the twelve weeks' training course was confronted with the task of trying to raise the general level of linguistic and written ability before he could begin method work. It would perhaps be of greater value if trainees were brought to Darwin for a year or 18 months for a 'crash' programme of general education before method courses are undertaken.

Training courses vary from two weeks to six months. In some instances, notably with teaching assistants, it is realised that the training given is insufficient, and it is Welfare Branch policy to retrain trainees for two or three consecutive years.

Section 24(1) of the Wards' Employment Ordinance states that on completion of training the Director of Welfare shall issue an Aborigine with a 'certificate of competency' which sets out the details of the training undergone and the 'calling for which he has been trained'. As Welfare Branch trainees are not trained in accordance with the specifications of the Ordinance, these certificates cannot be issued.
Instead a 'certificate of training' is given.

Trained assistants who return to settlements are paid £156, 0, 0. annually and mission assistants receive an equal subsidy. This salary is higher than most workers on settlements receive, though there are a number of workers on higher rates. It is perhaps pertinent to ask: is the salary for trained persons confined to £3 per week to avoid any imbalance in the settlement economy, or is the inadequacy of the training realised and hence reflected in this wage rate?

The prime criterion of training is its value in obtaining for the trainee gainful employment in the outside community. Is a four-weeks' trained, 'certificated' butcher able to obtain employment in his 'calling' in Darwin? Would a twelve-weeks' trained 'teaching assistant' be employed by an education authority at teaching assistant rates? The answer is no. Employers will not pay a Welfare-trained worker the wages they would pay to a 'normally-trained' worker. The payment of lower wages, in proportion to the supposed qualification held, is disillusioning to the Aborigines concerned, for they are told that this training will lead to 'higher things'. The training as given has a value only in the limited sphere of the trainee's settlement or mission. There may, however, be value in such training if the trainee is considered as a permanent settlement or mission resident, and if policy expressly embraces, for some considerable time, the principle of inferior standards of skill and attainment.

This principle of policy must be clarified for settlement staff because training is often misconceived by them. Staff, especially artisan staff, have little understanding of the nature, scope and extent of the training. They are given trained 'butchers', 'teaching assistants' and 'nursing assistants' as aides. The implication of 'trained' has led many to expect a higher standard of skill and efficiency than can be demonstrated by the trainees: this tends to result in a questioning of the inherent abilities of the trainees rather than in a questioning of the training. Such questioning reinforces the prevalent stereotype that Aborigines are an inferior, incapable and uneducable group.

(iii) Wages

There is no uniform wage policy for settlements. Appendix 8 shows a marked variation in the average wage per worker per fortnight from settlement to settlement. Below is a synopsis of this Appendix: 'adjusted' and 'unadjusted' are explained in a prefatory note to Appendix 8.
### Table IV.2.

**ABORIGINAL WAGES ON GOVERNMENT SETTLEMENTS**

<table>
<thead>
<tr>
<th>Settlements</th>
<th>Sample No. of Fortnights</th>
<th>Average Wages Per Worker Per Fortnight</th>
<th>Unadjusted</th>
<th>Adjusted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delissaville</td>
<td>12</td>
<td>£4.50 ± 1.03</td>
<td>£4.88 ± 1.14</td>
<td></td>
</tr>
<tr>
<td>Amoonguna</td>
<td>26</td>
<td>3.35 ± 0.17</td>
<td>3.89 ± 0.24</td>
<td></td>
</tr>
<tr>
<td>Snake Bay Forestry Project</td>
<td>7</td>
<td>3.72 ± 0.36</td>
<td>3.84 ± 0.36</td>
<td></td>
</tr>
<tr>
<td>Beswick Creek</td>
<td>9</td>
<td>2.95 ± 0.10</td>
<td>3.29 ± 0.12</td>
<td></td>
</tr>
<tr>
<td>Jay Creek</td>
<td>18</td>
<td>2.83 ± 0.22</td>
<td>3.23 ± 0.45</td>
<td></td>
</tr>
<tr>
<td>Snake Bay</td>
<td>7</td>
<td>2.77 ± 0.16</td>
<td>3.16 ± 0.15</td>
<td></td>
</tr>
<tr>
<td>Warrabri</td>
<td>13</td>
<td>2.44 ± 0.04</td>
<td>2.70 ± 0.09</td>
<td></td>
</tr>
<tr>
<td>Yuendumu</td>
<td>13</td>
<td>1.61 ± 0.09</td>
<td>1.76 ± 0.11</td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS AND AVERAGES</strong></td>
<td><strong>105</strong></td>
<td><strong>£3.02 ± 0.61</strong></td>
<td><strong>£3.38 ± 0.94</strong></td>
<td></td>
</tr>
</tbody>
</table>

The standard deviation on each average wage is indicative of the variation between the fortnightly wages at the same settlement. It is evident that settlements which pay on average the highest wages also show the highest variation over the periods studied.

Appendix 9 illustrates the variations in wages for particular categories of work on eleven settlements. For example, a truck driver's wages vary from £1.10.0, per week to £7.10.0, per week; a cook's from 15/- to £4.10.0, and a gardener's from 15/- to £8.10.0, per week. Aborigines have become aware of these differences. In Darwin some have asked why a full-blood bus driver, a former Bagot resident, is on award wages while truck and tractor drivers at Bagot are earning £7.10.0, and £5.0.0, per week respectively (these workers pay for meals and accommodation as indicated in Appendix 10). Where there is contact between settlement residents, for example, between Bagot and Delissaville, or between Areyonga, Papunya, Yuendumu and Amoonguna, Aborigines have asked why, given the same categories of work, wages differ.

The present wage system is not one under which Aborigines are paid on the basis of their capacity and ability to earn. Briefly, the system is this: each year Parliament appropriates the amount estimated by the Welfare Branch. In 1961-62 the Branch spent £99,740 for Aboriginal wages.\(^{23}\) This sum is divided into allocations for each settlement; for example, allocations for Centralian settle-

---

ments for 1961-62 were:

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Weekly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amoonguna</td>
<td>£1.40</td>
</tr>
<tr>
<td>Jay Creek</td>
<td>50 &quot;</td>
</tr>
<tr>
<td>Yuendumu*</td>
<td>95 &quot;</td>
</tr>
<tr>
<td>Areysta</td>
<td>70 &quot;</td>
</tr>
<tr>
<td>Papunya and Haasts Bluff</td>
<td>150 &quot;</td>
</tr>
</tbody>
</table>

A superintendent may overspend a weekly allocation (wages are paid fortnightly) but he may not overspend his annual allocation. He may underspend his weekly and annual allocation, as in the case of Yuendumu. If the wage allocation is fixed by Parliament and the total number of workers cannot be predicted at the date of appropriation, it is not possible for wages to remain constant from fortnight to fortnight. The fortnightly variations shown in Appendix 8 may be partly attributed to the fact that some workers did not complete a full ten days' work. However, as a superintendent cannot know how many workers he will have each fortnight, he can increase wages only towards the end of the last quarter of a year. If he overspends early in the year he may have either to reduce the number of employees at some stage or reduce the weekly rates of pay. An example of wage and employment reduction occurred at Hooker Creek. In the fortnight ending 15 March 1961, 197 workers shared £641.0.0. The allocation was then reduced and in the fortnight ending 12 April 1961, 128 workers shared £242.12.6. The unadjusted average per worker changed from £4.00 to £1.90.

An example of increased employment through increased allocation occurred at Warrabri. When the allocation was raised in September 1961 from £240 to £340 per fortnight, the number of employees rose from 104 in the fortnight ending 13 September to 139 in the fortnight ending 27 September. The average wage per worker remained constant. It may be presumed that prior to the increase, at least 35 Aborigines were unemployed.

A notable feature of the system in practice is that no superintendent is bound by the policy of his predecessor. One superintendent may spend his full allocation, another not. One may establish a category of workers and his successor may abolish it. One may expend his allocation in full in the belief that Aborigines should be paid whatever is available; another may believe that Aborigines have yet to prove that they are worth their wages before being paid what is available. An example of a superintendent's exercise of discretion occurred at Delissaville (see Appendix 8). The allocation

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24. From File No. 59/3241 'Bungalow/Amoonguna Settlement - Payment of Wages to Wards', W.B.A.S.

* Yuendumu's allocation was £1.00 per week, but consistent underspending resulted in a reduction of £5.
was increased in September 1961 from £140 to £240 per fortnight. The then acting superintendent felt that the workers were not worth the higher rates and he continued payment on the previous scale. Two months later the regular superintendent enforced the new allocation; the average unadjusted wage per worker rose from £2.65 for the fortnight ending 25 October to £4.95 for the fortnight ending 8 November 1961.

An illustration of wages being pegged within this system is provided by the Forestry Bureau at Snake Bay settlement. In 1958 Cabinet approved a forestry project for the Territory for a five year period, ending in the year 1963-64. The wage component in the total allocation estimated for the five years was based on the salaries of professional staff and the employment of unskilled labour at the (white) basic wage. At the start officers in charge of the cypress pine project found white labourers difficult to maintain and unsuited to the conditions on Melville Island. With the encouragement of the Welfare Branch, local and Bathurst Island Aborigines were employed. The officers' view was that Aboriginal workers should be paid in accordance with their ability to carry out the functions required, especially those workers performing skilled work in operating heavy duty tractors. The Welfare Branch requested Forestry to pay rates in accordance with settlement wages to 'avoid imbalances in the economy'. The Forestry officers, with reluctance, complied with this request but tried to overcome their difficulty by paying their workers overtime rates.

In 1961 Cabinet approved a forestry project on Aboriginal reserves for four years, to end in 1964-65 - a project to run concurrently with the first project as a supplement to and extension of it. The wage component for professional staff and unskilled white labour was assessed on the same basis as before. For this project it was agreed that Aboriginal workers, for whom there was an establishment in 1961-62 of 78, should be paid wages at the current rates on settlements. Appendix 8 shows that Forestry wages are slightly higher than settlement wages. The Snake Bay superintendent asked the Welfare Branch to review settlement wages 'as any further increase in Forestry wages will undoubtedly create a considerable amount of dissatisfaction amongst Welfare Branch employees'.25 The establishment of Aboriginal Forestry workers for 1962-63 was 103. At Maningrida settlement alone there were some 120 workers employed by Forestry in this period; as the wage allocation is fixed, a greater number of workers received less than the current settlement rates which it was intended they should be paid.

Senior officials put forward to the writer the view that settlement wages cannot be raised to a higher level than those prevailing in the pastoral industry (in terms of the regulations) because Aborigines would be reluctant to leave settlements for the pastoral industry. This view is not readily reconcilable with the statement quoted earlier that because of inadequate living conditions Aborigines are not encouraged to move to the pastoral properties. If such is the policy, why then should Aborigines not be paid higher wages on settlements?

Appendix 10 shows the scale of charges for meals and accommodation on settlements. At the end of 1962 the meal ticket and accommodation system operated at Amoonguna, Bagot and Warrabri. On all other settlements, Aborigines were fed and accommodated free of charge. There has been difficulty in implementing the system on these three settlements (it is not known why the system was not implemented on the other settlements). At Amoonguna males often refuse to buy tickets for their wives, claiming that it is the hospital's duty to feed them. Some have asked why meals were formerly free and are now charged for. They have cited Jay Creek, Areyonga, Papunya and Yuendumu, where there are no charges. Some have expressed resentment at paying for 'accommodation' - the ticket is marked 'Meals and Accommodation' - which in some cases amounts to sharing the living space and veranda of a one-roomed Kingstrand hut, or laying down a 'swag' in the nearby creek-bed. At Bagot people were told they could not enter the communal dining room without meal tickets. Many accepted this and bought their food requirements at nearby retail stores. The system has been most successful at Warrabri where, on pay day, Aborigines are simultaneously given their wages and asked to buy meal tickets.

It is understood that with the proposed revision of the employment system, following the Welfare Branch being bound by the Wards' Employment Ordinance, wages will be higher but there will be greater, and uniform, deductions for meals and accommodation on all settlements. The nature of meals and accommodation and the feasibility of uniform deductions will be discussed in Chapter VI.

Appendix 11 shows that as at August 1962 the number of Aborigines on award or higher wages was 34. Not one of these workers was employed by the Welfare Branch or by any other branch of the N.T.A. At the end of 1963 one Aborigine was employed by the Welfare Branch as an assistant patrol officer.

C. THE MISSIONS

Appendix 12 shows the prescribed wage and Appendix 13 the
mandatory ration scale under the Wards' Employment Ordinance. In Appendices 14 and 15 are set out the wage and ration scales operating on nine missions. It is clear that except for Hermannsburg in respect to the ration scale, and to a lesser extent to the wage scale, all missions fall short of the prescribed scales.

On these nine missions there are 50 categories of male and 25 categories of female workers (see Appendix 16). Mission classification of workers tend to be less repetitive and overlapping than settlement ones. As with settlements, some of the categories - 'mechanics', 'fitters and turners', 'sawmillers', 'carpenters' - are misleading. While many workers have not had the accepted training for their tasks, they do carry out some of these functions with the skill of a trained worker. One explanation is that some missions have genuine primary and secondary industries: Hermannsburg has a productive tannery and Elcho Island an efficient and profit-making sawmill. Training is therefore given in more realistic situations. Yet wages paid are not in proportion. The sawmillers at Bathurst Island, for example, mill timber virtually without supervision, yet the weekly wage of the two millers is 15/- and 10/- respectively. The Aboriginal boat-captain at Elcho Island, who voyages to Darwin and back without supervision, is paid a nett wage of £5 per week. In only one instance has the skill of an Aborigine been recognised financially: the head stockman at Hermannsburg is considered as a staff member and is paid £30.6.8. per month, some £10 per month less than the stipend of a married missionary. Further points arising out of mission employment, wages and training emerge from comments on each mission group. All facts and figures appearing below were obtained from the individual missions or their headquarters.

(i) ROMAN CATHOLIC MISSIONS

Bathurst Island has the largest full-blood aggregation of Aborigines in the Territory (and in Australia): in March 1962 the total population was 906, which includes all workers at Melville Island and in Darwin. In spite of an annual rainfall of 56 inches the mission has insufficient permanent water to meet the needs of either the population or the agricultural development programme. The extent of the mission lease is 10,000 acres, too small an area for an effective cattle or buffalo industry. The mission is allowed the use of the entire island, but the 35,000 acres considered suitable for grazing, so the mission has been told, would allow a carrying capacity of 180 beasts. The shortage of meat is discussed in Chapter VI.

Economic activities are confined to gardens, fish traps, saw-
milling and a cypress pine nursery. The Bishop of Darwin has constantly urged that the Forestry Bureau establish a project on the island, but the Bureau maintains that the island is not suited to afforestation. There has been a suggestion that Bathurst and Melville Islands should become tourist centres as a means of achieving an economic base for both populations. The Bishop has declared that he will not consider any form of tourism which includes Aborigines' displaying themselves and their dancing.

A feature of Bathurst Island is the attempt to create a native 'peasantry' which is self-supporting. Four gardens are run by Aborigines who sell their produce to the mission (see Appendix 17). Cockle Point, or Paru Village, on Melville Island has a group of some 80 Aborigines who have planted gardens and are producing subsistence fruit and vegetables. Paru Village needs a water supply; in spite of requests little has been done, partly because of confusion as to responsibility. Technically Paru is the Welfare Branch's responsibility as it is on Melville Island. In practice the Aborigines there have always come under the wing of the mission at Bathurst. The mission has contributed little financially to development at Paru and this may partly stem from the fact that almost all Paru villagers are 'pagans'.

A feature of the Mission's economy is the migration of able-bodied males to Darwin for short periods. Mission policy is not to separate husbands from their families for lengthy periods; as housing for families is not readily available in Darwin, and as Bagot settlement is considered undesirable, this short-term employment is considered necessary. In September 1961 there were 96 males and 81 females employed on the mission; 25 men were employed by the army in Darwin, 33 by the R.A.A.F., three women by the leprosarium and eleven men and three women were in other employment in Darwin. By February 1962, 17 men were employed by the Forestry Bureau at Snake Bay.

It is clear that the economy of the mission is dependent upon the wages earned by the migratory labour force. Two aspects are noteworthy. First, there is no relation between training given on the mission and the nature of employment in Darwin where the sole category of work is general labouring. Secondly, migrant labour is in effect subsidising the mission. In 1960-61 the total wages paid amounted to £2,173.4.0., and Aborigines sold produce to the mission to the extent of £943.19.4.; in the same period a total of £8,611.2.4. was spent by Aborigines in the cash store (see Appendix 18). The discrepancy is due to the spending of their pocket money component of social service benefits by recipients of benefits, to the return of Darwin labourers and Shoal Bay salt workers with their wages and to
the return of Forestry workers from Melville Island.

The adult male wage is from 10/- to 15/- per week; the female wage varies between 6/- and 10/- per week. Some Aborigines earn income from produce sold to the mission, produce which is used to feed infants, school-children and hospital patients. The rates of payment for produce are shown in Appendix 17. The ration scale is shown in Appendix 15A. It is clear from the evidence of the hospital staff at Bathurst that gardeners, fishermen and hunters are selling almost all their produce and catch in order to earn additional money to buy food in the cash stores. The malnutrition problem is discussed in Chapter VI.

One aspect of the assimilation policy is the desire to inculcate a sense of financial responsibility. A feature of many missions and settlements, and Bathurst Island in particular, is the failure of officers to encourage saving, explain the concept of thrift and advise on buying in stores. Staff at Bathurst have stated that local and Darwin wage earners spend all their wages in the store, with encouragement, mainly on foods. The mark-up on cost in mission stores varies between 25 per cent and 40 per cent. The mission's economy is largely made up of the profits from the cash store and the operational subsidy which the Welfare Branch grants to certain categories of persons. In 1960-61 the mission received the following subsidies:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aged and infirm</td>
<td>£6,215</td>
</tr>
<tr>
<td>Children</td>
<td>6,404</td>
</tr>
<tr>
<td>Hospital cases</td>
<td>97</td>
</tr>
<tr>
<td>Pre- and Post-Natal cases</td>
<td>638</td>
</tr>
<tr>
<td>Mission staff</td>
<td>10,057</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>£23,411</td>
</tr>
</tbody>
</table>

As shown in Chapter III, the Bishop of Darwin has not sought government capital subsidies. Yet much of the mission's income, from whatever source, must be used for capital works. The Bishop's attitude must therefore result in a pegging of wages at the present level.

Santa Teresa, in Central Australia, has an extremely low rainfall. The mission lease is not considered good cattle country and what water is available has a high salt content. In 1962 the vegetable gardens were shifted because of the salting of the original gardens. Lack of an effective industry has resulted in migration of able-bodied males to cattle stations. This factor, together with drought conditions, has resulted in extraordinary relief measures being sought.
In October 1961 the Bishop informed the writer that Santa Teresa required financial assistance in the form of unemployment relief money to pay wages to workers. In the same month the Welfare Branch gave assistance by employing Santa Teresa men on a fencing project at Haasts Bluff Cattle Project. By November, 42 men were so employed. At the same time rations were sent to the mission to feed the dependents of the fencing workers. These workers were paid £1.10.0. per week, plus tobacco and rations. Wages and rations paid were taken from settlement allocations. Workers received 10/- in hand and £1 was forwarded to the mission for the worker to spend in the cash store.

The superintendent has stated that the mission can gainfully employ and support the dependents of 35 men at most. Since mission finances have to cater for capital works, it seems that the Bishop's stand on capital subsidies is causing undue hardship, which need not exist if the Welfare Branch is prepared to continue assisting the mission by employing and rationing all workers and dependents in excess of the maximum of 35 males.

Wages on this mission are higher than on Bathurst Island. Appendix 14 shows that the basic male wage per week varies between £1.10.0. and £2.0.0. and the female wage is £1. Trainees receive rations only. The ration scale is below the mandatory scale (Appendix 15B).

(11) METHODIST MISSIONS

The Methodist mission group is the only one which has laid down a uniform employment and wage policy for all 'stations'. It is the only group with a systematic table of increments (see Appendix 14). It is also the only group which fixes a wage and deducts a proportion for rations issued: all other missions assess wages as cash plus rations. The mandatory ration scale is assessed by the Welfare Branch to be worth slightly more than £2.0.0. per week. Hermannsburg, whose ration issue is closest to the schedule, assesses its value at 16/-.

The Methodist charge of £1.5.0. for 10 lbs. flour, 3 lbs. sugar and 4 ozs. tea per adult appears too high, even allowing the highest freight rates.

The four Methodist Missions are the most productive of all Aboriginal centres. The main activities are agriculture, fishing, sawmilling and craft work.
TABLE IV.3.
VALUE OF METHODIST MISSIONS’ PRODUCTION, 1961-62
(to the nearest £)

<table>
<thead>
<tr>
<th>STATION</th>
<th>AGRICULTURAL AND PASTORAL</th>
<th>TIMBER</th>
<th>CRAFT WORK</th>
<th>HIDES</th>
<th>SEA PRODUCE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elcho Is.</td>
<td>£1,387</td>
<td>£7,230</td>
<td>£1,067</td>
<td>£1,953</td>
<td>£6,664</td>
<td>£18,303</td>
</tr>
<tr>
<td>Goulburn Is.</td>
<td>4,789</td>
<td>-</td>
<td>1,326</td>
<td>498</td>
<td>1,646</td>
<td>8,160</td>
</tr>
<tr>
<td>Milingimbi</td>
<td>12,244</td>
<td>-</td>
<td>1,798</td>
<td>510</td>
<td>2,694</td>
<td>17,247</td>
</tr>
<tr>
<td>Yirrkala</td>
<td>11,723</td>
<td>-</td>
<td>4,326</td>
<td>415</td>
<td>954</td>
<td>17,419</td>
</tr>
<tr>
<td>TOTALS</td>
<td>30,145</td>
<td>7,230</td>
<td>8,518</td>
<td>3,377</td>
<td>11,960</td>
<td>61,231</td>
</tr>
</tbody>
</table>

In the table above, a large percentage of the timber value for Elcho Island is derived from commercial sales in Darwin. A large percentage of the value of sea produce at Milingimbi and Elcho Island is similarly derived; there is a strong demand for barramundi fish and mud crabs. The contract rates paid to workers are: timber workers, 2d. per super-foot; crab-catchers, a maximum of 6d. per lb, and fishermen 7d. per lb. for export quality. These workers pay for their rations. In view of the commercial profit to the missions from these industries, the rates paid to workers are low. The imposition of the 'individual-sacrifice-for-the-greater-good' principle is often rationalised by missionaries on the grounds that tribal life is traditionally communal and socialistic. As a principle today it is hardly justifiable in the light of policy. There is less place for the principle when it is considered that not all profits are used for the direct physical benefit of the Aborigines. The use of profits to build churches, for example, cannot, in the light of the very few genuine converts among the Aborigines, be considered a direct benefit. There is certainly no consultation with Aborigines as to what they desire in the way of improvements.

Elcho Island, which is the best equipped institution in the Territory (from the point of view of workshops, machinery and transport) has attempted an elaborate training programme in some fields, notably in engineering and machine maintenance. The programme is to last seven years, necessarily lengthy in order to bridge the language and educational gaps. Although this programme has much to recommend it, and while the trainees have made excellent progress, it suffers from the same defect as Welfare Branch training: on 'graduation' these trainees will not be accepted as trained artisans in the outside community. Trainees are usually paid 10/- per week and are so paid on the promise that once qualified they will obtain higher wages. However, on the present basis of payments, a youth may earn 10/- to 17/6 for seven years in order to qualify for the higher wage offered,
namely £3.17.0. Many youths, with the encouragement of their fathers, have stated a preference for labouring work at higher starting salaries. In spite of the system laid down by synod, some staff refuse to 'apprentice' trainees: the electrician employed by the Methodists has consistently refused to 'apprentice' electricians on the grounds that with their literacy standards at present they can never become electricians in the accepted sense. This realism is lacking on most other missions and settlements.

Some missionaries hold the view that training need not be of sufficient standard to obtain employment for the trainee in the outside community, that training is for permanent mission residents. They argue, first, that the present urban development of the Territory makes it impossible for all Aborigines to be absorbed and assimilated into urban communities; secondly, that Darwin is iniquitous and immoral, and migration should therefore be actively discouraged. Some Methodist missionaries believe that Aboriginal wages should not be raised to a higher level because this will result in waste and gambling. The superintendent at Yirrkala is opposed to this view, stating that 'if they earn high wages and waste, it is their human freedom to do so'.

The question of paying Aborigines according to their worth and capacity to earn is well illustrated in respect of craft work. Milingimbi and Yirrkala have the best bark-painters in Australia. The particular value of this work is that it is still, by and large, genuine representation of Aboriginal culture and religion, untainted by white contact. Within this mission group there are conflicting views on Aboriginal art: the superintendent at Elcho Island has always discouraged bark painting, and has refused to purchase barks, on the ground that the activity strengthens their religion. Craft workers at Yirrkala are paid on a percentage basis; for example, the superintendent fixes a price of say 10/- for an item and the worker receives 6/-.

In most cases the deduction is 40 per cent., said to cover handling and freight charges. The item is marked 10/- and is sold through the Methodist head office in Darwin to shops at that price. Bark painters, particularly at Yirrkala, tend to be paid a price proportionate to the final price in Darwin. The better known artists receive £2 to £4 for a large painting and £1 to £1.50, for a small bark. Some of these works are selling in the Australian commercial market from 10 to 50 guineas; abroad, prices of 100 to 250 guineas have been fetched.

In recent years a number of people interested in bark paintings have bought paintings from the mission at mission prices, sold them in Australia or abroad, and have returned their profits to the
The Yirrkala superintendent has been faced with the dilemma of whether or not to pay these large sums to the artists. In 1962 a dozen artists at Yirrkala earned over £1,000 for a selection of paintings sold abroad. The superintendent banked the money and consulted with the artists as to what they wished done with it. They wanted credit in the store and suggested that the balance go towards purchasing a refrigerated fishing vessel as a basis for a fishing cooperative, a scheme since initiated, with the artists contributing a capital sum of £500.

The Yirrkala superintendent's attitude towards Aboriginal earnings and capacity to earn is not widespread. The pegging of craft work prices to the artist on the basis of what a missionary thinks they are worth seems unreasonable, especially in view of the high prices which the articles can, and do, command in the commercial market. The pegging of their prices in order that Aborigines may not waste or gamble higher earnings is not consistent with 'helping wards to help themselves', or with any of the other economic policy aims.

(iii) **LUTHERAN MISSION**

Hermannsburg has a basic industry in its tannery which produces kangaroo-skin rugs and smaller products. The industry, while providing a source of income to the mission, is too small to employ the available labour. In December 1961 only 16 Aborigines were employed in the tannery. Similarly, the struggling cattle industry was able to employ only 12 workers. The water-colour painting industry — and it is an industry — involves 22 artists. In December 1961 the employment position at the mission was as follows:

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employees</td>
<td>64</td>
<td>76</td>
</tr>
<tr>
<td>Artists</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Idle</td>
<td>23</td>
<td>34</td>
</tr>
</tbody>
</table>

A feature of employment is the paying of piece rates to certain workers. This has been found to be an incentive, but the rates paid are not sufficiently high to induce workers to change their employment for these more skilled activities.

The profits to the mission from its sale of tanned goods are used for general improvements. This principle is common to almost all missions and settlements in the Territory and Queensland: profit from Aboriginal labour is used for the general benefit and improvement of a greater number of Aborigines.

26. In the week ending 16 December 1961, the five tannery piece-workers earned £9, £12.6, £9, £7, £6, 4.6, and £1,10.0, respectively.
The training given to tannery workers is of a high standard, but the training is usable only at Hermannsburg, for there is no commercial tannery in any of the urban centres in the Territory.

From Appendix 14 it is clear that Hermannsburg pays higher wages than any other mission; many workers are paid higher wages than settlement workers in the same category. Hermannsburg's wage rates are almost in line with the regulation wages.

Hermannsburg had, in December 1961, 22 artists on its books. Section 71 of the Welfare Ordinance forbids Aboriginal painters to sell their work direct to the public. Each painting must be submitted to a welfare officer who affixes a price to the painting and a stamp indicating that it has been priced by a welfare officer. This is the price at which the Aborigine may sell the painting. The motivation for this system was the protection of the Aborigines. In practice, its function has become the protection of the public. Welfare officers - and for purposes of stamping paintings, the Hermannsburg superintendent has been made a welfare officer - use a personal standard of judgment when affixing prices. They admit to fixing prices which will protect the public from buying paintings which they consider, sometimes 'know', to be inferior. Many tourists are willing to pay high prices for these works, carrying as they do the value of being painted by full-blood Aborigines and often carrying the signature of Namatjira, the son of the famous artist. The protection of the buying public, the valuation of paintings by a typist in the Alice Springs District Welfare Office, the pegging of prices by the Hermannsburg officials who are concerned at the high income of these artists - all this prevents an Aborigine, because he is a ward by legislation, from selling his wares in the best market. Hermannsburg missionaries have shown serious concern for the earnings of these artists, through stamped and unstamped paintings: they claim that the artists squander, gamble and drink their earnings, and cite the tragedy of Albert Namatjira. The failure of liquor legislation to prohibit illicit drinking should not be related to, or be allowed to affect, the earnings of these men.

27. In 1959-60 the artists earned £13,430. In 1960-61, 24 artists earned £7,581 (A.R.W.B., 1960-61, p.25). Between 1 August 1961 and 1 January 1962, the following artists sold their paintings to the mission (apart from sales in Alice Springs):

<table>
<thead>
<tr>
<th>Artist</th>
<th>Earnings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benjamin Landara</td>
<td>£64</td>
</tr>
<tr>
<td>Clifford Inka-Mala</td>
<td>32</td>
</tr>
<tr>
<td>Claude Pannka</td>
<td>85</td>
</tr>
<tr>
<td>Enos Namatjira</td>
<td>49</td>
</tr>
<tr>
<td>Keith Namatjira</td>
<td>86</td>
</tr>
<tr>
<td>Oscar Namatjira</td>
<td>220</td>
</tr>
<tr>
<td>Herbert Rabarabana</td>
<td>42</td>
</tr>
<tr>
<td>Reuben Parerunlotja</td>
<td>58</td>
</tr>
</tbody>
</table>

The mission deducts 1/- to 2/- in the £ for handling charges.
Groote Eylandt, with its two missions, Umbakumba and Angurugu, presents enormous problems in planning the support and gainful employment of some 700 people. For the most part, the soil at Angurugu is unsuitable for expanded agricultural activity. Welfare Branch investigations have concluded that Umbakumba is wrongly sited and that further development should not take place there.

Umbakumba has little in the way of economic development. A small farm produces fruit, vegetables and cereal crops. Handline fishing is carried out and there is a small craft industry. A sawmill operates with difficulty; neither mission has an electricity plant and machinery is powered by tractor. Angurugu has much the same economic facilities, but craft work constitutes the major source of income. Craft work is sent to Sydney for sale and earns a high rate of profit for the mission, which is used to purchase heavy equipment such as tractors. In this sense, the low rate paid to artists is subsidising the mission.

A number of possibilities have been mooted for the development of the island, including the establishment of economic fishing and cattle industries. The missionaries have favoured a forestry project and a cultured pearl industry. There is a possibility that the Broken Hill Proprietary Company Limited may exploit known manganese deposits.

In March 1961 a Welfare officer visited the island to investigate the possibilities of development. The C.M.S. intends to decentralise the two missions by starting a new settlement. They suggested investigation into the possibility of establishing a subsistence cattle-raising project, a forestry conservation programme, a new site for settlement and the migration of able-bodied men to Darwin for employment by the armed services. The first expert investigation did not take place till October 1963. The C.M.S. has meanwhile arranged for the employment of men in the army, six-month periods for single men and three-month periods for married men.

The Society discourages migration to Darwin on moral grounds. Aboriginal men find it difficult to raise the air fares, £11.4.0. single, to Darwin. Staving off 'immorality' by discouraging or preventing migration falls into the same category as staving off gambling and waste by keeping wages to a minimum. The employment problems and development of Groote Eylandt are complicated by Aboriginal antagonism towards the missionaries resulting from the vexed social and religious problem of monogamy versus polygamy.
Wages at both missions are low. The basic wage for adult males is 15/- to 16/- per week; for semi-skilled workers, from 17/- to 18/-; and for 'skilled' workers, from £1.0.0, to £1.5.0, per week. The basic female wage varies from 8/- to 12/- per week (Appendix 14). Ration scales vary from station to station, but are below the mandatory scale (Appendices 15E and 15F).

In July 1962 the Society revised its field organisation in the Territory and adopted a series of new policies. Under the heading 'Work, Industrial and Training Programmes for Approval', the Society's field council declared:

Aborigines must be trained to take over from Missionaries in all aspects of the work. Attention must be given by all subsidised staff and Station Councils to the commencement and carrying out of progressive training programmes as required by Welfare Department.

Another resolution, 'Aborigines Replacing Staff Members', read:

Aborigines could only be substituted if they have the necessary technical and trade qualifications and can engage in a training programme.

The new policy aim is commendable, but fraught with contradictions and difficulties. Under the present training system, whether training is given by the Welfare Branch or the mission staff, it will be some considerable time before the Aborigines obtain 'the necessary technical and trade qualifications'. It is not clear whether C.M.S. will accept as qualifications from Aborigines the qualifications they accept from some missionaries, or whether the standard required is the standard required to obtain first-class employment in southern industry or agriculture. It seems that C.M.S. will have to modify the standards required for replacement by Aborigines if it is to pursue the policy of replacement in the near future.

D. SUBSIDISED WORKERS ON SETTLEMENTS AND MISSIONS

Aboriginal assistants who have undergone 'training' are paid a starting salary of £3 per week. The Minister has approved the Director of Welfare's right to make increases up to the basic wage. On settlements, when an assistant has obtained his 'certificate of training', he starts on a cash wage of £3 per week. There is no deduction for food, clothing and accommodation, except on the three

settlements mentioned earlier. Only one assistant, a female teacher at Snake Bay, is on a higher rate: £5 per week as a result of the Branch's assessment of her qualifications and competence. Assistants freely elect what portion of their wage they wish to be held in trust and this is paid into a private savings bank account.

Missions receive the same subsidy for each teaching, nursing and hygiene assistant. These are paid direct and it appears that the missions have a discretion as to what to do with the subsidy. At Bathurst Island the male teaching assistant received his full £3 but receives no rations, buying his family food requirements in the cash store. A former female teaching assistant was subsidised on the £3 basis, but deductions were made as follows:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>£2.10 0</td>
<td>for keep</td>
</tr>
<tr>
<td>2/-</td>
<td>for clothing</td>
</tr>
<tr>
<td>4/-</td>
<td>for accommodation</td>
</tr>
</tbody>
</table>

Actual cash wage = 4/-.

Methodist mission assistants receive £3: there is a compulsory saving of 10/-, a deduction of £1.5.0. for rations and the actual cash wage is £1.5.0. per week. C.M.S. assistants receive £3: there is a deduction of 15/- for board and lodging, and a cash payment of 13/-; they may draw up to the balance held for them, namely, £1.12. 0.

Deductions for keep, clothing and accommodation are hardly consistent with the declared policy of encouraging Aboriginal economic and social independence. Indeed, the practice savours sometimes of securing income for the missions at the expense of the worker.

E. PASTORAL PROPERTIES

In 1952 J.H. Kelly wrote that the Aboriginal station worker had rightly been described as the backbone of the pastoral industry, and that it had become increasingly dependent upon his labour as white workers left the field. Appendix 5 shows the extent to which some properties employ Aborigines in various capacities. From these figures it may be presumed that either pastoralists employ more Aborigines than they need, or that the cost of replacing them with the equivalent number of white workers at award wages would be beyond their economic capacity, or that Kelly's 'backbone' assertion is patently true. Little, he wrote, had been done to encourage and develop the Aborigines' 'undoubted aptitude' for stock work. Their value had been well demonstrated by the 'comparatively few station

holders who have had the humanity to treat them properly, and the sage-
city to appreciate their latent qualities as skilled labour if pro-
perly housed, fed and trained'. The Native Affairs Branch was to be
complimented for its 'active interest' which had shown 'some beneficial
results':

But there is a need for much stricter enforcement of employers'
obligations to treat native employees properly. The native
should be paid for the work he does, in fair proportion to the
pay of a white employee, and those who are permitted to employ
him should be forced to provide conditions conducive to his
well-being.

Kelly's assertions remain true a decade later.

The original Wards' Employment Ordinance took positive steps
towards the protection of the station worker and his family by stipu-
lating mandatory wage rates, housing facilities, scales for food,
clothing and tobacco, and training conditions. The worker was to be
protected from ill-treatment by the Director's power to cancel an
employer's licence to employ Aborigines. An Employment Advisory
Board was created to advise the Administrator on training and appren-
ticeship, placement in industry and the regulation of conditions of
employment of wards. The furnishing of accurate statistical returns,
with penalty clauses, was made compulsory.

The Ordinance also gave protection, assistance and incentive to
the industry by laying down that an employer of an Aborigine was
responsible for the wage and keep of the Aborigine and for the keep of
one wife and one child.30 Under an agreement with pastoral lessees'
associations, the government agreed to accept responsibility for the
care and maintenance of all other dependants on pastoral properties,
for example, the second wives and other children of an employee.
The rate of subsidy for dependants, which is reviewed every six
months, was, in 1961-62, £21. 8s. 6d. per child and £41.14s. 1d. per adult
per annum. For 1962-63 the rates were increased to £64. 7s. 0d., and
£89.13s. 1d. per child and adult respectively. In the 1962-63 finan-
cial year, the Welfare Branch subsidised the pastoral industry in
this way to the extent of £79,360 and the 1963-64 estimate is £95,000.
(see Table V,11.) In addition, the pastoralists, 'on behalf of' the
Aborigines, receive certain social service benefits, from which
moneys they pay a pocket money component and deduct the remainder
for maintenance and accommodation.

The regulations stipulate the wages payable in the industry.

30. Regulation 24(3).
For droving the weekly wage is either £10 or £5, depending on whether the worker is droving with plant and stock or with plant only. On properties, the male wage is £2 and the female wage £1 per week. An amendment to s.38 of the principal Ordinance laid down that Aborigines must be paid in accordance with the prescribed wage, which is the wage appearing in the Gazette (Appendix 12). An employer may pay an Aborigine who has justified it a higher wage than that prescribed if the increase is agreed upon between the employer and a welfare officer. Theoretically, an employer who pays a higher wage without agreement is liable to a fine of £100. Appendix 5 shows the returns of Aboriginal wages on several stations: in some cases the prescribed wage is paid; in others payments exceed the prescribed wage by amounts varying between 10/-, 15/-, £1, £2 and occasionally £3. While agreements have not been entered in all those cases, it is clear that no action would be taken against pastoralists paying higher wages.

That some returns of employment and wages have not been made at all, and that some are inaccurate and misleading, has been recognised by the Welfare Branch. Some returns, as in Appendix 5D, seem to merit examination and explanation.

Two months after the commencement of the Wards' Employment Ordinance on 1 October 1959, the first meeting of the Employment Advisory Board was held. P.J.S. Morris, representing the Northern Territory Pastoral Lessees' Association (N.T.P.L.A.), argued that 'the regulation of conditions of employment of wards' - which under s.13(e) of the Ordinance is a function of the Board - should not be a matter for its consideration or recommendation. The general history of cattle operations in the Territory, he said, had not been one of high profit returns. His association felt that the negotiation of wage rates should be restricted to representatives of the industry, who would be aware of the finer economic points involved, and the Administration. W.H.F. Petrick M.L.C., representing the Centralian Pastoralists' Association, stated that Aborigines in Central Australia enjoyed the highest standard of living of all primitive people:

The natives are happy enough and he could not see why the Board should interfere as it could price wards out of employment if the cost of employment is beyond the capacity of the industry to pay.

Morris questioned whether the Board was competent to discuss wages in the industry 'in view of the variation in the level of individual competence of the Board members in such matters'. The chairman was

31. W.E.A.B., first meeting, 5 December 1959, p.3.
prepared to make available the data used in the period 1947 to 1957 which had been used in determining the existing award to pastoral Aborigines. Morris objected to the information being made available as 'the current wage rate in the pastoral industry was a matter between the Associations and the Administration'.

At the Board's second meeting A.E. Richards, representing the Darwin Chamber of Commerce, moved a motion that section 13 of the Ordinance be amended by deleting the words: '(e) the regulation of conditions of employment of wards'. He used all of Morris' arguments, but added that the Board's major responsibilities were covered in items 13(a) to (d).

At the third meeting Morris stated that 'when wages are to be discussed the Board will break up into cliques: the true function of the Board would be immediately challenged and if subsection (e) were to be retained it could destroy the Board'. A. Callinan and P. Carroll, representing the Amalgamated Engineering Union and the North Australian Workers' Union respectively, declared that the passing of the motion would result in the unions' exclusion from consideration of wage and employment conditions. Carroll explained that while Aborigines are under the control of the Director, no approach could be made to the Conciliation and Arbitration Commission in respect of Aboriginal wages and conditions. If unions could not consider and advise on wages through participation in the Board, they would be excluded from the field and there would be no point in the unions being represented. The chairman asked whether, if unions were not to be so excluded, there would be objections to unions being present at conferences between pastoralists' associations and the Administration. Morris said he could not agree to their presence. The motion to delete subsection (e) was passed.

**FOR**
- P.J.S. Morris (N.T.P.L.A.)
- W.H.F. Petrick (C.P.A.)
- N. Paspaley (an employer of wards)
- A.E. Richards (Chamber of Commerce)
- H. Adams (Aboriginal non-ward)

**AGAINST**
- Chairman (Director of Welfare)
- P. Carroll (N.A.W.U.)
- A. Callinan (A.B.U.)
- C.A.J. McRae (Welfare Officer)
- (* The two mission representatives were absent.)

While a motion of this nature cannot delete a clause in legislation, it has had the effect that the Board does not discuss or make recommendations to the Administrator on wages and employment.

34. *M.E.A.B.*, third meeting, pp.8-10.
The pastoralists' opinion that higher wages to Aborigines would be injurious to the industry is still to be proved. Some pastoralists maintain that Aboriginal labour is unproductive and therefore costly and are seeking to replace it with higher paid white labour. There is sufficient evidence, from pastoralists and from expert opinions such as Kelly's and Forster's, that white labour, efficient and inefficient, is no longer recruitable in reasonable numbers. J.H. Kelly's view is that if the industry has to pay higher wages it will do so and it will survive.

Under sections 32 to 37 inclusive of the original Ordinance (see Enclosure 4) an employer was required to obtain a licence to employ and the Director had the power to cancel a licence if he felt or knew a person to be unfit to employ Aborigines. At the Board's first meeting the chairman was asked why licences were necessary. He replied 'that experience has proved that some people will not "play the game" and some means of stopping these people from employing Aborigines is necessary'. The Administration needed to have control over the accommodation, feeding, training and employment of Aborigines and the licensing system enabled this control. It also enabled the obtaining of basic statistical information such as employment returns.35 Richards and Petrick moved a motion that s. 32 of the Ordinance remain, but that the Board express the opinion that licensing should be abandoned at the earliest practicable stage.36

At the second meeting Morris37 pointed out that for some years licences had not been issued (under the Aboriginals Ordinance) and he enquired whether there had been any increase in problems associated with unsatisfactory employment conditions. The chairman indicated that drovers presented problems and the only way to safeguard Aborigines was to have the facility of refusing or cancelling a licence. A conference of District Welfare Officers had resolved that licences be abandoned and an open permit system substituted. Richards and Callinan38 moved a motion that the 'abandonment' be achieved in three stages:

Firstly by supporting the proposal that a permit to employ replace the present licence; such permit to be issued without payment of any prescribed fee;

35. M.E.A.B., first meeting, p.5.
36. Ibid., p.5.
37. M.E.A.B., second meeting, p.3.
38. Ibid., p.4.
Secondly that at an appropriate time the necessity to obtain a permit be removed subject to the introduction of suitable provisions enabling restrictions to be placed on the employment of wards by undesirable employers; and

Thirdly that the permit system be eliminated completely when the majority of wards were considered to have reached the stage where they can compete for and obtain employment on the open labour market without the need for protection against unsatisfactory employers.

This motion was carried unanimously.

At the third meeting in September 1960 the chairman announced that the Minister had approved the deletion of the regulation requiring a licence fee and that the substitute of a permit system was still under consideration.39

Whether or not the tenor of these discussions was known to persons outside the Board, a month after Richards' motion a Legislative Councillor, R. Ward, introduced an amendment to the Wards' Employment Ordinance to repeal all provisions relating to licensing.40 Ward stated that he understood pastoralists to be dissatisfied about this concept of a licence and that many pastoralists had refused to take out licences: 'it seems to me that the necessity to have a licence to employ Aborigines is degrading to both the employer and the employee. He described the regulations as absurd and proposed that the Administrator's Council should replace the Minister as the maker of regulations, and should draw up a new set after the repeal of the existing set.

The Director of Welfare commanded Ward's comments on 'the connotation that is usually given to the term "licence", particularly in the context of native welfare'. However, there was still need of some means of control 'so that the unsatisfactory employer is not able to offend against the principles of common decency and prescribed conditions of employment':

There are such persons. There is not a great number of them, but they do exist. It is useless to suggest that the remedy for abuses of employment conditions is to get a ward to go into court and give evidence against his employer... The only satisfactory means of dealing with these persons is to issue some form of permit to employ. Permits can be withdrawn, and while that is a stringent measure, it is sometimes required in respect of the very few odd cases that come to the attention of the Government.

40. N.T.L.C.D., 12-14 April 1960, pp.63-70
The Crown Law Officer declared that the bill would have the effect of repealing, without substitution, the existing regulations relating to control of employment: in this way an hiatus would be created.\(^1\) The Director of Welfare\(^2\) attacked the bill for its destructive nature: it sought to remove the control over employment conditions and it suggested no alternative. At this stage the member for Alice Springs, N. Hargrave, proposed a series of compromise amendments to replace sections 32 to 37, not merely to repeal them. These amendments, which were accepted and which became law, appear in Enclosure 4. The gist of them is as follows: where a person employs an Aborigine, he must inform the Director of the fact, together with the name of the employee and the date of employment, within 28 days (penalty: £100 or six months). The Director may direct a person not to employ a ward on the ground that he is not a fit and proper person to employ him, 'having regard to previous conduct of that person in relation to a ward'. A person so directed shall comply, on penalty of £100 or six months or both. A person aggrieved under this section may appeal to a court of summary jurisdiction. The court may dismiss the appeal or allow it by ordering the Director to withdraw his direction. Persons who employ Aborigines must furnish returns in the prescribed form. In s.38, the term 'licensee' is replaced by the word 'person'.

The significant change is that formerly a welfare officer had the power to cancel a licence and appeal lay to the Director. A possible defect in the new system is that the Director may have grounds for believing an employer to be an unfit person, but these grounds may be difficult to sustain in court.

In the two changes that have been affected, the Board's refusal to discuss wages and the dilution of the Director's powers to control employment, it is difficult to avoid the impression that the stress has been on the protection of the pastoral industry rather than on the protection of the Aborigine. A non-official member of the Legislative Council, J.E. Tonkin, was emphatic on this point:\(^3\)

I submit that our duty is to see that the ward is protected, not to see that the employer is able to employ. Our first duty is to the ward, and I think that that point has been lost in this discussion. Our thoughts have been of the employer, and that is wrong.

Whatever the wording of the Ordinance and regulations, and

\(^{1}\) N.T.L.C.D., 30 May - 9 June 1960, p.277.
\(^{3}\) Ibid., pp.820-821.
whatever powers of control over employment and living conditions are
given, the crux of the matter is the enforcement of whatever is manda-
tory. In August 1962 the Welfare Branch had an establishment of 10
patrol officers and 14 patrol officers-in-training. At the end of
1962 there were 15 patrol officers in the Branch, two of whom were
town patrol officers. Not all of the remaining thirteen were carry-
ing out patrol work. There are approximately 230 cattle stations in
523,620 square miles of Territory.

The suggestion has been made by some critics (or cynics) and in
some instances tacitly admitted by some pastoralists, that it 'is
cheaper to grow niggers than beef' in the Territory. There are two
possible ways in which this assertion could be true. First, the
population figures on which the Welfare Branch gives assistance to
dependants on pastoral properties is the responsibility of the
Branch. The pastoralists file a combined maintenance and child
endowment form in which they list all dependants other than those for
whom they are legally responsible. Patrol officers check and
certify the figures, and on certification a cash payment is made,
With the shortage of patrol officers and their inability to pay
regular visits to all properties, such checking cannot always be done,
or done with accuracy. Thus dependant population figures may be
unreal and on payment it is not possible to check whether the payment
is used for the purposes for which it is given. Secondly, pastoral-
ists receive pension moneys direct (see Chapter V). The £10.10. 0.
fortnightly pension is split into three components: a pocket money
handout of £1 to the pensioner, a deductible component for mainten-
ance and a component to be set aside to house the pensioner.
Without regular checks it is not possible to assert that these
components are paid or used in the manner laid down.

F. TOWN AREAS

Little investigation was carried out on Aboriginal employment
in town areas. The number employed by organisations other than
the Welfare Branch, the missions and the pastoral industry, is not
high. Complete figures are not available which show the number of
Aborigines employed and the wages paid in these centres. It is
known that in August 1962, 34 Aborigines were employed by various
government departments and stevedoring companies at the basic wage.
These workers live at Bagot, the Aboriginal villages at Elliott and
Tennant Creek and at Amoonguna. In June 1961, 36 men were
employed by Qantas Empire Airways at the wage rates shown in
Appendix 19. These workers live at Bagot and pay meal and accom-
modation charges. It is also known that 58 Bathurst Islanders
were employed by the Army and R.A.A.F. in September 1961. An
The minimum wage rate observed in town employment on a weekly hire basis, and also as a general rule by government departments, is £3.10.0, a week plus clothing, rations and accommodation. In some cases higher wages are paid, but the Defence Services, which are the main employers of wards, pay the minimum wage only.

This statement requires clarification on one point: town-employed Aborigines living at Bagot pay for meals and accommodation out of their cash wages.

G. SUMMARY

Few, if any, of the original policy aims have been achieved. The purposes of the employment legislation were to protect Aboriginal workers and to assist their becoming 'self-sustaining units in our economic structure'; in both purposes the Ordinance can be said to have failed. The Ordinance's provisions 'apply' to one major employer only, and that application is rendered meaningless through lack of enforcement and dilution of such 'controlling' provisions as the licensing system. Employment on settlements and missions is rarely productive. It is not gainful employment in the sense of workers' acquiring skills which will make them 'true competitors side by side with other Australian workmates'. Vocational education may lead to Aborigines being accepted as 'qualified' in their segregated communities, but it does not enable them to move out into ordinary communities, as policy implies, there to sell their labour 'under the same conditions as other Australians for work of a similar class'. The Ordinance itself, and its application does not recognise that 'work of a similar class' is done by Aborigines, particularly in the pastoral industry. It reduces every worker's skill, ability and productivity to a uniform standard carrying a uniform wage; in short, there is an assembly-line approach and not an individual one.
CHAPI'ER V: SOCIAL SECURITY

A basic aim of the assimilation policy is that Aborigines shall attain the same manner of living, enjoy the same rights and privileges and accept the same responsibilities as other Australians. In 1951 the native welfare conference resolved that the federal government be asked 'to review and liberalise the application of social services to our native people, with a view to removing existing anomalies'. This request was met and by 1960 the Commonwealth Department of Social Services was able to state that 'Aboriginal natives, other than those who are nomadic or primitive, are eligible (for the appropriate benefits) on the same conditions as other members of the community'.

In this chapter social security or social assistance means the social service benefits administered by the Department of Social Services as defined in Table V.1 and Appendix 20. Three aspects of social security will be examined: the question of Aborigines' eligibility for benefits; in particular, the question of whether or not Aborigines are eligible on the same conditions as other Australians; and a consideration of the value, to the Aboriginal recipients, of the benefits they receive.

A. SOCIAL SECURITY AVAILABLE TO THE COMMUNITY

In Appendix 20 a full description of social service benefits available to the community is given, except those which are not in any way relevant to Territory Aborigines. A synopsis of this Appendix is given in the table below, and one point in it needs elaboration: pensioners in benevolent homes receive a portion of their benefit for their personal use; the balance - the so-called 'institutional' portion - is retained by the authority caring for the pensioner for his maintenance.

## TABLE V.1.  
**SOCIAL SERVICE BENEFITS AVAILABLE TO THE COMMUNITY**

<table>
<thead>
<tr>
<th>Benefit</th>
<th>Persons Eligible</th>
<th>Rates Payable in March 1962</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>maximum</td>
</tr>
<tr>
<td></td>
<td></td>
<td>annual rate</td>
</tr>
<tr>
<td>1. <strong>Age Pension:</strong></td>
<td>Males, 65 years &amp; over; Females, 60 &amp; over; Pensioners in benevolent homes</td>
<td>£273. 0. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>96. 4. 0.</td>
</tr>
<tr>
<td>2. <strong>Invalid Pension:</strong></td>
<td>Persons over 16 permanently incapacitated or blind; Pensioners in benevolent homes</td>
<td>273. 7. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>96. 4. 0.</td>
</tr>
<tr>
<td>3. <strong>Dependent Wives' Pension:</strong></td>
<td>Wives of invalid &amp; age pensioners; Dependent wife; First child under 16; Each other child</td>
<td>123.10. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>39. 0. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>26. 0. 0.</td>
</tr>
<tr>
<td>4. <strong>Widows' Pension:</strong></td>
<td>Class A: widow with one or more children under 16; For each extra child; Class B: widow 50 years or more with no children; Class C: childless widow under 50 in need of assistance within 26 weeks of husband's death</td>
<td>286. 0. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>39. 0. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>240.10. 0.</td>
</tr>
<tr>
<td>5. <strong>Child Endowment:</strong></td>
<td>Persons or institutions with children under 16 in their care; For first child; For each other child; For each child in an institution</td>
<td>5. 0. 0.</td>
</tr>
<tr>
<td>6. <strong>Maternity Allowance:</strong></td>
<td>For mothers, towards childbirth expenses; For first child; For second or third; For fourth &amp; other; Pre-natal allowance</td>
<td>15. 0. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>16. 0. 0.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>17.10. 0.</td>
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<td></td>
<td></td>
<td>10. 0. 0.</td>
</tr>
<tr>
<td>7. <strong>Unemployment &amp; Sickness Benefit:</strong></td>
<td>Males, 16-65 &amp; females, 16-60 who suffer temporary loss of earnings; Adult or married minor; Unmarried, aged 16-17; Unmarried, aged 18-20; Dependent spouse; Each child under 16</td>
<td>4. 2. 6.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. 7. 6.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15. 0. 0.</td>
</tr>
</tbody>
</table>
B. ACTUAL PAYMENTS TO ABORIGINES

Aboriginal benefit eligibility hinges on the interpretation of the phrase 'nomadic or primitive'. 'Nomadic' presents no difficulties: the Welfare Branch considers nomads those who are 'not in contact with missions, settlements or pastoral properties'. It is for practical administrative reasons that rarely-seen nomadic Aborigines are excluded. At the end of 1962 their number was some 300. The 'primitive' criterion has been resolved by the Departments of Social Services and Territories in this way:

The only aboriginals now excluded from benefits are those who follow a mode of life that is, in the opinion of the Director-General of Social Services, nomadic or primitive. While no hard and fast rule has been laid down for the present, the general policy is that, where an aboriginal is in fact residing on a Mission, (pastoral) station or Government Settlement in a remote area and that mission, station or settlement accepts full responsibility for his maintenance and welfare, he will not be regarded as nomadic or primitive so long as he remains within the sphere of influence of that mission, station or settlement. This will apply notwithstanding the fact that his life may be to a large extent governed by tribal laws and customs and that for part of the year he is absent on annual 'walkabout'.

Before the passing of the Social Services Act of 1959, Aborigines were eligible only for child endowment and unemployment and sickness benefits. Pension and maternity eligibility depended on whether the Aborigine was exempt from state laws controlling Aborigines. The 1959 Act extended eligibility for all benefits to all Aborigines, these new provisions coming into operation on 2 February 1960. The next consideration is whether or not Aborigines are eligible on the same conditions as other Australians.

The Director-General of Social Services has described the conditions for Aborigines:

Subject to such adjustments as may later appear necessary in the light of experience, the following procedures are being followed, the guiding principle being that, wherever possible, payment will be made to the individual concerned.

Payment is being made in this manner to natives who are living in townships and closely settled areas and who have shown they are able to manage their own affairs. Where the pensioner asks, or where the Department of Social

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2. See Table I.2.


4. Ibid. The writer's italics. 'Pensioner' here means persons entitled to age, invalid, dependent wives' and widows' pensions.
Services considers it desirable, the whole or part of the pension may be paid to some other person or authority on behalf of the pensioner. This is in no way a discriminatory provision because it applies equally to all pensioners in the community.

Where aboriginals are being cared for in a controlled community such as a Church Mission, Government Settlement or large pastoral property, payment is being made on the same basis as to residents in benevolent homes, that is, part of the pension is paid to the aboriginal for his own personal use and the rest is paid to the authority controlling the community for the pensioner's maintenance.

Because of the various stages of advancement of the aboriginals, the personal or pocket money component is not uniform in all cases, but varies from 10s. a week in the more remote areas to £1.13s. a week on some Government Settlements and Church Missions where the aboriginals are sufficiently advanced to be able to handle that amount of money themselves.

In time it is hoped that Aborigines will advance to a stage where they 'can properly handle the full institutional rate of £1.13s. a week', now £1.17.0., and 'all Church Missions have been told of this objective and have promised their co-operation in achieving it'.

As in the case of pensioners in benevolent homes, the balance of the pension over and above the amount of pocket money is paid to the authority controlling the community to be used for the pensioner's maintenance and for his general welfare.

With Government Settlements, the amounts are paid to the State authority, and with pastoral properties to the owner or manager of the property. With Church Missions the amounts are paid to the superintendent of the mission concerned or, where the mission is in a remote locality and all major financial transactions are conducted by the headquarters in the capital cities, to the headquarters. In all cases, however, the pocket money portion of the pension is paid in a lump sum to the superintendents of settlements or missions or the managers of pastoral properties who pay it to the aboriginals. This means that the pensioners will actually receive cash in hand.

Similar principles are being applied in the payment of maternity allowances.

(1) Payment on Settlements

Pension and maternity allowance payments to Aborigines began in April 1960 when the current pension rate was £4.15.0. weekly. In October 1961 the age and invalid pension rates increased to £5.5.0. The present practice on all settlements is that the pensioner receives 10/- per week pocket money and the £4.15.0. balance is retained by the Welfare Branch for the housing, maintenance and general care of the pensioner and his dependants. All Aborigines qualify for pensions as they satisfy the means test. Only two pensioners on settlements, both at Bagot, receive their pensions in full.

Dependent wives were eligible for an allowance of £1.15.0. per week. From October 1961 they were eligible for £2.7.6. per week.
10/- pocket money and the balance retained by the Welfare Branch for their accommodation, maintenance and general care. Widows eligible for £5.10. 0. and £4.12. 6. pensions receive 10/- pocket money and the remainder is held by the Welfare Branch.

Most Aboriginal women do not receive any child endowment money in cash. A few who live at Bagot and Amoonguna collect their endowment from the local District Welfare Office. The Branch retains the money received, as discussed in section C below.

Portions of maternity allowance money are retained to defray the cost of any confinement and layette expenses incurred by the Welfare Branch. The balance is paid either direct to the mother or spent on her behalf on the settlement. Most of the allowance is used up by the additional foods included in a mother's diet, before and after a confinement, and in the special care and attention and layette items provided for the baby. However, 'if a superintendent considers that it is in the best interests of a mother and (that) it will assist in her social training, some portion of this amount may be made available in cash to the mother' (in February 1962 the maximum was £5).

**TABLE V.2.**

<table>
<thead>
<tr>
<th>Benefit</th>
<th>1962-63</th>
<th>1963-64 Estimates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age, Invalid &amp; Wives Allowances</td>
<td>226</td>
<td>240</td>
</tr>
<tr>
<td>Widows</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>1,936</td>
<td>2,450</td>
</tr>
<tr>
<td>Maternity Allowances</td>
<td>220</td>
<td>200</td>
</tr>
<tr>
<td>Unemployment Benefits</td>
<td>Nil</td>
<td>Nil</td>
</tr>
</tbody>
</table>

5. This description appears in a circular instruction to superintendents dated 2 February 1960, from File No.59/3266, 'Payment of Social Service Benefits to Aborigines on Settlements', W.B.H.O.

6. Information from the Department of Territories, Canberra.

7. Information from the Department of Social Services, Melbourne. The Minister for Social Services requested that the following statement accompany figures relating to Aborigines supplied by his Department:

   'As a matter of policy no record is kept of the ethnic origin of people who qualify for payments under the Social Services Act but, in the normal processes of administration and in the procedures adopted for payment of social service benefits, the Department of Social Services is in a position to estimate, with a reasonable degree of accuracy, the numbers of aboriginal pensioners on Government Settlements, Church Missions and Pastoral Properties. It is desired to emphasise that if those benefits were paid direct to the Aborigines who qualify for them the Department would not then be in a position to identify them. That it can identify them is an accidental result of the method of payment.'

8. The number of pensioners in February 1963 was in fact 309. See *N.T.L.C.D.*, 18-22 February 1963, p.296.
(ii) Payments on Missions

The nature of social service payments varies from one mission group to another. On some Roman Catholic missions, pensioners (age, invalid, widows and wives) each receive 10/- per week pocket money, the balance being retained by the missions' headquarters in Darwin. At Port Keats, however, pensioners receive 4/-, a deduction being made from the 10/- to defray the cost of issue of blankets. Headquarters retains all child endowment money. Mothers receive no cash from their maternity allowances but are given clothing, blankets, soap, dresses, extra food, powder, napkins and so on. Dependent wives get rations, tobacco, dresses, one blanket a year and five feet of calico. All other pensioners, in addition to pocket money, get rations, tobacco, a blanket, calico, dresses, shirts, pants and 6/- worth of bread per fortnight. Each is given a pipe, mosquito net, a torch and one lantern per annum, and iron, nails and paint for their houses.

At Hermannsburg pensioners are paid £1 per week pocket money - the only mission where this is done - and the balance is paid into a 'social services trust account' operated by the mission. All rations are bought from this account and the balance is held for Aboriginal housing projects. All child endowment money is paid to the Finke River Mission Board in Adelaide. Mothers are given two issues of clothing, one at the child's birth and one six months later. They also receive £3 to £4 in hand, the balance going into the trust account.

The C.M.S. pays pensioners 10/- per week (in September 1962 there was talk of raising this to 15/-), and each mission keeps the balance for the maintenance, clothing and housing of pensioners. All child endowment money is retained by the particular mission. Maternity allowance money is retained to offset the cost of hospital services provided and the cost of layettes.

The M.O.M. group pays pensioners 10/- pocket money and holds the balance for maintenance, clothing and accommodation of pensioners. All maternity allowance money is held by the individual missions to offset clothing, additional food and layettes.

It is apparent that between April 1960 and December 1963 none of the missions, possibly excepting Hermannsburg, considered a single pensioner capable of 'properly handling' the full pocket money rate of £1.17.0, per week paid to pensioners in benevolent homes.
TABLE V.3.
MISSION ABORIGINES ENTITLED TO SOCIAL SERVICE BENEFITS
(P = age, invalid & wives' pensions; W = widows' pensions; CE = child endowment; MA = maternity allowances; UB = unemployment benefits; N = nil and NA = not available.)

<table>
<thead>
<tr>
<th>MISSION</th>
<th>1962-63</th>
<th>1963-64 Estimates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>P</td>
<td>W</td>
</tr>
<tr>
<td>Roman Catholics</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bathurst Island</td>
<td>102</td>
<td>390</td>
</tr>
<tr>
<td>Daly River</td>
<td>18</td>
<td>129</td>
</tr>
<tr>
<td>Santa Teresa</td>
<td>20</td>
<td>218</td>
</tr>
<tr>
<td>Port Keats</td>
<td>28</td>
<td>201</td>
</tr>
<tr>
<td><strong>sub-total</strong></td>
<td>168</td>
<td>NA</td>
</tr>
<tr>
<td>C.M.S.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Angurugu</td>
<td>13</td>
<td>220</td>
</tr>
<tr>
<td>Ompolli</td>
<td>18</td>
<td>116</td>
</tr>
<tr>
<td>Rose River</td>
<td>16</td>
<td>98</td>
</tr>
<tr>
<td>Ugbakumba</td>
<td>13</td>
<td>112</td>
</tr>
<tr>
<td>Roper River</td>
<td>18</td>
<td>136</td>
</tr>
<tr>
<td><strong>sub-total</strong></td>
<td>78</td>
<td>NA</td>
</tr>
<tr>
<td>M.O.M.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goulburn Island</td>
<td>15</td>
<td>90</td>
</tr>
<tr>
<td>Croker Island</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Milingimbi</td>
<td>14</td>
<td>260</td>
</tr>
<tr>
<td>Elcho Island</td>
<td>24</td>
<td>275</td>
</tr>
<tr>
<td>Yirrkala</td>
<td>16</td>
<td>225</td>
</tr>
<tr>
<td><strong>sub-total</strong></td>
<td>84</td>
<td>NA</td>
</tr>
<tr>
<td>F.R.M.B.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hermannsburg</td>
<td>39</td>
<td>NA</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>369</td>
<td>NA</td>
</tr>
</tbody>
</table>

* There were 129 pensioners at East Arm Leprosarium in 1963.

(iii) Payments on Pastoral Properties

The nature of payments varies from property to property. On the basis of an agreement between the Welfare Branch and the

9. Information from the Department of Social Services, Melbourne. See footnote 7.
11. C.M.S. & M.O.M. figures were supplied by the individual missions concerned. The Lutheran & Roman Catholic missions did not have figures readily available. However, since C.M.S & M.O.M. figures correspond almost exactly with the child population ones, as at 30 June 1962, the latter figures are given as they appear in A.R.W.S., 1961-62, Appendix "C", p.102.
pastoralists' associations, pensions are divided into three components:

1. pocket money portion;
2. maintenance of the pensioner; and
3. accommodation, for which a certain amount must be set aside to house the pensioner in terms of the Word's Employment Regulations.

Generally speaking, all pastoralists pay pensioners 10/- per week pocket money. A few properties pay £1 per week. Pastoralists obtain child endowment from the Welfare Branch which for this benefit acts as a distributing agent for the Department of Social Services. From discussions with pastoralists, it seems rare for a pastoralist to pay a mother child endowment; it is usually retained to offset maintenance of a child. Some pay mothers the full maternity allowance, but the great majority retain it for the maintenance and accommodation of these women.

### Table V.4

**Pastoral Property Aborigines Entitled to Social Service Benefits**

<table>
<thead>
<tr>
<th>Benefit</th>
<th>1962-63</th>
<th>1963-64 Estimates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age, invalid &amp; wives' pensions</td>
<td>432^13</td>
<td>492</td>
</tr>
<tr>
<td>Widow's pensions</td>
<td>NA</td>
<td>21</td>
</tr>
<tr>
<td>Child endowment</td>
<td>1,000^14</td>
<td>1,500</td>
</tr>
<tr>
<td>Maternity allowances</td>
<td>NA</td>
<td>100</td>
</tr>
<tr>
<td>Unemployment benefits</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

(iv) Other Aborigines

Aborigines living independently in urban centres, but not at Bagot and Ancoonga, are paid full pensions, child endowment and maternity allowances direct by the Department of Social Services. In February 1963 there were 35 male and 28 female pensioners concerned. In November 1963 there were 71 pensioners on full payment.

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12. Information from the Department of Social Services; see footnote
16. In November 1963 the Director of Welfare stated that the number of Aboriginal pensioners 'known to be receiving pensions are located as follows:
   - Bagot Settlement = 2;
   - Cape Don = 41;
   - Nightcliff = 1;
   - Ten Mile = 4;
   - Adelaide River = 6;
   - Pine Creek = 2;
   - Katherine = 24;
   - Elliott = 3;
   - Alice Springs = 23;
   - Finke = 2.

(From H.T.L.C.D., 12-21 November 1963, p.1214).
It is plain that Aborigines are not eligible for social service benefits on the same conditions as other members of the community. The prevailing practices, however, do not mean that Aborigines receive small cash allocations and nothing else. What they do receive has been indicated briefly above and will be discussed in section C below. The point to be made here is that there is serious conflict between claiming that Aborigines are eligible, and the payment to them directly of a fractional proportion of their entitlement in some instances and nothing at all in others.

Several reasons have been put forward in explanation and justification of this system. The most common and generally accepted one, described by the Director-General of Social Services, is that Aborigines, by definition, are in need of care and assistance and incapable of managing their financial affairs. As wards they cannot handle wisely the sums involved in social service benefits. The managing authorities - the Welfare Branch, missions and pastoralists - therefore retain a great proportion and assert that these sums are spent in a manner calculated to serve the Aborigines' best interests.

Underlying this reason is the same principle which motivates missionaries to peg the prices of Aboriginal artifacts, as described in the previous chapter: payment of large sums of money results in certain social and moral evils like gambling, waste and liquor consumption. Minimum cash payments, therefore, may reduce the opportunity to use those sums for any of these purposes. At the same time, authorities will spend the money on things which have value, or ought to have value, for Aborigines: layettes, additional food, hospital confinements, extra clothing and so on. It could be argued that there is a strong case for protectionism of this kind, but the advocate of such a system would have to show that the financial entitlements are spent specifically on the beneficiaries. To be unconcerned as to how and on whom the money is spent is to return to the unacceptable principle described in Chapter IV: 'individual-sacrifice-for-the-greater-good-of-all'.

Not all settlement superintendents have agreed with this 'financial inability' view. One experienced officer, when super-intending settlement Aborigines reputed to be 'ywards' and 'bushies', - that is, with very little white contact - submitted this opinion to his District Welfare Officer: 17

17. From a file relating to social service benefits at the settlement concerned.
I have long held the opinion that the 10/- pocket money for pensioners is inadequate. Generally these people have given long and valuable service to industry and to Government Departments and therefore their reward should be more in keeping with the spiralling costs of these days. As far as the economy of the settlement is concerned no harm would be done, rather would the workers be enabled to retain a greater portion of their wages, for at present their tribal custom of assisting older relatives makes considerable demands on their wages. For the reasons stated I favour an immediate increase of pocket money or personal component to £1 with provision for a further increase to 35/- in the not distant future.

There is little doubt that the present system of payments is paternalistic, protectionist and hinges on the assumption that various administering authorities know, or believe they know, what is in the best interests of Aborigines. At the other end of the scale there is the view that since social service benefits are a legal entitlement, and since the declared policy is that Aborigines are entitled to benefits on the same conditions as other Australians, they should be given their full entitlement: what they do with their money is their own affair. These views are perhaps open to debate, but it is difficult to reconcile the present system with the policy aim of getting Aborigines to enjoy the same rights and privileges and accept the same responsibilities as other Australians do. The system of payments described applies to all but a handful of 'town' Aborigines, which is doubtless contrary to the policy aim of treating Aborigines as individuals.

C. THE USE MADE OF SOCIAL SERVICE MONEY

The Director-General of Social Services has justified the present system of payments to Aborigines on the ground that the controlling authorities, to whom this money is paid, use it for the maintenance of the beneficiaries. An examination follows of its use.

(i) Settlements

It appears that the Department of the Treasury has directed that payments to Aboriginal pensioners should be dealt with by the Welfare Branch in this way: 18 of the £10.10.0. fortnightly entitlement, £6.16.0. for pensioners (and £5.16.0. for 'B' class widows) per fortnight should be deducted as the 'institutional' portion. These sums should be credited to Division 751, subdivision 3, item 01 of the Welfare Branch's annual vote: item 01 is 'Maintenance of Wards on Government Settlements'. As regards pensioners only, the £6.16.0. deduction leaves a balance of £3.14.0. per pensioner.

18. Information from the Department of Territories, Canberra.
of this sum, £1 is the pocket money portion, and the balance of £2.14.0. is meant to go into a special trust account from which pensioners' housing will be built. The same direction has been given to the missions and pastoral managements, namely, that the maximum deduction allowable to offset amenities and services provided is £6.16.0. per fortnight.

The Welfare Branch, however, has followed a different system of deductions; and the actual system in practice is the one on which the arguments following are based. In the Legislative Council in August 1963 the member for Stuart, Mr. D.D. Smith, asked the Director of Welfare how much money was deducted from Aboriginal pensioners' fortnightly payments to cover their food and rent for that period. The Director replied:

There is no separate charge for food. The fortnightly pension payment is £10.10s., and in the majority of cases the deductions are as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Deductions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Food and clothing</td>
</tr>
<tr>
<td>Pensioner</td>
<td>£2.17.0</td>
</tr>
<tr>
<td>Pensioner with non-pensioner wife</td>
<td>6.1.0</td>
</tr>
<tr>
<td>Pensioner with non-pensioner wife and child</td>
<td>8.5.0</td>
</tr>
</tbody>
</table>

In accordance with the policy of the Department of Social Services, he said, the balance of pension money, after deducting pocket money, was paid to the Commonwealth to offset food and clothing and amenities, housing and other essential services provided. Since the policy of the Department of Social Services is to offset these deductions for the amenities and services given to the pensioner concerned, it may be presumed that the Director's statement referred to amenities and services to pensioners and not to settlement Aborigines in general.

The question arises whether settlement pensioners are maintained and cared for by the Welfare Branch to the extent and value

19. N.T.L.C.D., 12-22 August 1963, p.857. In November 1963 (see N.T.L.C.D., 12-21 November 1963, p.1215) the Director of Welfare foreshadowed that when the £1 per fortnight increase in pension benefits came into force (at the end of 1963 or early in 1964), Aboriginal pensioners would be given £3 per fortnight as pocket money, an increase of £2 per fortnight on the present basis. If this is done, it may be presumed that the total deduction shown in the table above will be reduced by £1 from the present £9.10.0. to £8.10.0. per fortnight.
of their legal entitlement of £273 per annum. It has been shown that all settlement pensioners receive £26 annually as pocket money, leaving the Branch with £247 per pensioner for feeding, clothing and providing amenities such as housing.

In determining the cost of food and clothing maintenance for settlement Aborigines for budgetary purposes, the Welfare Branch calculates weekly maintenance rates for various categories of persons, rates which vary from year to year.

| TABLE V.5. |
|---|---|---|
| PER CAPITA ANNUAL FEEDING AND CLOTHING COSTS FOR SETTLEMENT ABORIGINES | 1961 - 62 | 1963-64 |
| Adult worker, pregnant & lactating women | £2. 5. 3½. | £117.14. 1. | £125. 2. 6. |
| Other adult workers | 1.16. 53. | 94.16. 11. | 63.18. 4. |
| Aged & infirm & non-workers | 1. 4. 7. | 63.18. 4. |
| Non-working pregnant & lactating women | 1.13. 4½. | 86.15. 6. |
| Working pregnant & lactating women | £140.10. 2. |
| Children | 1. 6.11. 4. | 70. 1.10. |
| Infants | 55. 9. 4. |

A fortnightly deduction of £2.17.0. from each single pensioner, £74.2.0. per annum, seems consistent with the above maintenance rates, comparing favourably with £63.18.4. for aged and infirm persons, that is, persons not eligible for social service benefits.

Is £74.2.0. annually sufficient to feed and clothe a single pensioner? In Chapter IV it was shown that the Welfare Branch's estimate of the mandatory ration scale (Appendix 13) was slightly more than £2 per week, or some £104 annually. The ration scale discussed here applies to food only. This scale did not apply to the Branch until February 1963. Until then the scale meant to operate on settlements was the one recommended by the Health Department (Appendix 34), one greater in quantity and quality than the mandatory scale and presumably more costly. Although pensioners are meant to receive two-thirds of an adult worker's ration issue, that fraction of the recommended scale (and certainly of the new scale shown in Appendix 35) would inevitably cost £2 or more per week. The figures in Table V.5. show that with the exception of two categories of Aborigines, all others are maintained in food and clothing at less than £2 per week. Are pensioners fed below the standard of

£2 per week? Logically, if a pensioner's deduction is £1, 8. 6. per week for food and clothing, he cannot be fed to a ration scale costing £2 per week. A number of possibilities present themselves: either the Branch's estimate of the ration scale cost is too high, or the Branch is able to buy rations at considerably reduced rates, or Aborigines, including pensioners, are not fed to the recommended standards. The empirical evidence is that the latter is the likely explanation.

The feeding of settlement Aborigines is discussed fully in Chapter VI. A point to be made here is that the feeding of pensioners is in no way different from the feeding of other Aborigines — in some cases it is distinctly inferior. On some settlements, notably Papunya, Yuendumu, Aroyonga and Warrabri, pensioners' food was cooked in coppers, usually by Aboriginal women and not by a white staff member, and collected in billy-cans to be eaten in the camp. Whatever may be said of the standards of hygiene in the communal kitchens (see Chapter VI), the standards in relation to the coppers are inferior. Further, in Table VI.5, it is shown that fruit and vegetable available per capita per annum on centralian settlements was 46.7 lbs: the recommended scale for adults is 234 lbs. It must be concluded, therefore, that pensioners are not fed to the value of £2 per week, but are probably fed to the value of the deduction made, namely £1, 8. 6. per week for food and clothing. Assuming that the Welfare Branch's deductions are real, that is, that such precise deductions are made for specific purposes, there would seem to be a case for raising the deductions for food and clothing.

After deducting pocket money and food and clothing maintenance, the Welfare Branch has £172.18. 0. to offset against 'amenities', housing and other essential services. Do settlement pensioners receive 'amenities' to the value of £172.18. 0? The question cannot be answered in pounds, shillings and pence since the Branch has no accounting system which separates pensioners from other Aborigines. There are a number of overhead items not allocated among specific functions, such as staff salaries and administration expenses, which make impossible an assessment of per capita expenditure on any category of Aborigines on settlements. However, some conclusions can be drawn from the observed facts.

Of the thirteen settlements visited by the writer, not one had made any special provision for the housing of pensioners (see Chapter VI for a full discussion of Aboriginal housing). On the majority of settlements pensioners lived in self-built humpies, at no building or maintenance costs to the Commonwealth. Comparison may be made
with the system operating on Queensland government settlements. Pensioners receive the full mandatory ration scale, one as elaborate as the Health Department's revised scale for Territory settlements (Appendix 15). Age and invalid pensioners entitled to £5. 5. 0. per week receive £1.17. 0. per week pocket money. From the balance, special arrangements are made for pensioners: at Charbourg and Palm Island old peoples' homes have been built, and at Woorabinda each pensioner has had a cottage built for him.

The policy of the Department of Social Services is that benevolent homes retain the so-called institutional portion of a pension to offset the cost of amenities and housing, a policy which presupposes that the institution does in fact provide the pensioner with a roof and bed. No such presumption can be made in relation to the provision of housing by the Welfare Branch. Ronald Mendelsohn wrote that 'a policy which gives pensions to the aged but does not see that they are properly housed . . . does only half the job.'21 In relation to settlement pensioners, one can say that the job is not done at all.

The terms 'amenities' and 'essential services' have not been defined by the Welfare Branch, and in the absence of definitions and a costing of their constituent parts, it is not possible to assess whether pensioners receive £172.18. 0. worth. However, some meanings of 'amenities' and 'essential services' can be safely guessed, for example, recreation facilities, medical, hospital, nursing and feeding services and toilet and washing facilities.

A uniform deduction from all pensions might be considered equitable if the standards of the amenities and services were equal. Not all settlements have communal kitchens; the cost of feeding a pensioner whose food is cooked by an Aboriginal woman in a wood-fired copper must inevitably be less than that of a pensioner eating in a communal kitchen where diesel-oil stoves operate. Not all settlements have recreation facilities and several, like Delissaville, had no electricity, making it impossible to provide such entertainments as a weekly film show. Delissaville did not have an equipped hospital for in-patients, and in fact had no nursing sister for 18 months. Toilet and water facilities vary considerably from settlement to settlement, as shown in Chapter VI. There are no special medical or social welfare personnel engaged in the special care of Aboriginal aged.

As regards other types of social service benefits, comparison

may again be made with Queensland settlements. At Yarrabah and Woorabinda settlements women receive full child endowment, except where a mother may have had an advance in cash or ordered goods in the retail store on credit. Endowment is paid monthly; at Yarrabah in October 1962, for example, 111 women received endowment to the value of £679. At Cherbourg mothers are allowed to buy only those goods which are relevant to their children, with endowment money as security. At the end of the fourth week the mother is given the balance in cash. Palm Island differs in that mothers with children under five are not paid endowment; after five, they receive the benefit in full. For the under fives, endowment is paid to the Baby Welfare Clinic which issues once a week to mothers the food ration shown in Appendix 21. The writer observed this issue at Palm Island and other Queensland settlements: there is nothing remotely comparable on Welfare Branch settlements.

Pregnant mothers, in the seventh month, are allowed to buy layette requirements against the maternity allowance due to them. After birth the mother may draw the unspent balance. If the trained social welfare officer is satisfied that the mother is capable of looking after her infant satisfactorily, she may draw the maternity allowance in full.

Dependent wives on £2. 7. 6. a week receive £1.17. 0, and 10/6 is retained. Widows are given £1.17. 0, and the £3.13. 0, balance is retained. Widows entitled to £4.12. 6, receive £1.13. 6, a week in cash.

Returning to Territory settlements, mothers do receive additional food and layettes but receive nothing in kind approximating the Queensland standards and quantities. One reason given by the Welfare Branch and missions for retaining maternity allowances is the defraying of costs incurred in hospital confinements. However, many settlement women, particularly in the centre, have their babies in the camp and not in the hospitals (see Chapter VI). The writer

22. The description following is based on information from the Department of Native Affairs, from the settlement superintendents concerned and on personal observation.

23. A word is necessary on the comparison which has been drawn with Queensland. There may be an inclination for administrators of Aborigines in the Territory, official and non-official, to say that Queensland Aborigines are more advanced, detribalised and above all, are mainly part-Aboriginal: hence higher payments are justified. But Queensland administrators conceive 'their' Aborigines to be no more advanced, civilised or capable than Territory personnel do 'their' Aborigines. The truth of the matter is that 70 per cent. of Queensland's controlled Aborigines would be citizens in the Territory and entitled to full cash payments. By the same token, Territory Aborigines in Queensland would be paid at the rates described above.
observed little in the way of layette issues; often when given, the mothers make no use of them.

The evidence available to the writer indicates that those entitled to benefits are not treated any differently from other settlement Aborigines, except in respect of additional food and attention given to new mothers. Some beneficiaries, the age and invalid pensioners, appear to have inferior services. A general conclusion is that the social service money received by the Welfare Branch is not spent wholly on the maintenance (feeding, clothing and provision of amenities, housing and essential services) of those entitled to benefits. Rather does it appear that this money goes into a block allocation for the maintenance, at a more or less uniform standard, of all settlement Aborigines. The point of the Queensland comparison is that it is possible for an administration to administer social service money given to specific persons for the benefit of those persons.

(ii) Missions

Missions receive all Aboriginal social services payments direct from the Department of Social Services. To appreciate the manner in which this money is dealt with, some explanation of mission finance is given. Division 751 - General Services, subdivision 3, of the budget for the Territory is for the Welfare of Wards. Sub-item 03, 'Payment to Missions for Aboriginal Welfare' is explained in this way by the Department of Territories:

This provision is for the purpose of making grants to missions to enable them to carry out their work in the Northern Territory in relation to the care, welfare, education and advancement of the aborigines and coloured children. The responsibility for this work rests with the Commonwealth Government but it has been found both convenient and economic to utilise the services of the Missions for this work,

The table below summarises the extent of government assistance to missions.

### TABLE V.6.
GOVERNMENT SUBSIDIES TO MISSIONS FOR ABORIGINAL AND PART-ABORIGINAL WELFARE 25
(A = appropriation; E = expenditure)

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Special Operational subsidies to Aboriginal missions</td>
<td>£152,930</td>
<td>178,858</td>
<td>182,056</td>
<td>188,656</td>
<td>128,205</td>
<td>145,000</td>
</tr>
<tr>
<td>(b) Capital grants to Aboriginal missions</td>
<td>13,675</td>
<td>19,014</td>
<td>29,216</td>
<td>59,767</td>
<td>90,428</td>
<td>100,000</td>
</tr>
<tr>
<td>(c) Operational subsidies to part-coloured hostels</td>
<td>49,715</td>
<td>56,733</td>
<td>62,099</td>
<td>73,134</td>
<td>75,949</td>
<td>90,000</td>
</tr>
<tr>
<td>(d) Capital subsidies to part-coloured hostels</td>
<td>11,987</td>
<td>7,785</td>
<td>10,490</td>
<td>22,760</td>
<td>34,414</td>
<td>35,000</td>
</tr>
<tr>
<td>(e) Maintenance subsidies</td>
<td>in (a)</td>
<td>in (a)</td>
<td>in (a)</td>
<td>in (a)</td>
<td>161,148</td>
<td>190,000</td>
</tr>
<tr>
<td></td>
<td>£228,307</td>
<td>262,390</td>
<td>283,861</td>
<td>344,226</td>
<td>490,144</td>
<td>560,000</td>
</tr>
</tbody>
</table>

The full extent of government assistance is not reflected in these figures; to them must be added payments from the Department of Social Services.

It is worth analysing the extent to which social service benefits have contributed to mission income over the years. The tables below show the extent of social service contributions as a proportion of government assistance to missions and as a factor in total mission income. Some of the material on which these tables are based is given in Appendix 22. 26

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25. The figures for 1958-59 to 1960-61 were obtained from the Welfare Branch; the remaining figures were taken from E.N.E.E., 1962-63 and E.N.E.E., 1963-64.

26. The information following is based partly on material made available to the writer by the missions concerned, partly on File No. 60/216, 'Financial Assistance to Missions', W.B.H.O., and partly on material supplied by the Department of Social Services.
TABLE V.7.
GOVERNMENT CONTRIBUTIONS TO ALL ABORIGINAL MISSIONS
(£ = estimates; NA = not available)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Territories</td>
<td>166,605</td>
<td>197,872</td>
<td>211,272</td>
<td>248,332</td>
<td>379,781</td>
<td>435,000</td>
<td></td>
</tr>
<tr>
<td>Department of Social Services</td>
<td>43,663</td>
<td>NA</td>
<td>75,792</td>
<td>262,016</td>
<td>167,561</td>
<td>187,225</td>
<td></td>
</tr>
<tr>
<td>TOTAL:</td>
<td>210,268</td>
<td>NA</td>
<td>287,064</td>
<td>510,348</td>
<td>547,342</td>
<td>622,225</td>
<td></td>
</tr>
<tr>
<td>Social Services as percentage</td>
<td>26.2%</td>
<td>NA</td>
<td>73.5%</td>
<td>44.1%</td>
<td>43.0%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the years 1955-56 to 1958-59, social service contributions formed, on an average for all but the Roman Catholic missions, 25 per cent. of the total government contribution to missions. In this period the contribution comprised child endowment only (see Appendix 23). Since 1960, the social services contribution has been slightly over 40 per cent., as shown in Table V.7.

In the period 1955-56 to 1958-59, social service contributions formed, on an average, 14 per cent. of all missions' income, excluding Roman Catholic missions (Appendix 23). In Chapter III it was pointed out that the Bishop of Darwin does not seek capital subsidies and therefore does not furnish annual balance sheets. Thus for the Catholic missions, the government contribution is known, but not the mission contribution. For the period 1960-61 to 1963-64, mission contribution to total missions' income is not known. However, some idea of social service money as a factor in mission income can be gauged from an examination of each individual mission's balance sheets, which appear in Appendix 24 and in summary form below.

27. This table excludes contributions to missions for part-Aboriginal hostels.

28. Information from the Department of Social Services; see footnote 7.

29. Child endowment only. This figure excludes child endowment paid to Roman Catholic missions.

30. In supplying these figures, the Department of Social Services has calculated age, invalid and wives' pensions from February 1960 to June 1962 and placed the total under the financial year 1961-62.
TABLE V.8.
SOCIAL SERVICES CONTRIBUTION TO INDIVIDUAL MISSION'S TOTAL INCOME FOR 1960-61

<table>
<thead>
<tr>
<th>Total Income</th>
<th>Umbakumba</th>
<th>Roper River</th>
<th>Yirrkala</th>
<th>Goulburn Is</th>
<th>Elcho Is</th>
</tr>
</thead>
<tbody>
<tr>
<td>£23,750</td>
<td>5,866</td>
<td>7,867</td>
<td>25,596</td>
<td>34,545</td>
<td></td>
</tr>
</tbody>
</table>

| Child Endowment | 2,241 | 3,543 | 5,451 | 6,767 |
| Pensions and maternity allowances | 3,345 | 4,324 | 2,022 | 2,742 |
| Social Services Total | 5,586 | 7,867 | 7,473 | 9,509 |

Social Services as % of total

<table>
<thead>
<tr>
<th>Umbakumba</th>
<th>Roper River</th>
<th>Yirrkala</th>
<th>Goulburn Is</th>
<th>Elcho Is</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.5%</td>
<td>20.0%</td>
<td>29.3%</td>
<td>42.6%</td>
<td>27.5%</td>
</tr>
</tbody>
</table>

(Amounts to the nearest £)

Social service money therefore forms a considerable part of the federal government's contribution to missions and is a major factor in total mission income.

An important question is what is done with this money? Is it used for the maintenance of the individual social service beneficiaries? The Welfare Branch devotes all social service benefits other than pocket money portion to the maintenance of all settlement Aborigines. It is presumed, by the Welfare Branch, that this is the case on missions, but there is no concrete evidence to this effect. The 'balance sheets' (statements of income and expenditure) in Appendix 24 show that child endowment disappears into the total income of the mission. In the expenditure columns there is no indication of cash disbursement to the mothers whose children are endowed.

With regard to pensions and maternity allowances, the balance sheets show cash disbursement to Aborigines on C.M.S. missions as follows:

TABLE V.9.
DISBURSEMENT OF PENSION AND MATERNITY ALLOWANCE MONEY ON TWO C.M.S. MISSIONS

<table>
<thead>
<tr>
<th>Umbakumba</th>
<th>Roper River</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pension &amp; maternity allowance income</td>
<td>£3,345.10. 0.</td>
</tr>
<tr>
<td>Stores for natives</td>
<td>1,225.10. 0.</td>
</tr>
<tr>
<td>Clothing &amp; blankets</td>
<td>376. 6. 4.</td>
</tr>
<tr>
<td>Freight</td>
<td>176. 6. 4.</td>
</tr>
<tr>
<td>General services</td>
<td>434. 6. 8.</td>
</tr>
<tr>
<td>Allowances to pensioners</td>
<td>826.16. 0.</td>
</tr>
<tr>
<td>Held in trust for pensioners</td>
<td>826.16. 8.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>£3,345.10. 0.</td>
</tr>
</tbody>
</table>
It is unfortunate that these statements of income and expenditure do not offer more detailed explanations of some of these items. What are the 'general services' that cost £134, 6, 8. and £597, 7, ? What are the 'administration' costs? Costs involved in administering pension money? Are freight costs to the mission always on a £ for £ basis in relation to the items bought? For what purposes are the balances held in trust? If mothers receive goods and services in lieu of cash, why are the layette, food and confinement costs not reflected?

The Methodist balance sheets give no real indication of how pension and maternity allowance money is spent. A few indications are given; for example, in 1960-61 Elcho Island spent £923,19, 4. on pensioners' housing; total pension income was £2,742. There is no evidence of what was done with the balance. Goulburn Island's budget shows £1,460,18, 4. spent on pensioners' housing; a total pension income of £2,737,14, 4. Yirkala's budget gives no indication whatever. Its 1960-61 expenditure on food, clothing, tobacco and blankets was £8,772, 8, 5. If all social service money, £7,437,10, 0, was spent on these items, it would constitute 82,5 per cent. of the bill for the entire mission population.

In addition to social service payments, operational subsidies are given to missions to cover the maintenance, feeding and clothing, of all children, aged and infirm who do not receive pensions, hospitalised cases and pre- and post-natal cases.

The Lutheran group has stated that social service money, after disbursement of pocket money, goes into a social services trust account, from which cottages are to be built for pensioners. Between April 1960 and December 1963 no special cottages for pensioners had been built.

Between 1 July 1961 and 9 March 1962, the Roman Catholic Church in Darwin sent 10/- per week to each pensioner at Bathurst Island, a total of £2,147,14, 3. The balance of £18,979, 5, 9. went to headquarters and there is no means of knowing what use was made of this money.

Maintenance subsidies given to the missions are based on feeding according to the standards required by the Wards' Employment Ordinance: the 'higher ration scale is now in force, and the ramifications are expected to extend to the level of maintenance of Government maintained aborigines' and 'the increase over the 1961-62 year is attributable mainly, however, to an increase in maintenance rates to bring the rationing of dependent wards up to the same
standard as that obtaining on Government Settlements'.

The implication in these statements is that settlement Aborigines are maintained according to the standards laid down in the legislation, an implication which is unreal in view of the evidence presented in Chapter VI. The important point, however, is that maintenance subsidies are given to enable the missions to conform to the legal standards. With the exception of Hermannsburg, it is clear that mission ration scales fall far short of any of the scales laid down or recommended. One possible interpretation of all this is that maintenance money from the government plus social service money is insufficient to enable missions to conform to the mandatory ration, housing, clothing and other scales.

The missions, unlike the Welfare Branch, do not indicate what institutional portions of pensions and other benefits are deducted and what use is made of the deductions. From the evidence available it seems that all social service money is added to other subsidies and mission-contributed funds, and the total used for the maintenance of all Aborigines. In view of the importance of the principle laid down by the Department of Social Services, that institutional portions of benefits should be spent on the beneficiaries, it would not seem unreasonable to ask missions to account for social service expenditure. That such accounting is impossible must be seen in the light of the ability of the Queensland administration to do so.

(iii) Pastoral Properties

In Chapter IV it was shown that employers of Aborigines are responsible for the wages and maintenance of a worker and one wife and child of that worker. Under an agreement with the pastoral lessees' associations in the Territory, the government accepts responsibility for the maintenance and care of all other dependents of pastoral employees, and for the health of all Aborigines on pastoral properties. A contribution towards the cost of this maintenance is made by the Department of Social Services in respect of all age and invalid pensioners, mothers producing children and all children who have to be fully maintained by the pastoralists.

TABLE V.10.
TOTAL GOVERNMENT CONTRIBUTIONS TO PASTORAL PROPERTIES
FOR ABORIGINAL WELFARE

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Food &amp; clothing reimbursement of cost</td>
<td>£71,876</td>
<td>59,419</td>
<td>77,127</td>
<td>92,000</td>
</tr>
<tr>
<td>(b) Medical assistance &amp; facilities</td>
<td>796</td>
<td>1,339</td>
<td>2,233</td>
<td>3,000</td>
</tr>
<tr>
<td>Total received from Department of Territories</td>
<td>72,672</td>
<td>60,758</td>
<td>79,360</td>
<td>95,000</td>
</tr>
<tr>
<td>Total received from Department of Social Services</td>
<td>13,942</td>
<td>16,780 (181,751)</td>
<td>144,602</td>
<td>174,650</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>£315,181</td>
<td>223,962</td>
<td>269,650</td>
<td></td>
</tr>
</tbody>
</table>

The 1961-62 rate of subsidy to pastoralists for the maintenance of dependents was £21. 8. 6. per child and £41.14. 1. per adult per annum. These sums are exclusive of social service benefits.

According to the 1963-64 explanatory notes on expenditure during 1962-63 a higher ration scale was introduced for natives on pastoral properties. Although this new scale was accepted by the Centralian Pastoralists' Association it was not accepted by the Northern Territory Pastoral Lessees' Association with the result that properties in the north are only claiming at the old rate. This difficulty is expected to be overcome soon and the 1963-64 estimate is based on rationing at the higher scale for most of the year on all properties.

The rate for 1963-64 has been increased to £64. 7. 0. per child and £89.13. 1. per adult.

In the prescribed form the pastoralist lists all dependents other than those for whom he is responsible. The Welfare Branch checks and certifies these figures and cash is paid to pastoralists on certification. Pastoralists are paid maintenance money only for the number of dependents claimed and child endowment for the number of children listed. Pension and maternity allowance money is paid to pastoralists direct. From Table V.10, it is evident that government contribution to the pastoral industry is considerable, now exceeding a quarter of a million pounds annually.

32. All figures in this table were taken from E.N.E.E., 1961-62 and E.N.E.E., 1963-64, except the information on social services from the Department of Social Services: see footnote 7.

33. The Department of Social Services placed contributions from February 1960 to June 1962 under the financial year 1961-62.
The standards of maintenance expected from pastoralists are stated in the Wards' Employment Ordinance and Regulations. In particular, there is an injunction that rationing should conform to the mandatory scale. As regards pension money, pastoralists, as was shown in the previous chapter, are expected to set aside two components: one for maintenance at the stated scales and one for housing on the standards laid down. According to the Welfare Branch, it is the responsibility of Patrol Officers ... to police pastoral properties to ensure that pastoralists ration up to the level of the scale laid down'. It is also their function to check and certify the number of dependents and children presented. Another function is to ensure that pension money is split into the pocket money, maintenance and housing components, and that these components are spent on the purposes for which the money is given. However, it was shown in Chapter IV that the Welfare Branch patrol officer establishment makes these policing activities, covering some 230 properties over 523,620 square miles, virtually impossible. There is, therefore, no means of knowing whether in fact pastoralists use these subsidies for the purposes for which they were given. In Chapter VI it is pointed out that by July 1963 a total of 150 houses had been built by pastoralists to regulation standards. There is no evidence that any of these houses have been built specifically for pensioners. Various Health Department officials have stated to the writer that children on many properties are no better nourished than those on settlements and missions: many are less nourished. Only a full inquiry into all aspects of the pastoral industry vis-à-vis Aborigines will reveal just how they are fed, housed and employed. For the present, there is a general conclusion that pastoralists are not using government contributions to the fullest extent in improving Aboriginal conditions. It also seems clear that those entitled to social service benefits are not being given housing, food and general care to a level which would justify the retention of so large a proportion of their entitlements.

(iv) Postscript: Social Services Review of Expenditure

It was brought to the writer's notice after this chapter had been written that the Department of Social Services sent two officers to the Territory in 1963 to ascertain how the various controlling authorities have distributed and used the social service money paid on behalf of Aborigines. The duration of their visit was from 23 September to 4 October 1963. After this visit, these officers apparently expressed themselves as being 'happy' with the

35. Information from the Department of Territories, Canberra.
manner in which institutional portions of pensions had been used and with the way in which money had been placed in trust accounts for housing and other amenities. It also appears that missions and pastoral managements gave to these officers full accounts of the disbursement of social service money.

It is the writer's opinion that this investigation in no way alters the arguments raised in this section. First, between February 1960 and September 1963 the missions and pastoral properties did not account to anyone for the use made of social service money. The writer's contention was that accounting should have been made to some authority, the Welfare Branch or the Department of Social Services, in that time. Secondly, there is no evidence that the Department of Social Services will continue to ask for regular accounting; the investigation in question was apparently in the nature of a 'spot-check'. Thirdly, the writer does not accept verbal or written evidence that certain portions are held in trust as evidence that pensioners are getting value for their entitlement: the question is whether the pensioner concerned is receiving value in hand, in the form of food, clothing, housing and other amenities. The officers concerned apparently did not visit all missions and pastoral properties nor did they appear concerned with the question of whether any housing or amenities had actually been provided from the sums held in trust. Fourthly, these officers apparently expressed the view that Aborigines whose pensions, or other benefits, were being paid to controlling authorities were better off than those who were receiving higher pocket money portions or their entitlements in full. In view of the shortness of their 'field' investigation, which appears to have been confined to scrutiny of documents, ledgers and trust accounts, and in view of the assimilation policy and the policy pronouncements of the Director-General of Social Services, it is to be hoped that the present system will not continue on the basis of these officers' beliefs.

D. PROBLEMS IN ACCOUNTING FOR SOCIAL SERVICE EXPENDITURE

The question arises as to why there is difficulty in accounting for the use made of social service money which is paid to the various authorities on behalf of Aborigines.

The Welfare Branch uses this money for the maintenance of all settlement Aborigines. The Branch, since 1961, has had no investigating officers to see that the feeding and clothing has been up to the standard set by the head office. Until February 1963 the Welfare Branch was not bound by the Wards' Employment
Ordinance and its standards. It is evident that social service beneficiaries receive no greater benefits than non-recipients, with the possible exception of the extra food and layettes given to mothers.

Until October 1961 the Welfare Branch establishment included an investigation officer, one of whose functions was to investigate the numbers of Aborigines on missions requiring maintenance subsidies and to ascertain how operation subsidy, maintenance subsidy and social service money was disbursed and used. This position was then abolished. Since then no specific investigations into mission income and expenditure have been made. The statements below serve as an explanation of why this is so.

Initially it was intended that the Missions should attempt to keep some functional record of the disbursement of operational subsidies received, so that this could be considered when capital grants were made; but Investigating Officers from the Welfare Branch have come to the conclusion that it is impossible for Missions to produce this information, unless they employ additional staff for the purpose and introduce a complex costing system. (It might be added that with all the resources of the Northern Territory Administration, effective costing of similar functions and activities on Government Settlements is out of the question. It is considered that the value of the final figures thrown up would not be worth the cost involved in keeping them, particularly when the end result would not be absolutely accurate). 36

The events which led up to this conclusion began with the investigating officer's attempt to carry out a critical analysis of several mission accounts in July 1959. 37 The mission authority concerned refused the officer access to accounts: 'However, the business manager showed me the entries pertaining to receipts of subsidies, grants, child endowment and maintenance in the individual Mission's accounts'. The officer felt that the sighting of relevant entries, plus an auditor's certificate on the annual balance sheets, together with the fact that capital subsidies are not paid except on the production of receipts and invoices, would be sufficient for a check.

However, it may be a mistake to set a precedent at this early stage of investigations, which would have a derogatory effect if more critical investigations were considered necessary later by the Director or the Department . . . No balance sheet has ever been prepared for the Mission. The reason given is the general lack of staff and time . . . The system of rationing is far from desirable . . . The policy of non-issue of clothing and blankets to aged and infirm is also a matter which should be cleared with the mission authorities . . .

36. From File No.60/216, 'Financial Assistance to Missions', W.B.H.O.
37. From File No.59/973, 'Elcho Island Mission Review Reports', W.B.H.O.
In September 1959 the Administrator wrote to the Department of Territories:

I do not think we require at this stage, and in view of the report of the Investigation Officer, to concern ourselves with a critical analysis of the accounts of the Mission. The maintenance of records on the mission and the statement of receipts and expenditure which we presently obtain ... I consider provide us with sufficient information on which to base a judgment as to whether in fact the money provided for the various ... Missions is being expended for the purposes for which it was provided.

I am concerned however at the quantity and quality of the rations issued to the aged and infirm on both missions ... It seems quite obvious ... that the quantity of rations being provided does not come up to the minimum scale laid down ... It must be made clear to the missions that if the Government is providing funds to enable aged and infirm to be fed to a particular scale then it is the responsibility of the mission to see that in fact this is done.

In place of this type of investigation the Welfare Branch now conducts review inspections of missions from time to time, that is, reviews of every aspect and activity of a particular mission. These inspections are not regular and to date not more than a third of the missions have been inspected on this basis. The Branch also inspects missions where capital grants are involved: an officer supervises building operations and reports on whether or not the mission is conforming to the standards of building laid down. This officer, however, is concerned purely with works and services. The review reports do not necessarily constitute a check of the use made of maintenance subsidy and social service money, as the 28-page report on Bathurst Island in May 1961 suggests:

The amount received by the Mission for government subsidies is being spent mainly on the purchase of food and clothing items from outside the settlement, but some of it is going to pay the wages of the men who produce food on the Mission. I had no opportunity to check on the use being made by the Mission of the 'amenities' component of the money being paid to the Mission on behalf of resident aged and invalid pensioners.

Review reports for several other missions make no mention of the use of the maintenance and social service money.

As a consequence of this situation, two attitudes may be said to predominate in the Welfare Branch. First, expenditure on Aborigines is in 'a good cause' and rigidly applied and executed

38. Ibid.
39. From File No.60/13, 'Review Inspection Reports, Bathurst Island Mission', W.S.H.O.
accounting for expenditure should not be required. However, it should be recognised that there is a difference between stating that increased or large expenditure on Aborigines is a desirable objective and not investigating disbursement of money given to specific categories of Aborigines as legal entitlements. Secondly, since 'it has been both convenient and economic to utilise the services of the missions for this work', normally the responsibility of the government, their financial arrangements should not be subjected to close scrutiny.

One conclusion is that if the Department of Social Services paid and administered social service benefits according to its described principles, there would be a sharp differential between the amount for mission and settlement maintenance now sought by the Welfare Branch from Parliament and the amounts the Branch would have to seek if social service money was administered separately. A counter-argument could be that it would make little difference if social service money was administered separately since the Welfare Branch and missions would be able to recoup the extent of social service contributions from the Aborigines for various services rendered. If the standards of feeding, clothing, housing, amenities and essential services were uniform for all missions and settlements, it might be possible to recoup money from Aborigines for food, rental, hospitalisation and so on. Since there is extreme variation it is doubtful whether the authorities could legitimately recoup one half of the total social service contributions.

Another conclusion is that the Department of Social Services, which claims that there is no distinction in the granting of benefits to Aborigines, ought perhaps to concern itself with the disbursement and use made of the money. The guiding principle in administering Aboriginal benefits, according to the Director-General of Social Services, is that wherever possible payment will be made to the individual concerned. If non-payment of benefits to the individual and use of his money for persons or purposes other than himself can be called discrimination, then there is discrimination in social service benefits for Aborigines.

One failing of the system, in the writer's opinion, is that managing authorities are disinclined to make any distinction between Aborigines as individuals and as groups. Pensioners tend to be viewed as pensioners on masse, not as individual widows, invalids and so on, each requiring a different approach and particular care. In view of the dearth of trained social workers on settlements and missions, a more effective administrative arrangement may well be the creation of a Social Services Branch in the Territory.
officers would visit Aboriginal centres, assess whether a beneficiary is capable of handling his full entitlement, and if so, pay him that entitlement direct. Where officers consider beneficiaries incapable of handling these cash sums, payment could be made to the relevant superintendent, with the officers supervising the expenditure of the money on the beneficiaries. An alternative suggestion, if the present system is to continue, is that all policy declarations that Aborigines are entitled to benefits on the same conditions as other Australians be amended or withdrawn.

E. PENSIONS FOR DISCHARGED LEPERS

In July 1961 missionaries at the Missions-Administration conference raised the question of the Department of Social Services making provision for discharged lepers along the lines of tuberculosis allowances. The question arose because discharged lepers do not automatically qualify for an invalid pension. While in a leprosarium, lepers are considered permanently incapacitated for work and hence entitled to a pension. On discharge there is a presumption of cure. If a discharged leper is certified as 85 per cent. incapacitated, the pension continues. If less than 85 per cent., the pension continues, as a Ministerial concession, for three months only. This three month extension is to enable the discharged leper to adjust his circumstances and find employment. This concession applies to the general community, but the Department of Social Services feels that it cannot extend it in the case of lepers without extending it to other fields of incapacity.

The crux of the matter, however, is one which is not really the concern of the Department of Social Services. If a Territory leper is discharged and is less than 85 per cent. incapacitated, and fails to obtain an invalid pension on other medical grounds, he is virtually deprived of a living. As is pointed out in Chapter VI, these people are precluded from working in Darwin in the labour fields normally open to them. They must necessarily return to their settlement or mission and obtain work there at the salary rates prevailing.

One answer is to amend the Social Services Act to enable the grant of a special benefit to discharged lepers. Another way of meeting the case is for the authorities concerned to lift the ban on urban employment, thus enabling a cured leper to obtain a livelihood. The National Health and Medical Research Council has

40. From File No.59/3380, 'Missions/Administration Conference 1961', W.B.H.O.
tackled both questions. In May 1963 its ad hoc Leprosy Committee made a number of recommendations: all leprosy patients should be paid sickness benefits when temporarily unable to work; invalid pensions be granted when they are permanently incapacitated for work and unemployment benefits should be paid when, though capable of working, they are unemployed and are not receiving sickness benefits. The Committee also stated that 'leprosy patients not required to be isolated should not be considered unfit for employment simply because they have leprosy' (see Chapter VI). The Committee has not made any explicit statement as to whether or not discharged lepers should be paid unemployment benefits direct. Since it is aware of the fact that invalid pensioners in the leprosarium receive pocket money only, it may be presumed that the Committee has this system - that is, pocket money and the remainder being kept by the controlling authority - in mind for discharged lepers.

F. TUBERCULOSIS ALLOWANCES

The conditions and rates of payment for tuberculosis allowances are given in Appendix 20. The Tuberculosis Act of 1948 lays down that allowances may be paid to persons suffering from the disease; there is no legal entitlement to the benefit. The rules for payment of allowances are laid down by the Health Department which, through its state directors of tuberculosis, has set out the conditions of eligibility:

(1) Medical eligibility: a patient must be considered infectious or potentially infectious.

(2) Patient co-operation: since payment of allowances is considered as an inducement to a patient to co-operate with the control authorities while he is infectious, patient co-operation is a necessary pre-requisite for eligibility.

(3) Means test: after the medical aspects have been dealt with and satisfied, a patient's allowance is assessed by the Department of Social Services which disburses the allowance.

There are two other relevant principles: first, a tuberculosis patient should not work if work can be avoided; secondly, allowances are not paid to people who lose nothing through contracting the disease.

In the Territory the Health Department's principle is that controlled Aborigines, persons on settlements and missions, are not paid allowances on the ground that they are cared for at public expense before contracting the disease, that is, the patient has not had to maintain himself and therefore loses nothing by
contracting the disease. This principle is said to apply to all members of the community; thus mental patients, Her Majesty's prisoners and other such persons who are maintained at public expense are not eligible. It is not clear whether pastoral property Aborigines are similarly regarded. However, from the nature of maintenance subsidies and payment of social service benefits to pastoralists on behalf of Aborigines, it may be presumed that pastoral Aborigines are 'controlled'.

Two pertinent questions arise: first, while Aborigines are maintained at public expense, are they maintained to a standard which the Health Department considers reasonable to 'minimise the spread of tuberculosis' and to 'promote the better treatment of the disease'? If the Health Department accepts the evidence available on housing, nutrition, health, hygiene and wage conditions on Aboriginal centres, there would appear to be justification for payment of allowances direct to the patient. Secondly, even though Aborigines are maintained at public expense, can it be said that they lose nothing by contracting the disease? If they continue working, they may be said to lose nothing. But since an objective of the allowance is to 'encourage them to give up work and undergo treatment', Aborigines who do cease working do lose something - their wages. It is true that the majority of settlement Aborigines do not pay for meals and accommodation. However, in Chapter IV it was shown that the Welfare Branch expects payment for these services on three settlements and intends introducing payment on all settlements. Aborigines on Methodist missions do pay for their rations in the sense that deductions are made from their wages. However low Aboriginal wages are, the sums earned enable a worker to buy extra clothing, toys, sweets and so on for their children. If they stop working there is no means by which they can make up this loss of income. They are not paid unemployment and sickness benefits, nor are tuberculosis sufferers who are encouraged to give up work automatically entitled to invalid pensions.

A final consideration of the Health Department is that to pay a patient £12. 2. 6. per week as an allowance whereas the patient would lose about £2 per week should he stop working, is injudicious: it may result in the patient having a vested interest in his disease and it may result in the patient squandering the money. That the patient may form a financial interest in his disease is merely to stress the inadequacy of the present Aboriginal wage structure.
The nature, rates and conditions of eligibility for these benefits, together with the statement of Aboriginal eligibility, have been given in Appendix 20. However, no such payments are made to Aborigines.

An interesting hypothesis can be put forward as a result of Aboriginal eligibility. To be eligible for the benefit, the maximum permitted income is currently £2 per week for an adult or married minor. This amount may consist of earnings, 'any other form of income and any periodical payment or benefit by way of gift or allowance'. In determining income, the Department of Social Services ascribes a value to free board and lodging which is usually minimal, ranging from 10/- to £1 per week (these sums are not fixed). If a claimant's income from other sources exceeds £2, the benefit is reduced by the amount of excess. In a specific example, an adult earning £2 per week, and who is given free board and lodging, would be considered as having an income of £3. His entitlement would be £4.2.6, per week less the difference between his permitted income of £2 and his actual income of £3, that is, his benefit would be reduced by £1, thus entitling him to a weekly benefit of £3.2.6.

The prescribed, but not minimum, wage in the pastoral industry for an adult worker is £2 per week. Assuming that he is fed to the mandatory standards, estimated by the Welfare Branch as costing approximately £2, the worker would still be eligible for the unemployment benefit - to the extent of £2.2.6 per week. Indeed, all Aborigines earning less than £6.2.6 per week in earnings plus board and lodging would qualify. Thus a married worker, earning £2 in wages, with a dependent wife and four children, would be entitled to the following:

<table>
<thead>
<tr>
<th></th>
<th>Per Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult worker (£4.2.6 - £1 board &amp; lodging)</td>
<td>£3.2.6</td>
</tr>
<tr>
<td>Dependent spouse</td>
<td>3.0.0</td>
</tr>
<tr>
<td>Four children under 16 (at 15/- each)</td>
<td>3.0.0</td>
</tr>
<tr>
<td></td>
<td>£9.2.6</td>
</tr>
</tbody>
</table>

The Welfare Branch's estimate for the maintenance of an adult settlement worker in 1963-64 is £125.2.6 per annum or £2.8.6 per week. Since earnings and permitted income in excess of £6.2.6 per week would disqualify a person, every Aboriginal worker on a settlement whose wage is less than £3.13.11½ would be eligible for some benefit. Space has prevented the inclusion in this thesis of all the settlement wage sheets examined. However,
From Appendix 8 it will be seen that in 105 fortnightly wage samples covering eight settlements, the highest wage per week is £8.10. 0.; individual wage sheets show that on these settlements during 1961-62, 731 males would be eligible and 28 would not.

All Aborigines on Roman Catholic and C.M.S. missions would qualify. With the exception of two workers on Methodist missions and four piece-rate workers and one stockman at Hermannsburg, all other Aborigines would qualify. On all missions, excepting Hermannsburg, board and lodging could not be assessed at £2 per week in view of the evidence on mission rationing (see Chapters IV and VI). Hermannsburg, which comes close to conforming to the mandatory scale, has assessed the cost of the ration issued at 16/- per week. In view of the evidence on housing in Chapter VI, lodging could not, or should not, enter the calculation of income to any significant extent.

The argument that might be raised is this; on the basis of the present Aboriginal wage structure, some 98 per cent. of adult males would be entitled to unemployment benefits. The amount of these benefits would be considerably greater than their present income. If Aborigines were paid more for doing nothing than for working, they would, presumably, react as most people would: prefer to do nothing. Anyone wanting their services would have to outpay the value of their unemployment benefits.

Several arguments can be brought against this case. The most familiar one, often expressed by pastoralists, officials and missionaries, is that although Aboriginal wages are low, they receive sufficient in kind and attention to bring their 'earnings' to a level almost comparable with the basic wage. The evidence to be presented on housing, feeding, medical and other care does, in the writer's view, negate this contention.

Another argument could well be that Aborigines with an income (earnings plus keep) of less than £6. 2. 6. are not in need of a higher income since their standard of living, their needs or their expectations in life are not on a par with the standards necessary for white members of the community. This argument has been raised by several officials and it is one that was raised frequently in colonial administrations, particularly in Africa. South Africa has, since 1924, distinguished between the needs of 'civilised' and 'uncivilised' labour. The former is defined as that rendered by persons 'whose standard of living conforms to the standard generally recognised as tolerable from the European standpoint'; 'uncivilised' labour is that rendered by persons 'whose aim is
restricted to the bare requirements of the necessities of life as understood among barbarians and undeveloped peoples'. In the Australian assimilation policy there hardly seems room for concepts of this nature, yet these are the unformulated concepts which in fact tend to govern policy.

A major argument is that in order to qualify for the benefit, a person must be unemployed, must be willing and capable to undertake suitable work and must have taken reasonable steps to obtain work. Registration with the Commonwealth Employment Service is necessary. It could be claimed that Aborigines are employed and if their present employment is unsuitable financially they could take reasonable steps to obtain other, more profitable, work. These arguments, however, would have to be tempered with the realities of the Territory's employment situation. First, although employed, the great majority of Aborigines earn less than the income permitted for benefit eligibility. Secondly, the labour opportunities for Aborigines are so limited that even if they took reasonable steps to obtain work outside settlements, missions and pastoral properties, they would be hardly likely to succeed. Thirdly, there is a law which prescribes the wages in the pastoral industry, a prescription equal to the maximum permitted income. Further, it has been shown that all but one mission do not conform to the prescribed wages by virtue of their representations that they cannot afford to pay these wages. Now that the Welfare Branch is bound by the employment legislation, settlement Aborigines will be able to earn the prescribed wages laid down for the various categories or callings available on settlements - pastoral, timber, agriculture, domestic, transport and other - for which the prescribed rate is £2 per week. Finally, there is no machinery by which Aborigines can become aware of the need to register with the Commonwealth Employment Service; even if they could register, the question would still remain as to where the Employment Service would find suitable work for Aborigines at higher rates.

Several officials, government and mission, have suggested to the writer that Aboriginal wages should not be considered as wages but as a form of pocket money, or relief, while these people are still in a transition stage. This view cannot be sustained in the light of the Warda' Employment Ordinance, which amongst other things regulates employment and prescribes wages. However, even if the feeling underlying the present wage system is that 'wages' are a form of poor relief, this would considerably strengthen the argument for giving Aborigines unemployment benefits: the Commonwealth benefit is a higher and more valuable form of relief than that given by the Welfare Branch, missions and pastoral industry. The
administrative dilemma appears to be how to reconcile the present provisions for non-citizens (wages, feeding and so on) with benefits to which non-citizens have been declared entitled on the same basis as citizens.

One conclusion, of the many that can be drawn from all this, should be stressed: that the present wages and maintenance costs for settlement, mission and pastoral Aborigines amount to less than the Department of Social Services deems a minimum for a man to maintain himself while temporarily unemployed and awaiting a more profitable work opportunity. The unemployment benefit is necessarily low, since an aim is to stimulate a person to do better for himself. Under the present circumstances in the Territory, Aborigines can do no better for themselves than the Welfare Branch deems a suitable wage, no better than the law permits, no better than the pastoral industry says it can do without crippling the industry, and no better than the missions claim they can afford.

The argument in this section is not that public funds in the form of social service benefits should be used to maintain Aborigines at standards of goods and services which we achieve by our own labour. The unemployment benefit argument simply stresses the need to pay Aborigines a reasonable wage for the work they do, often at a high level of competence. The wage should be one at which the worker can maintain himself and his family, one from which he can pay for essential services and amenities, thus giving him a sense of financial responsibility and, in the words of the policy framers, which will bring about his 'economic assimilation' to a point where he can hold his own 'in the industrial and commercial world'. The argument also stresses the need to create more employment opportunities for Aborigines: new avenues need to be explored and existing ones, such as the pastoral industry, need to be opened up to the Aborigines on a basis radically different from the present one.
CHAPTER VI: HEALTH, HOUSING, HYGIENE AND NUTRITION

A. INTRODUCTION

In 1951 the policy framers declared that a positive health programme was basic to Aboriginal advancement: the assimilation policy was attainable only if Aborigines were healthy and 'reached acceptable standards of hygiene'. Disease control, nutrition, housing, water supply and excreta disposal had to be satisfactory. A pre-requisite of improved Aboriginal health was 'systematic investigation to ascertain the prevalence of disease by mass surveys and by sustained medical supervision of the individual'.

In the Territory the Health Department's function is the administration of health services for the entire population. Primary aims, synonymous with World Health Organisation objectives, are the elimination of communicable diseases, an increase in life expectation and a decrease in mortality. The Health Department subscribes to the standards and objectives of W.H.O. and to the precepts of the assimilation policy.

In a paper on mortality in Territory Aborigines, Crotty and Webb wrote:

In a relatively backward community, the people do not enjoy and accept as normal the almost continuous good health that high living standards and community hygiene make possible for white Australians. Particularly among aboriginal women and children, a lowered standard of health is accepted without being considered abnormal.

It is necessary to analyse the reasons why the level of Aboriginal health has not risen with the social and economic changes that have taken place since the execution of the assimilation policy began, and to examine why this 'lowered standard' of health is accepted as normal. Further, some assessment needs to be made of the health, housing, hygiene and nutrition provisions for Aborigines as administered by the Health Department and the Welfare Branch.

No ready-made formula is available for the measurement of the level of a community's health. A W.H.O. study group, after surveying the methods generally used, classified the possible health indicators as:

1. See Chapter II, section C.
(a) those associated with the health status of persons in a
given area (vital statistics, nutrition etc);
(b) those concerned with health services and activities
directed to the improvement of health conditions (availability and
use of hospitals, number of physicians etc); and
(c) those related to physical environmental conditions having
a more or less direct bearing on the health status of the area.

Three comprehensive indicators or standards were suggested: the
number of deaths at ages of 50 years and over as a percentage of
total deaths; life expectation, at one year and not at birth; and
total deaths per 1,000 population per annum. Specific indicators
could be: infant mortality; deaths from communicable diseases;
numbers and distribution of doctors and health personnel (including
their training, qualifications and the extent to which their services
are used). Possible new indicators were: the percentage of the
population receiving protected water supply and having proper excreta
disposal facilities. Suggestions for further study included:
nutrition; mental health; environmental factors (further studies on
water supply and excreta disposal were suggested, 'particularly in
regard to the cultural background of the population in adapting
such facilities to their living habits'); and social factors
('knowledge of the social behaviour and attitudes of people in the
communities concerned').

Some of these suggested standards have been applied in this
chapter to the Aboriginal context. Some cannot be used through
lack of statistical data; others, which have specific relevance to
the Territory, have been added.

B. THE PATTERN OF ABORIGINAL ILL-HEALTH

(i) Infectious and Notifiable Diseases

The official list of 'infectious' and 'notifiable' diseases in
the Territory 4 excludes some diseases, notably the venereal
diseases, which are contained in W.H.O.'s international classifi-
cation of infectious diseases. 5 In appendix 26 available figures
for the omitted diseases are included.

Vital statistics on Aborigines are often incomplete and

4. Public Health (Infectious and Notifiable Diseases)
Regulations.
unreliable. This is particularly true of health statistics. The use of notifiable diseases as an indicator of ill-health is made difficult because of discrepancies between different sets of figures. For example, Appendix 26 shows figures supplied to the writer by the Director of Health, Darwin, for the individual health districts of the Territory. A comparison of these figures with those published for the Territory as a whole in the Annual Reports of the Director-General of Health, Canberra (Appendix 25) is given in Appendix 29, with a note of some outstanding discrepancies. A similar comparison of the Director of Health's figures with the records of the Alice Springs Hospital is given in Appendix 27, which should also be consulted. A comparison of the Darwin Director's figures for tuberculosis with those in the Annual Reports (Appendix 28) is as follows:

**TABLE VI.1.**

<table>
<thead>
<tr>
<th>Year</th>
<th>From Appendix 26</th>
<th>From Appendix 28</th>
</tr>
</thead>
<tbody>
<tr>
<td>1953-54</td>
<td>43</td>
<td>50</td>
</tr>
<tr>
<td>1954-55</td>
<td>69</td>
<td>71</td>
</tr>
<tr>
<td>1955-56</td>
<td>47</td>
<td>35</td>
</tr>
<tr>
<td>1956-57</td>
<td>60</td>
<td>56</td>
</tr>
<tr>
<td>1957-58</td>
<td>90</td>
<td>78</td>
</tr>
<tr>
<td>1958-59</td>
<td>50</td>
<td>46</td>
</tr>
<tr>
<td>1959-60</td>
<td>47</td>
<td>46</td>
</tr>
</tbody>
</table>

Finally, the Darwin Director's figures for the Alice Springs district for the period 30 June 1960 to 30 June 1961 show 322 cases of infantile diarrhoea, whereas the record book at Papunya alone shows 424 cases between 30 June 1960 and 31 May 1961, of which 296 cases (at least 70 per cent.) were infant cases. It is obviously difficult to make any precise estimate of the state of health of the Aboriginal population and even more difficult to compare Aboriginal and non-Aboriginal health. However, an attempt will be made to present a picture, using the imperfect information available and the writer's observations and records.

Subject to the discrepancies mentioned above, Appendices 25, 26 and 27 give some idea of the incidence of diseases in the Territory. However, a racial breakdown of the figures is not available, except for tuberculosis. Appendix 28 shows the racial tuberculosis pattern. In the period 30 June 1953 to 30 June 1960, the average percentage of Aborigines who contracted the disease, in relation to the total number of cases, was 72.5 per cent. During this period Aborigines formed 43 per cent, of the Territory's population.
Appendix 26 shows 339 leprosy cases for the period 30 June 1954 to 30 June 1962. According to the medical officer in charge of leprosy work, there were approximately 744 cases as at April 1962: 180 inpatients and approximately 564 outpatients. In the leprosy statistics available from 1880 to April 1962 inclusive, there have been 882 patients on the register. Of these, 82 per cent. have been Aborigines, 10 per cent. part-Aborigines, four per cent. Asiatic and four per cent. white. Since vital statistics for Aborigines prior to 1954 are incomplete and unreliable, it is not possible to relate these figures to population percentages. However, in 1962 it may be said that Aborigines constituted at least 98 per cent. of all leprosy cases.

The proportion of Aboriginal sufferers from other major diseases is guesswork, but from settlement and mission records and from discussions with officials, it is clear that Aborigines constitute well over 60 per cent. of the sufferers from infantile diarrhoea, gastro-enteritis, bacillary dysentery, venereal diseases and trachoma (some 95 per cent.).

In connection with the divergent statistics mentioned above, it should be noted that there is considerable room for error at the collection points, namely, the settlements, missions and pastoral properties. However, in spite of errors at the source, there is significance in the fact that figures supplied to the Health Department, and processed by it, result in such widely differing statistics.

(ii) Specific Health Problems on Settlements and Missions

A more accurate picture of the disease pattern among Aborigines is obtained from the records available on settlements and missions. Two warnings must be sounded: first, most cases were diagnosed by sisters and were unsubstantiated by doctors; secondly, while most mission records are well kept, settlement records are, with one exception, poorly kept: data recording is superficial, skimpy and often inaccurate. They often give an unreal picture of some aspects; for example, in Appendix 30 the number of outpatients in one month at Papunya, where the population is about 600, was recorded as 4,000. Patients whose wounds had to be dressed more than once, or who requested aspirins, appear to have been recorded as outpatients on each visit to the hospital. The state of these records is partly due to a high rate of turnover among nursing sisters and in some cases to vacancies remaining unfilled for longish periods. A brief summary of the health pattern on selected Aboriginal centres is given below. These sketches are derived from interviews with resident sisters and from the record books kept by them.
a gaol or a graveyard. Sections 12, 13, 30(1) and 32 of the Leprosy Ordinance 1954-1957 indicate the role of the police.

In 1950 and again in 1956 the criteria of admission and discharge of leprosy patients were laid down by the National Health and Medical Research Council. The N.H.M.R.C. is an advisory council but, in relation to leprosy in the Territory its recommendations have been accepted. There are different criteria for whites and Aborigines. In Aboriginal cases isolation is required in all active cases or clinically reported cases, whether bacteriological examination proves positive or not. The effect of this, in practice, is that every new case diagnosed, whether active or not, must be admitted to East Arm for at least two years. When formulating these criteria, there was a view in the Health Department that the strict segregation policy had successfully reduced the prevalence of leprosy. However, the increased incidence in the Territory has shown that segregation, practised from 1880 to the present, has not controlled the spread of the disease (the increased incidence is not solely attributable to the discovery of hidden cases). Some cases of leprosy, tuberculoid and 'indeterminate' leprosy, cannot be diagnosed as active or inactive even with bacteriological examination. Since these patients must nevertheless spend two years in the leprosarium, it is possible for a tuberculoid (active or inactive) case to contract the more serious or malignant lepromatous form. There are a number of other diseases, or symptoms of diseases, which can be confused with leprosy symptoms: but the criteria are so worded that such persons have to be admitted, if not always to a leprosarium at least to a hospital for investigation.

Some aspects of the criteria for discharge require comment. For example, after two years there may be discharge if 'the patient is provided with separate accommodation and utensils, an adequate diet, and no domiciliary contact with children'. From this it would seem that Aborigines can never be discharged, either on medical grounds because of the child contact clause or because the Health Department suspects that Aborigines are not provided with separate accommodation and an adequate diet.

6. For example: '12. A police officer who has reasonable cause to suspect that a person is affected with leprosy shall -
(a) detain that person;
(b) report the matter to the nearest medical officer; and
(c) escort that person to the nearest medical officer.'

In 1963 an ad hoc Leprosy Committee of the N.H.M.R.C. devised a new set of recommendations, now approved by the Council as a whole. While isolation is still the policy, it is mitigated in this sense: infectious and potentially infectious cases need not be isolated 'where there is a reasonable assurance that they will be clinically and bacteriologically examined at least once every three months and will receive adequate treatment'. In fact this has been the limited practice in recent years, particularly in relation to Milingimbi and Elcho Island. Every effort, it continues, should be made to avoid isolation of the so-called 'potentially infectious cases' and to provide for regular outpatient treatment. Further, it is 'not necessary to admit a patient to a leprosy hospital merely in order to establish the diagnosis of leprosy'.

A major recommendation is that sickness benefits, invalid pensions and unemployment benefits, whichever is appropriate, should be paid to all leprosy patients. The problem of social service pensions for discharged lepers was discussed in Chapter V. Discharged lepers, even those who no longer require treatment and drugs, are not eligible for employment in the Air Force, Army, Navy, Department of Civil Aviation and the two commercial airlines. In March 1962 there were five Aborigines at Bathurst Island, discharged as 100 per cent. fit, who were not allowed to resume jobs in Darwin with these employers and were repatriated to their mission.

Enlightened as these recommendations are, it seems that a greater liberalism is needed (bearing in mind that the N.H.M.R.C. recommendations will not have an easy path to acceptance by the medical profession in the states). The writer's view is that when the Leprosy Ordinance is revised (assuming that a leprosy control programme cannot succeed without legislation), all references to the police should be repealed. Welfare officers and missionaries, known to the Aborigines, can better fulfil the function of bringing lepers to Eae Arm.

One recommendation suggests strict limitation on admission to certain groups: that one such group should be those who 'cannot maintain a standard of living outside leprosy hospitals adequate to maintain effective resistance to the advance or reactivation of the disease'. If there is substance to the evidence which will be presented on the environmental conditions on settlements and missions, will medical officers agree to the treatment of lepers in their home environment?

W.H.O.\(^9\) believes that leprosy should be placed in the same category as other communicable diseases and dealt with as such by the public health authorities; 'special legislation not in conformity with these principles should be abolished'. The 1958 International Congress of Leprology\(^10\) in Tokyo stated that a leprosarium can play an important role in control by providing facilities for treatment and rehabilitation of patients admitted on a voluntary basis. A W.H.O. meeting on rehabilitation in leprosy\(^11\) stated that as long as the medical profession continues to treat leprosy separately from all other diseases, the public can hardly be expected to believe that it is not a 'disease apart'. International opinion therefore amounts to this: segregation does not reduce the incidence of leprosy; the policy of strict isolation in leprosaria has serious disadvantages\(^12\) and should be abolished; leprosy is a communicable disease, not essentially different from any other, and should be treated as one in ordinary hospitals.

(iii) Infant Mortality and Causes of Infant Deaths

Because the infant and young child are particularly vulnerable to infection and environmental factors, the infant mortality rate is often used as a reliable indicator of both level of health and of the prevailing socio-economic conditions.

F.L. Jones bases his study on the figures of birth and death registrations, though he emphasises the unreliability of these vital statistics for Aborigines.\(^13\) Even so, 'in Central Australia, indeed, the registered infant mortality rate was 206 per 1,000 live births, which must be among the highest infant mortality rates in the world'. The rate at the top end was much lower, 122, but this was well above that recorded at Bathurst Island (103 for the period 1957-61).\(^14\) For the Territory as a whole, it was said by the Minister

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for Territories in Parliament on 10 November 1960 that rates among Aborigines were 117 in 1957, 114 in 1958 and 102 in 1959, thus suggesting a decline in infant mortality. However, these figures should be compared with the registered rates which are given by Jones as 149 in 1958, 112 in 1959, and a 'leap' to 176 in 1960. He concludes that 'the causes of infant mortality among Aborigines in the Northern Territory are not yet under control and that no immediate decline in its incidence can be anticipated.'

The writer has made no attempt to use the registered births and deaths figures in arriving at a picture of infant mortality. The figures in Table VI.3, were obtained from the record books on settlements and missions. Once again the record books are suspect, particularly on settlements. On some settlements records have been poorly kept and in a few cases no records of births and deaths are available. The accepted statistical criterion for infant mortality rates is the age 0 to 1. Medical officers, nursing sisters and Welfare Branch personnel stressed to the writer that the attainment of the age of two by Aboriginal children is significant: if a child reaches this age, it is said, he has a reasonable life expectation.

Owing to the difficulty in obtaining the detailed age structures of children under five, specific death rates other than the infant mortality rate cannot be calculated with any accuracy. Using the number of deaths between one and two as a crude ratio, it is clear from the figures in the table below that mortality remains extremely high even after the first year of life has been passed.

TABLE VI.2.
ABORIGINAL INFANT MORTALITY IN THE NORTHERN TERRITORY
(NA = not available)

<table>
<thead>
<tr>
<th>Centre</th>
<th>Period</th>
<th>Total Live Births</th>
<th>Still-Births</th>
<th>Total Deaths 0-1</th>
<th>Mortality Rate: under 1 yr. per 1,000 live births</th>
<th>Total Deaths 0-2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. CENTRAL AUSTRALIA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Areyonga</td>
<td>1951-61</td>
<td>125</td>
<td>12</td>
<td>16</td>
<td>128</td>
<td>30</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>1953-61</td>
<td>282</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>90</td>
</tr>
<tr>
<td>Papunya/</td>
<td>1956-61</td>
<td>192</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>45</td>
</tr>
<tr>
<td>Haasts Bluff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hermannsburg</td>
<td>1952-61</td>
<td>182</td>
<td>7</td>
<td>19</td>
<td>104</td>
<td>28</td>
</tr>
<tr>
<td>Warrabri</td>
<td>1957-61</td>
<td>83</td>
<td>0</td>
<td>11</td>
<td>133</td>
<td>24</td>
</tr>
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<td>Santa Teresa</td>
<td>1957-60</td>
<td>57</td>
<td>2</td>
<td>9</td>
<td>168</td>
<td>11</td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td>921</td>
<td>21</td>
<td>55</td>
<td>Ave: 136</td>
<td>228</td>
</tr>
</tbody>
</table>
Crotty and Webb undertook their study 'because of the lack of adequate information on causes of death among Northern Territory aborigines'. They stated that 'as notifications of deaths in remote parts of this area (the top end) are often made by laymen, many of the suggested causes of death are totally unreliable'. The investigators examined 354 cases: there were 108 cases diagnosed by autopsy; 67 'whose death was fairly certain but (on whom) no autopsy was performed'; and 179 for whom no diagnosis could be made. Of the 175 diagnosed cases, it was found that 64 deaths were of children under five. Of these 64, malnutrition and anaemia with diarrhoea or pneumonia accounted for 44 deaths.

Settlement and mission records show causes of infant deaths. The causes recorded are not always substantiated by medical personnel or by autopsy. (One strong claim by nursing sisters on missions and settlements is that when infants evacuated to general hospitals die, the cause of death, as ascertained by doctors, is not made known to them.). Appendix 31 shows the causes of infant deaths in selected areas. On settlements and missions, of 246 deaths, 53 per cent, were attributed to the related diseases of pneumonia, gastro-enteritis, malnutrition and diarrhoea. Of 93 infant deaths in the Alice Springs hospital in 34 months, some 73 per cent, fell into this group. It must, however, be stressed that the settlement and mission figures were based on the sisters' classifications of causes. The Director of Welfare has stated that 'there is at the present time no machinery for compiling morbidity statistics in the Northern Territory'.

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(iv) Innate Susceptibility to Disease

By the term 'innate' the writer means that which is not determined by environment; hereditary would perhaps be a better term. Although there is some evidence of innate racial differences in susceptibility to diseases it is doubted that they are of any importance in the Aboriginal health pattern. The Health Department does not subscribe to the innate susceptibility view, but it warrants brief discussion because some Welfare Branch and mission personnel hold that it is a factor in Aboriginal health. For example, there is a view that tuberculosis is 'natural' in Aborigines, the suggestion being that Aboriginal evolution is now at a stage where European evolution was, in relation to the disease, in the nineteenth century. There is no medical evidence to support such a statement.

The high incidence of tuberculosis among Africans in South Africa is still attributed, in the non-medical world, to an innate susceptibility, enabling the socio-economic factors to be conveniently ignored. In 1943 a research team in South Africa reported:

"It is stated in all the books that primitive races are more susceptible and less resistant to tuberculosis than the so-called civilized people. The disease in general tends to run a much more rapid course in primitive people, and this is ascribed to a racial susceptibility or a racial lack of resistance. We are loth to subscribe to this, as in the South African Bantu in the Native reserves there is the problem of the high rate of infection combined with a low rate of disease in the same areas to explain away. Why do not the tuberculin positive Natives in the reserves die of the disease? . . . If racial immunity is of such great moment, why is there any tuberculosis in Egyptians of today or the Chinese? To our knowledge, tuberculosis has existed in these two races from the dawn of history."

Myrdal argued that any degree of innate susceptibility could be reduced by 'proper preventive efforts': there was, therefore, no reason for complacency about the higher disease and death rates of Negroes on the ground of 'a greater innate susceptibility'.

C. HEALTH SERVICES AND ACTIVITIES

Two specific standards, infant mortality and communicable diseases, have been discussed. There are a number of other factors relevant in the Territory context and each will be examined: the standard of services provided by the Health Department and the

18. An American Dilemma, Gunnar Myrdal, pp.143-144.
Welfare Branch, housing, excreta disposal, water supply and nutrition.

(1) Standard of Services Provided by the Health Department

Senior Health Department officials in Darwin have stated to the writer that Aboriginal ill-health is due to three basic factors: malnutrition, bad housing and poor sanitation. It was also stressed that the Health Department is given insufficient recognition for the work it does among Aborigines. Further, it was asserted, no aspects of Aboriginal health require fundamental research: the problem is merely the effective application of existing knowledge and techniques. The first assessment imputes responsibility to the organisation responsible for housing, feeding and hygiene, namely, the Welfare Branch. An attempt will be made to illustrate the extent to which these assessments are oversimplifications.

For convenience the writer has devised a model, given in Appendix 32, to illustrate the administrative arrangement of health services available to Aborigines. It shows the areas of responsibility in health and related matters as between the Health Department and the Welfare Branch.

Some comment is necessary on the health services provided solely by the Health Department (other services provided by the Welfare Branch and missions are discussed later). Its main activities are:

1. The provision of general hospitals at Alice Springs, Tennant Creek, Katherine, Darwin (including Bagot Hospital which was transferred to the Health Department in 1957) and Batchelor (owned by the mining company but staffed by the Health Department). Settlement hospitals are provided by the Welfare Branch; missions provide their own, usually with assistance from the Welfare Branch in the form of capital subsidy.
2. Laboratory services.
3. East Arm Leprosarium.
4. Aerial medical service. This includes evacuations to a general hospital in emergencies and routine visits by medical officers to outstations such as pastoral properties, settlements and missions.
5. School medical services.
6. Dental services, including aerial and road units.
7. Quarantine.
8. Infant welfare.

19. A full description of these services appears in Health, Vol.7, No.4, December 1957, and in various issues of the A.R.D.C.H.
In July 1963 there was an establishment of 29 doctors in the Department, with 28 positions filled, a figure which included six specialists. The ratio of Health Department doctors to the population was 1 to 1630 persons, a proportion reduced to 1 to 1268 if the approximately eight doctors in private practice are included. These creditable ratios must be qualified: of the total population of 45,644 persons at 31 December 1962, 7,191 non-Aborigines and 17,159 Aborigines (24,350 persons) lived in areas where there are no resident doctors, official or private.

The Health Department does not have the services of a dermatologist, virologist, paediatrician, ear-nose-and-throat specialist or psychiatrist. There has been difficulty in retaining the services of ophthalmic surgeons for any period. Dr. R.K. Macpherson has stated: 'the problem of "tropical neurasthenia" is largely unsolved . . . it is considered that research on the subject by a competent worker in the associated fields of psychology and psychiatry is urgently needed'. A fairly common view in the Territory is that medical problems beyond the resources of Health Department personnel can be solved to some extent by sending patients to capital cities. While the Welfare Branch has always paid the fares of an Aboriginal patient needing to 'go south', it has always been stated that Aborigines are lost out of their own country' and degenerate rather than improve in southern hospitals. If this is indeed so, there would seem to be a case for more resident specialists. There would also seem to be a case for the establishment of psychiatric facilities. For Aborigines, at any rate, facilities are limited to a makeshift refractory ward in Darwin and a refractory hut in Alice Springs. In the latter centre, when there is more than one patient in need of the hut, other patients are usually housed in the padded cells in the local gaol.

With regard to preventive health services, the Health Department is concerned with immunisation and the routine periodic examination of Aborigines. Aerial medical routine visits are on a six-weekly roster system. In the Alice Springs district, cattle stations are visited every six weeks; settlements and missions.

22. A psychiatric ward for Darwin was announced, for completion by November 1963; N.T. News, 30 July 1963.
twice in six weeks. This system of routine visits in the centre began in 1959; until then there was no routine examination of Aborigines in the area. These visits are of short duration because of the number of places to be visited. Whatever these visits are meant to achieve, in practice their sole function is to examine patients who are in need of care beyond that of the sisters' ability but whose condition is not urgent enough to require evacuation. The doctor examines the patients presented to him and discusses problems posed by the sister. Apart from the examination of communities during special surveys, there is no regular routine examination of all children and adults. Doctors often appear to be excessively subject to the control of the pilots while on routine visits. For example, while the writer was visiting Arnhem Land missions, pilots requested superintendents to have patients waiting at the airstrip for examination (in two of four such cases the superintendents refused). In other cases pilots, doubtless acting on technical and meteorological criteria, have informed doctors that they have one hour or 1½ hours as the case may be. This creates an obviously undesirable pressure on the doctors, and results in a degree of superficiality in examination which would not be the case if there was more flexibility in schedules.

From time to time 'Native Health Surveys' are conducted. Their aim is the prevention of disease, since experience has shown that in most cases natives do not ask for medical treatment, and therefore health checks at regular intervals are essential if disease is to be efficiently controlled. The first major surveys were carried out at the Bungalow (now Anomungana) in May 1956 and at Bathurst Island in March-May 1957. They appear to have been in the nature of data collections; the reports consisted of pre-determined check-lists of ailments with the numbers, excluding ages and sexes, for each ailment; for example, trachoma = 10; otitis media = 3 cases. Surveys of a more comprehensive nature have been conducted at Port Keats, Umbakumba and Daly River. At Rose River mission in 1961 an attempt was made to survey the health of family groups, with emphasis on familial tendencies in certain diseases. Routine follow-up surveys have been conducted, but of shorter duration. Apart from the 1956 and 1957 surveys, those mentioned above were conducted between 7 April and 10 September 1961. By March 1962 no intensive survey of the type mentioned above had been carried out in the

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23. The Health Department circular, Northern Territory Aerial Medical Service, Schedule of Six Week Routine Medical Visits from Alice Springs, shows, for example, that in the fifth and sixth weeks (10 working days), 36 pastoral properties and two settlements have to be visited.

southern division, the area which, from the figures in the appendices, would seem to be in the greatest need. Many of these special surveys and extensive examinations by survey sisters have only served as documentation of circumstances at the time: they have not had the same effect as regular examinations would have in enabling an assessment of preventive medical programmes. The Rose River Survey took three weeks for 250 people. On this basis it would take four years to complete a survey of the Northern Territory, excluding time necessary for collation of the data - by which time presumably most of the material would be out of date.

In each division there is a Native Survey sister. Their function is largely to immunise children and to advise resident sisters on nutrition and feeding. While they have achieved much, particularly in devising techniques to secure parental and children's cooperation in immunisation work, Mantoux testing etc., it seems that two sisters (a third has been appointed) cannot cope effectively with the numbers involved and the area to be covered.

The Health Department conducts a schools' health service; a schools' medical officer carries out routine physical examinations of all non-Aboriginal children at schools and pre-schools. Aboriginal children are examined during health surveys: hence it is fair to say that examinations are irregular at the top end and non-existent in the centre.

The Health Department's curative health services are essentially conducted by radio and aerial evacuation. Resident sisters have radio contact with the Aerial Medical bases twice daily. While radio discussion of symptoms and treatment is not ideal, it is considered by the Health Department to be the best method in the circumstances. Emergency cases are evacuated to general hospitals. Unfortunate features of the system are that the radio medical sessions are not available 24-hourly and planes can only evacuate safely in daylight.

The Health Department constantly asserts that it provides equal services for all, that it is concerned with health and not with Aborigines or whites. In general hospitals full-blood Aborigines are lodged in separate wards. The Health Department repeatedly claims that this is done for social and not racial reasons, and that Aborigines prefer to keep together. When part-Aborigines were

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25. *Health*, Vol. 7, No. 4, p.125; 'Many of the Native Settlements have up to three or four hundred natives living on them, so that it is necessary for the medical officer to remain at the Settlement for some weeks at a time in order to carry out an efficient and thorough survey.'
classified as Aborigines, they too were segregated for 'social' reasons. With their declassification they were immediately placed in white wards, without complaint from white residents.

Social separation aside, the question is whether Aborigines have equal facilities. In 1958 the Health Department built a new ward for Aborigines in the Alice Springs hospital to replace the existing, unsatisfactory Native Ward. This ward had no refractory room facilities, no isolation wards and no children's ward. The building was overcrowded and in a bad state of repair. In 1958 or 1959, before completion of the new Aboriginal ward, the decision was made to use it for non-Aborigines. This decision appears to have been based on the agitation of white residents that Aborigines were to get the new facilities while their own remained inadequate. The use of the old general wards now allows for the separation of infectious and non-infectious Aboriginal patients. Other general hospitals have still to make provision for such separation. The most recent advance has been the integration of outpatients at general hospitals; it would not seem an insurmountable step for the Health Department to order the integration of inpatients.

In all this, it is difficult to avoid the conclusion that while the Health Department may provide first-rate medical and health services for the non-Aboriginal population, Aborigines are in receipt of a second-class version of it. The motions are gone through: the statistics of routine flights, evacuations, surveys, inpatients and outpatients look impressive. Yet there is a shallow, superficial and thin quality in the services provided for Aborigines.

(ii) The Quality of Health Inspections

For reasons not immediately apparent, relations between settlement and mission superintendents and Health Department inspectors are poor. The level of this relationship is often churlish and childish. By and large health inspectors inspect in a policing and critical sense (perhaps frustrated by their inability to demand compliance with their recommendations). Inspections are usually of two or three hours' duration, at the end of which the inspector hands the superintendent an informally written version of what is to be his official report. They rarely attempt to educate or persuade the hygiene officers and assistants, or the people, by propaganda, appeal, explanation or demonstration. They rarely explain the reasons for their criticisms: reports tend to be lists of wrongs to be righted. Superintendents often ignore health inspectors, physically and professionally. Strong resentments have been built up as a result of inspectors' inclination to conduct
inspections during week-ends. The resentments are not confined to superintendents and inspectors. Following his inspection of a settlement in April 1962, the inspector sent this report to the Directors of Health and Welfare:

The sanitation standard of this settlement is disgraceful mainly because of the toilets. The Welfare Branch cannot say that this matter has not been brought to their attention as reports over the last ten months have always referred to the poor condition of these deep trench toilets and it is essential that immediate action be taken to rectify this complaint.

The Director of Welfare wrote to the Director of Health: 'I am concerned at some of the statements which are made by Mr, - from time to time which I consider are outside the scope of his responsibility'.

(iii) The Lack of Fundamental Research

The Director of Health has stated that the causes of Aboriginal ill-health are known and that fundamental research is unnecessary. Apart from the unscientific attitude displayed in this, it is evident that research is needed as a result of the conflicting opinions on several subjects.

Conflict is evident on the question of trachoma. The official figures in Appendix 25 show one case in 1953 and 405 in both 1957 and 1959. The Alice Springs figures for successive years from 1954-55 to 1960-61 are: 2,998, 26, 207, 382 and 45 (excluding the 1955-56 figures which are not available). An ophthalmologist surveyed the district in 1956-57 and reported the high number of 998. According to the figures supplied to the writer by the Director of Health, this specialist reported 1,103 cases in Darwin, 1,315 in Alice Springs, 3 in Tennant Creek and 291 in Katherine (total 2,732) in that year. Thereafter doubt arose as to the accuracy of his diagnoses. The question of trachoma is a serious one, and should surely not be a matter for doubt and speculation but one for scientific investigation.

26. This report will give some indication of the relationship between superintendent and inspector: it was made at Warrabri in May 1961.

This is a remarkable settlement and the whole area is well maintained and is a credit to all responsible. It proves that settlements can be organized so that the sanitation is maintained at a reasonable standard seven days a week.

The superintendent does not reply to my suggestions with the idiotic statements that some staff make e.g.

(a) It won't work.
(b) Nobody has done that before.
(c) It is not worth it, they are only natives.
(d) Haven't got the time to do it now, will take twelve months to do any work you require.'

27. From File No.62/362, 'Jay Creek Native Settlement Medical Survey', W.B.H.O.
There is as yet no definitive statement on the connection between anaemia and hookworm. J.M. Crotty's paper dealt with the top end only and it seems that there are a considerable number of anaemia cases in the southern division where there is no hookworm infestation.

Other controversial topics are the decline in infant body weights, the causes of otitis media and suppurating ears and the proneness of Aborigines to respiratory infections, 'cheesy conditions' and virus infections. These may well have deeper roots than environmental conditions. A full-scale dietary survey, including all settlements, missions and pastoral properties, seems necessary. Perhaps the greatest need is to begin surveys and investigations into Aboriginal health in the centre.

The list of research publications for Territory Aborigines, cited in the Bibliography, appears top-heavy on the physical anthropology and haematology side and light on the purely medical side. The medical research to date is scant.

D. ENVIRONMENTAL SANITATION

W.H.O. defines 'environmental sanitation' as the control of all those factors in an individual's environment which exercise, or may exercise, a deleterious effect on his physical development, health and survival. In particular, it refers to the control of: excreta disposal and sewage, pure water supplies, and housing, of a standard to ensure that it is not likely to provide opportunities for direct transmission of diseases, especially respiratory infections, and to encourage unhealthy or unhygienic habits in the occupants. The Committee lists those diseases which are due primarily to the lack of these provisions. The aspects which relate to Aborigines will be examined.

30. (1) Infections commonly acquired or transmitted by the alimentary route, especially the enteric group, the dysenteries and epidemic diarrhoeas;
(2) infections commonly acquired by the respiratory route, especially pulmonary tuberculosis, pneumococcal infections, and many virus infections, the transmission of which may, at times, be associated with housing conditions; and
(3) infections commonly acquired by surface contamination, especially yaws, trachoma and leprosy, diseases which are particularly associated with certain housing conditions, overcrowding and lack of public appreciation of sanitation; and other infections such as hookworm disease, caused by pollution of the soil.
(i) Housing

The question of whether housing is a prime need of Territory Aborigines today is a difficult one to answer. Traditionally, Aborigines were nomadic, moving camp when new hunting fields were needed and when camps became too despoiled for comfort. In December 1962 it was estimated that only 300 Aborigines were nomadic.

Welfare Branch officers, missionaries and pastoralists were interviewed on whether or not Aborigines wanted improved housing. Opinions varied considerably. They included: (1) Aborigines are enthusiastic to acquire European-type houses; (2) they prefer 'humpies' to anything else; (3) they prefer humpies to wooden houses; (4) they are not socially ready for houses and maltreat them when placed in them; (5) they prefer 'native cement' houses to the aluminium huts ('Kingstranda'); (6) where suitable housing is available, Aborigines are able to maintain them. All of these views may have an element of truth, but they are based on observation of overt Aboriginal reaction, not on discussion with Aborigines.

Length of contact with whites seems an important factor in the desire for housing. Bathurst Islanders, with contact since 1911, are all housed in some way. The mission has a scheme by which an Aborigine may buy raw materials from the mission, build his house with mission assistance, and pay £50 for it. At the wage rates prevailing, such purchases are not common. Nevertheless, Aborigines want houses and are prepared to pay for them. At the other end of the scale, at Areyonga, where Aborigines have had the least contact, houses have been provided but they refuse to live in them. They prefer the humpy, now somewhat more refined by access to new building materials. Photographs 1 and 2 in Enclosure 5 show the camp at Areyonga. When Kingstranda and cement houses were first erected and allotted to Aborigines they remained unoccupied; Aborigines built humpies alongside the houses and used the houses for storage and other purposes. This was still the situation in December 1961.

With the establishment of the Welfare Branch and the enactment of legislation providing a new philosophy in Aboriginal administration, it was felt that the provision of housing was a priority. If assimilation meant that Aborigines should observe the same customs and be influenced by the same beliefs as white Australians, then the urgent provision of housing, a prime need of white Australians, is understandable. At the same time it is fair to say that the urgency was not a result of Aboriginal demands, or of Health Department pressures to alleviate disease, but was a consequence of a political need to demonstrate that persons in need of care were being assisted,
that Aborigines could share the same customs and beliefs, and that measures were being taken for Aboriginal advancement. The need was met by deciding on a form of housing that could be (1) built rapidly; (2) constructed easily; (3) transported quickly; (4) suited to the tropics and (5) said to resemble a 'house' as ordinarily understood. The type of house chosen had also to have a 'transitional' quality, because settlements were to be temporary institutions, training centres for people in a transition stage between primitive nomadism and western urbanism (and its concomitant culture and values).

The choice fell upon an aluminium prefabricated unit known as a Kingstrand hut. These units can best be described as mobile 'Meccano' sets, packed in crates, assembled on concrete slabs and held together by nuts and bolts. In Enclosure 5 photographs 3, 4, 5, 6, 31 and 37 illustrate the unit, officially described as 'a room with a fireplace and open veranda on three sides'. Photographs 3 and 4 illustrate the Kingstrands as they are; photographs 5 and 6 show what is intended: the cementing in of verandas to provide two extra rooms, including kitchen facilities. Photograph 6 is of a model only; three units added to in this way were occupied by Aborigines on all settlements by June 1963.

The basic Kingstrand unit, excluding the cement foundation, costs approximately £520 purchased and delivered to Darwin or Alice Springs. On remote settlements, with high freight costs, the unit costs £800 to £900. The foundation has to be laid and labour paid. Additions to the units cost, for type 'B' units, £400 each and for type 'C', £550 each. The most elaborate unit, excluding extra freight, raw materials and labour, costs £1,170. The photographs indicate the nature of the article in relation to the cost. The Welfare Branch is still ordering these units. In 1961-62, 20 new units were ordered and provision was made for 26 units to be added to. In 1963-64, the Branch ordered 72 new units. Photographs 3 and 4 show the condition of some units, of 18 months vintage, at Amoonguna. The writer's observation of them is that weathering, overcrowding (where they are used) and the mere leaning against walls, give these units a lifetime of not more than four years.

Kingstrand aluminium is meant to reflect heat. While the writer's experiments are not put forward as scientific evidence, his conclusion, on attempting to live in an unceilinged, uninsulated Kingstrand in Central Australia, is that they are uninhabitable. The concrete floor was hot at 11 p.m.; the measured temperature was 18°F higher than the outside temperature and 23°F higher than the interior of a spinifex-grass humpy at the same hour. 'Bloody fire box' was one of the printable verdicts of Aborigines who discussed the question.
In the past the Welfare Branch has considered other types of housing. The so-called 'nativo cement' houses (photograph 7) appear to be the most reasonable: they are considerably cheaper, cooler, more durable and, above all, offer employment to Aborigines in the form of brick-making. One reason offered by officials for discouragement of these houses was that 'they are too slow in construction' - a view which reinforces the suggestion that houses are not built for the usual reasons. Photograph 8 shows a cement house abandoned for this reason.

Where timber is available, at the top end, houses of better quality are built, as at Snake Bay (9 and 10) and Maningrida (11). Other forms of housing on settlements are shown in photographs 12 to 14, 29 to 34 and 37 to 39. The most remarkable experiment in housing has been at Yuendumu. The Superintendent's view was that Aborigines were not ready for housing and he consistently refused to erect Kingstrands (see 12 and 13). In 1961 he initiated a project which later received official sanction. Using local sandstone, local limestone as mortar and spinifex thatch as roofing, several houses of two rooms, with reticulated water and showers, were built. The result is shown in photograph 14. Excluding Aboriginal wages, but including the supervisor's salary and such additional materials as piping, the cost per house was £25.

Missions use a variety of materials: adobe brick at Milingimbi; bark at Angurugu (15 and 16); iron sheeting at Bathurst Island (17 and 18); stone, and iron sheeting at Santa Teresa (19, 20 and 21); timber and galvanised iron at Elcho Island (26, 27 and 28) and Yirrkala (22 and 23); and flattened petrol drums at Hermannsburg (24 and 25). Most of the houses on missions are locally built, at mission cost and with Aboriginal labour. However, all missions except the Roman Catholic, receive capital subsidies from the federal government for their Aboriginal housing programmes. Between 1954 and 1959 neither the Methodist nor Lutheran mission group sought subsidies for housing. C.M.S. received £7,215.12. 7. in that period. The other mission groups subsequently requested and received assistance for housing, usually at the rate of some £260 per house. Much of the subsidised housing erected is below the standards of workmanship deemed necessary by the Welfare Branch. With a few exceptions, the new houses blend with the humpies and shacks and have taken on the air and appearance of the camp. Photograph 35, while a poor reproduction, shows a subsidised house at Umbakumba. The best mission housing is at Santa Teresa (19 and 20). The material is stone, there are at least two rooms, and some attempt has been made to supply electricity within the limits of the mission's resources.
The cost per unit has been in the region of £100.

Apart from Santa Teresa's attempts at an electricity supply, no single house on any settlement or mission has water reticulation (except the new Yuendumu houses, some three in number), kitchens, private latrines or electricity. Additions to the Kingstrands will provide some kitchen facilities, commented upon below. On settlements feeding is done by means of communal kitchens. Water is available from creeks or from a centrally located tap supply. Communal latrines are provided in all cases. Without entering into technical discussion, it would seem plain that the housing of Aborigines contributes in large measure to the high incidence of diseases said by W.H.O. to be caused by poor housing. Overcrowding, lack of ventilation, lack of insulation and light, lack of water, latrines and bedding, huddled together with one another and with dogs for warmth, all add up to a dismal picture. The view that these facilities are abreast of the desire for houses, and Aboriginal attitudes towards them, is not really defensible.

It is not possible to discuss all aspects of Aboriginal housing, but a few points require comment. In Chapter IV it was stated that the Welfare Branch, now bound by the provisions of the Wards' Employment Ordinance, is seeking to revise its wage policy. It intends creating an establishment for each settlement and paying a higher wage from which uniform deductions will be made for meals and accommodation. A uniform deduction for accommodation is unjust in view of the lack of uniform housing.

Secondly, the Welfare Branch has announced a programme of 'transitional' houses for Aborigines in Darwin. At a meeting of the Employment Advisory Board in May 1963,\(^1\) the Director of Welfare foreshadowed the provision of 25 additional homes, built to normal Housing Commission standards, as 'transitional' homes. This was publicly confirmed in July 1963.\(^2\) These houses, to be scattered throughout Darwin, 'would be allocated to selected aboriginal families where the husband was employed in normal award employment or was undergoing training for employment at Award rates and conditions'. The Director of Welfare is to decide the suitability of families for this housing, based on the 'ability they have shown in managing a house of a lower standard'.

\(^{1}\) M.E.A.B., seventh meeting, pp. 1-2.
Where over a reasonable period of time, despite the assistance of trained welfare and social workers, the families displayed that they were unable to cope with the responsibilities of maintaining a home they would be replaced by another family. For those who attained the normal standards in the community the house would cease to be classified "transitional" and the tenancy would be on the same basis as for other occupants of Housing Commission Homes. When a house ceased to be classified in the "transitional" category a further home would be allocated for this purpose so that there would be 25 listed at all times.

The Welfare Branch has also suggested that new transitional homes be built at Bagot where people can be trained to accept responsibility to a point where they can be entrusted with a Housing Commission home.

The Welfare Branch has indicated the need for additions to the Kingstrand houses in these terms:

The native houses at present erected on settlements provide living conditions consisting of a room with a fireplace and with open verandah on three sides. As a first stage in getting natives to settle down in smaller communities and in teaching them how to handle a small hut, these were quite satisfactory and have admirably met their purposes.

With communal feeding of both children and adults to develop an interest in and an appreciation of our types of food and methods of cooking, it was expected that within a reasonable period some of the younger families would be ready for the next stage of development. Already on some settlements we have a number of young families handling their own cooking arrangements using makeshift facilities and the stage has now been reached where more of those families are ready for this experience... It is proposed in order to cater for this stage of development to erect three types of extra accommodation incorporated in or attached to the Kingstrand and cement-brick houses and adapted according to the individual ward's family's stage of adjustment to our living standards.

The meaning of 'transition' needs consideration. First, the satisfactoriness of Kingstrand huts has been discussed, from the standpoints of health, durability and habitability. Secondly, at no stage has the writer observed, or heard of, actual teaching of any description in management of a small hut. Thirdly, in 'a room with a fireplace', unfurnished, without facilities, teaching would be difficult. Fourthly, the crux of the matter, the present concept of progress and development indicate that assimilation will take considerably longer than the Minister for Territories' expectation of 'within sixty years'.

The present practice may be summed up this way: nomadism - transition to permanent humpy on settlement - transition to temporary

'transitional' Kingstrands on settlement - movement to temporary 'transitional' Kingstrands at Bagot settlement (or Tennant Creek and Elliott: Alice Springs has no settlement in the town proper) - movement to 'transitional' Housing Commission home - return to Bagot Kingstrands if unable to cope - permanent occupier of Housing Commission home if able to cope and hence occupation as a fully-fledged citizen.

There were 35 Aborigines on award wages at August 1962 and 25 houses in the normal sense are to be provided. The mathematical progression, based on the rate of achievement since 1954, suggests 150 years to complete the assimilation of settlement and mission Aborigines. As with vocational training, described in Chapter IV, it is contended that Aborigines cannot be successfully taught in artificial situations. Just as they cannot learn to sleep, eat, excrete and wash in humpies, so they cannot learn these things in Kingstrands. Since Kingstrands are meant to be temporary, permanent houses will not be built on settlements, for settlements, according to policy, are also temporary. Ability 'to manage a house of a lower standard', that is, ability to keep a Kingstrand clean without teachers and without facilities, is to be the criterion for movement to a house proper. It is suggested that Aborigines can only learn by experience (and by home management instruction) in permanent houses on settlements. The intermediary Kingstrands, for all the additions and alterations (at what appears to be an exorbitant price), seem to be a considerable waste of money.

It is worth concluding with the observation that the few full-blood and part-Aboriginal citizens occupying Housing Commission homes in Darwin have maintained standards of hygiene and healthful living without the assistance of trained social workers; they have the facilities of water, stoves and toilets - and use them.

In July 1963 the Welfare Branch announced that in the past two years 150 houses to the mandatory standards had been built on pastoral properties. In the same period, 75 houses and nine single men's quarters had been built on settlements, and missions had received £16,695 in subsidies for houses. Further, 72 Kingstrands had been bought for erection in the 1963-64 financial year. Mission and settlement houses do not conform to the mandatory specifications as the photographs clearly indicate.

The pastoral lessees' associations have applied to the govern-

34. N.T. News, 13 July 1963. The specifications for Aboriginal houses are set out in the Wards' Employment Regulations.
ment for assistance in providing Aboriginal houses. Pastoralists have stated that only with government assistance could they enter into the field of education, health services and housing for Aboriginals. The N.T.P.L.A. claimed that they could not obtain money from the banks for these purposes as banks did not consider these works as developmental activities. As was shown in Chapters IV and V, pastoralists not only have their labour subsidised but are already in receipt of assistance for housing: one component of the social service pensions which are paid to pastoralists on behalf of Aboriginals is meant to be for the provision of accommodation.

(ii) Excreta Disposal and the Teaching of Hygiene

Wagner and Lancix stated that poor excreta disposal is often associated with lack of adequate water and sanitation facilities and with a low economic status of the rural population. All these conditions affect health and there is a direct and indirect relationship between excreta disposal and a population’s health. The direct effect of proper disposal is the reduced incidence of the dysenteries, infant diarrhoeas, hookworm, ascariasis and other intestinal infections and parasitic infestations. The indirect relationships are many: improved sanitation, for example, diminishes the incidence of excremental and waterborne diseases.

Administrators of Aboriginals claim that excreta disposal constitutes the greatest of all problems. The energy expended on devising effective systems is remarkable. The quest for a 'blackfeller-proof' system of privies continues: officials and missionaries assess the problem as finding a system which Aboriginals will use and not destroy. The explanation offered of Aboriginal misuse, non-use and often abuse of the system is that under tribal conditions the 'natural' method was used and that while nomadism has ceased, the natural methods continue. The non-use of facilities provided is attributed to tribal custom, lack of intelligence, obstinacy, cussedness and a host of other reasons.

A number of factors must be considered. First, in many countries excreta disposal programmes are surveyed, planned, designed and implemented by the health department. Such departments either employ or consult sanitary engineers who are specialists: qualified engineers with post-graduate public-health training.

35. M.E.A.B., seventh meeting, p.4.
The programmes for Aborigines are left to Welfare Branch officials and missionaries to devise and implement. Secondly, since Aboriginal dwellings do not have water reticulation and have no private latrines, conveniences are communal. Wagner and Lanoix state that world experience has shown that multiple units should never be substituted for the individual family latrine. Communal conveniences on settlements and missions are, for the most part, built either too close to living areas or too far away. For the traditional method used, 'to walk 50 to 200 yards is inconvenient (see photographs 27 and 28).

Thirdly, the nature and number of latrines provided is totally inadequate for the populations they have to serve. The building of Amoonguna started in 1957 and transfer from the Bungalow was effected in May 1960. Between then and May 1961, one ablation block was built in the camp. It provides two toilets for men and three for women: one toilet to 85 men and one to 72 women. For the 396 persons then on the settlement, there were four showers and one 44-gallon, uninsulated, wood-fired hot water service. The settlement report for May 1961 stated: 'Until recently, these toilets have been subject to continual blockage and inevitably, every secluded corner of the village became a depository for faeces and a collection point for flies. Recently we were ordered to build drum type deep pit latrines as an emergency measure. But these have proved disgustingly inefficient when built to the specifications supplied.' (See Appendix 33, Amoonguna, for some remarks on the provision of showers and toilets before water is available).

Fourthly, the mere provision of latrines and their technical improvement can only be effective if accompanied by the whole-hearted understanding and cooperation of the people. Public education is essential, bearing in mind local custom, traditions and beliefs. Missions and settlements have reacted to situations in the expected manner: facilities do not exist, therefore they must be provided, irrespective of whether the community is ready for, or interested in, or even hostile to, such facilities.

It is fair to say that some of the reasonably effective systems devised in the past, such as the Army-type deep-pit latrine system, have been abandoned in favour of better looking facilities of the 'European' type. The erection of an ablation block, as shown in photograph 40, appears to signify 'social change' to officials, a symbol of advancement and a sign of recognition that sanitation is a vital health factor.

The hygiene education of Aborigines can be described as nil. Consequently, Aboriginal participation in the sanitation programme is nil: they have no understanding of why the programme is necessary. The Health Department advises the Welfare Branch and the missions on the need for toilets and the number and type required. Health inspectors sometimes supervise their construction. It is left to the hygiene officers, and the Aboriginal hygiene assistants, recruited and employed by the Welfare Branch, to do the educating.

Hygiene officers on settlements are recruited in almost all cases with no experience of sanitation or public health work. These officers are sometimes sent to the Health Department where they undergo a course, usually of six weeks' duration. The Health Department has no voice in the selection of trainees or in their suitability for the work. For the most part, these trainees carry out what they have been taught: rote repetition of 'do's' and 'don'ts'. They carry out what they conceive to be their tasks, lacking the knowledge of why they are implementing a set of rules. Roughly one half of the settlements have these officers; of the missions visited, not one had a full-time hygiene officer. Hygiene officers have no training in communication with non-English speaking peoples; no training in conducting campaigns or in community development techniques of self-help; they have no material for propaganda and no training in the use of visual aids if they had material. No film strips are available, and no films on cause and effect are shown. In most cases therefore, hygiene standards are what the individual hygiene officers and missionaries conceive them to be. Yet these men are responsible for the public health aspects of communities which vary in number from 150 to 1,000 people.

Much is made of the fact that Aborigines are being trained as hygiene assistants. In Chapter IV it was shown that numbers of Aborigines are being trained and that almost all settlements and missions have Aboriginal hygiene workers, some of whom are subsidised by the Welfare Branch. Most assistants are totally untrained, performing such duties as 'keeping the camp clean' according to untrained instruction. Those who have received instruction cannot be said to be trained. In Chapter IV it was shown that hygiene courses lasted two to four weeks. In June 1963, 25 Aborigines from missions and settlements at the top end were given an oral examination by senior Health Department instructors after a three-weeks course in hygiene.39 According to the report, they 'were taught all phases of personal hygiene and sanitation methods

applicable to settlements and missions': 'the aim of the course is to teach the natives enough to enable them to become sanitariums, or health inspectors, on their own mission or settlement'. They were given lectures and shown films on excreta and garbage disposal, drainage methods and on insects dangerous to personal health. Further courses are contemplated in the future. The significance of this system is either that Aborigines are not as uneducable as they are often said to be and therefore have an absorption and learning rate twice that of white trainees (three weeks as opposed to six weeks training) or this is yet another example of going through the motions of training, resulting in another statistical report that x numbers of Aborigines have been trained.

These courses may well be justified 'as being a start', but it must be questioned seriously whether any improvement, let alone the maintenance of the status quo, will ever be achieved by a system which places responsibility for sanitation and related aspects of public health in the hands of a non-professional body which employs amateurs to be responsible for the environmental health of thousands of people.

(iii) Water Supplies

A healthy environment is dependent upon water. It plays a predominant role in the transmission of certain enteric and bacterial infections, such as typhoid and bacillary dysentery. Water availability has been stressed as a factor in diarrhoea control: a Brazilian study in 1956 clearly related infant deaths from diarrhoea to water availability.

W.H.O. literature demonstrates that water supply and the standards of drinking water are scientific and technical disciplines: there are rules and standards which, if applied, reduce the incidence of disease. The water supply system in the Territory is anything but a scientific field of activity. R.K. Macpherson described

40. The objectives of any water supply system are: (1) to supply safe and wholesome water to the users, (2) to supply an adequate quantity and (3) to make it readily available to encourage personal hygiene. Wholesome water has been defined as (a) uncontaminated and hence unable to infect its users with waterborne disease, (b) free from poisonous substances, and (c) free from excessive amounts of mineral and organic matter.
42. Ibid., p.18.
43. Macpherson, p.62.
Darwin as having the best supply, but the system was scarcely adequate, in quantity and quality; in areas like Tennant Creek, the situation was particularly bad. However inadequate urban facilities, rural facilities in Aboriginal communities are worse.

It is true that the greatest problem confronting the Welfare Branch and missions is finding sources of supply.

The Welfare Branch’s 1962-63 expenditure on seven bores for settlements was approximately £43,500. This figure includes the cost of unsuccessful boring and trial drilling. The sinking of a bore costs approximately £1,500 and the cost of equipping one is approximately £3,500, a total of £5,000 per bore. In 1961-62 provision was made for seven bores at a cost of £47,250. Actual expenditure was £7,192, as this was a drought year and contractors were engaged elsewhere assisting pastoralists. Thus it may be said that in relation to the total expenditure on Aboriginal welfare, three per cent, is spent on water supply. In view of the conditions described in Appendix 33, this percentage is inadequate.

Since there are such difficulties in locating water it is important to be aware of what is done with a supply once located. The design and construction of storage facilities, the reticulation and distribution of water tend to be haphazard activities in the hands of amateurs. On some settlements in the centre, where the evaporation rate is reputed to be one of the highest in the world, water is stored in open tanks. A variety of reticulation systems is used, not all of which make the most effective use of water. One settlement has a system devised and implemented by an inventive Aborigine, but it seems that the secret of his system is to die with him. At Yuendumu, where water shortage is chronic and precarious from a health point of view, the storage system is such that water has to be turned off by day in order to accumulate water for the evening and early morning. Towards the end of 1963 staff at Yuendumu petitioned the Director of Welfare and the Minister for Territories to provide them with an adequate water supply. No water whatever is available in the camp and women have to cart water in four-gallon buckets for

44. Information from the Department of Territories, Canberra.
45. Expenditure on water investigation in the Territory as a whole was £89,455 in 1959-60; £122,594 in 1960-61 and £137,010 in 1961-62 (see N.T.L.C.D., 12-22 August 1963, p.858). In view of the general water shortage, and in relation to total Territory expenditure, these expenditures seem low indeed. For a full discussion on water supply in the Territory, see the speech by the member for Stuart, Mr. D.D. Smith, N.T.L.C.D., 12-21 November 1963, pp.1259-1263.
eight miles (four miles each way) for camp supply. Some settlements, such as Amoonguna, have precarious supplies in terms of drinking and washing water, let alone water for projects and industries.47 A great deal of water in the centre is considered chemically unfit (by the Animal Industry Branch) and bacteriologically unfit (by the Health Department) for human consumption. At Amoonguna, for example, bore water used for drinking is considered unfit for stock; staff bring drinking water from Alice Springs. Even at the top end, in high rainfall areas, water supply is dangerously low mainly because of poor water conservation methods. Early in 1963 families of Aboriginals had to be evacuated from Maningrida because of water shortage.

The position on missions is more acute. Water reticulation and supply are as the missionaries have designed them. The sole source of water at Milingimbi is an open well which, when recently widened, resulted in sea water contamination. Bathurst Island has a few open wells, totally inadequate for 900 people. Oenpelli's water has been deemed contaminated and responsible for typhoid outbreaks in the past two years.

The provision of water is insufficient. Water conservation principles are not practised by field staff, mission and settlement. Examples could be given of wasteful spray devices used in vegetable gardens and of watering in the hottest parts of the day. For example, one rationalisation offered at Amoonguna is that to ration water in this way will result in the unemployment of Aboriginal gardeners. The sacrifice of precarious water supplies for the sake of gainfully employing perhaps five gardeners (employment being what it is) seems indefensible. There is, on the other hand, constant castigation of Aboriginals for misuse and wastage of water. To the centralian Aboriginal, whose cultural heritage is chronic lack of water, the unending flow from a tap has magical properties. As with other aspects of environmental sanitation, there is no education in water use.

In Central Australia the best supplied cattle station is Mt. Alan, adjacent to Yuendumu reserve. It has some 15 dams and no bores. With an average annual rainfall of less than five inches, the dams have never run dry. Mt. Alan dams, using their own bulldozer, cost between £2,000 and £3,000, or near to half the cost 47. By November 1963, 35 test holes had been sunk at Amoonguna, of which 13 'had produced water in variable quantities'. In 1963 the Welfare Branch bought a private farm near Amoonguna for £13,500 'because of its water supply as offering a supplement to the existing Amoonguna supply, and because of its usefulness to the settlement as a market garden area'. See N.T.L.C.D., 12-21 November 1963, pp.1337 and 1339.
of an equipped bore. Apart from lower cost the stability of supply is greater and the rain water is free from harmful organisms and chemicals.

(iv) Nutrition

It is known that there is a relationship between nutrition and kwashiorkor or malignant malnutrition, between nutrition and anaemia and between malnutrition and diarrhoeal diseases. Crotty, investigating the high incidence of anaemia in Aboriginal children admitted to Darwin Hospital, conducted an investigation in 1958. He concluded:

Anemia associated with a kwashiorkor-like nutritional disease is common between one and five years of age. The children in this age group are frequently deficient in iron and protein as a result of the absence of a suitable supplementary diet in the late breast-feeding period and of a suitable weaning diet.

Crotty and Webb, in discussing 'malnutrition and anaemia with diarrhoea or pneumonia' found that this group of diseases caused 44 of 64 deaths under the age of five years:

Malnutrition with one of these complications causing death was classified as dysentery or pneumonia, etc., as the malnutrition would be "a significant condition contributing to death but not related to the disease causing it"... In a few cases malnutrition may not have been very important, but it was in the great majority.

They concluded that while they were concerned only with causes of death, other factors were important in understanding the high mortality in the Aboriginal community; for example, 'sub-standard nutrition in young children, iron deficiency anaemia in women and children and recurrent infectious diseases resulting from poor hygiene are in many native groups the usual course of events'. A report of the Director-General of Health states:

The most serious and extensive problem lies in the combination of hookworm disease and an ill-balanced diet of high carbo-hydrate and low protein content in the native. The resulting anaemia and subnormal health leave him ill-protected when he comes into contact with an infectious disease.

49. Crotty and Webb, pp.490 and 492.
Why should malnutrition exist among a population which is no longer nomadic? One answer lies in the administrative arrangements for nutrition and feeding and in the actual administration by those responsible.

Aboriginal nutrition is the responsibility of the Health Department in the sense that it devises adequate scales which it recommends to the Welfare Branch and missions. The senior dietitian is responsible for the supervision of nutrition. Her duties include: consultation with the Director of Welfare 'on problems of rationing, community feeding, kitchen layout and equipment'; visits to missions and settlements 'to study the peculiar problems of feeding these people and assessing the nutritional value of the food made available to them'.

Ration scales have been compiled, which prescribe the minimum which may be issued to various categories of Aboriginals — workers, aged and infirm, children of varying ages and pregnant and lactating women. A periodic check on how this scale is implemented, and advice on menu planning and cooking procedures and general kitchen and dining room problems is necessary and is carried out.

In addition, the two (now three) Native Survey sisters give advice on infant feeding. The tenor of the above list of duties suggests a greater degree of inspection, enforcement and policing of nutrition and feeding than is actually the case.

The Welfare Branch was not bound by the Wards' Employment Ordinance and its mandatory ration scale until February 1963. In practice, it has conformed neither to the mandatory scale (Appendix 13) nor to the scale recommended by the Health Department specifically for settlements (Appendix 34). Hygiene officers are required to supervise, *inter alia*, food handling and cooking. The Branch employs cooks for its communal kitchens and it employs nursing sisters who are responsible for infant welfare and feeding. These personnel are not bound by the advice of the Health Department and very often act according to their own lights and dictates. This has been borne out by personal observation and by the complaints of Health Department personnel that their advice is often ignored.

Appendix 34 shows the ration scale meant to be in operation on settlements until October 1962. Thereafter a new scale was devised by the senior dietitian and recommended to the Branch (Appendix 35). The earlier scale for adult workers consisted of thirteen major items, with specified minimum quantities and suggested alternatives.

to the main items.52

The orders placed by the catering officers in the respective divisions show that in most cases the alternatives, considered less nutritious, were ordered in preference to the basic items. The table below shows the variation in orders for the respective divisions:

**TABLE VI.4.**

<table>
<thead>
<tr>
<th></th>
<th>SOUTHERN DIVISION</th>
<th>NORTHERN DIVISION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(2,733 people)</td>
<td>(2,055 people)</td>
</tr>
<tr>
<td>Dried tree fruit</td>
<td>6,800 lbs.</td>
<td>55,350 lbs.</td>
</tr>
<tr>
<td>Dried vine fruit</td>
<td>8,600 lbs.</td>
<td>51,960 lbs.</td>
</tr>
<tr>
<td>Dried milk</td>
<td>99,000 lbs.</td>
<td>38,400 lbs.</td>
</tr>
<tr>
<td>Butter</td>
<td>9,600 lbs.</td>
<td>43,200 lbs.</td>
</tr>
<tr>
<td>Margarine</td>
<td>960 lbs.</td>
<td>12,400 lbs.</td>
</tr>
<tr>
<td>Canned vegetables</td>
<td>54,500 lbs.</td>
<td>Minimum quantity possible.</td>
</tr>
<tr>
<td>Dehydrated vegetables</td>
<td>19,700 lbs.</td>
<td>128,700 lbs.</td>
</tr>
<tr>
<td>Dried peas</td>
<td>nil</td>
<td>62,000 lbs.</td>
</tr>
<tr>
<td>Flour</td>
<td>400,000 lbs.</td>
<td>5,760,000 lbs.*</td>
</tr>
</tbody>
</table>

(*) a charitable view of this figure is that it was a clerical error, with 576,000 lbs. being a more realistic figure.

Together with information on settlement fruit and vegetable production, the figures in Table VI.4. reveal the extent to which there is a shortfall between what Aborigines are receiving in the way of fruit and vegetables and what they should be getting according to the Health Department.

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52. The main items were:
- meat;
- potatoes;
- vegetables or fruit;
- dried peas;
- bread or flour;
- baking powder;
- porridge meal;
- sugar;
- jam, syrup or treacle;
- dried milk or cheese;
- margarine or butter;
- salt;
- and tea.

53. Information supplied by the Welfare Branch, Darwin.
TABLE VI, FRUIT AND VEGETABLE RATIONS TO ABORIGINES, 1962-63.

<table>
<thead>
<tr>
<th>Settlement fruit and vegetable production:</th>
<th>N. DIVISION (2055 people)</th>
<th>S. DIVISION (2733 people)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordered as per Table VI.4:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>dried tree fruit</td>
<td>55,350 lbs.</td>
<td>6,800 lbs.</td>
</tr>
<tr>
<td>dried vine fruit</td>
<td>51,960 lbs.</td>
<td>8,600 lbs.</td>
</tr>
<tr>
<td>canned vegetables</td>
<td>-</td>
<td>54,500 lbs.</td>
</tr>
<tr>
<td>dehydrated vegetables</td>
<td>128,700 lbs.</td>
<td>19,700 lbs.</td>
</tr>
<tr>
<td>dried peas</td>
<td>62,000 lbs.</td>
<td>nil</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>423,895 lbs.</td>
<td>127,718 lbs.</td>
</tr>
</tbody>
</table>

Fruit and vegetables available per capita:

- N. DIVISION: 206.2 lbs.
- S. DIVISION: 46.7 lbs.

Recommended ration scale for adults only:

- 52 weeks at 4½ lbs. per week

- per capita = 234 lbs.

The amount of fruit and vegetables available through production and purchases for 1962-63 make it impossible for each category of persons in the ration scales to be issued with the recommended scale.

The sources of supply of beef and amount issued varied from settlement to settlement. The scale of 7 lbs. per week per adult (now 9 lbs.), does not appear to be adhered to (only on two settlements did the writer observe a beef issue according to scale). Field staff ridiculed this amount, claiming it exorbitant by any standards. The scale was clearly devised by the Health Department with the high incidence of anaemia in mind. Some settlements, such as Amoonguna and Warrabri, obtained beef on contract with pastoralists at an average of 2/- per lb. Hooker Creek, Beswick Creek and Yuen-dumu have herds on which to draw. Snake Bay, Maningrida and Delissaville have the merit of being able to substitute fish for beef.

Some settlements fed Aborigines in communal kitchens three meals per day six days per week; others three meals five days per week; some one meal five days a week; one fed pregnant women and

55. The ration scale in Appendix 34 shows that adults (including males 10-20 years and pregnant and lactating women) should receive weekly: 2 lb. potatoes; 2 lb. vegetables or fruit (fresh, tinned or dehydrated); and ½ lb. dried peas. The new scale, Appendix 25, recommends an adult ration of 9½ lb. fruit and vegetables weekly, making the per capita adult requirement 494 lb. per annum.
children once a day only. In addition to communal hot meals, Aborigines are given dry rations to make up the complement of three meals seven days per week. These rations consist, usually, of flour, baking powder, sugar, tea, syrup or treacle, and tinned or fresh meat. The feeding programmes on settlements are set out in Appendix 36.

With regard to missions, reference should be made to Chapter IV, especially Appendix 15. Comparison between the mandatory ration scale and the scales operating on missions, with the exception of Hermannsburg, shows a great shortfall. There is an even greater shortfall between mission scales and the newly recommended settlement scales. Some missions act on the assumption that Aborigines can, do and ought to supplement ration issues with food obtained by hunting and food gathering. At Bathurst Island, where ration scales are lowest, all Aborigines are encouraged to go 'walkabout' for about eight weeks in July and August. It is presumed that they gather sufficient food for their needs. As shown in Chapter IV, Aborigines at Bathurst Island sell most of their produce to the mission, food which is used to feed the infants. It is clear that food gathering is becoming more and more of a pastime among Aborigines; with the issue of rations there is no longer a need to hunt, and as a consequence there is a decline in hunting skills. Winifred Wilson's conclusion on indigenous food in 1957 was: 'The amount of indigenous foods consumed was not significant and hunting and food collecting were enjoyed as a pastime rather than as a means of providing food.' The nursing sister at Bathurst Island maintains that the ration scale in operation is conducive to malnutrition; her belief is that the flour proportion of the (limited) ration is excessive. However, the nursing sister is not consulted and has no voice in devising the scale of rations for adults or children: the matter rests with the superintendent.

Other missions encourage hunting one day per week. It is difficult to avoid the conclusion that this system is not primarily a reflection of a genuine desire to preserve traditional Aboriginal customs and skills, but rather a money-saving device.

Little is known of nutrition and feeding on pastoral properties. Wilson concluded that 'the food consumption and nutrient intake were in general more satisfactory for working stockmen than for other groups'. Survey sisters have informed the writer that Aborigines

56. Department of Health: Dietary Survey of Aborigines in the Northern Territory, Winifred Wilson. This survey was later published in Med. J. Aust., 2:599 (1953). The writer has quoted from the original document.

57. Ibid., p.105.
who reside permanently on pastoral properties are well-nourished, provided as they are with more red meat than elsewhere. They cited the irregular station workers as being in poor condition. The writer's observation of feeding on several pastoral properties was that while variety is poor there is ample quantity.

More attention is paid to infant than to adult nutrition. This policy must be questioned: the expensive and quantitative feeding of infants and schoolchildren to the age of 11 or 12, then the falling off to adult standards, is not ideal. While infant feeding received greater care than anything else, this feeding is in the hands of sisters who may or may not accept the advice of the dietitian or survey sister. Health Department personnel have claimed to the writer that in the southern division only one settlement sister has conformed consistently to the advice given. It is rare for sisters to ignore medical advice; advice from a survey sister, who has no administrative control over them, is another matter. In fairness, it must be stated that in some instances sisters on settlements and missions cannot always obtain what is advised. Settlement orders are in the hands of catering officers; mission purchases are generally in the hands of superintendents.

All settlements have communal kitchens, that is, kitchen and dining-room units where Aborigines are fed. In 1954, it was felt that Aboriginal eating habits were unhygienic, food was wasted and that the provision of sanitorially prepared hot meals would provide a hygienic, balanced diet. There are several comments on this feeding system: first, the system tends to disrupt family life in the sense that families no longer eat together (except when dry rations are issued). On most settlements, men, women and children eat separately, sometimes in shifts (partly because of lingering taboos on certain men and women mixing, chiefly because dining rooms are too small). Secondly, it is doubtful whether education for responsibility, one of the precepts of the assimilation policy, can be achieved by institutional munificence. The communal system has, in the writer's opinion, turned the Aborigines into restaurant eaters, and increasingly fussy ones. Family responsibility seems attainable only by making people buy their food and cook it. Thirdly, that this system ensures adequate diet under sanitary conditions is questioned. Hygiene officers are rarely seen in kitchens and standards are set by the cook and his Aboriginal assistants. Health Department inspector's reports have constantly stressed the lack of hygiene standards in food handling. Fourthly, that the diet is adequate and nutritious, or more so than if Aborigines cooked food themselves, is contested. Aborigines tend to eat most foods in an almost raw state, especially meat. The messes of pottage, boiled endlessly
in kitchens, would seem less nutritious. Further, there is no evidence that adults on settlements are less malnourished than Aborigines on missions and some settlements who feed themselves. Fifthly, a considerable number of meals are still eaten outside of the kitchens, either because full sittings are not provided and/or because many Aborigines fail to attend meal sessions. 58

Neither self-feeding nor communal feeding is satisfactory in the conditions that prevail. So many other factors are involved, not the least being the start of a health education programme and the raising of the quality and qualifications of hygiene personnel. On balance, and in view of the tenets of the assimilation policy, the communal system ought to disappear. The Welfare Branch recognises this in a limited way when it makes provision for alterations to existing Kingstrands. On the other hand, it persists in building communal kitchens where they have not existed or where the existing kitchens are inadequate. Areyonga has recently acquired a new communal kitchen, at a cost of £33,000.

(v) Health Education

The health education of Aborigines is of the greatest importance if a health programme is to have the barest chance of success. Without active Aboriginal participation, the projects appear to be doomed. Pierre Delore has written59

Over and above each technical act, there is a corresponding educational function which doubles the value of the act, prolongs it, increases its efficacy, and endows it with real human and social value.

The W.H.O. Committee discussed the needs for training, the role of various workers in health education, the planning, organisation and conduct of health education training. Its concepts and principles are such that when an attempt is made to measure the health education of Aborigines, an inevitable conclusion is that either the expert committee’s principles are idyllic and unattainable or that the Aboriginal education programme is non-existent.

Much has been said of the training and qualifications of hygiene personnel on settlements and missions. What hygiene and health education is taught by school teachers is ineffective: it

58. At Papunya in November 1961, during one fortnight at least one-third of the adults avoided the kitchens: on one day only was there a full attendance - when five sheep were cooked.

is based on the teachers' experience in relation to white, well-housed children in southern states. Mere classroom teaching of sanitation standards, unaccompanied by actual demonstration, in ignorance of camp conditions and hence unrelated to the child's environment, has little, if any, effect on children. The toothbrush, showering, change-clothes, knife-and-fork drills are meaningless outside school hours. The 'cleanliness-is-next-to-godliness' sermons, the display of posters of the 'flies-breed-disease' variety is simply to go through the motions of health education.

Trite as it may sound, the confidence of the people must first be won. The mere preparation of syllabuses in health education by the Health Department does not produce confidence. On some missions, notably Hermannsburg, Bathurst Island, Santa Teresa and Milingimbi, sisters have won confidence and co-operation. A signpost of confidence is when mothers bring their children to hospital for feeding, where women agree to stop breast-feeding their children in the second year, where mothers voluntarily come to the hospital to have their babies. At Papunya the first baby born in the excellent hospital was in November 1961, some three years after the hospital's erection. Photograph 33 shows the midwifery humpy where all babies, until recently, have been born. One explanation offered is that Papunya Aborigines 'are still too tribal'; another is that the people have greater confidence in their own abilities, distrust white facilities and, most likely, have been given no understanding of the advantages to life of proper hospital facilities.

It is difficult to assess the image Aborigines have of white efforts in health matters. The relationship between health personnel and Aborigines is personal, and one can only judge by Aborigines' overt reaction to these personnel. The constant complaint of sisters is that the people are apathetic, disobey instructions and ignore pleas. These complaints are less common where sisters have had long service, although long-term sisters still struggle to obtain full co-operation.

Aborigines have confidence in the people they see most often. The regular doctor and nursing sister become known - often they are given tribal or totemic names. They are trusted, understanding is achieved and a fairly satisfactory arrangement of treatment and education ensues. The constant replacement of doctors and sisters results in the process of understanding having to start again. Often the new individual's approach is different, resulting in confusion, 'apathy' (that is, non co-operation) and sometimes hostility. The Welfare Branch, traditionally short of staff accommodation, prefers employing married sisters whose husbands
can work on settlements. If the husband's skill is needed on another settlement, the team is transferred. Staff turnover is startling: in an establishment of slightly more than 400, the turnover was 155 in 1960-61 and 179 in 1961-62. At Delissaeville the sister was transferred in this way to another settlement and the settlement remained without a sister from 6 October 1960 to August 1962.

In spite of the Health Department's subscription to the assimilation policy and its objective of providing a high standard of health services for all, irrespective of race, the execution and administration of services to Aborigines is too inconsistent to indicate an effective effort to achieve the Department's laudable aims.

The inconsistency of statistics on the same subject, derived from various sections of the same Department, indicates an insufficiently serious approach to developing and making use of scientific material.

Perhaps the most important question which arises from this analysis is the duality of control in the related fields of health, housing, hygiene and nutrition. The Health Department in Darwin makes full use of the fact that the Welfare Branch bears responsibility for hygiene, nursing services, housing and environmental sanitation. There is sufficient evidence that the non-professional Welfare Branch cannot cope adequately with these problems. It seems reasonable for these activities to be placed in the hands of the specialist organisation, the Health Department. In this way, standards would be raised and a professional responsibility would take the place of the present amateur one.

CHAPTER VII: EDUCATION

Before 1950 the Commonwealth had made no provision for Aboriginal education in the Territory. Education was confined to the unsubsidized, unregulated efforts of missions. Between 1935 and 1937 the government, in formulating a new Aboriginal policy, recognized that any attempt 'to adapt the Aborigines to the conditions of western civilization' required an education programme. Positive action began in 1944 when E.W.P. Chinnery, Commonwealth Adviser on Native Affairs and Director of Native Affairs in the Territory, arranged that Major W.C. Groves, a Victorian educationist, visit the Territory. Groves investigated the condition of the Aborigines, particularly those employed by the Army, and reported on a scheme for their 'army education'. Although his scheme was not implemented one point in his report is noteworthy:

The future development of the natives of the Territory will demand native leaders; it may be taken for granted that any plan for their development will make provision for the natives themselves to participate on reasonable terms in the economic life of the Territory and in the services of the government - medical, clerical, teaching and the like.

After the war three conferences discussed Aboriginal education. In February 1947 a meeting in Melbourne of the Directors of Native Affairs of Queensland, South Australia and the Territory passed a resolution on education. In February 1948 a conference of Commonwealth and state Aboriginal welfare authorities was held in Canberra: its recommendations on education were approved by the

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2. Brief History of Native Education in the Northern Territory, unpublished paper prepared by the Senior Education Officer, W.B.H.O., August 1960.
5. Edwards, p.90.
Minister for the Interior. Following the South Australian Education Department's expressed difficulty in undertaking an Aboriginal programme for the Territory, negotiations took place between the Commonwealth government and the Commonwealth Office of Education (C.O.E.) In August 1949 an investigating officer of C.O.E. visited the Territory. His report was the basis for discussion at a conference in Sydney, in September 1949, between C.O.E., the N.T.A., state directors of education, Professor A.P. Elkin, and mission representatives as observers. A draft curriculum was proposed and the twelve recommendations made to the Minister for the Interior received his approval. C.O.E. accepted control of the programme on an agency basis, and in March 1950 an agreement was signed between the Administrator of the Territory and the Director of C.O.E.

A. PRINCIPLES OF THE ABORIGINAL EDUCATION PROGRAMME

The principles, objectives and criteria on which the programme was based stemmed from the reports, resolutions and recommendations of the individuals and conferences mentioned above:

1. The Commonwealth government should accept direct responsibility for Aboriginal education and C.O.E. should administer the programme.

2. Mission co-operation should be sought and existing mission schools should be subsidised, the missions to make representations to the government for funds.

3. Schools should first be established where there was white culture contact, and 'special building standards' devised.

4. The policy aim should be to give Aborigines 'a training to fit them for ordinary avocations of life, for example, artisans, mechanics, farm and station workers, etc., with a view to their absorption into the general social and economic structure and to qualify them to hold positions of responsibility in government institutions'.

5. A standard curriculum should 'fit the Aboriginal' into the economy. A 'special curriculum both in terms of the subjects to be taught and the content of these subjects' should be devised, applicable to government and mission schools. Subjects should include English language, Native language (where appropriate), arithmetic, social studies, health education, nature study, art and craft work (including pre-vocational training).

6. The 'language of instruction in Native schools should be English, except where local conditions (e.g. where natives are still in a tribal or semi-tribal state) render bilingual instruction

6. Ibid., pp. 92-98.
7. Ibid., pp. 102-115.
desirable'. English should be taught as a foreign language rather than as a first language. Native language would form part of the curriculum 'in areas in which the native culture is still relatively unaffected by white influences'. 'Since most native languages have no written literature, other than the Bible, the main lines of approach will be through oral expression. The children should be encouraged, however, in writing their own language, as a means of expressing their ideas and also as a means of communication between themselves'.

7. Primers should be prepared suitable in language and content for Aboriginal children.

8. Schools should be equipped with all educational aids to enable their use for adult education.

9. All teachers, government and mission, should be trained and qualified.

10. In addition to standard training, teachers proceeding to government and mission schools should undertake 'training of a special kind'. The following courses were envisaged:

(a) a six-weeks' course for teachers recruited in 1950, at Sydney University's Anthropology Department;

(b) a one-year course at Sydney Teachers' College, with assistance from the Anthropology Department, for teachers recruited in 1951 and 1952;

(c) a three-year course, with first-year at the Teachers' College, and the second and third years 'heavily laden with Anthropology and other specialised studies' for teacher trainees recruited thereafter.

While the Commonwealth accepted direct responsibility for education it continued to use missions as agents. Financial and religious considerations no doubt favoured mission control of their own schools. Mission education, however, has not proved inferior as such. In many ways it has proved superior. But a number of factors, discussed later, have worked against a uniform and evenly balanced programme.

Curiously no provision was made at the outset for education on pastoral properties, where there is at least one-third of the total school-age population. Further, a pre-school programme was not considered, at least until the opening of a centre at the Bungalow in 1954.

Adult education was mentioned but the programme was evidently conceived as a part-time, voluntary project, a series of literacy classes conducted by primary teachers. The concentration was to be on formal primary-schooling. This has been partly responsible
for the general failure of the adult education programme, as will be shown.

Insufficient thought appears to have been given to the acceptance by adult Aborigines of a school programme. Apart from 'tribal' difficulties which arose after the start of the programme (for example, adults refused to allow boys and girls to sit together in the same room), resentment was, and still is, expressed by Aborigines who were not consulted in the matter, received little or no explanation of 'this school business' and could not comprehend the purpose and value of education.

The curriculum was based initially on a one-month investigation in the Territory. A mitigating factor was the sense of urgency in starting a programme, a social and political urgency strengthened by such events as the banning of seven full-blood children from Darwin School in February 1949. It should be stressed that C.O.E. expertise was based on migrant education and on the teaching of English as a foreign language to migrants. There are apparent similarities between migrant and Aboriginal teaching, but differences outweigh similarities. In 1953 C.O.E. indicated some of the precepts and difficulties of migrant education. Motivation of the student was a prime consideration: 'it is not too much to say that successful instruction in secondary language teaching is very frequently connected with this matter of student motivation rather than with the organisation of the material to be taught'. Migrant students attended classes voluntarily: 'there is no compulsion to learn English and, as learning a language to even a relatively simple stage of skill involves a good deal of effort on the part of the student, there was a continual need to "sell" the material to the students . . .' Aborigines, living mostly in isolation from economic, social and political events, cannot have the 'strong motivation in the adult student to acquire the linguistic skills'. Many cultural concepts familiar to the migrant are alien to the Aborigines: electricity, stationery, buying, selling and so on. Further, although bilingual instruction was an approved policy, it has not only not been used but has come to be frowned upon (section D below).

8. Ibid., pp.99-100.
10. Ibid., pp.244-245.
These criticisms do recognise the problems of initiating and administering a difficult programme. But it is pertinent to ask why C.O.E. then, and the Welfare Branch now, have established a framework based on their immediate experience rather than look outside Australia at the wealth of knowledge on the education of tribal, vernacular-speaking peoples in Africa and Asia.

Provision was made for 'special' curricula, syllabuses and schools in recognition that tribal Aborigines presented special problems. The substance of this 'specialness' was barely known or heeded by officials, although the advice of Professor Elkin was available. Anthropological material was not available for all tribes, but what was and is available has not been used in devising programmes for 'social change'. It is doubtful whether any programme for the 'Europeanisation' of Aborigines can succeed when there is a tendency to assume that Aborigines are unthinking, unknowing people into whom new things, concepts and ideas can be poured. Native administration in Africa has shown that the success of social change leading to self-help depends on several things—knowledge of the people, a liking for them, and communication and consultation with them. If all these are lacking there is one-sided decision-making which results in conflict, antagonism, resentment and eventually resistance, passive and active.

B. OFFICE OF EDUCATION CONTROL, 1950-1955

The only material available to the writer on this period is Edwards's thesis. 11 Edwards, a C.O.E. officer, described achievements and frustrations but offered no critical analysis. Achievements were statistically described and evaluated. The number of schools increased from four in 1950 to eleven at the end of 1955. Enrolments rose from 169 to 544 and teachers employed rose from five to 21. Expenditure increased from £20,179 in July 1952 to £37,147 in June 1955 (Appendix 37).

Edwards catalogued achievements and frustrations 'with little attempt to be comprehensive'. Frustrations were: the constant transfer of Aborigines from one location to another by the Native Affairs Branch; lack of supervisory and inspection work through lack of transport; lack of buildings and staff accommodation (he cited the case of Beswick Creek's school which opened in 1951, closed the same year and remained closed until 1954 because of lack of teachers' residences); poor furniture; difficulty in obtaining supplies; failure of water supplies; and teachers having to assist

in settlement activities through shortage of staff in the Native Affairs Branch.

Among achievements, good equipment was supplied to schools. There was revision of the curriculum 'in the light of experience and thorough research'. The provisional curriculum was revised and a new one introduced in 1954. In 1953 a course of instruction in Oral English was devised, 'drawing upon the experience gained in the field of Migrant education'. 'Bush Books', special readers for Aborigines, were produced: 'the vocabulary and content of these primers was derived mainly from the environment of the native children'.

In 1953 a teacher of vocational subjects was appointed as there was a major concern that 'natives should be fitted for vocations'. As a result of this appointment 'there was considerable advance in craft work and in the schools and vocational work with adults'. In adult education emphasis was placed on oral English and reading, 'but instruction in number, writing and in social studies was gradually included, as well as craft work'. In 1952 there was one adult class of eleven men at Delissaville. By the end of 1954 there were six classes. In 1955 two new classes started but two existing classes were discontinued. 'It was not unusual to see adult natives, during "smokoes", taking out of their pockets copies of the Bush Books and reading them to each other'.

The question of government provision of schools on pastoral properties arose in this period and, Edwards stated, was much discussed as it raised the issue of educational provision for all Aboriginal children. The 'immediate danger was regarded as two-fold': first, the task of education for all was too great; secondly, 'that with schools established on some properties and not on others, the labour supply would be disrupted by the migration of natives to properties where schools were available'. In 1954 a subsidised school, with the Commonwealth providing equipment and paying part of the teacher's salary, was in operation at Lake Nash. In 1955 the Commonwealth staffed the school at Murray Downs.

It is unfortunate that Edwards's work was so cursory and uncritical. He offered an evaluation of standards and achievement under Welfare Branch control, but made no evaluation of those under C.O.E. control: he did not mention missions during this period, and gave only statistical details of what was done.

Nevertheless, some judgments can be drawn from his account:

in the absence of examinations there could be no measure of pupils' achievements; the appointment of one vocational teacher suggests little effort in adult education; and the establishment of two pastoral property schools in six years is hardly striking. C.O.E. showed undue concern for the pastoral industry in assuming that Aboriginal labour would migrate to stations with schools, in view of the alleged difficulties encountered in obtaining the co-operation of settlement adults.

C.O.E. apparently measured success in terms of the total lack of facilities before 1950, and in terms of the physical construction of buildings and the production of curricula, syllabuses and primers. The Welfare Branch uses similar criteria of judgment. More realistic criteria would be an assessment of achievement by the children, the degree of literacy after a number of years of schooling, the degree of literacy and 'social change' among adults as a result of adult classes, the graduation of primary children to secondary classes and the numbers who graduated to trades and apprenticeships.

C. TRANSFER OF CONTROL TO THE WELFARE BRANCH

The Director of Welfare arrived in the Territory in October 1954. In November he made the following statement to the Legislative Council:

\[13\]

\[\ldots\] The work now conducted by the Office of Education for the education of the Aborigines, may be transferred in the near future to the Welfare Branch. While some preliminary discussions have taken place with the Office of Education on this matter, details have yet to be worked out \ldots perhaps I could digress to make brief comment on the success of the educational programme for Aborigines. To assimilate the people, we must first win the confidence of the parents. Education at first was suspect by the semi-nomadic groups, but the majority have now accepted it \ldots. We have won their confidence and their full co-operation, and the education programme progresses.

As to Aboriginal co-operation, it is true that the initial difficulties in obtaining parental sanction for children to attend school had been overcome. However, the overt acceptance of the school and their children's attendance is not necessarily a sign of parental co-operation. The writer is unaware of any interviewing of the parents of the 394 children who were in nine settlement schools in 1954.

\[13\] The proceedings of this session of the Council were not recorded. The quotation was given to the writer by R.N. Edwards as he received it from the Director of Welfare.
Discussion with Welfare Branch and C.O.E. officials, and file material, reveals that the Welfare Branch advanced twelve major reasons when pressing for control of Aboriginal education:

1. In 1950 the Native Affairs Branch was not equipped to handle education, but with the appointment of the Director of Welfare and Branch reorganisation, it could now accept responsibility for all aspects of the Welfare programme.

2. Aboriginal education could not be isolated from other activities if better co-operation in the total welfare programme was to be secured.

3. The welfare programme's success depended on all officers regarding themselves as members of a team. The team approach was successful on missions and the Welfare Branch should emulate it.

4. There was a loss of efficiency on settlements because of dual responsibility and divided control, particularly the differing allegiances of teachers and other settlement staff. If teachers were members of the Welfare Branch it would be a simple matter to transfer officers to places where personality clashes were less likely to occur.

5. Welfare Branch teachers should have a high sense of vocation and should be prepared to spend a considerable time in this field. C.O.E. teachers lacked this sense of vocation.

6. 'Because of the need for persons recruited in this field to have this quality, it is probably not so important that promotional opportunities should be readily available to them'. In any event, promotion in C.O.E. was limited. Further, a dedicated teacher could advance to more senior positions in the Welfare Branch: this was not necessarily a waste of a professional officer as in time it would be most desirable to have superintendences filled by teachers.

7. The Branch envisaged expansion of education to pastoral properties and greater supervision of mission education: it would be confusing, and administratively wasteful, to have two Commonwealth agencies entering into negotiations and consultations.

8. At least half the teachers had stated their resistance to Welfare Branch control. The Branch's view was that this group lacked the 'strong sense of vocation' deemed necessary and these teachers would probably not be prepared to give long service.

9. The Welfare Branch conceded that its control would mean lay supervision of professional officers. However, someone had to be in charge and there was no suggestion that superintendents would supervise professional aspects of work.

10. The Department of Territories had greater experience than C.O.E. in supplying educational equipment and materials. The N.T.A.

would be able to manage this aspect effectively.

11. A strong argument against Branch control was the Branch's inability to recruit and train teachers for this specialised work. While admitting an Australia-wide teacher shortage, 'there are still teachers who would accept the challenge which a job on a settlement can give'. C.O.E.'s ability to train personnel in teaching English as a foreign language, to devise specialised syllabuses and reading materials could be countered with the appointment of a senior lecturer in Native Education by the Australian School of Pacific Administration (A.S.O.P.A.) who could carry out effective instruction and refresher training programmes.

12. The negotiations for change would not have been started if it was agreed that the present system had worked as effectively as it should.

Were these arguments all valid at the time? First, was the Welfare Branch geared to assume control? C.O.E. had an establishment of two in Darwin head office but with the full weight of its professional organisation behind it. The Branch had an establishment of two, with nothing behind it except an understanding that C.O.E. should act as technical advisers on such matters as syllabus production.

Secondly, while the community development approach has much to commend it, that approach requires a defined set of objectives, a determination to get people to help themselves and, above all, perfect co-ordination and co-operation between staff. The approach assumes that education should be intimately related to all other efforts for community welfare, and that adult education should parallel the education of children. In 1955 the Welfare Branch had no knowledge of the principles and practices of community development, and no trained community development officers.

Thirdly, it is clear from discussions with officers who served both administrations that what friction existed was due to clash of personalities and difference in status. This seems inevitable when small white communities live in extreme isolation, and is common on missions as well as on settlements. Between 1950 and 1954 superintendents were fourth division officers, often untrained, many of whom held their positions through knowledge of 'blackfellows'. Their status and salary was below that of teachers. The 'educated' teacher had little respect for these men and tended, as they still do, to play the 'I'm-a-professional-man' tune.

Fourthly, there was no reason for assuming that Welfare Branch teachers would show a stronger sense of vocation than C.O.E. teachers.
The length of teaching service under the two systems of control is shown in section D below.

Fifthly, the writing down of promotional opportunity in favour of a 'strong sense of vocation' was idealistic and unrealistic. It is doubtful whether such a principle of recruitment is held by any Public Service Board anywhere. The statement that teachers could aspire to other senior positions in the Branch was misleading: the Welfare Branch senior establishment then offered less opportunity than the Office of Education. The belief that teachers with missionary zeal would join the service was not reconcilable with the argument that the Branch would have difficulty in obtaining a senior education officer and would probably have to rely on a secondment from C.O.E.

Sixthly, that two Commonwealth agencies would 'confuse' pastoralists and missionaries is doubtful. At that date at least seven N.T.A. branches and three Commonwealth departments had dealings with pastoralists and missionaries.

Seventhly, the loss of teachers discontented by a change in control is perhaps acceptable when there is an abundance, and there was no such abundance at the time.

Eighthly, the comparison between C.O.E.'s expertise and facilities and what was then available at A.S.O.P.A. was invidious.

Finally, the Branch's dismissal of C.O.E.'s achievements appears contradictory and unfair. In pressing its case to the Minister for Territories, the Branch offered no evidence or explanation of 'failure', while the Director of Welfare's statement to the Legislative Council is a clear assertion that the education programme had progressed most satisfactorily.


The growth of enrolment and the increase in schools and teachers is shown in Appendix 38, a synopsis of which is given below:
In June 1962 there were estimated to be 4,025 children of school age in the Territory; thus 64.4 per cent. were being schooled at that date. The Minister for Territories has called for the full schooling of 90 per cent. of these children by the end of 1964 and of all children by the end of 1966. The achievement of these aims will demand a more rapid growth in schools and staff than the rate of expansion between 1956 and 1962.

The Welfare Branch's official policy has been stated each year in annual reports: 'the special aboriginal schools are regarded as an interim measure, designed to bring the children to a level where they will be able to attend the same schools as other children in the Territory'.

Since 1950 achievement in practice has fallen short of the policy aim. Since 1950 only one settlement Aboriginal pupil has graduated to secondary school. Nine mission children have obtained the South Australian Progress Certificate, signifying completion of primary schooling; at least three mission children have graduated to secondary school. The 'Remonstrance' of the Legislative Council, discussed in Chapter III, gave this evidence of the government's 'futile albeit altruistic attempt' to advance Aborigines.

After twelve years of application of cradle to grave intimate guidance of aborigines in the Territory and at a cost of many thousands of pounds to the Australian taxpayers, the Government is unable to point to even one aborigine who has graduated to higher education.

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**TABLE VII.1.**

**ABORIGINAL SCHOOLS IN THE NORTHERN TERRITORY**

<table>
<thead>
<tr>
<th>TYPE OF SCHOOL</th>
<th>NO.OF SCHOOLS</th>
<th>NO.OF PUPILS</th>
<th>NO.OF TEACHERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Settlement</td>
<td>9</td>
<td>12</td>
<td>525</td>
</tr>
<tr>
<td>2. Government pastoral</td>
<td>2</td>
<td>5</td>
<td>56</td>
</tr>
<tr>
<td>property</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Subsidised pastoral</td>
<td>2</td>
<td>5</td>
<td>19</td>
</tr>
<tr>
<td>property</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Mission</td>
<td>13</td>
<td>16</td>
<td>1032</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>28</td>
<td>38</td>
<td>1632</td>
</tr>
</tbody>
</table>

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Edwards commented\textsuperscript{18} that the policy of assimilation was not consistent with some of the principles upon which the programme was founded, for example, fostering of the vernacular, culture and craft of the Aborigines. In the light of legal discrimination, he asked whether teachers could promise equal status to the children they taught. He discussed the psychological problems involved in the change from the closely-knit communal system of Aboriginal life to one which encouraged individualism. He postulated 'the eventual growth of a hard core of resistance on the part of the Aborigines themselves to the assimilation programme'. He had 'the impression at present that the native population . . . is prepared to acquiesce in the assimilation programme'. There was the danger that 'settlements will come to regard themselves as an end in themselves', that is, while official policy was to obtain maximum movement from settlements to outside centres, this was not happening in practice. Much of this analysis is accepted, though his view of Aboriginal 'acquiescence' and his postulating of eventual resistance seem wide of the mark.

Edwards suggested a number of 'low achievement' factors.\textsuperscript{19} First, he cited the work on school attainments and home backgrounds of Aboriginal children in Queensland.\textsuperscript{20} The retardation found among Aboriginal children\textsuperscript{21} was possibly caused by these factors: poor family background; lack of motivation; unsuitable curriculum; and insufficiently attractive or efficient teaching methods for these children.\textsuperscript{22}

Secondly, while Edwards assumed 'no difference in average ability' between white and Aboriginal children, he suggested a full testing programme to establish the truth of the matter. Thirdly, 'it is possible that the rate of psychological and intellectual maturing is different . . . just as there are appearances of different rates of physiological maturing'. Fourthly, 'cultural discontinuity' might provoke 'a sense of insecurity in adults, and it may have its influence on children of school age'. Fifthly, 'the dichotomy of school and camp': 'there is thus a discontinuity between school and teacher on the one hand and camp and family on the other'.

\textsuperscript{18.} Edwards, Chapter XVI: 'The Aims of the Programme', pp.249-275.
\textsuperscript{19.} Edwards, Chapter XVI: 'The Problem of Low Achievement', pp.276-286.
\textsuperscript{21.} Ibid., pp.23-33.
\textsuperscript{22.} Ibid., p.33.
Sixthly, the quality and training of teachers. Edwards suggested the need to attract more 'unusual' teachers (with sympathy, patience, tact, etc.). These already attracted to native education, he wrote, 'have usually been ones with missionary zeal'. Seventhly, some teachers 'expect or accept a low level of achievement and let the children get away with it'. Eighthly, the level of the children's aspirations might be low. Ninthly, the motivation to advance might be lacking. Tenthly, the nature of the curricula: (a) too much time had to be spent on hygiene, 'social conduct' and English in the early years; (b) there was a need 'for further incursions into the curriculum by the teaching of subjects related to native culture'; (c) C.O.E. always considered the curriculum as tentative and experimental and the time may have arrived to change it. Finally, the methods of teaching English as a foreign language, as devised by C.O.E., are 'the right methods', but the teaching of number was unsatisfactory.

The writer's experience and observations support the findings of Schonell et al and Edwards's 'suggestions'. Both investigations, however, have concentrated on the qualities and conditions - mental, physical, cultural and environmental - of the Aborigines to the virtual exclusion of important administrative factors. While not discarding Edwards's suggestions, the writer proposes his own evaluation, discussing points ignored by Edwards and elaborating on those he discussed superficially.

(i) Haldane's Principle

The Haldane Report of 1918,23 which attempted to determine whether the allocation of functions to departments should rest on distribution according to persons to be dealt with or according to the services to be performed, recommended the latter. The kernel of the principle, which has relevance to Aboriginal education, is: better results are achieved when a department concentrates on questions related to a single service than when a department's work is 'at the same time limited to a particular class of persons and extended to every variety of provision for them'.

C.O.E. has the status and competence of a professional education authority. It did not inaugurate the Territory programme with expertise on native education - there was no corpus of knowledge, precedent and principles available in Australia in relation to Aborigines - but it had the resources to experiment, research and

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acquire knowledge, attributes lacking in the Welfare Branch. In Chapter III the diversity of its functions, its allocation of personnel and its expenditure on different functions have been shown. Education, within the Welfare Branch, is a subsidiary function. The Branch began with a head office cadre of two, extended to three in 1957-58, with no resources or facilities. The Welfare Ordinance made provision for consultation with 'the education authority and educational institutions', and the understanding was that C.O.E. would act as consultants. Since 1956 the advice of C.O.E. has not been sought on any matter according to its officials in discussion with the writer. Isolated in this way, the Welfare Branch works in a knowledge vacuum and the Branch has, on occasion, come to rest on a belief that the educational problems that it cannot solve are insoluble.

(ii) Teacher Recruitment and Retention

In August 1960 the establishment of teachers was 52, of which number 33 positions were filled. In June 1961, 27 positions were filled in an establishment of 50. In June 1962, 38 positions in 63 were filled. The turnover of teachers between 1956-57 and 1961-62 is shown below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NO. OF TEACHERS EMPLOYED</th>
<th>% OF THOSE NOT EMPLOYED IN FOLLOWING YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1956-57</td>
<td>41</td>
<td>43.9</td>
</tr>
<tr>
<td>1957-58</td>
<td>29</td>
<td>34.4</td>
</tr>
<tr>
<td>1958-59</td>
<td>39</td>
<td>30.7</td>
</tr>
<tr>
<td>1959-60</td>
<td>44</td>
<td>27.2</td>
</tr>
<tr>
<td>1960-61</td>
<td>43</td>
<td>32.5</td>
</tr>
<tr>
<td>1961-62</td>
<td>47</td>
<td>23.4</td>
</tr>
</tbody>
</table>

Of 31 teachers employed by C.O.E. in six years, 15 continued service with the Welfare Branch. Of the 41 teachers who started

26. Welfare Ordinance 1953-1962, s.5(a) (14).
27. Information obtained from the Welfare Branch.
30. The information on teachers employed in each financial year was supplied by the Personnel Section, N.T.A.
with the Branch in 1956, seven are still in the service: of these, five were with C.O.E., leaving two who have had six years continuous service. From these figures it would seem that C.O.E. teachers had 'a stronger sense of vocation'.

The Welfare Branch, in discussions with the writer, has stated that recruitment and retention of qualified head teachers have been singularly unsuccessful. Many who apply for advertised posts withdraw on discovering the extreme isolation of the positions. There has been much discussion on whether or not Welfare Branch salaries are inferior to state salaries. One suggestion has been that Welfare Branch teachers be paid an attraction allowance in the same way that teachers employed by the South Australian Education Department in the Territory are paid an allowance of £140 per annum. While there is merit in the scheme - and it has become obvious that money alone and not a sense of vocation will attract staff to the Territory - there are two further aspects of recruitment difficulties: living conditions (see Chapter III) and lack of promotion opportunities.

There are two aspects of promotion opportunities: the limited hierarchy within the Welfare Branch and the status of Welfare Branch teachers. The 61 positions available in June 1962 comprised ten permanent head teachers, four temporary head teachers, 30 permanent teachers, ten temporary teachers and nine temporary pre-school teachers. Promotion opportunity is limited to ten head teacherships, two (now four) inspectorships and the superintendency of the education section. Thereafter, as the Branch stated in 1955, a teacher may aspire to a position in some other Welfare Branch activity. Two C.O.E. teachers became inspectors and one became a District Welfare Officer; no Branch teacher has attained a non-teaching senior position.

More serious than this limitation is the fact that teaching service in the Branch is not recognised by all state education authorities. Teachers from Victoria, New South Wales and Queensland have stated (to the writer) that on return to their states they resume the status and position they held on leaving for the Territory. The Queensland Education Department is emphatic in not giving credit to its own teachers in the Welfare Branch; it does not give credit to non-Queensland teachers, who having worked for the Branch, seek positions in it. Two reasons are advanced: the Welfare Branch is not a recognised teaching authority and Queensland is ignorant of its standards; Queensland has no knowledge of Branch inspection standards and cannot accept promotions made by it as comparable with the promotions it would make. (Branch inspectors' membership of an inspectors' association does not
discount this argument). There is much substance to these arguments:
a class II, grade 8 Queensland teacher, at the bottom of the ladder,
may, by sheer staying power in the Territory, become a Welfare Branch
head teacher within three years - a promotion impossible elsewhere
without further academic attainments.

(iii) Teacher Training

The standard of qualifications originally desired has not been
achieved. Almost all C.O.E. teachers underwent a six weeks' course
at Sydney University, despite the intention of training teachers
for two or three years. Of the 110 teachers employed by the Welfare
Branch between January 1956 and September 1962, seven (or 6.3 per
cent,) have had special training (see Appendix 39). The rest have
come to the field with no special preparation other than a short
induction course, one which is not always given.

In 1959 the Welfare Branch stated: 31

It cannot be too strongly stressed that teachers for these
special schools require not only the normal training of primary
school teachers but also a special training which will enable
them to meet and cope with the cultural and social environment
in which the native still lives. As well as meeting the
anthropological challenge they must also be prepared to teach
English to people for whom it is truly a foreign language.

The training described in Appendix 39 represents a serious shortfall
between the original objectives and actual achievement. Six weeks'
courses at Sydney University, two weeks' induction courses, some
induction courses of one day duration, and three-yearly teachers'
conferences cannot be accepted as specialised training. Mission
teachers have not had any special training from government agencies.
The C.M.S. and M.O.M. provide six months' courses in mission work
for all staff, courses which include relevant Territory material.
Teachers on subsidised pastoral property schools have not only had
no special training but do not have to have basic teacher qualifica-
tions. The qualifications of Welfare Branch teachers are shown in
Appendix 39.

A.S.O.P.A. has no voice in the selection of trainees but trains
the cadets sent to it by the Welfare Branch. Of the seven trainees
who graduated in 1961, not all were matriculated. The New South
Wales Education Department has laid down explicitly that the training
given by A.S.O.P.A. and a teachers' college (the training is a joint

These unpublished documents form the basis for the ARW.R.
effort) was dependent upon a trainee's matriculation. Unmatriculated trainees may train but on return to N.S.W. they are not eligible for registration as certificated teachers.

A.S.O.P.A. has the facilities to train at least 30 cadets annually. Of the 21 cadets training in 1962-63; eight were at A.S.O.P.A.; in 1962, five, and in 1963, eight cadets were sent by the Welfare Branch to Kelvin Grove Teachers' College in Brisbane. It may well be asked why the Welfare Branch sends cadets to an institution which gives standard training and which offers no facilities for subjects pertinent to Aboriginal education.

(iv) Inspections

Teachers, especially mission teachers, have felt a lack of guidance, a sense of isolation from events, ideas, theories and techniques in education. Inspections, with two inspectors to cover 38 schools, are irregular. The major complaint expressed to the writer was that inspections offered nothing of value to teachers. Inspections appear to be in the nature of data-collection for the head office; an examination of inspection reports reveals little of use or value to the teacher and his pupils. An example of a report is given in Appendix 40. The nature and type of information sought is predetermined, leaving an inspector little scope for an extempore memorandum on any particular aspect. The inspector is given the same space for comment on 'Correspondence Outward' as for instruction in 'Oral English'.

It is significant that at Bathurst Island, Santa Teresa, Hooker Creek, Elcho Island and Yirrkala schools, the writer was asked for advice and for critiques of teaching method. Some teachers stated that in 18 months, in some instances in two years, they had had no inspections, a complaint more common on settlements than on missions. Teachers stated that they were engaged in special teaching and had no idea of whether or not their methods were successful. A specific complaint was the lack of advice on emotionally disturbed and problem children. Inspections were said to be too short and superficial.

Bathurst Island's records show two inspections in recent years; one on 8 November 1959 and one on 28 April 1961. The boys' and girls' schools were inspected, one day spent at each school. The writer visited these schools in March 1962; the boys' school had 58 pupils and the girls' school 142 pupils. The writer's inspection of the written and oral work of all children, together with tests in all subjects, as well as the production of an eight page
critical assessment which was discussed with the teachers, took four
days. No time was spent on physical inspection of buildings or on
organisation matters (files, records etc.).

The records at Yirrkala show inspections on 12-13 January 1959
and 13 January 1962. Elcho Island was inspected on 8-9 January 1959
and on 15 January 1962. The N.S.W. Education Department inspects
schools once a year; advisory inspections, in the nature of in-service
training, are made every two years. Three days are allotted to a
four-teacher school; two days to a three-teacher school, of which 1½
days are devoted to teachers and pupils and half a day to organisa-
tion. The reports in Appendix 40 show the proportions of time and
space allotted in Branch inspections.

These remarks are not reflections on the individual inspectors
but on the system which operates under Welfare Branch control. Two
inspectors, one of whom has to act for the Superintendent of Special
Schools in his absence, cannot fulfil the functions of an inspector
as normally understood. It should be borne in mind that Aboriginal
education presents greater problems than ‘normal’ education. There is
inadequate supervision of, and contact with, teachers and the rela-
tively untrained Aboriginal teaching assistants. C.O.E. produced a
Native Schools Bulletin which contained official statements of policy
and short articles on specific educational problems. Whatever the
defects of instruction and information by correspondence, it had the
merit of regular contact. The Branch produced one edition in 1959
and dropped the feature. There is no demonstration of the use of
visual aids. There appears to be no discussion with superintendents
or heads of missions on the role of the school in the overall welfare
programme. There are no conferences of teachers from neighbouring
schools to discuss problems peculiar to the region. No vacation
courses are given in academic and other special subjects. There
is no in-service training scheme.

(v) Curriculum and Syllabuses

A provisional curriculum was prepared in 1950; changes and modifica-
tions were made between 1952 and 1955. In the April 1954 issue of
the Native Schools Bulletin, the following official statement
appeared:

Since the programme for the education of natives in the
Northern Territory was inaugurated in May 1950, much thought
has been given to the provision of a course of study for the
schools. When schools first opened in 1951 they were
supplied with a provisional syllabus . . .
For the present, it is sufficient to say that the course of study is a guide to the teachers' approach to a subject and should be regarded as suggestive rather than prescriptive.

While progress was being made with a more definitive syllabus, with new courses in music, arts and crafts and physical education, the Welfare Branch took control.

In the period 1956 to 1962 the Welfare Branch made no changes in the provisional or suggested syllabuses and curriculum. Several primers and readers were changed but no research whatever was conducted. With an establishment of three senior officers, untrained in syllabus-building, it has not been possible, as the Branch claims with justification, to carry out research. What is difficult to justify is the Branch's failure to use the services of C.O.E. in these technical matters.

Apart from the lack of further research and experimentation, the Welfare Branch has, according to mission teachers, turned the suggested syllabuses and curriculum into prescriptive ones, or, in a slightly different sense, teachers who have arrived after 1957 (when a teachers' conference was held) have not known that the programme was suggested. Mission teachers are expected to conform to the syllabus and inspections are made with conformity in mind. Settlement teachers informed the writer that they were not obliged to follow the syllabuses with strictness; many did not consult it and a few did not have copies of it. The writer tested a number of settlement and mission children for general attainment. The tests were not standardized and no controls were used; they were based on what the teachers should have taught according to the curriculum and what the writer knew the teachers had taught. The results showed that mission children had superior performance, but this may be attributed to such factors as continuity of teachers. An unavoidable conclusion, however, was that mission teachers had attempted to follow the syllabuses and curriculum to a far greater extent than settlement teachers.

Leaving aside the question of conformity to syllabus, it is contended that the syllabuses devised originally have defects, aggravated by the lack of experimentation and research by the Welfare Branch.

32. The writer taught in secondary schools in South Africa for five years. He had experience teaching African children. The Welfare Branch and mission authorities gave the writer permission to teach in their Aboriginal schools, for periods ranging from half a day to a full week.
An original policy principle was the use of English as the medium of instruction because assimilation implied anglicisation and because teachers would have difficulty acquiring a vernacular, of which there are many. There was, however, clear recognition that bilingual instruction should be given or at least allowed to continue where the vernacular was being used.

In 1961 the Commonwealth Conference on the Teaching of English as a Second Language was held. While the ideas and principles in the recommendations were based on teaching English as a second language, they are relevant and applicable to the Territory where English is taught to non-English speakers as though it were a first language.

The Conference stated the 'factors determining the age at which English is introduced': administrative (length of school course, quality of teachers etc.); linguistic (existence of a mother tongue or a strong lingua franca and its relation to English); psychological (should the child's first language be firmly established before introducing English?); social and cultural (the extent to which English is used, and social and political considerations). The Territory programme considered the political factor, namely, the assimilation policy and its implication of 'westernisation', and one administrative factor: not the quality of the teachers but their qualifications and the difficulty of training them.

The aims of the first three years of English teaching include oral proficiency, minimum literacy and the development of ability to learn through English. Both authorities in the Territory have attempted to concentrate on English. On development of ability to learn through English, the Conference stated 'that some of the pupils will be proceeding to a point where they will be taught other subjects through the medium of English'. It is to failure to understand this point that the writer attributes most of the failure of the Aboriginal programme. The Conference presupposed the teaching of English as a foreign language, with pupils at first receiving instruction in other subjects through the vernacular. Both Territory authorities have implemented a programme which

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34. Ibid., pp.8-14.
assumed English as a mother tongue and have provided instruction in
social studies, arithmetic, religion, arts and crafts, and natural
science in English simultaneously with the teaching of English as a
foreign language. The inspector's remarks on pages 4-5 of Appendix
40 illustrate the point. Attainments under this system cannot equal
the attainments of pupils in these subjects who have been taught in
a language they know and understand.

In discussion of the formulation of a programme, the Conference
considered that: (a) syllabus should cater for the fundamental skills
of listening, speaking, reading and writing; (b) pupils will learn
English better if teaching follows the order in (a); (c) material
used in the first three years should relate to the child's immediate
interest, experience and knowledge. The writer's observation is
that concentration is on reading and writing. Time devoted to
speech is extremely limited. Teachers are not trained in teaching
English as a foreign language, and the required instructions on the
subject cannot be construed as an effective substitute for training.
As regards the order of teaching, a major, but quite natural, diffi-
culty is that children use the vernacular outside and inside the
school. Listening is confined to the speech of the teacher.
Gramophones, unsuitably used by teachers, are available. Tape
recorders, imperative in this work, are not supplied. Teachers have
complained that Aborigines cannot pronounce certain consonants and
talk 'blackfeller English'. Scant attention is paid to speech
therapy. The practice in all schools visited, except Snake Bay, is
to teach by chanting: chorus recitation of readers, tables and so on.
Chanting clearly reinforces the pronunciation defects rather than
eliminates them. Many teachers state with dogmatic conviction that
chorus work is the only method of teaching Aborigines. It is lack
of specialised training and ignorance of world-wide techniques which
lead to convictions of this kind.

C.O.S.'s 'Bush Books' attempted to produce material relating to
a child's immediate interest, experience and knowledge. These
books were not based on an intimate knowledge of Aborigines through-
out the Territory: the experience of centralian children is not
necessarily the experience of Arnhem Land children.

The conference recommended that in vocabulary work, 1,000 to
1,500 meanings should be a reasonable attainment within three years.
The Territory syllabus suggests the recognition of the following

35. An examination of school time-tables on some missions showed
the following times devoted to speech training per week:
Bathurst Island Boys' = nil; Bathurst Island Girls' = 20 mins.;
Santa Teresa = 1 hour; Elcho Island = 30 minutes.
number of printed words:

<table>
<thead>
<tr>
<th>Preliminary stage:</th>
<th>nil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1:</td>
<td>100-150</td>
</tr>
<tr>
<td>Stage 2:</td>
<td>500-1,000</td>
</tr>
<tr>
<td>Stage 3:</td>
<td>1,000-2,000</td>
</tr>
<tr>
<td>Stage 4:</td>
<td>2,000-4,000</td>
</tr>
</tbody>
</table>

(A 'stage' may be spread over two years, as is often the case).

There is considerable difference between 'meanings' of words where English is taught as a second language and 'recognition' of printed words where English is the sole medium of instruction.

The Conference declared that teaching aids should be the responsibility of the central teaching authority; aids should be designed and prepared by persons who have a complete knowledge of the syllabus content and of classroom needs. In the Territory aids available are limited to the supply by the Welfare Branch of film projectors, gramophones and a few charts. Mechanical aids have a valuable contribution to make, more especially to Aboriginal children. However, they are only effective when used by teachers who are trained in their use as aids, not merely as machines. Teachers tend to use machines for extra-curricular entertainment and as relief from daily routine - as 'treats'. Teaching aids, such as the Cuisenaire arithmetic rods have been introduced into N.S.W. schools with success. Some mission teachers have used the sets and have claimed startling results even if only in terms of enthusiasm shown by pupils. The Welfare Branch has not conducted experiments and has not recommended their introduction, 'pending further evidence of their success'. (It is understood that late in 1963 some sets were bought by the Branch).

In spite of the accepted principle of bilingual instruction the Welfare Branch does not favour the use of the vernacular. This is evident from the discouragement of its use at Hermannsburg and on four Methodist missions (and from the fact that one Branch employee since 1954 has learned a native language). This attitude has its roots in an inspection of Elcho Island school in January 1959. Under the heading 'Oral English', the inspector reported: 36

Unfortunately the knowledge of English is not well known (sic) by the children in this school. Simple directions and commands given were not understood. The teacher has a knowledge of Goboboingu (sic) language and it is the Mission's policy to instruct in this language despite the fact that it is not the true language of the area. However, I feel sure that the teacher is only using the language as a means of

36. This report was made available by the head teacher at Elcho Island.
to the children. No instruction in syntax or grammar is given in the language although some reading of hymns is carried out by the children.

The younger children in particular are given very little oral instruction in English and no written work at all. Stories from the Golden Books are given in the Gobabingengu language, by the teacher.

In his final recommendations, the inspector wrote:

In the instruction to the younger children, the Gobabingengu language is used in almost a ridiculous sense. For example, a story given by the teacher from the Golden Books in the language was as follows:

"Piggy, piggy - Gobabingengu word - snorty, snorty"
"Ducky, ducky - Gobabingengu word - quacky, quacky"

I feel that wherever situations such as the above arise, then the instruction should be in English and consider that the teacher should be advised accordingly.

A further objection was that Gobabingengu could not be described as a language, but was 'a commonly understood dialect (which) apparently cannot be said to be a commonly spoken dialect'. Welfare Branch officers have confirmed their objection to the vernacular, apart from the 'piggy, piggy' case above, by stating (to the writer) that with the advent of machinery, foodstuffs and buildings, vernacular translation presents many difficulties, for example, tractor becomes 'traotor-i'.

The fact that a form of communication is not a pure language should not be a barrier to its use: 'commonly understood dialect', however impure, is preferable. The lack of grammar and syntax should not preclude communication and explanation of concepts to children. The advent of the nuclear age has not prevented a host of languages from making adaptations and using anglicisms: why then the objection to adaptations in Gobabingengu? Vernacular may be deficient in the abstract, but a tractor is real enough. By 1961 the professional linguist employed by the W.O.M. had finalised an alphabet, grammar and dictionary in conjunction with Drs. Capell, Warm and Mr. Kerr, Australian linguists who have specialised in Aboriginal languages. A grammar book, consisting of 103 graded lessons, is available and every staff member is required to pass examinations in the Gobabingengu lingua franca.

37. From File No.62/1601, 'Elcho Island Mission School - General Matters', W.B.H.O.
A recent paper by Dr. S.A. Wurm on the role of language in the assimilation of Aborigines fully supports these views. Wurm attributes the failure of cultural, social and economic assimilation to the lack of communication. The writer does not suggest that all primary schooling be conducted in the vernacular: it is contended that where it is available it should be used in the earlier years to help overcome the cultural and social gaps which inhibit the Aboriginal child from matching the achievements of his white counterpart. In conclusion, it must be stated that the Welfare Branch has not ascertained the effectiveness or otherwise of vernacular use in Africa, Asia, especially in the Philippines, or consulted Australian linguists, and speaks from local opinion rather than from scientific knowledge.

(vii) The Pre-School Programme

If bilingual instruction is not possible, or if available vernacular is not to be used, then the only way of bridging the cultural, social and linguistic gaps is by means of pre-school education. Pre-schooling in the Territory, which became a Welfare Branch function in 1954, is considered by the Branch not as a replacement of parental guidance and home upbringing, but as an aid for parents, a supplement to but not a supplanter of the home.

In relation to Aboriginal pre-schools 'there must be some variation in the emphasis and implementation of the programme'.

38. Some Remarks on the Role of Language in the Assimilation of Australian Aborigines. S.A. Wurm, Linguistic Circle of Canberra Publications, No.1, 1963, pp.8-9: 'A white person who has mastered the language of the aborigines in his charge is able to serve as a competent guide in directing them in their efforts to get adapted to, and to adopt, the white man's ways. He can explain the new concepts and ways in the aborigines' own terms of reference, and thereby achieve a much higher degree of understanding than is the case if English is used. It must be stressed in this connection that, in an aborigine community in cultural transition, a white person unfamiliar with aborigines and ignorant of the aborigine language has little hope of getting much meaning across to them in English however hard he may try, even if the aborigines concerned have some knowledge of English. His efforts can only be described as attempts to explain an alien cultural complex to people in terms of reference alien to them in content, and partly even in form. The often lamented puzzling failures of attempts to teach aborigines even the basic elements of our culture have one of their roots in this inability of the aborigines, and of the white people who try to teach them, to communicate with each other on common grounds.'

39. The History and Proposed Development of Pre-School Education in the Northern Territory, Joyce N. Gilbert, Pre-School Supervisor, Welfare Branch, a paper read to the Missions-Administration Conference, Darwin, 1961.
Emphasis, it is stated, has been given to 'the teaching of acceptable social habits, oral English and acceptance of and by the group'.

We are keeping before us the fact that this generation of native children, in finding themselves between two cultures, must be helped to retain a respect for both, with, at the same time, a desire to embrace that which we call European. To do this, we feel we must continue to support the tribal family unit and not to remove the child from its influence, though the aboriginal family unit must undergo some radical changes before it can function in an analogous way to the norm of the family unit in our culture.

Without denigrating these views, the writer's contention is that Aboriginal pre-schooling should be part of the education process, a three-year period of instruction in oral English to a point where English can be assumed at least as a lingua franca (commonly understood if not commonly spoken) in the first year of school. It should also be a period of cultural and conceptual acclimatisation, that is, for the introduction of concepts such as number and things alien to Aboriginal culture. The policy of the Branch is commendable, but they do not consider pre-schooling as part of the education process. It should be considered the starting point of the programme into which most effort and resources should be put, not as an incidental function of the Pre-School and Education sections of the Branch.

In six years, C.O.E. started a small centre at the Bungalow (later Amoonguna) in 1954. In 1955 the Minister for Territories approved the admission of Aboriginal children to kindergartens provided this did not involve the appointment of additional teachers or the provision of additional accommodation and additional training. At the end of 1955 a Pre-School Supervisor was appointed who dealt with all pre-schools in the Territory.

**TABLE VII.1.**

<table>
<thead>
<tr>
<th>DATE OF BIRTH</th>
<th>MALE</th>
<th>FEMALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950</td>
<td>182</td>
<td>193</td>
</tr>
<tr>
<td>1951</td>
<td>206</td>
<td>211</td>
</tr>
<tr>
<td>1952</td>
<td>195</td>
<td>215</td>
</tr>
<tr>
<td>1953</td>
<td>220</td>
<td>213</td>
</tr>
<tr>
<td>1954</td>
<td>240</td>
<td>227</td>
</tr>
<tr>
<td>1955</td>
<td>223</td>
<td>228</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,286</strong></td>
<td><strong>1,287</strong></td>
</tr>
</tbody>
</table>

40. Ibid., pp.4-8.
41. From File No.55/516, 'Pre-School Training for Aboriginal Children (Policy and Establishment for Teachers)', W.B.H.O.
42. Ibid.
Of this total, 20-25 were at the Bungalow centre. In 1957 the Administration recommended that three pre-school teacher positions be created for Bungalow, Warrabri and Yuendumu. These positions were ratified in August 1958. In May 1958 it was proposed that pre-school education should be part of the education section of the Branch. Head teachers, ignorant of pre-school methodology, were given control, but within head office pre-schooling is controlled by consultation between the Superintendent of Special Schools, an inspector and the Pre-School Supervisor. The latter is responsible for inspecting the work of her teachers in an advisory capacity, and amendments are made by joint consultation.

In 1958 the Northern Territory Pre-School Association superseded the Pre-School Advisory Board created in 1954. It laid down a ratio of one teacher to 20-25 pupils.

### TABLE VII.A.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>BUNGALOW/AMONGUNA</td>
<td>21</td>
<td>20</td>
<td>27</td>
<td>29.1*</td>
<td>32</td>
</tr>
<tr>
<td>WARRABRi</td>
<td>34</td>
<td>35</td>
<td>36</td>
<td>26.4*</td>
<td>22</td>
</tr>
<tr>
<td>PAPUNYA</td>
<td>-</td>
<td>-</td>
<td>30</td>
<td>25.6*</td>
<td>30</td>
</tr>
<tr>
<td>YUENDUMU</td>
<td>44</td>
<td>47</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>99</td>
<td>102</td>
<td>93</td>
<td>81.1*</td>
<td>84</td>
</tr>
</tbody>
</table>

(* average monthly enrolment)

Yuendumu commenced in 1959. It had the services of a trained teacher until the end of the first term in 1960 and an untrained teacher until November 1960 when the centre closed. Warrabri opened in 1959 with a trained teacher, closed at the end of 1961 and re-opened late in 1962. Papunya started in 1961 and is continuing with a trained teacher. Bungalow commenced in 1954 and has continued, mainly with untrained teachers. At June 1963 there were 84 children at pre-school on settlements.

While there is a policy approval for the subsidising of pre-schools and teachers on missions, at June 1963 no mission had conducted a school with a trained teacher. There were, however, 96 children at pre-school on two missions, Elcho Island and Yirrkala. There is no pastoral property pre-school. There are 17 non-Aboriginal pre-schools in the Territory, with an enrolment of 605 at June 1963.

43. Figures compiled from A.R.W.B. for the years shown.
The emphasis of the importance of pre-schooling is endorsed by the experiments conducted with Negro children in the United States. E.S. Lee\(^45\) compared the IQ's of a group of Negro children who had attended pre-school with a group who had not. The groups were tested on entering first grade and in subsequent grades. The pre-school group averaged consistently higher than the non-pre-school group and the differences were maintained throughout.\(^46\) Anastasi\(^47\) comments that the average of the pre-school group may result from selective factors in pre-school enrollment, 'or from the effect of early perceptual and other relevant training in kindergarten, or from a combination of both types of factors'.

(viii) Adult Education and Aboriginal Attitudes

In spite of the original recognition of the need for adult education, little has been achieved in the past 13 years. In April 1956 an officer of the Welfare Branch raised the question\(^48\) he considered that an evaluation of progress to date should be made and that thought should be given to the future. Progress, he felt, should not be measured against academic standards since there was no standardised curriculum for adult work. The aim of the programme should not be the provision of 'narrow academic education in the 3 R's'. He envisaged two types of syllabuses: one for the 'illiterate and semi-illiterate' and one for those who had formal education. An alternative was a curriculum relating to 'basic education, that is, education should be centred around a basic craft'.

In the same year a teacher expressed his views. He pointed to the tensions which arose in white families where young children attained a higher standard than that achieved by the parents: thus 'an even wider gulf, and so greater tensions, might be expected to exist between an educated native child and his uneducated and relatively socially undeveloped family'. Tensions might become 'sufficiently intense to arouse in adults a resentment against education so great as to provide some obstacle to the education of the young'. His final recommendation was that a programme be based on 'local experience, local interests and UNESCO material and experience'.


\(^{46}\) Lee, p.231.

\(^{47}\) Anastasi, p.587.

\(^{48}\) From File No.62/369, 'Adult Vocational Classes Policy', W.B.H.O.
The extent to which these sound views have been acted upon is discussed below. In 1957 the Welfare Branch, acting on C.O.E.'s precedent, offered primary teachers and other settlement personnel a fee for conducting adult work. Part-time sewing mistresses were paid 7/6 per hour (there were two in 1957). In that year five settlements conducted adult classes: the classes were taken by teaching staff on a voluntary basis at 15/- per hour for males and 12/6 per hour for females. Classes were devoted to teaching English 'and other fundamental processes'.

This system continued until June 1962, when all settlements were asked to advise on their adult programmes. Appendix 41 illustrates the nature and extent of adult education as at June 1962. While accurate figures are not available, the writer's estimate of the number attending adult classes, based on personal observation of the classes concerned, is not more than 55 in 2,795 adults living on government settlements.

In June 1962 the Welfare Branch issued a circular on adult education to all superintendents and head teachers. The Branch recognised for the first time that a school teacher is not necessarily the only staff member who can conduct adult classes. The circular reaffirmed the voluntary nature of adult work and increased the fee to 23/- per hour.

There are no adult classes on pastoral properties. Programmes on missions are as voluntary, irregular, unplanned and ineffective as on settlements. Evening classes held tend to be exclusively for religious instruction. Classes in the '3 R's' are conducted by primary teachers. Some mission teachers have considered their programmes a failure, attributing this to failure in themselves. One Methodist mission teacher expressed this view to the writer; another expressed it in writing to the Welfare Branch in 1957:

I am very conscious of my lack of experience in adult education and am still floundering in the experimental stages in some respects of the work. I was primary-trained . . .

The nature, scope and depth of the programme hardly warrants the title adult education. Some factors are worth noting:

1. There has never been a systematic, planned programme. While a programme must remain voluntary on the part of the Aborigines, it is difficult to understand why both authorities did not appoint adult education officers to devise a programme, train

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49. The circular, sent to all superintendents and head teachers, was headed: Education and Technical Training for Parents and Senior Pupils.
50. From records held at Elcho Island school.
personal in techniques and plan schemes to attract adults.

2. The number of classes has depended on interest of primary teachers and the incentive of additional income. Edwards stated that teachers attracted to native education usually had 'missionary zeal'; the Welfare Branch expected teachers to have a 'high sense of vocation'. The zeal and vocation appear to have by-passed some of the teachers.

3. Primary teachers are not trained or experienced in adult work, least of all in adult work among illiterate, non-English speaking people. The adult education of such people is a technique in itself; so long as the programme continues as the mere extension to adults of the content, techniques and methodology used for (white) primary children, it will produce the results that is does.

4. Some teachers who have failed in adult work attribute failure to themselves; the majority attribute it to the uneducability of adult Aborigines. It would be of great biological interest if, of all dark-skinned races, the Australian Aboriginal alone proved uneducable.

5. The claim by some officers that vocational training cannot commence until people are fully literate must be rejected in view of achievement in Africa.

6. Artisan staff on settlements and missions, employed as both artisans and teachers, are rarely good teachers and are totally untrained in teaching skills to people, especially where communication is at a minimum.

7. The writer's experience of adult education in Africa and among Aborigines shows that most adults are attracted if the subject matter is of interest. At Bathurst Island, Hermannsburg and Snake Bay there were large attendances at slide showings and at discussions on events outside of their environment. At Bathurst Island and Hermannsburg the adult males asked the writer whether the talks he was giving (on Africans and their achievements) would be repeated to the children. When questioned, elders stated that they would prefer this 'big men's talk for big men' to be kept from the children. Questioned further, they stated that their school-going children were taunting them for their ignorance and they wished to have a counter. The stimulation of interest is essential; discussion must be man to man, not teacher to grown children, and it must be recognised that the teaching of the '3 Rs' is not the ultimate, or even the basic subject matter of adult education.

8. The success of primary schooling is partly dependent on the education of the parents. No effort has been made or is being made to convince the parents of the purpose of the education programme.

51. For example, twenty tribal councillors at Bathurst Island engaged the writer for four hours on the origin, purpose, value and merits of circumcision; the content was relayed to the camp and a request made to discuss the matter with all adult males.
Many parents expressed the view that 'without that school business my boy dig holes and with that school business he also dig holes'. This may, of course, be a sound analysis and a deep insight. However, the writer's experience when teaching in the schools was that parents often actively encourage their children to a form of passive resistance. Inarticulate, diffident, apparently illiterate children revealed excellent powers of speech and reading ability outside of school hours. While this is a subjective assessment, almost every teacher interviewed admitted to puzzlement at this 'schizophrenia'.

The evaluation presented above has concentrated on the factors responsible for low achievement and little has been said of positive achievements. The writer's observations have led him to conclude that the only positive achievements are the statistical ones: the increase in enrolments, schools and staff.

E. THE QUESTION OF CONTROL

In 1960 the Department of Territories appointed a committee of enquiry to assess 'The Educational Needs of the People of the Northern Territory'. Its terms of reference included Aboriginal education. On completion of the Report it was decided that its contents should remain confidential. From discussion with the officers concerned and with persons who gave evidence to the committee, there appears to be a strong belief that a separate education service should be established within the Northern Territory Public Service, to control all education. This would include taking control of pre-schooling and primary schooling from the Welfare Branch. It would also mean that the South Australian Education Department, which controls non-Aboriginal education in the Territory, would withdraw its services. As regards Aboriginal education, it was felt that an expert committee should be appointed to review the curriculum and teaching.

52. 'To enquire into and report to the Minister on -
(a) the educational needs of the population of the Northern Territory, including the aboriginal people, and to advise as to what further measures are necessary to ensure adequate buildings and equipment, organizational arrangements and staff to effectively meet these needs; (b) whether, having regard to the growing demands for education in the Northern Territory, any changes should be made to the present Commonwealth/State arrangements for providing an education service to the Territory; and what action is deemed necessary to implement any changes recommended.'
methods. It is understood that the departmental committee's concern was at the disparity between the efforts made since 1950 and the results achieved by 1960. The recommendation of a curriculum committee suggests that low achievement was felt to be due to lack of a precise syllabus and specialised methodology.

On 14 November 1961, upon the motion of the member for Arnhem, the Legislative Council appointed a select committee to report on all aspects of present education and the educational needs of the Northern Territory. In proposing the motion, Mr. Drysdale made it clear that the reason for appointing the committee was the closing of the departmental committee's report to the public. The Report from the Select Committee on the Education Needs of the People of the Northern Territory was presented on 29 October 1962. It recommended that an Education Branch be formed as part of the N.T.A. If this proposal was accepted, it was necessary to consider the future of Aboriginal education: if a new Branch was created 'your Committee cannot see any justification for the separate administration of education for aborigines'. Control by an Education Branch did not mean that there would be less understanding of the special problems of Aboriginal education. The committee stressed that it was not suggesting that the present administration of Aboriginal education was 'in any way unsatisfactory, but the advantages of amalgamation seem so great that no other course seems reasonable'. It was inevitable that if the present system continued 'in course of...

53. The writer received the following reply (dated 24 April 1962) from the Minister for Territories when he requested access to the Report:

'The report was made at my direction by departmental officers solely for departmental purposes, and in accordance with the normal procedure for such cases, it is not being made available to the public. There are reasons why it would be extremely difficult for me to give you access to the Report as such but there is no reason why you should not have access to any material collected by the officers in the course of their work'.

The Minister indicated the curriculum committee's terms of reference:

'(a) to lay down precise principles which should govern the construction of curriculum for aboriginal schools; (b) to review the current curriculum in the light of such principles and recommend a comprehensive course of instruction; and (c) to consider teaching methods appropriate for aboriginal children pursuing the proposed courses of instruction.'

55. F.W. Drysdale (Chairman), B.F. Kilgarriff, R.J. Withnall, H. Brennan and R. Marsh (who had been chairman of the departmental committee).
56. Para's 18 and 22.
time some objection will be raised to the provision of a separate education service for aborigines and likewise it is inevitable that year by year the pressure to make available to Aborigines an education service which is identical with that of the European population will grow stronger. The committee quoted letters received from various state Aboriginal administrations which indicated that Aboriginal education has been placed in the hands of the state education departments.

Experience in Queensland has shown that with teachers now working for the Education Department, an entirely new and laudable relationship exists between teachers and superintendents on settlements. Formerly teachers were placed under superintendents in the Native Affairs Department and the latter, by virtue of status, had little respect for teachers: they had no more respect for them than for the artisans on the settlement. Since July 1962, when the Education Department took control of Aboriginal education, all settlement head teachers have stated (to the writer) that they now have a status and dignity not conceded before, and are left alone as professional officers with clearly defined areas of activity.

In June 1962, before the Select Committee published its report, the Minister for Territories made the decision that Aboriginal education should remain within the Welfare Branch. The reasons given are basically the reasons put forward by the Welfare Branch in 1955 (see Section C above). First, teaching on settlements is part of a comprehensive programme geared towards 'social change' and such a programme requires single, overall direction to obtain maximum teamwork. Secondly, past experience has shown that staff working for different organisations leads to friction. Thirdly, the friction that would arise from separation is not in the best interests of Aborigines. Fourthly, in an integrated system, most teachers would join the new Branch and settlements might through bias in favour of white education be starved of good teaching staff. Finally, teachers of Aboriginal children require specialised training, and this training and guidance is available only through the Welfare Branch.

The community development approach and the friction argument have been discussed earlier. That friction is not in the best interests of Aborigines requires serious consideration. Membership of the Welfare Branch is not a guarantee that friction ceases. There is a constant turnover of settlement staff, often due to friction (the table on page 175 shows the turnover of teaching staff).

57. Information supplied by the Welfare Branch.
The Aborigines must wonder, and some have expressed as much to the writer, at the constant parade of white staff. One settlement has had thirteen superintendents since mid-1958.

There may be substance to the Welfare Branch's contention that it is the only agency which can be trusted to give Aborigines 'a fair deal', that a new Branch would favour non-Aboriginal children in terms of finance, equipment and quality of teachers. This is a matter of policy supervision and enforcement by the Administrator and his senior officials. As regards the Welfare Branch's expertise on specialised training, this has been dealt with at length. What expertise is available in the Branch could be made available to a new education Branch, situated as both would be in the same city.

The Welfare Branch was created to give effect to the philosophy underlying the Welfare Ordinance: colour was eliminated as a criterion of administration and services for all those in need of care and assistance was substituted. It has been shown that the Welfare Branch has resisted efforts to restrict its functions to Aborigines, mainly on the ground that a purely Aboriginal clientele implies apartheid. It is contradictory that the Branch, whose major activity concerns welfare, should press so strongly for control of education of Aborigines only rather than surrender it to a specialist branch which would provide education for all children.

In October 1962 the Welfare Branch secured the secondment of a lecturer in education from the University of Queensland to carry out the curriculum revision recommended. The officer's terms of reference are identical to those stated in footnote 53, except that a fourth point has been added: 'during the course of review, conduct a number of pilot schools giving application to findings in respect of curriculum and teaching methods'. The review will be completed in February 1964.

In August 1962, following the decision that the Branch retain Aboriginal education, the Branch put forward proposals for the reorganisation of its education section. These proposals were approved by the Public Service Board. The scheme envisages a professional head office section of 23, as opposed to three, and includes personnel for research, publication, in-service training and adult education.58

Curriculum revision and internal reorganisation represent considerable advances, but they are not the final solution of the

58. Information supplied by the Welfare Branch.
problem. Recruitment of teachers will be as difficult as in the past. The retention of staff problem is not solved, although reorganisation will provide greater promotion opportunities. The status of the Welfare Branch as an education authority will remain unaltered. The recruitment of 23 professional officers from recognised education authorities to the Welfare Branch will be extremely difficult. And the political stigma of separate education for Aborigines will, as the Legislative Council has predicted, increase with time. In conclusion, there is sufficient evidence to warrant the creation of a new Education Branch, an integrated education authority, which, while it will undoubtedly face some of the problems common to the Welfare Branch, should have wider imagination and greater knowledge of what is needed in an education programme.
The policy of segregation, as in a country like South Africa, often implies that the indigenous populations have special political representation within the framework of 'white' political institutions or that they have completely separate systems for their political expression. General Hertzog, when seeking to deprive Cape Africans of their common roll franchise and substitute a special form of communal parliamentary representation, said: 'As against the European the native stands as an eight-year old child next to a man of greying experience - a child in religion, a child in moral conviction; without art and without science; with the most primitive requirements and a most rudimentary knowledge of how to supply those needs...'. On the other hand, the policy of assimilation seeks to bring the eight-year old child, as some would have it, into the mainstream of Australian political rights and institutions. This chapter discusses the grant of the franchise to Northern Territory Aborigines, the extent of Aboriginal participation in their administration and the emergence of an Aboriginal Rights Council in the Territory.

A. THE FRANCHISE

Agitation for Aboriginal political rights began in earnest in the 1930's. In 1934, W. Cooper, secretary of the Australian Aborigines League in Victoria, sought, and was refused, assistance from the Commonwealth government in collecting signatures for a petition on Aboriginal rights which his group wished to present. Apparently it would have sought direct Aboriginal representation in the House of Representatives.

2. Space does not permit a full treatment of this question; a few major aspects, drawn from government sources rather than from published material, are mentioned.
4. C.P.D., Vol. 146, 13 March 1935, p.21: In reply to a question by E.J. Holloway as to whether the Minister for the Interior had discussed with Cabinet 'the request of the Aborigines of Australia to have a direct representative in this House', the Minister stated that pending the report of Dr. Donald Thomson who was investigating matters affecting Territory Aborigines, 'the Government does not propose to take any action on the lines indicated by the honourable member'.

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CHAPTER VIII: POLITICAL RIGHTS
In October 1937 Cooper presented a petition, signed by 1,814 Aborigines, addressed to His Majesty through the Prime Minister. It stated that whereas there was a moral duty on, and a strict injunction to, the Australian settlers to care adequately for Aborigines; and whereas this commission had not been adhered to because of the expropriation of their land and their being denied legal status by the Commonwealth; and whereas other petitions had failed,

YOUR PETITIONERS therefore humbly pray that Your Majesty will intervene on our behalf and through the instrument of Your Majesty's Government in the Commonwealth of Australia:

To prevent the extinction of the Aboriginal Race and better conditions for all and grant us power to propose a member of parliament in the person of our own Blood, or White man known to have studied our needs and to be in sympathy with our Race to represent us in the Federal Parliament.

In a letter accompanying the petition Cooper wrote:

Respecting our claim to parliamentary representation, we very definitely submit that the Maori population is approximately the same as our people, with any advantage to us. In an area the size of Victoria they have four members and a Ministry for Native Affairs, which has had a native minister. We are persisting in our claim for one who can speak for us in Parliament, influencing legislation on our behalf and safeguarding us from administrative officers who, with notable exceptions, interpret their responsibilities to the aborigines in much the same way as a gaol governor does his criminal population. Our desire is a change of heart in the electorate, reflected in Parliament and leading to a policy which will be different from that administered by our gaolers. So far from divided control being allowed to retard our securing representation, we feel that our member should have the right to sit in every legislature and any constitutional difficulty should be overcome by legislation...

In January 1938 the matter was submitted to the Attorney-General's department. The Solicitor-General's opinion was that the Commonwealth parliament, under section 51 of the federal constitution, had no legislative authority to give parliamentary representation to Aborigines who lived in the States. However, under section 122,

5. Section 51(xxvi) of the Federal Constitution states: 'The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to: ... The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws'.

6. '122. The Parliament may make laws for the government of any Territory surrendered by any State to and accepted by the Commonwealth, or of any Territory placed by the Queen under the authority of and accepted by the Commonwealth, or otherwise acquired by the Commonwealth, and may allow the representation of such territory in either House of Parliament to the extent and on the terms which it thinks fit.'
the Commonwealth could make laws for the government of the Northern Territory and this section enabled parliament to provide that Aborigines in the Territory might elect an Aboriginal member for that Territory to represent them as such.

In February 1938 the government considered the petition. It felt that on the prevention of the extinction of Aborigines and the provision of better conditions for them, the Commonwealth and state governments were doing all in their power to improve matters. The native welfare conference in Canberra in 1937 had shown that all governmental authorities fully appreciated their responsibility in connection with Aboriginal welfare. It was resolved that the petition should not be presented and in March 1938 Cooper was informed of this decision.

In March 1940, W. Ferguson, president of the Aborigines Progressive Association, wrote to the New South Wales premier and the Governor-General on Aboriginal rights. His association sought citizenship rights which he defined as equal rights to education, social service pensions and so on, together with political rights:

We plead with you to instruct your Ministers to consider the just plea that all aborigines working for a living in Australia should at once be granted the vote, full citizenship rights and status (we do not expect wild aborigines living in the remote parts of Australia to be made citizens). We ask for direct representation in the Commonwealth Parliament, and if there be too much prejudice against a "black-fellow" then may we be appointed a white man of our own choosing.

In July 1949 Pastor Doug Nicholls, of the Churches of Christ Aborigines' Mission in Victoria, wrote to the Prime Minister, Mr. J.B. Chifley. He sought, also, one member of the House of Representatives elected on a single roll for Australia of full-blood and part-Aborigines other than those already enfranchised or those still living a tribal life. The Prime Minister referred the matter to the Chief Electoral Officer, who considered there was no constitutional provision which permitted of the appointment or election to the federal parliament of a representative solely in respect of a particular class of inhabitant. He concluded:

It is considered that it is preferable that the present policy which tends to the absorption of the qualified aborigines in the general body politic should be continued rather than that there should be any reversion to a system under which aboriginals would, for all time, be regarded as a race apart.

In August 1949 Pastor Nicholls repeated his request to the
Prime Minister and concluded that 'until such provision is made, Australia cannot be regarded as acting towards her native people in conformity with the spirit and principles of the Charter of the United Nations'. In reply, the Prime Minister sent the substance of the Chief Electoral Officer's opinion.

Pastor Nicholls maintained correspondence on the subject with the member for Fremantle, Mr. Kim Beazley, who wrote to the Prime Minister in September 1949 saying he had pointed out to Nicholls that there were constitutional barriers to the Commonwealth legislating for Aborigines and that the value of an Aboriginal representative would be limited. However, he considered the requests just:

As Commonwealth representatives abroad at International Conferences are constantly being held responsible for aboriginal policies pursued in Australia by State Governments, it is desirable that the Commonwealth should assume responsibility for them. In any event the problem of justice for people of aboriginal race transcends State borders and should be a national question. I ask:

(1) If it would be possible to legislate to provide for aboriginal representation in the next Federal Parliament;

(2) If it would be possible to introduce legislation to hold a referendum to amend section 51, sub-section 26, of the Constitution to eliminate the prohibition on the Commonwealth which forbids it to legislate for people of aboriginal race in the States. (Could you have a referendum?) I know that the Commonwealth attempted to obtain power to legislate for aborigines in 1944 but that referendum was associated with 13 other points and was not treated on its merits. I also know that you attempted to persuade the State premiers, at a Premier's Conference, to refer power to the Commonwealth to legislate for Aborigines without success. This would be an appeal beyond the State Governments, to the people.

The Prime Minister referred Mr. Beazley's letter to the Minister for the Interior. The Minister replied, setting out the arguments in the Chief Electoral Officer's opinion. He concluded: 'I am still in agreement with the above views and do not consider that a referendum on the question of aboriginal representation should be held at present'.

Following a decision by the Menzies-McEwen Government, the Minister for the Interior introduced this motion in the House of Representatives in April 1961:

(1) That a Select Committee be appointed to inquire into and report on:

(a) whether the entitlement to enrolment and the right to vote presently conferred by the Commonwealth

Electoral Act 1918–1953 on persons referred to in section 39 of that Act should be extended with or without qualifications, restrictions or conditions to—

(i) all aboriginal natives of Australia, or
(ii) aboriginal natives of Australia included in particular classes; and, if so, what classes;

and, if so,

(b) the modifications, if any, that should be made to the provisions of that Act relating to enrolment or voting to provide for enrolment and voting by aboriginal natives or any particular classes of aboriginal natives.

The motion was agreed to and a committee of seven was appointed. 8

The Committee toured Australia and interviewed 327 witnesses at length. Its conclusions were not confined strictly to the terms of reference, although the final recommendations were. Perhaps the comment most pertinent to this thesis was that 'capacity to exercise political rights involves education, employment, housing and knowledge of political and civic duties, and your Committee would hope that its recommendations concerning the franchise will be made fully effective by sound policies on these matters'. 9 The major recommendation was that the Commonwealth Electoral Act be amended to provide—

(1) That the right to vote at Commonwealth elections be accorded to all aboriginal and Torres Strait Islander subjects of the Queen, of voting age, permanently residing within the limits of the Commonwealth.

(2) That, for the time being, the enrolment of aborigines and Torres Strait Islanders be voluntary, but when enrolled, compulsory voting be enforced.

To extend Australia's compulsory voting system to Aborigines in a tribal, or semi-tribal state, or not completely integrated in the ordinary community, 'could result in grave injustice': 'These people have not perceived the relevance of parliamentary elections to their lives, so to compel enrolment would be harsh'. 10 Voluntary enrolment was considered a temporary provision which created an entitlement for those who wanted the vote, 'without injustice to those who do not desire it or simply have no use for it in a tribal or nomadic life'.

The Committee recommended a number of administrative procedures:


9. Select Committee Report, p.3.

10. Ibid., p.8-9.
'every help must be given in their enrolment and political education'. The matter of enrolment 'should not be left to welfare officers, private persons, organizations, or political parties' and specially qualified electoral officers should undertake the work. Finally, the procedures of voting and the structure of the Parliament (should) be explained to aborigines on government settlements and on missions. In this connection well prepared visual aids and publications would be helpful.

Some of the Committee's reasoning is of interest. First, it recommended as it did 'because any other basis of the franchise would either discriminate on the ground of race, or penalise for lack of opportunity'. Secondly, the right should be granted before there was capacity to exercise it on the part of some Aborigines rather than that others who could exercise the right should 'suffer the frustration of being denied a right'. Finally,

Your Committee considers that the Commonwealth Parliament should refuse to involve its franchise, in any State or Territory, on a concept of rights which are determined in part by an assessment of a person's fitness to consume alcoholic drinks. Your Committee does not question, in any way, the justification of State or Territory liquor laws but merely asserts that they have no bearing on an entitlement to the Commonwealth franchise.

These recommendations were accepted and the Commonwealth Electoral Act was amended accordingly by Act No. 31 of 1962 - 'An Act to give Aboriginal Natives of Australia the right to enrol and to vote as Electors of the Commonwealth, and to provide for Certain Offences in relation thereto' (see Enclosure 6). Section 42 of the principal Act, which deals with compulsory registration of voters, was amended by adding the words: 'This section does not apply to a person who is an aboriginal native of Australia except to the extent that such a person may, if he so chooses, comply with subsection (1) of this section.' At the same time section 22 of the Northern Territory Electoral Regulations was amended to allow voluntary registration of Aboriginal voters.

In 1962 a Commonwealth electoral officer visited the Territory and, after a preliminary survey, decided to conduct special training schools at Darwin, Alice Springs and Beswick Creek Settlement. The objective was to train selected Aborigines from settlements, missions and pastoral properties and allow them to return to their homes to educate the people in their group. Some 60 Aborigines were selected by the relevant settlement, mission and pastoral managements. The writer attended two of these training schools and concluded that while the majority of trainees were willing, suitable and articulate,
they were not necessarily the persons of authority in the tribal hierarchy nor the natural leaders in their communities. This type of selection, based on the degree of 'westernisation' considered suitable by the controlling authorities, has serious drawbacks: transmission and translation of new concepts and ideas by people of little standing in their own community often negates official efforts at communication.

The two Commonwealth electoral officers conducted their courses with simplicity, tact, sympathy and understanding. It was the most effective of all the efforts the writer has seen to educate Aborigines in new concepts. It is unfortunate that Welfare Branch and mission staff concerned with Aboriginal education did not attend these schools in order to see what can be achieved by both lecturing and visual aid methods. The mechanics of voting, elections, different political institutions and the local Legislative Council were explained: each trainee was taught, questioned, examined and re-taught until there was comprehension. The visual aids used were of the highest quality; the main film strip used appears in Enclosure 7. On completion of the schools, and after allowing a period for the trainees to return to their centres, the electoral officers visited each centre and gave condensed versions of the schools' courses to the people at large. It was found that the trainees had generally explained the electoral system with competence. The electoral officer in charge compiled a pamphlet for use on settlements and missions. Copies of the film strip were left at these centres.

In December 1962 Aborigines voted for the first time when elections for the Legislative Council were held. At least 1,338 Aboriginal voters enrolled voluntarily. It is worth noting the findings of two Welfare Branch officers as given in their account of the elections and the training programmes. Of the 1,338 Aborigines enrolled, only 157, or 12 per cent., failed to vote. In the 1958 House of Representatives elections, 23.9 per cent. of Territory

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11. C. o A.: Extension of Franchise to Aboriginal Natives, The Northern Territory, August 1962, p.10: 'These notes are designed to bring together into one simply worded booklet some of the information which is contained in the various Acts and Regulations dealing with the electoral process and were prepared only for the purpose of assisting those who will partake in the electoral education programme in connection with the extension of the franchise to Aboriginal Natives of Australia'.

12. Complete identification of full-blood Aborigines was not possible because of difficulty in identifying Aborigines with European names.

voters failed to vote. Of 412 votes on settlements and missions in the Arnhem electorate, only four were informal. There was no evidence of an Aboriginal bloc vote or of indiscriminate voting. At one booth where 73 of the 78 voters were Aborigines, the three candidates polled 39, 35 and 4 respectively; another booth with 99 Aborigines in a total of 103 voters returned figures of 64 and 39 for the two candidates. In one electorate, of three candidates, two visited the Aboriginal centres and one sent printed material. Of 518 votes cast, the two candidates who had visited received 224 and 237 votes respectively and the non-visiting candidate, 57 votes. In another electorate one candidate made an election speech in an Aboriginal language. He received 164 Aboriginal votes as against the other two candidates' combined total of 77. In one centre in this electorate the candidate who would have been best known to the Aborigines polled only 21 votes as against 85 polled by the other two combined. The writers concluded:

The December, 1962, elections appear to have demonstrated conclusively that those Aborigines who enrolled understood the mechanics and purpose of voting and voted thoughtfully and independently. They may not have understood the significance of party platforms or have been able to evaluate one set of election promises against another, but it appears certain that they did evaluate the man and they were not prepared to vote for a person whom they did not know.

B. POLITICAL EDUCATION OF ABORIGINES

Two of the factors mentioned by the Select Committee as influencing capacity to exercise political rights, housing and employment policies and practices, have already been shown to require radical reform. Comment here is confined to the two other factors: education and knowledge of political and civic duties.

Questioned by the Select Committee about these matters, the then Assistant Administrator said, amongst other things: "Much work is being done in the schools and for nomads. The older men are being helped to manage their own affairs'. He did not know of any full-blood people attending adult education courses in civics or social studies, or of Aborigines attending progress bodies, trade unions or political organisations, but said he did 'know of Aborigines being invited to join school committees which, I think, are close and real to them because their children are going to school.'

Asked about schooling for Aborigines in relation to their social, political and economic advancement, the Director of Welfare said

15. Ibid., paras.7094-7096, pp.340-341.
that the programme of Aboriginal education only got under way in 1953-54, and he thought the number of children who had some formal education over eight years 'would comprise 60 per cent, of the Aboriginal children that we have in school at the present stage'. He added that 'we endeavour to give them a form of social studies courses comparable with the type of courses which would be held in normal primary school', and that 'we also have a form of adult education... in which the emphasis is on English... and basic mensuration'. He also said:

We are encouraging the establishment of what are variously known as village councils or councils of elders, where we are bringing these people more and more into what might be called the municipal management of settlements and missions. I hope that the Committee in the course of its visits... will meet members of some of these councils. You will see the quality of the persons and hear from them concerning the responsibility they are prepared to assume in relation to local government affairs.

How real are these statements on social studies courses in schools, adult education, participation in school committees and helping the people to manage their own affairs?

In Chapter VII there was full discussion of the nature, substance and effectiveness of primary schooling for Aboriginal children as administered by C.O.E. and the Welfare Branch. The writer's inspection of mission and settlement schools showed that, in general, the syllabus was not conformed to, especially by settlement teachers. In the writer's subjective testing of Aboriginal children, social studies was the weakest point in their attainments, mainly because it is taught in English before the pupils have acquired sufficient understanding and literacy in that language. One mission school stressed social studies but there was a distinct emphasis on the creative and artistic aspects rather than on the civics side. The Welfare Branch has claimed that since the extension of the franchise 'greater emphasis (was) being placed on the political education of the children'.

Since 1953 the curriculum at schools attended predominantly by aboriginal children has included a course on civics. The course begins with talks on social facilities such as hospitals and water supply, explains the meaning of and the need for law (including aboriginal law) and concludes with a broad outline of the framework and functions of government including a simple explanation of elections and of rates and taxes.

Of all schools visited and in which the writer taught, not one teacher had progressed to the point in the syllabus at which children were being taught about elections, rates and taxes. The level of

social studies in the **highest grades** in any school was the study of the boundaries and names of the Australian states, the name and situation of capital cities, Her Majesty's name and address, the situation of their own settlement or mission and its relation to Darwin, and the name and relevance of Sir Robert Menzies. It seems that the mere existence of a written social studies syllabus is confused with the effective teaching of the subject and its comprehension by pupils.

In his evidence the Director of Welfare conceded the low number of Aboriginal children who can be said to have passed through a full primary school course. As shown in Chapter VII the Welfare Branch has a tendency to view achievement in terms of the numbers who have attended schools. The nature, extent and achievement of adult education has been shown to negate the claim that 'adult education classes for Aborigines' have been conducted in any real sense. Of the classes conducted in the past, and in the few that were held while the writer was in the Territory, not one teacher was concerned with the teaching of civics, 'democratic living', 'working of committees, councils and so on'. The Welfare Branch's first substantial effort to begin such tuition was when it sent a circular to superintendents in June 1962, after the Select Committee had reported. This circular, discussed in Chapter VII, **suggests** that civics courses be given by teachers who wish to **volunteer** for such classes on a part-time commercial basis.

As regards political and civic duties, although there may have been invitations to part-Aborigines, or a handful of full-bloods, in Darwin to join school committees, this could not be true of Aborigines on settlements, missions and pastoral properties since none of these centres has a school committee.

On the Aboriginal centres in the Southern Division, there were in October 1961, no 'councils' of any description at Jay Creek, Yuendum, Areyonga, Borroloola and Santa Teresa. Both Papunya and Amoonguna had Social Clubs 'to foster community and group participation in social, cultural and recreational activities among the people'.17 The president is the superintendent, the secretary-treasurer is appointed by the president and the auditor by the Director of Welfare. Subject to the overriding powers of the president, the Clubs' business and affairs are under the management of an executive committee consisting of the president, secretary-treasurer and four Aborigines. The clubs' major activity was to run canteens, from the profits of which sporting and other recreational equipment and facilities were bought or conducted. At the

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17. Extract from the constitution of the Amoonguna Social Club, under the heading 'Objectives'.

same time Warrabri settlement was in the process of establishing the Warrabri Co-operative Store. In this Division, only Hermannsburg had a council.

In the Northern Division there were no councils at Hooker Creek, Bagot, Delissaville and Maningrida. The village council at Snake Bay at the time of the writer's visit in February-March 1962 had been 'shelved' by the superintendent on the ground that it had become a retribution tribunal of old men seeking to punish young men for breaches of tribal law, such as marrying women of their own choice rather than women 'promised' under the tribal system. (It is understood that at the time of writing the Snake Bay Council is active again.)

The Methodist missions have had village councils for some time, although their functions can hardly be described as constituting 'municipal management' in any real sense, a point readily conceded by the missionaries concerned.

In August 1960 a village council was formed at Angurugu on Groote Eylandt. Its functions appeared to be to initiate discussions and offer suggestions on the marriage arrangements which have caused dissension and difficulty. They take action when breaches of custom and mission rules occur (for example, when men run off with other men's wives), advise and assist in such matters as theft cases, stop fights, and provide a channel of communication between the superintendent and the people. The senior research officer of the Welfare Branch stated that in March 1962 three members of the council asked him about the status of the council and sought advice and assistance from the Welfare Branch on its status and conduct. 18 The officer's view of the council was that it was useful and valuable and its existence had already improved the situation at the mission. But its functions showed 'that its members are called on not simply to deliberate, report and advise but to carry out the duties of policemen; the danger in this situation is that the Councillors become agents of the Superintendent's authority rather than advisers and spokesmen for the people'.

In July 1962 the C.M.S. held its first field council meeting in Darwin, following internal re-organisation, to discuss all aspects of its missions activities. The field council consists of the Chairman, Deputy-Chairman, five mission superintendents, a chaplain's representative, the Society's administrative assistant in Darwin and

18. From File No.61/514, 'Political Education for Missions and Settlements', W.B.H.O.
two Aboriginal representatives. In future membership of the field council is to be as at the July meeting, except that there will be three Aboriginal representatives elected by the station councils. The third member was elected in 1963, and thereafter retirement will be in rotation in order of appointment. Station councils were created as follows:

Membership shall consist of the Superintendent as Chairman, Staff Members who are Heads of Departments, plus one lady elected annually by the ladies; and a number of Aborigines equal to the staff representation, elected annually, half by the Aboriginal people and half by the Superintendent. Odd numbers shall favour elected Aboriginal representatives.

Qualifications: Aboriginal members must be members of the community in good standing and must have been resident at the Mission for at least six months prior to their election.

From discussion with several superintendents, it seems that the 'good standing' criterion will be determined by the superintendent rather than by the community.

M.O.M. group has an annual synod in Darwin, consisting of the District Chairman, mission superintendents and representatives of mission staff on a rotation basis. There is no Aboriginal representation at these synods.

At Bathurst Island a lay, volunteer missionary organised an Aboriginal council towards the end of 1961. While the mission authorities did not discourage its formation, they did nothing to encourage it: its organisation and the training of councillors was in one man's hands. After the writer had watched the council in operation and had addressed it, the lay missionary wrote to the Welfare Branch asking for assistance in how to conduct a civics course for the council. The senior research officer produced a pamphlet, 'The Commonwealth Government of Australia', for the missionary's use in instructing the council.

The Welfare Branch's efforts to establish councils began after the Select Committee had reported and after the need for them had been emphasised by one of its officers. In July 1961 the senior research officer read an important paper to the Missions-Administration Conference on 'Some Problems of Village Councils on Missions and Settlements'. Its essence was that settlements and missions are already too large to run effectively 'as institutions on a simple authoritarian, paternalistic style', and what seems to be needed

19. The information following is from C.M.S.: M.F.P.C.M., 18-19 July 1962. The writer has quoted from this document with the permission of the Deputy Field Superintendent.
'is some training in responsibility or self-help so that the aboriginal communities may become, in the words of the Welfare Ordinance, able "without assistance, adequately to manage (their) own affairs".

It may be argued that councils and other forms of democratic organization such as sports clubs and social clubs are vital as a means of achieving some political education for citizenship, but at this stage it is the potential of these consultive bodies for controlling and accelerating social and economic development that seems most important.

The need for councils which enable Aboriginal participation in a real sense was stressed:

The alternatives to capable and active communities developed by such means (as councils) are helpless and apathetic congregations of people who will express their frustrations and bewilderment and fantasies of the "cargo-cult" type; in passive resentment and resistance and a concentration of energy on traditional rights; and/or in active violence within their communities or against outsiders, especially those who represent authority. These are symptoms of social ill-health that we can observe now.

Some conference participants stated to the writer that this challenging paper was largely ignored and there was virtually no discussion on it.

In February 1962 the senior research officer again raised the question of councils and suggested a number of methods of establishing them. Following his visit to Angurugu in March 1961 he suggested to the Branch that the whole question of mission and settlement councils should be discussed. In October 1962 the Branch sent a questionnaire to all superintendents seeking information on existing councils and asking for comments on the way in which councils could be improved and how new ones should be established. This reply by an experienced superintendent is worth quoting:

I think it desirable and essential that Councils should be formed on all settlements and missions . . . A local Council seems the best medium for the fostering of civic pride among residents. This is the first step towards government of the people, by the people, for the people in areas which will, in all probability, always have predominantly Aboriginal populations.

Legislation would be necessary:
(a) to enable establishment of new Councils and to standardise and legalise existing bodies;
(b) to allow for local rules to be formulated;
(c) to provide for imposition of penalties;
(d) to enable amendments to local rules by majority decision of the Council.
(e) to enable grants of money for effective operation of
Councils; and

(f) to provide for some right of veto by an individual body,
say, a Local Council Appeal Tribunal.

I consider it desirable that there be no Europeans on these
Councils. This could hardly be written into a Constitution
as it smacks of discrimination; but I have found that even
the most inarticulate European will either completely dominate,
or be expected to dominate, discussions with Aborigines,
thereby preventing the emergence of the real thoughts of the
Aboriginal participants. Insistence on such things as
motions, amendments, and points of order, is always bewildering.
If there are no Europeans it is not necessary to
conduct meetings in English.

In June 1962 the senior research officer proposed three methods
of 'setting about the political education of the Aborigines'. First,
a complete syllabus for adult education classes and for schools
should be prepared so that teachers and superintendents can give
instruction. Secondly, a fortnight's training course should be held
in Darwin, including lectures, films and visits to government
departments and the Legislative Council. Thirdly, officers, after
appropriate training, should be sent to visit settlements and missions
to instruct the adult population. In August 1962 (and again in
February 1963) a week's course was given to selected Aborigines from
settlements and missions. It included lectures on Parliament,
elections, taxation, councils in New Guinea and South Africa, film
shows, and a visit to the Legislative Council which was in session.
While the course appeared to be successful from many points of view,
it suffered the same fault that negates the value of most Aboriginal
training courses: only one week's training, without follow-up, and
without the availability of real situations where the trainee can put
his knowledge into practice. For the trainees who had councils to
return to, most of the knowledge acquired would have no practical
application; for those who had no councils to return to, there must
remain a serious doubt as to the effectiveness, or even the purpose,
of an elementary course in civics. While the Welfare Branch is
able to record that 'a trial study course for village councillors .
was held in Darwin prior to the extension of the franchise'21 - it
was after the franchise extension but before the Legislative Council
elections - the mere fact of its having been held does not neces-
sarily mean that the course had any substance or value. Any
political education of substance which has been given to Aborigines
was done by the Commonwealth electoral officers. By July 1963 the
other two recommendations of the research officer had not been put
into effect. To date, it seems that the Welfare Branch and the
missions, disregarding pastoral managements who generally opposed
the granting of the franchise and are unlikely to encourage any form

of political education, have done little to promote the political advancement and education of Aborigines.

The attitude of officials and missionaries appears to stem from a belief that the inarticulateness of Aborigines in English is a sign of agreement with what the whites say is in their best interests. It also stems from a belief by administrators that they know what is in the Aborigines' best interests. Some officials and missionaries have expressed the view to the writer that already the 'old order' is changing: Aborigines are becoming more aggressive, less docile, more 'cheeky' than before; to explain and advocate political rights and to allow participation, let alone autonomy, in certain fields of mission and settlement life would be 'asking for trouble'. These attitudes are reflected, perhaps unconsciously, in the total lack of Aboriginal participation in the past in policy-making events such as the biennial Missions-Administration conferences. Before the July 1963 conference, the Director of Welfare wrote to mission delegates asking whether they agreed to Aboriginal presence at the conference, and if so, whether Aborigines should participate vocally or remain observers. The decision was made to allow Aboriginal observers, selected by mission and settlement managements as being the most suitable. At the conference, however, the Aborigines did voice opinions on some matters.

C. THE NORTHERN TERRITORY COUNCIL FOR ABORIGINAL RIGHTS

On 24 December 1961 an idea that had been contemplated for some two years became a reality when the inaugural meeting of the Northern Territory Council for Aboriginal Rights (N.T.C.A.R.) was held. According to two Aborigines concerned in its formation, Jacob Roberts and Davis Daniels, the decision to form an organisation arose out of a wage dispute. Daniels, who held a union ticket, was employed by the Health Department as an orderly in the tuberculosis ward at £14.15.0. per week. He approached the N.A.W.U. on the question of 'infectious' rates of pay since other orderlies, as well as painters painting the ward, were receiving special rates. Daniels claims the president of the N.A.W.U. told him that he did not qualify for union rates. Daniels and Roberts approached Brian Manning of Darwin for assistance. He agreed to assist and suggested that a council be formed to keep a watch on Aboriginal affairs. It appears that Darwin Aborigines had consulted Manning periodically on various matters.

At the inaugural meeting a committee was elected, and a draft

22. Unless otherwise indicated, the information following was drawn from file material belonging to the N.T.C.A.R., which gave the writer access to documents and permission to quote from them.
programme and constitution drawn up and accepted. Jacob Roberts was elected president, Davis Daniels secretary, T.K. Robinson vice-president, Brian Manning assistant secretary, Don White treasurer and the elected committee comprised Bruno Wilson, C. Cahill, David Woodie, W. Millum, N. Rankin, G. McDonald, Bobby Lane and W. Reilly. With the exception of Manning and Robinson, all members were Aborigines.

The constitution, given in Appendix 42, stated the Council's aims: 'To plan, conduct and organise the widest possible support for a campaign to obtain justice for all Australian Aborigines'. In determining its objectives, the Council would be guided by the United Nations' Universal Declaration of Human Rights. In pursuing these aims, the Council would undertake such activities as-

1. The conduct of public meetings to stimulate interest in Aborigines;
2. Initiate commissions of inquiry into conditions for Aborigines and 'investigate, free of restraint, specific charges made against deficiencies in the provisions and/or administration of Aborigines' Ordinances, Legislation, Regulations etc.'

Clause 7 of the Constitution stated that the committee should be composed of at least 75 per cent. of members of Aboriginal descent.

The draft programme contained fifteen points, a number of which have relevance to this thesis:

1. The granting of full and equal citizenship rights to all Australian Aboriginals on a National basis to include the right to vote.
2. Equal pay for Aboriginals and the right to work. The setting up of a scheme whereby Aboriginals may receive vocational training for productive and gainful employment modelled on the Returned Servicemen's Rehabilitation scheme where wages may be earned whilst training to allow for social improvement.
3. EDUCATION
   a. Granting of funds to the Federal education authority to allocate that department to attend to the education needs of the Aboriginal and NO other authority. No segregation on the basis of color but integration into the existing* school system where possible. (Public)*
   b. The provision of special scholarships for Aboriginal children to provide for books, fees and living costs of children who qualify for secondary and university education.
   c. Setting up of special pre-school centres for Aboriginal children with the purpose in mind of assisting in the transition from the mother language to the use of English.
4. The appointment of an independent authority with special powers to protect the Aborigines from infringements of their rights. The selection to be acceptable to the Aboriginal people through their Council.
5. Appointment of Aboriginals to the Public Service on the
Welfare Board to travel amongst their people and report on their needs.

6. Payments of Social Service benefits to the individual instead of to the Managers of Stations, Welfare, Superintendents etc.

7. Greatly enlarged housing schemes to permit complete housing of families within 5 years via:
   (a) Survey of the present housing set-up on all areas where Aboriginals live with a published report.
   (b) Submission of a housing development plan to cope with the needs over the specified period.
   (c) The plan of housing development to go hand in hand with the vocational training and community development.

8. The setting up of control committees on Government settlements and Missions with Aboriginals in the majority, having the ultimate goal of complete Aboriginal control in the near future.

9. Aboriginal ownership of reserves.

10. Pass legislation to ensure the payment of Royalties to Aboriginal Committees for the exploitation of sea-boards, minerals, timber etc. on Aboriginal Reserves.

11. The management of reserves to be in the hands of Aboriginal residents with residence on such reserves to be voluntary. Where necessary, Europeans acceptable to the Aboriginals to act in an advisory capacity in technical assistance.

12. Community development programmes to be set up with a flexible application geared for the needs of the specific communities e.g.
   (a) Reading, Writing and Arithmetic for Illiterates.
   (b) Films and discussion on general interest topics for semi-Literates.
   (c) Lectures on Co-operatives, Farming practices etc. (trained natives as lecturers where possible) for groups moving towards INTEGRATION.
   (d) Discussion courses for whites and Aboriginals as a prerequisite to advancement association activity.

13. Arrangement of conferences of elected Aboriginals with a minimum of white participation on the matter of rights.

14. Education of whites through lectures etc. to servicemen's clubs on genetics as a prelude to breaking down prejudice.

15. Research on economics and other practical aspects of specific proposals for Aboriginal Co-operatives, e.g.
   Pastoral properties,
   Timber Co-operatives,
   Mining,
   Fishing,
   Agriculture, Mixed Farming.

The Council is discussed under the heading of 'political rights' because it represents the first organised initiative by Aborigines themselves for common action in civic affairs, and could conceivably act as a focus and educative medium for political development by self-help. On the other hand the Council has claimed to be 'non-political and non-sectarian'. Nevertheless, it has not escaped accusations of political colouring and motivation as Brian Manning, who is Secretary of the Darwin Communist Party and T.K. Robinson,
also a member of the local Communist Party, have been the only white members of the Council's organising committee from the start.

In the first few months of the Council's existence various 'well-wishers' advised its leaders to disassociate themselves from these two members and, for example, to refrain from marching in the 1962 May Day Procession in Darwin. This advice was rejected. The Council was defended by The Northern Territory News.

It's a pity that the feeling is abroad that this, the first concrete step taken by aborigines themselves to improve their standing should face the old brand of a "political front organisation".

This newspaper doesn't think this is the real position. But Mr. Jacob Roberts and his fellow aborigines should take care to see that no attempt in ever possible to use their Council to any party political ends.

... The interesting thing about this Council is that constitutionally 75 per cent. of members and all the executive have to be of aboriginal descent. They are led by a man of very considerable religious conviction, in Mr. Roberts.

He and his secretary, Mr. Davis Daniel, do not appear to be men easily led by the nose...

This council could do much. It will need encouragement and support.

We point out to the people who fear that it has political trappings that if they sincerely want to block any suggestion of this and help, there is one way to do it:

Get in there and see that control is not held or strongly influenced by Communists or any other pressure group.

The writer had several lengthy discussions with the Aboriginal members of the Council's committee. They were unanimous in their realisation that membership on the committee of two white Communists was causing the Council as a whole to be regarded with suspicion. They were emphatic that with the exception of two Welfare Branch officers, in their personal capacity, no other white men in Darwin had, in recent years, volunteered to assist them or had received their complaints with sympathy. Mr. Davis Daniels said that his Council had to 'use' the two Communist members because there was no one else willing to assist in the formation and continuation of the movement, and one could not function, at this stage, without assistance. It was literacy in English that was lacking in the Aboriginal members, not a shortage of ideas as to what was wrong in Aboriginal affairs. Government officials and missionaries, he added, were willing to establish bodies with token Aboriginal representation so long as they could control and dominate such bodies which would function in the interests and viewpoint of the administrators. He believed that the
time had come for the expression of an Aboriginal viewpoint; this was not unreasonable in the light of Aborigines being the subject matter of administration and the group at the receiving end of a policy decided upon exclusively by non-Aborigines. Committee members felt that when non-Communist whites offered to assist the Council they would ask the two Communist members to stand down. The two white members concerned stated to the writer, in the absence of the Aboriginal members, that should the two Welfare Branch officers so respected by the Aborigines apply for membership of the Council, in their personal capacities, they would resign and ask the officers to become executive members.

Whether for this or for other reasons, the Council has been cold-shouldered by other organisations in a manner which could, of course, play into the hands of the Communists. At its first committee meeting it was resolved that the Council affiliate with the Federal Council for Aboriginal Advancement and approval was given to a letter to church leaders, mission heads, trade union secretaries, the president of the Darwin branch of the Australian Labor Party and other interested persons asking them to affiliate with the N.T.C.A.R.

The first response was from the N.A.W.U. declining to affiliate. All the Council could do was to send notice of the refusal to the Australian Council of Trade Unions 'with a statement of facts conveying the true attitude of that union concerning the employment of Aboriginals and point out that in fact their policy was contrary to the principles involved in the A.C.T.U. policy on "the Trade Union assistance to Aboriginal peoples".'

Meanwhile, what almost appear to be concerted efforts as between the missions and the Administration were made to by-pass and frustrate the Council. At the 1961 Missions-Administration conference a resolution was passed which stressed the need to bring ordinary citizens more actively into an understanding of and collaboration with the work of settlements and missions. The Welfare Branch subsequently recommended that the various churches and the N.T.A. should sponsor the convening of a meeting of representatives of churches, voluntary welfare agencies and interested citizens with a view to establishing a body on the lines of Good Neighbour Councils found in the States. 24

On 11 January 1962 a meeting between the Welfare Branch, church and mission groups was held in Darwin to discuss the creation of a committee in terms of the 1961 Conference resolution. 25 Represen-

25. The information following was given to the writer by several of the missionaries who attended this meeting.
tatives agreed that they would not in any way associate with the N.T.C.A.R. but would not give any public impression that they were opposed to it. One mission head expressed the belief that part-Aborigines would not join as members because they were citizens; since maintaining an organisation of full-bloods was well-nigh impossible, he foresaw an early demise of the Council. The joint representatives passed a resolution calling for the Mayor of Darwin to convene a public meeting to set up a committee as suggested by the 1961 Conference resolution; however, the meeting should be deferred for some months so as not to give the impression that the sponsors were in any way concerned by, or felt any opposition to, the N.T.C.A.R.

Thereafter the missions and the Welfare Branch sought, in several ways, to place obstacles in the way of the Council's campaign for membership recruitment among settlement and mission populations. At some settlements, Aborigines who had been to Darwin and become members returned with membership forms for distribution. But it seems that some settlement superintendents prevented Council members from addressing local populations and distributing membership forms. According to one report the president of the Council complained to the Administrator that a welfare officer had prevented a Council member from addressing the people at Amoonguna. He was told to 'destroy his membership form and not to make trouble'.

In January 1962 the Council sought permission from the Welfare Branch to hold a meeting at Bagot 'since more people could attend who would normally not be able to attend because of children'. The Acting Director of Welfare refused the request for the use of Bagot hall:

The principle which we apply is that if the activity is not settlement sponsored or organised, then the settlement facili-

The policy behind this principle is the need to encourage wards to participate more and more in community and other activities away from the settlement situation.

This refusal to the Council was not consistent with similar facilities given to the Wanderers Football Club at Bagot. To refuse on the principle that Branch policy is to encourage Aborigi-

At several missions the writer found missionaries concerned about

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the Council. They made it clear that known Council members would be refused entry to their mission. Concern was felt at the Council's sending expensive gifts to resident Aborigines as a reward for distributing membership forms. Some missionaries had persuaded local Aborigines to hand over bundles of membership forms while others had been unsuccessful. One mission acquired a series of pamphlets written by a noted anti-Communist crusader, Dr. Fred Schwarz, and intended having one of them, 'The Disease of Communism', translated into the vernacular for distribution. This translation and distribution did not take place ultimately.

Some of the activities of the Council are worth recording. It has discussed various grievances in committee and at general meetings. At the first general meeting on 21 January, objections were raised about the accommodation at Bagot and the standard of food there: 'members stated that the main diet consisted of bread and tea with little variation in meat and vegetables; meals were re-heated, no fruit was available though some was grown, no eggs were supplied though poultry was kept'. A resolution called for steps to be taken to rectify matters and ordered that 'in future no payments (for food and accommodation) be made by the people on the reserves until demands for equal pay be met'.

Members also brought to light the fact that Social Service payments of Old Age pensions and Child Endowment were not paid to the individuals and then there were deductions taken out of them . . . The full pension, paid to the pensioner, is demanded regularly.

In March 1962 an open letter to the Director of Welfare was circulated, attacking the activities of the Welfare Branch in strong terms and protesting at the mandatory sentence of twelve months passed on Peter Australia for supplying liquor (see Appendix 43). The Council accused the Director of slandering Peter Australia when, in a Melbourne television programme 'Meet the Press', the Director stated that 'he had grave suspicions that Peter Australia was supplying liquor to wards for profit'.

The excuse has long been offered that full rights cannot be granted the aborigines because of the "serious social consequences" of liquor. This is not borne out by fact since the effect of alcohol has no relation to skin colour. Mr. Giese knows full well that many aborigines do not drink and those that do are forced to drink bad alcohol because of the Ordinances he is defending . . .

Further,

You have suggested that much money is spent on the "WELFARE OF ABORIGINES".
It's not how MUCH you spend!
BUT HOW YOU SPEND IT THAT COUNTS!!

Another circular, given in Appendix 44, addressed to potential members, demanded 'freedom for Peter Australia, repeal of all discriminating legislation and full and equal rights for all Australian Aborigines'.

A number of Council activities concern individual government officials and only the barest outline will be given. The N.T.C.A.R. wrote to the Administrator asking him to investigate an allegation by certain settlement Aborigines that an official on that settlement had committed certain prohibited acts. The Administrator appointed an investigation committee which arrived at a Scottish-type 'Not Proven' verdict. However, the official was transferred to another settlement on the ground that he would have difficulty in maintaining his authority following an inconclusive finding. In September 1962 the Council asked the Administrator to investigate the case of an assault on an Aboriginal station hand by a pastoralist and a policeman. A summons on an assault charge was issued to the pastoralist. 27

Another activity has been to ask the federal member for the Territory to take up the case of Aborigines who claimed that they had not been paid for services rendered to the armed forces during the war. The Council has advised Aborigines who are respondents in Welfare Branch applications for their removal that they have a legal right to representation. It has given evidence on behalf of Aborigines applying to the Supreme Court to become citizens by having their names removed from the Register of Wards. In one such application in October 1962, the Judge asked counsel representing the Aborigine whether, in his opinion, Aborigines were being used 'by certain political elements'. Council, Mr. R.O. Ward, is reported to have said that they were not being so used, and if people felt that they were being used in any way 'it is their duty to step in and help the group'.

The Council has campaigned for the removal of the two sections of the federal constitution which prohibit the Commonwealth from legislating for Aborigines in the states and which prohibit Aborigines from being counted in the national censuses. In Sydney in 1962 Davis Daniels29 spoke to a public meeting to launch a petition for a referendum to effect the necessary constitutional changes, and

29. Ibid.
stated that 'we don’t want to rely on Welfare for the things we need; we want work and wages - not charity'. The special legislation in the Territory 'protected them from the evil of being paid full award wages'. He attacked the government's claim that Aboriginal education was equal to other education: 'at least 80 per cent of us are illiterate, can neither read nor write, and this does not say much for the Government's claims'.

The Council did not send a deputation to the Administrator as was originally planned. Instead, on 23 July 1962 the Council secretary, Davis Daniels, wrote at length to the Administrator on 'the serious shortcomings (that) exist in the practical application of the government policy in the fields of Aboriginal employment, housing and education'. He wrote that 'the seriousness of these shortcomings cannot be overstressed since they have the effect of materially denying many aboriginal people the benefits of full citizenship status'. The Welfare Branch, other government departments, the Police Branch and the armed services were paying low wages: 'as a result of poor supervision and not inherent laziness as many claim, the full potential of the aboriginal workers is not reached, . . . incentive for the Aboriginal workers is virtually non-existent since no opportunities for advancement are offered or encouraged'. The Council cited the wharf industry in Darwin as an example of Aboriginal willingness to do equal work for equal pay. However, since that industry could not absorb all workers, it requested that —

(1) Present Government employment policy be revised to present opportunities for the payment of full award wages on the basis of equal work, hours and conditions in all Government departments.

(2) The Welfare Branch create more employment opportunities and pay full wages.

(3) The Welfare Branch arrange for vocational training leading to responsible employment in the community on full award wages.

(4) The wage scales in the Wards’ Employment Ordinance be repealed and award wages be paid in all industries with appropriate award conditions.

The Council restated its draft programme policy on housing and it recommended an 'adult education team to conduct "crash courses" in home management and child care designed to prepare families for residence in their own homes'.

In the matter of the education of the aboriginal people, this Council considers the present policy an indictment of the people responsible. Because of the denial of education at least equal to that of other Australians, the future of the whole race is in jeopardy. The standards attained by the various groups of aboriginal people reflect the complete ignorance of some of the denominational groups in the matter
of education. Such unqualified people must not hold the responsibility of education and this Council requests the handing over of education to the proper authorities.

This Council requests that adult education classes be commenced under the supervision of the Education Department first at Bagot settlement to assist in drawing up a curricular (sic) and then at all Settlements and Missions.

These three topics represented 'the most immediate and pressing problems of the aboriginal people' as expressed at meetings of the Council where upward of 200 people had attended. (In August 1962 membership of the Council was slightly more than 300 persons).

Although our criticisms may seem harsh in some respects, we nevertheless feel that they may in many ways assist the Government in determining a more realistic policy which will prove more in line with the desires of the whole of the aboriginal people.

In conclusion, it seems that the N.T.C.A.R. has not indulged in any form of political conversion of Aborigines to the ideology held by two of its executive members. There is sufficient evidence to show that it has kept to its charter as set down in its draft programme and constitution. It has initiated investigations into allegations which have been found to have a reasonable foundation. It has not always campaigned publicly on these matters but has tended to work through the Administration by asking the Administrator to investigate matters. It has criticised policy and administrative practices in aspects which are open to criticism: it has tended to attack the Welfare Branch not so much for any of its administrative practices but for its claims on certain issues. It incurred official and mission opposition at its inception on the ground of its being in the hands of Communists. It has since incurred opposition on the grounds of its activities. Its meetings have not always attracted large numbers of Aborigines and it is having difficulty in obtaining a large and widely-representative membership. As a pressure group it may prove to be a 'flash-in-the-pan' through lack of Aboriginal support. To prevent any possibility of it becoming a political organisation, with 'underground' overtones, it should be encouraged and allowed to keep its activities in the open.

A principle of the assimilation policy is that special measures taken for Aborigines are intended to facilitate 'their future social, economic and political advancement', and the Director of Welfare has a statutory obligation 'to take steps to promote their political advancement'. In the light of this, it is difficult to understand why the first Aboriginal movement to appear since the assimilation policy was put into practice by the Welfare Branch should not be given at least official support and guidance.
CHAPTER IX: THE CRIMINAL LAW

Legal sociology, following Salmond, 1 is concerned not so much with the rules themselves as with the extent to which they are observed, the causes of their non-observance, the extent to which they fulfil their purpose and the human consequences of the working of the legal machinery. This chapter is not a full sociological survey of all legal institutions in the Territory. However, several aspects are examined to determine whether or not legal institutions, rules and procedures in any way maintain inequalities in status between Aborigines and non-Aborigines. Put another way, to what extent are the institutions and rules conducive to Aborigines enjoying the same rights and privileges as other Australians do?

A. LAWS RELATING TO ABORIGINES

Consistent with the concept of Aborigines as 'minors', a number of statutory offences exist which apply exclusively to them. Some offences have been created in the last decade, while others are refinements and modifications of 'traditional' rules. The spirit underlying these statutes is the protection of the Aborigine from exploitation by others and, in several instances, protection from himself. Of the latter type, the most important are the restrictions on Aboriginal liquor consumption, a traditional prohibition in the Territory which goes back to 1869 at least.

(i) The Liquor Laws

(a) Legal Provisions on Liquor

Several legal provisions relate to the supply of liquor to, and the consumption of alcohol by, Aborigines. The Licensing Ordinance 1939-1962 states: 2

141. - (1) A person shall not sell, give or supply liquor, or permit liquor to be sold, given or supplied, to a person who is a ward within the meaning of the Welfare Ordinance 1953-1961. Penalty: Where the offence is a first offence against this section, imprisonment for one year; in any other case, imprisonment for two years. *3


2. The principal Ordinance is No.25 of 1939 as amended by - No.12 of 1940; No.5 of 1941; No.10 of 1941; No.1 of 1942; No.1 of 1943; No.3 of 1946; No.2 of 1948; No.8 of 1948; No.9 of 1948; No.7 of 1949; No.13 of 1949; No.19 of 1952; No.30 of 1952; No.10 of 1953; No.26 of 1953; No.23 of 1954; No.1 of 1956; No.14 of 1956; No.20 of 1956; No.29 of 1956; No.23 of 1957; No.27 of 1957; No.16 of 1958; No.12 of 1959; No.12 of 1960; No.37 of 1961; No.17 of 1962; No.28 of 1962; No.39 of 1962; No.70 of 1963 and No.2 of 1964.

3. Section 2, Ordinance No.28 of 1962.
142. A person who is a ward within the meaning of the Welfare Ordinance 1953-1955 and who is found drinking liquor or to have been drinking liquor or in possession of liquor is guilty of an offence.

Penalty: Where the offence is a first offence, Ten pounds or imprisonment for seven days; in any other case, imprisonment for four weeks. *4

Sections similar to 141(1) prohibit the supply of liquor to minors, intoxicated persons, police officers while on duty and habitual drunks, but the drinking of liquor by such persons is not an offence in itself.

Proceedings under section 141(2) must be heard and determined in a summary way by a special magistrate under the provisions of the Justices Ordinance 1928-1961. Thus only legally qualified persons may hear such cases and the magistrate has a discretion to impose a lesser sentence than the maximum penalties prescribed in section 141(1). However, where it is found that liquor supply was 'with the intent to derive monetary profit or other gain therefrom or with the intent of procurement for sexual purposes', the magistrate is obliged to impose a minimum of six months imprisonment for a first offence and a minimum of one year for any subsequent offence (section 141(4)). On appeal the Supreme Court may, if it finds that the act was committed without any of these specific intents, impose a penalty which the special magistrate would have imposed had he found these intents absent (section 141(5)). Even if the Supreme Court is not satisfied that an appellant did not commit the offence with these intents, it may reduce the term of imprisonment or impose a fine of not less than £30, provided it is a first offence and if the court feels that the youth of the person or other extenuating circumstances should mitigate the sentence. Section 141(3) lays down the possible defences against a charge under section 141(1).5 In section 142 there is no equivalent exception such as the 'medicinal purposes' clause, nor for the drinking of sacramental wine.

The Methylated Spirit Ordinance, No.29 of 1962,6 states that 'a person shall not drink methylated spirit' (section 4) on penalty of three months imprisonment. A person may not sell or dispose of the spirit if he has reasonable cause to believe that a person intends

4. Section 2, Ordinance No.27 of 1957.
5. A defendant is not guilty if he proves -
   (a) that the liquor was urgently required for medical purposes;
   or
   (b) that he had no reason to believe and did not believe that the person to whom the liquor was supplied was a ward.
6. This Ordinance amended the Methylated Spirit Ordinance 1936-1938 and repealed the Methylated Spirit Ordinance 1952.
drinking it or supplying it to other persons for drinking. Section 5, as amended in 1962, states that a person may not sell, supply or give spirit to a ward unless that ward has written permission, signed by a police or welfare officer, to possess spirit. The first offence penalty is a minimum of six months imprisonment, and a maximum of one year; in other cases there is a minimum of one and a maximum of two years. Legal defences may be that the supplier did not and had no reason to believe that the person supplied was a ward, or that he supplied for a 'medicinal purpose' or in circumstances which the Court considers justifiable. On appeal the Supreme Court has a discretion to reduce a prison sentence or impose a fine of at least £30. A ward in possession without written permission is liable to one month's imprisonment.

Regulation 16 of the Welfare Regulations declares that 'a ward shall not bring into a reserve or institution . . . any alcoholic liquor'; further, 'a ward who is found drunk on a reserve or in an institution is guilty of an offence . . .'

(b) The Case for Prohibition

In seeking to determine why government officials, judicial officers and missionaries have advocated liquor restrictions on Aborigines, it is difficult to find a precise argument which has a clearly expressed basis in psychology, sociology, biology or criminology. The basis of restriction finds expression in variations of the principle that 'liquor is bad for them'. This was perhaps most clearly stated in a Legislative Council select committee report on liquor: 'the reason expressed for the enactment of section 141 was a belief in the inability of the aboriginal race to consume liquor without deleterious effects'.7 The sequence in this sentence reveals much of the thinking on liquor for Aborigines: belief, racial inability and deleterious effects, an expression of acceptance of doubtful biology and dubious sociology.

This basis has several refinements and modifications. The Director of Welfare said that Aboriginal drinking has far-reaching social and other consequences; for example, drinking of methylated spirits 'can endanger the operation of an important feature of the Territory's social structure at this stage of our assimilation programme'.8 The assimilation policy implies transition from nomadism and primitivism to full equality in status, rights and obligations; consequently, it is reasoned, legislative change should not proceed

at a rate faster than the 'social change' exhibited to date by Aborigines. For example, missions are engaged in 'social change' programmes, inevitably in isolation from the communities - and their values - into which Aborigines are to be assimilated. If liquor restrictions in urban centres are abolished, many Aborigines will be attracted to the source of ready liquor, and at a stage when the values of temperance, responsibility, sobriety, moderation and virtue have not had the chance to be fully cemented. Aborigines will drift to centres like Bagot where immorality, drunkenness, debauchery and other vices associated with liquor are allegedly rife.

The Director of Lands, defending the need for section 141, told the Legislative Council 'that without it the incidence of crime in the Northern Territory would have been very much higher than it has been and the position of Aborigines would have been very much worse than it is today'. The Director of Welfare was more explicit when he opposed a bill aimed at reducing the penalties for supply:

I consider that I would be renegade to the responsibilities of the position that I hold if I did not speak in the strongest terms against the proposal that is at present being considered. The supply of liquor to wards is a vicious practice which leads to debauchery and prostitution. Furthermore ... it leads to most serious crimes against the person by aborigine against aborigine in some cases. So it is not only a question of profit and prostitution; it is a question also of crimes against the person when aborigines have access to liquor, and particularly to the sort of liquor that is usually supplied to them ...

Another reason advanced to the writer by several officials is that in tribal tradition Aborigines have no knowledge or experience of intoxicating liquor and the sudden transition to alcohol must and does have serious repercussions, especially on Aborigines with recent white contact. Thus Aborigines are peculiarly susceptible to alcohol addiction, seriously damaging their personal, working and family life.

Allied to these views is the simpler version that Aborigines, as a race, cannot handle liquor. Aborigines drink to become drunk; there are no apparent motives like amiability, sociability or mateship in their drinking. Liquor inflames them to a point of madness and anyone who has seen a drunken Aborigine can have no doubt that this 'insanity' is not only unsightly but also dangerous. This 'insanity' belief has found judicial support and expression.

10. Ibid., pp.476-477.
Justice Kriewaldt, in a judgment, said:

The consumption of alcohol by aborigines has serious social consequences. For example, a week or so before this present appeal was argued I tried a charge of manslaughter arising out of the death of the Waters who was the plaintiff in Waters v. Commonwealth. . . . since the argument was completed I have tried another case of manslaughter. In each case the accused was an aborigine, in each case the accused killed while substantially under the influence of liquor. The great majority of crimes of violence by aborigines I have tried in recent years have been connected with the consumption of alcohol.

Further weight has been given to this view by the former stipendiary magistrate at Alice Springs. In his 1958-59 Licensing Report he mentioned the merits and demerits of suggestions put forward by various officials for introducing supervised drinking of light beer on settlements. The magistrate would not express a view on the suggestion, but added that 'one cannot overlook the various "Morris Soak" incidents which happened during the period under review'. One of these incidents took place in July 1958 when an Aboriginal male was committed for trial for murdering an Aboriginal female, Fay Iowa. The accused was found to be intoxicated at the time of the offence; the nature of the victim's injuries and mutilations was grim indeed.

The majority of missionaries with whom the writer discussed the liquor problem held views similar to those expressed by officials. Pastor Paul Albrecht's views, although not necessarily accepted by all missionaries, would have general acceptance among them:

I think it will be readily admitted by those who have to deal with the natives - especially those living in the Town Area - that alcoholic drink is proving a great problem to them . . . The simple fact is that they are not capable of handling it. It interferes with their family life, in some instances very seriously; with their job and finances etc., and this quite apart from the havoc it is causing to the spiritual life of those who have been baptised and confirmed into the church.

The N.O.M. District Chairman who, together with Pastor Albrecht and a welfare officer was appointed by the 1961 Missions-Administration conference as a sub-committee to investigate the liquor question,
is alleged to have made the following statement in reply to a newspaper's question on the granting of full citizenship rights to Aborigines: 15

I think the move is premature at the moment. There are very little rights that aboriginals haven't got anyway. They are not restricted much in any way and the only one I can think of is that they're not allowed to drink. I don't think they're ready for that either. I am quite in favour of giving them all rights when they are ready.

Pastoralists are strongly in favour of prohibition. Many claimed to the writer that liquor for Aborigines would 'ruin' their already 'unsatisfactory' labour force.

In summary, the reasons put forward by advocates of prohibition are: Aborigines, as a race, become peculiarly addicted to liquor which causes harm to their family, working and personal lives; they cannot handle liquor and consequently tend to indulge in brawls and to commit brutal and violent acts of aggression. We know that liquor is generally 'not a good thing': therefore why not spare Aborigines the consequences of a bad social practice?

(c) The Incidence of Offences

The late Mr. Justice Martin Kriewaldt wrote that 'the number of charges against aborigines heard in the Police Courts is greater than one would expect, having regard to the number of aborigines in the Northern Territory and the fact that many live in areas where the nearest police officer is hundreds of miles away'. 16 The statistical evidence would seem to contradict Kriewaldt's implication of a high crime incidence among Aborigines.

<table>
<thead>
<tr>
<th>Year</th>
<th>A:NA Populations</th>
<th>A:NA All Offences</th>
<th>A:NA Non-Liquor Offences</th>
<th>Liquor Offences as % of all A Offences</th>
<th>Liquor Offences as % of all NA Offences</th>
</tr>
</thead>
<tbody>
<tr>
<td>1957-58</td>
<td>1 : 1.32</td>
<td>1 : 6.38</td>
<td>1 : 18.50</td>
<td>77.90</td>
<td>35.05</td>
</tr>
<tr>
<td>1958-59</td>
<td>1 : 1.36</td>
<td>1 : 5.58</td>
<td>1 : 23.70</td>
<td>82.54</td>
<td>25.84</td>
</tr>
<tr>
<td>1959-60</td>
<td>1 : 1.42</td>
<td>1 : 6.27</td>
<td>1 : 32.82</td>
<td>86.60</td>
<td>29.81</td>
</tr>
<tr>
<td>1960-61</td>
<td>1 : 1.48</td>
<td>1 : 8.06</td>
<td>1 : 60.50</td>
<td>89.60</td>
<td>22.50</td>
</tr>
<tr>
<td>Averages</td>
<td>1 : 1.40</td>
<td>1 : 6.57</td>
<td>1 : 33.90</td>
<td>84.10</td>
<td>28.30</td>
</tr>
</tbody>
</table>

Adjusted Figures *18

|  | 1 : 1.00 | 1 : 4.76 | 1 : 24.40 |

Liquor offences, as defined in section (a) above and in footnote 19, are extraordinarily high, bearing in mind not the number of Aborigines in the Territory but the fact that these laws apply exclusively to Aborigines. The average figure of 28.30 per cent., that is, liquor offences as a percentage of all non-Aboriginal offences, is a generously low one since in the table liquor offences refers solely to drunkenness. Aboriginal liquor offences include contraventions of all the provisions cited above.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total A Offences</th>
<th>A Liquor Offences</th>
<th>Liquor Offences as % of A Offences</th>
</tr>
</thead>
<tbody>
<tr>
<td>1956</td>
<td>212</td>
<td>200</td>
<td>94.34</td>
</tr>
<tr>
<td>1957-58</td>
<td>187</td>
<td>138</td>
<td>73.80</td>
</tr>
<tr>
<td>1958-59</td>
<td>232</td>
<td>183</td>
<td>78.88</td>
</tr>
<tr>
<td>1959-60</td>
<td>243</td>
<td>216</td>
<td>88.88</td>
</tr>
<tr>
<td>1960-61</td>
<td>212</td>
<td>197</td>
<td>92.92</td>
</tr>
<tr>
<td>1961-62</td>
<td>252</td>
<td>229</td>
<td>90.87</td>
</tr>
<tr>
<td>1962-63</td>
<td>574</td>
<td>521</td>
<td>90.76</td>
</tr>
<tr>
<td>Total:</td>
<td>1,912</td>
<td>1,684</td>
<td>Avg 88.07</td>
</tr>
</tbody>
</table>

17. This table is a summary of the table in Appendix 45.
18. Since there are 1.4 times as many non-Aborigines as there are Aborigines, the non-Aboriginal crime incidence must be divided by 1.4 in order to compensate for the population differences.
19. Figures supplied by the Welfare Branch, Darwin. Liquor offences include: ward drink liquor; ward drink methylated spirit; ward sell liquor; ward possess liquor; drunk; driving under the influence.
There appears to be no significant variation in the incidence as between the major geographic divisions of the Territory. There is a distinctly upward trend in Darwin and Alice Springs. The number of multiple offenders is fairly high. In the calendar years 1960 and 1961, 262 Aborigines in the Darwin area were charged with 401 liquor offences. In the period January to October 1960, 76.3 per cent. of offenders were charged once, 18.2 per cent. twice and 5.3 per cent., three or four times.

### TABLE IX.1.

#### THE NATURE OF ABORIGINAL LIQUOR OFFENCES

<table>
<thead>
<tr>
<th>Year</th>
<th>Drink</th>
<th>Drink</th>
<th>Drunk</th>
<th>Sell or Possess</th>
<th>Charges Associated</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Liquor</td>
<td>Metho.</td>
<td>Liquor</td>
<td>Liquor</td>
<td>with Liquor</td>
<td></td>
</tr>
<tr>
<td>1. DARWIN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1956</td>
<td>158</td>
<td>38</td>
<td>-</td>
<td>3</td>
<td>3</td>
<td>202</td>
</tr>
<tr>
<td>1960</td>
<td>194</td>
<td>22</td>
<td>-</td>
<td>-</td>
<td>5</td>
<td>221</td>
</tr>
<tr>
<td>1961-62</td>
<td>214</td>
<td>15</td>
<td>-</td>
<td>-</td>
<td>7</td>
<td>236</td>
</tr>
<tr>
<td>2. ALICE SPRINGS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1956</td>
<td>69</td>
<td>-</td>
<td>2</td>
<td>3</td>
<td>12</td>
<td>84</td>
</tr>
<tr>
<td>1959-60</td>
<td>150</td>
<td>-</td>
<td>62</td>
<td>7</td>
<td>10</td>
<td>229</td>
</tr>
<tr>
<td>1960-61</td>
<td>177</td>
<td>-</td>
<td>58</td>
<td>9</td>
<td>13</td>
<td>257</td>
</tr>
</tbody>
</table>

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20. In connection with the high incidence in Alice Springs in 1962-63, the Welfare Branch suggested the following causes (A.R.W.B., 1962-63, p.23): (i) a misunderstanding by some Aborigines that the right to vote entitled them to drink; (ii) an increase in the staff, vehicles and communications of the local police force; (iii) an increase in pressure upon persons disturbing the peace at Amoonguna settlement; and (iv) a resentment of drinking restrictions by some Aborigines resulting in drinking openly regardless of consequences.


22. Includes charges which may have been laid at the same time as a charge on a liquor offence, namely, resisting arrest, assaulting the police, obscene language and disorderly conduct.

23. Where an individual was charged on several counts as a result of a single incident, only one offence is recorded here.
Kriewaldt wrote that 'many charges of drinking liquor are accompanied by charges of fighting in a public place, assault, disorderly behaviour, indecent language etc.' There is no evidence to this effect. In Table IX.3, the total number of liquor offences is slightly higher than those given in Table IX.2; the difference is due to adding 'charges associated with liquor'. In so doing, charges which may be connected with liquor have been added: the records do not indicate whether a charge for say, assaulting a policeman, is in fact connected with liquor, and in Table IX.3 all such offences have been ascribed to liquor consumption. In view of the number of cases of drinking liquor or metho, and of being drunk, the number of cases of assault, disorderly behaviour and so on is extremely low. In the periods covered in the tables, there was not one case of 'fighting in a public place'.

(a) The Case for Abolition of the Liquor Laws

It is often said that unenforceable law is bad law and should be abolished. There may well be a case for stating that the ineffectiveness of the liquor laws relating to Aborigines warrants their removal from the statute books.

In June 1960 the Director of Welfare informed the Legislative Council of the number of supply convictions in the Darwin area: 22 in 1956, 14 in 1957, 10 in 1958 and 19 in 1959. In Alice Springs there were eight convictions in 1958 and 11 in 1959. He said that there was little relationship between the number of Aborigines convicted for liquor offences and the number of supply convictions. Justice Kriewaldt, in his judgment in Namatjira v. Raabe, said:

The severe penalties provided by section 141 have not proved an effective deterrent for such offences of drinking there must also have been an offender guilty of supply, but during 1958 there have been only ten convictions in Darwin for supplying wards with liquor, and only eight in Alice Springs. The offence of supplying is difficult to detect, and in the majority of cases difficult to prove. Factors I need not here elaborate make convictions under section 141 so difficult that prosecutions are often not launched even when the identity of the supplier is known. In short I am concerned with an offence which is prevalent, hard to detect, difficult to prove, and which the Legislature regards as serious.

The figures cited for supply convictions need further explanation. The persons convicted are seldom the ones at whom the law aims: the white racketeers who exploit prohibition by supplying Aborigines large quantities of adulterated liquor at exorbitant prices, and the white males who use liquor as an inducement for sexual purposes. At this stage it is not possible to produce evidence indicating the

persons convicted of supply and their motives. There is, however, sufficient evidence to conclude that a fair proportion of convicted suppliers are full-blood Aborigines, now citizens, who supply drink to a friend or relative who is a ward. Many of the supply cases occur at Bagot and Amoonguna, where Aboriginal citizens live with relatives who are wards. A recent case serves as an example. 

Aboriginal citizen Jack Mulberry was gaolled for two months in the Police Court today for supplying liquor to a ward. It was Mulberry’s second gaol term in two months. There was no element of profit involved in the offence. Jimmy Marakai (the ward) was of the same tribe and worked with Jack Mulberry. The cases of Albert Namatjira and Peter Australia fall into this category of citizens supplying friends and relatives with whom they live. The Director of Welfare told the Legislative Council that there was a direct relationship between the number of supply convictions and the deterrent penalties in the Licensing Ordinance. There is no evidence that this is the case. Although there has been a radical increase in the supply penalties over the years, the penalties have clearly had no deterrent effect, as the increase in offences in Alice Springs alone reveals:

Table IX.4.

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>48</td>
<td>56</td>
<td>44</td>
<td>97</td>
<td>107</td>
<td>75</td>
<td>192</td>
<td>221</td>
<td>219</td>
<td>244</td>
<td>201</td>
<td>524</td>
</tr>
</tbody>
</table>

It is commonly accepted in the Territory that despite the severity of the supply penalties, Aborigines do obtain liquor with considerable ease in the towns. Liquor supply is so prevalent that among welfare officers, citizens and Aborigines there is an air of

28. From 1939 to 1948 the penalty for supply was a minimum of five pounds and a maximum of twenty-five pounds for a first offence, and a minimum of £20 or one month and a maximum of £100 or six months for a subsequent offence. Between 1949 and 1952 the penalties were a minimum of one month and a maximum of three months for a first offence, with a minimum of three months for a subsequent offence. From 1952 to 1962, although there were amendments which provided for appeals and mitigating circumstances, the penalties were a minimum of six months and a maximum of one year for a first offence and a minimum of one and a maximum of two years for a subsequent offence. In 1962 the penalties were made more stringent: imprisonment for one year for a first offence and two years for any subsequent offence.
29. The figures for 1951 to 1956 were extracted from Kriewaldt, p.9; the figures for 1957-58 to 1960-61 were supplied by the Welfare Branch District Office, Alice Springs; the 1961-62 and 1962-63 figures are from A.R.W.E. for those years.
jocularity about the subject, certainly a contemptuous cynicism. On the writer's observations, the rapidity with which Aborigines at Amoonguna are serviced by suppliers is some indication of the freedom of liquor traffic,\(^3\) of the disrespect for the law and the ineffectiveness of prohibition.

Allied to this failure of the legal provisions, and of the enforcers of them to reduce Aboriginal drinking, is this consideration of a senior police inspector put to the writer: admitting the unenforceability of the laws, continuance of them, he said, represents a considerable waste of public money and police force energy; time, money and energy which succeed in detecting perhaps one-fifth of the offences committed. It was this consideration, amongst others, that caused the South African Government to accept the police view and the recommendation of the Malan Commission that liquor laws relating to Africans were ineffective and should be abolished.\(^3\)

The question of Aboriginal attitudes to the laws is important. As with much else deemed by the authorities to be in the best interests of the Aborigines, the views and feelings of the people on whose behalf protective measures are enacted are barely considered. The failure of Aborigines to articulate any views is often accepted as acquiescence in the measures. Short of a thorough sociological survey on a Territory-wide basis, it is possible only to gauge the views of Aborigines as interpreted by several Welfare Branch officers, by some missionaries who have studied the problem and supplement them with the views of several Aborigines as put to the writer.

Pastor Albrecht\(^3\) has postulated that there must inevitably be confusion in the mind of the Aborigine, especially in a town like Alice Springs.

One white man says this and another something totally different. One acts in one way and another in a totally different way. The white man's law says that he must not drink, and yet certain white men are only too happy to supply him - at a price. What is he to accept, whom is he to listen to, which road shall he travel? But in spite of the Babel of voices,

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30. In November 1963 the Director, replying to several questions, stated that between November 1962 and 1963 police had been summoned to Amoonguna on approximately 260 occasions as a result of disturbances arising from drinking. In the same period, there were 639 liquor charges against wards in the Alice Springs Court, and 11 supply charges (S.T.L.C.D. 11-21 November 1963, p.1339).  


32. Albrecht, p.10.
the one who comes through closest to him who knows not which road to travel, is the one advocating drinking - for pleasure, for relaxation, for relieving tension and anxiety. And this too is the voice the native and part-coloured hears - and what is more seen in this town. One does not have to have very good eye-sight to see where most of the cars are parked after knock-off time.

Albrecht suggests that for Aborigines alcohol has become a status symbol. Aborigines feel inferior to the white man as a result of the latter's attitude towards them. Aborigines do the menial work, are paid less, live in poorer circumstances, the law seems to be for the white man's benefit and 'neither are they allowed to drink as the white man'. The granting of citizenship to the part-Aborigine did in a sense give him equality, or liquor equality, with the white man. When an Aborigine drinks, therefore, 'he can think of himself as an equal'. Secondly, alcohol has the allure of most taboos: 'I am sure that one of the natives' reasons for drinking is the joy they receive out of tasting forbidden fruit'. Thirdly, alcohol has become the symbol of revolt against the white man:

I do not think we are always aware of the undercurrent of resentment which lives in the hearts of some of the coloured people in this Territory. It is rarely an open resentment, but it is there nevertheless. The extent of it has often astounded me. When drinking the native gives expression to this resentment, by breaking a law which the white man has erected.

Finally, alcohol represents fellowship: 'when a part-coloured goes into a bar, there are seldom any questions asked: he is accepted as such and enjoys fellowship with the other drinkers'.

Some Aborigines have adopted the common white stereotype that Aborigines cannot handle their liquor and regard the restrictions as necessary. But this is a minority group whose views are readily accepted by the prohibitionists. Welfare Branch officers, and the writer, have found that the laws are generally considered unjust because they have been made by whites to regulate Aboriginal behaviour. The laws have been imposed from without rather than from within the group. As in the case of Africans in South Africa, no social opprobrium attaches to breakers of the law, even though the anti-social behaviour of drunks is generally disapproved of at the time. For example, the Welfare Branch reported in 19593 that two charges of hindering the police had been laid against Aborigines after a liquor incident at Bagoti: 'The persons hindering were not under the influence of liquor, but out of sympathy for their colleagues they did everything possible to make the arresting constable's task difficult'. Police practice of sometimes arresting people

after the fact, often when they are asleep, causes considerable resentment. The liquor laws tend to bring the law in general into disrepute; they almost certainly create resentment against the enforcers of the law.

It is clearly the discrimination implicit in the laws which creates resentment. Most Aborigines with whom the writer discussed the subject could clearly see the difference between white men 'grogging on' in pubs not being arrested and Aborigines being arrested though often sober and well-behaved. As in South Africa and elsewhere, discriminatory legislation inevitably raises barriers between ethnic groups, creates resentment and increases tension.

The harmfulness of liquor depends in large measure on its type and on the manner of drinking. Wherever prohibition applies, particularly in a 'wet' community, illicit traffic invariably means adulterated liquor traffic. It also means the consumption of anything else that produces alcoholic effect. Territory suppliers of adulterated liquor are as imaginative in their adulteration techniques as their counterparts anywhere in the world. Aborigines, who have still to learn the art of home-brewing, consume concoctions with far more deleterious effects than home-brew yeast mixtures: amongst others, the celebrated 'White Lady' (powdered milk and methylated spirit), boot polish dissolved in metho, typewriter cleaning fluid, wood alcohol, and a recent acquisition, metho and chlorodyne or plain chlorodyne. The disastrous consequences of these beverages require no further comment.

The manner of consumption of liquor, licit, adulterated or self-devised, adds considerably to the total effect, the effect of 'insanity' or 'madness' so often ascribed to Aborigines. Since Aborigines are well aware of the prohibition, they consume their drinks in seclusion and at gulping rates before the arrival of the police. Hasty swilling of all that is available, in 'urgent' circumstances, will doubtless produce a 'screaming drunk' state in any consumer.

Several of the arguments put forward for prohibition require analysis and comment. First, the arguments that Aborigines have an inherent racial susceptibility to addiction and are racially incapable of handling liquor have been used with regularity by colonial administrations and administrators of minority groups. Liquor for dark-skinned peoples has long been one of the most fertile fields of

34. Chlorodyne is sold freely in chemist shops, for stomach spasms, at 1/9 an ounce. It contains 0.17% anhydrous morphine, 6.25% diluted hydrocyanic acid and 12.5% chloroform.
mythology on the subject of race. Yet most administrations holding
these views have had to revise them after abolition of prohibition.
Apart from overseas examples, the Territory itself is a case in point.
The experience of part-Aborigines has shown that after an initial
period of excitement at a new-found freedom, drinking settled down,
that is, hard drinkers continued to drink and basic non-drinkers
ceased drinking. It must therefore be asked whether full-blood
Aborigines are biologically unique. Many people in the Territory
believe sincerely that this is so, in relation to educability,
responsibility, ability — and liquor.

Secondly, that two judicial officers have found that liquor for
Aborigines results in serious crimes like manslaughter is not a proof
that legitimate drinking will result in a race committing more serious
offences, particularly against whites, as Justice Kriewaldt implied.
Of serious offences, he wrote: 35

Some of the older inhabitants of the Northern Territory fear that
there will be an increase of crimes by Aborigines against whites.
I do not share their fears — unless the present strict prohibit­
ion against Aborigines drinking liquor is relaxed.

Two, or even a dozen manslaughter cases connected with alcohol, and
one or two mutilation cases over a considerable number of years, are
not legitimate grounds for condemning a race as having a tendency to
commit crimes of violence. These contentions might have been valid
if it were shown that Aboriginal offences against person and property
were rampant. Kriewaldt wrote 36 that in the thirteen years from
1944 to 1956, 109 Aborigines were charged with serious offences in
the Supreme Court. On these charges, only 71 persons were convicted.
In the same period, 506 non-Aborigines were convicted of serious
offences. 37

The ratio of Aboriginal to non-Aboriginal serious
offences was thus one to 7.12 or, working on a population ration of
1:1.40, an adjusted ratio of one to 5.06. The statistics indicate
no more than that Aborigines are more law-abiding than non-Aborigines
and that Aboriginal access to liquor is no more relevant to their
crimes of violence than it is to non-Aboriginal crimes of violence.
There is no evidence that part-Aborigines committed more crimes of
violence when freed of the liquor restrictions than when they were
considered Aborigines and restricted. It would indeed give point
to the alleged uniqueness of full-bloods if, on being allowed to

36. Ibid., pp.3-6.
37. Figures extracted from A.Y.B.C.A., No.37 of 1946-47, No.38
    of 1951, No.39 of 1953, No.42 of 1956, No.44 of 1958 and
    No.48 of 1962.
drink, the crimes of violence against whites were to increase, as Kriewaldt predicted.

There are certain anomalies in the present liquor laws which are not easily remediable and which lend weight to the case for abolition. It has been shown that wards are prohibited from bringing liquor into or being drunk on a reserve. Section 45 of the Welfare Ordinance, however, permits 'a ward or a relative of that ward' to enter a reserve. Ordinance 10 of 1962 defines relation as including 'a relation whether by blood, marriage or custom'. Since a reserve - that is, settlement or mission - is not a public place, a non-ward who is a relative may bring liquor into the place and may not be arrested for being drunk (in a public place). Sections 48 and 49 of the Welfare Ordinance empower the Administrator to forbid any person from entering or remaining on a reserve, including wards. The situation is therefore as follows. In using section 48 to exclude a non-ward relative from a reserve, one may be preventing him from visiting close relatives who are wards. The general aim is clearly not to prohibit such visits. If a non-ward or even a ward who lives on a reserve creates a disturbance because of his drinking, to debar him may be to deprive him of access to his wife, children and other close relatives. If the offender and his family are sent off the reserve, and should any misfortune befall them, the Welfare Branch would face an awkward situation by virtue of its legal responsibility for the welfare of all wards.

The Welfare Branch is seeking an amendment to the Police and Police Offences Ordinance by which, for purposes of Regulation 16, reserves will be considered public places. The Crown Law Office in Darwin considers that this arrangement would be artificial and unlikely to be effective since it would create further anomalies. It has suggested that an amendment be made to section 47 of the Welfare Ordinance or to Regulation 16, to declare that no person shall bring alcohol on to a reserve and be drunk thereon. The effect of this would be to deprive white staff on settlements of liquor, the net result of which would assuredly be mass resignations. Staff drinking cannot be stopped. Aborigines, to whom staff are expected to set an example, know that staff drink, regularly and in quantity. This is equally true of the 'cupboard' drinking on certain missions which do not prohibit liquor but which try to avoid showing their charges that they do drink.

(c) Ways of Relaxing the Liquor Laws
The majority of officials and missionaries have accepted the

38. This Ordinance amended the Police and Police Offences Ordinance 1923-1960.
fact that the present liquor situation requires change. Tacit, and sometimes explicit, acceptance of this has the merit of recognition that the present laws are unsatisfactory, but the way to articulate advocacy of change is blocked by the question of how to relax the laws.

Of the methods suggested, the most significant was the one put forward by a committee of government officers in 1961. They concluded that no liquor should be permitted on reserves, settlements or institutions; that drastic penalties were necessary to prevent supply and consideration should be given to 'some programme of conditioning to bridge the gap between the transition from no liquor to the unrestricted right to consume': this might be by education or 'controlled canteens on advanced settlements'. The contradiction between no liquor on settlements and controlled canteens on settlements is typical of the inconsistency among arguments put forward by advocates of change. At one end of the scale there is the suggestion of 'wet' canteens on settlements and missions, which implied the abandonment of all liquor restrictions. At the other end is the suggestion that liquor for Aborigines be confined to the town areas. In between there are other views: first, restrict drinking to light beer, to the exclusion of spirits and fortified wines. Secondly, introduce a permit system for those who appear to be capable of looking after themselves. Thirdly, introduce a system of local options, that is, local populations should be given a chance to opt for keeping the settlement, mission or pastoral property 'dry'. To the writer's knowledge, the advocates of this system have meant local white, not local Aboriginal populations. Fourthly, general improvements in social and economic conditions must be made before access to liquor is given.

In November 1963 the Director of Welfare foreshadowed change in the liquor laws when he informed the Legislative Council of the government's intention of abolishing prohibition in town areas in 1964. If the experience of other countries with similar problems can be used in formulating a solution, then the choice in the Territory is between all or nothing at all. In South Africa and Southern Rhodesia half-way measures such as the permit system, or restrictions as to places of drinking and to types of liquor allowed, have created the same resentments as total prohibition. The assimilation policy implies movement of Aborigines into urban communities. It is doubtful whether the policy-makers would accept the view that the grant of free access to liquor in towns should be the means of attracting people. Mission and settlement

Aborigines will doubtless see discrimination in partial abolition and will feel resentment at a distinction between themselves and 'town' Aborigines.

Relaxation, it would seem, should take the form of abolition of all restrictions. After a change in the law, there could well be temperance propaganda and a continued education programme designed to show the ill-effects of excessive drinking and to achieve a shift in values (whereby sobriety is more highly valued, for example). Simultaneously there could be a more rigid application of the present restrictions on non-Aboriginal drinking, restrictions which, in the writer's observation, are not strictly enforced.

(ii) Protection of Aboriginal Women

The spirit of the liquor provisions was the protection of Aborigines from their own 'weaknesses'. The spirit underlying the original provisions of the Welfare Ordinance 1953, sections 61 to 70, was the protection of Aborigines from exploitation by others.

The section dealing with 'Offences By And Against Wards' were:
'A person shall not habitually live with a ward unless he is a ward or a relation of the ward' (s.61). The Director of Welfare could order a ward or a relative of a ward not to live with another ward (s.62), and a person so ordered had to comply (s.63). Under section 64, 'a male person, other than a ward, shall not -

(a) habitually live with a female ward to whom he is not married;
(b) habitually consort, keep company or associate, with a female ward to whom he is not married;
(c) between the hours of sunset and sunrise, be in the company of a female ward to whom he is not married, except with lawful excuse;
(d) cohabit with, have or attempt to have sexual intercourse with, a ward to whom he is not married;
or
(e) invite, persuade, or attempt to persuade a ward to whom he is not married to have sexual intercourse with him.

41. The Licensing Ordinance, sections 141 to 149, lays down, for example, that persons under 21 cannot be supplied with liquor, that intoxicated persons cannot be supplied with liquor and that a magistrate may, on complaint, order a person not to be supplied with liquor if it is shown that 'by the habitual or excessive use of liquor, (he) wastes his means, or injures or is likely to injure his health, or endangers or interrupts the peace, welfare or happiness of his family'.

The penalties for all offences in these sections were severe.\(^{42}\)

The Director could prohibit a ward from doing any of the things listed in section 64 (s.65), and a ward was obliged to comply with such an order (s.66). Section 67 prohibited marriages between wards and non-wards unless with the Director's written consent or, the Director having refused consent, a magistrate's consent. A female ward who is the object of or a party to any of the acts done in contravention of sections 61 to 67 inclusive 'shall not be prosecuted for aiding, abetting, counselling, procuring or by act or omission being directly concerned in, or party to the commission of that offence' (s.68). Under section 69, a female ward should not solicit for prostitution.

The motivation behind section 64 and its kindred sections was made clear by the then Government Secretary in the Legislative Council in June 1953: 'This is an important clause which, as I say, will prevent exploitation - the immoral exploitation, if you like - of persons who are not able fully to look after themselves'.\(^{43}\)

In November 1961 the Welfare Ordinance was amended to repeal sections 61 to 70 inclusive, but a simultaneous amendment to the Police and Police Offences Ordinance transferred some of the Welfare Ordinance provisions to it.\(^{44}\) The present position is that offences by and against wards are controlled by sections 450 to 459 of the Police and Police Offences Ordinance 1923-1963. The relevant sections are: 'A person shall not habitually live with a ward unless he is a ward or a relation of the ward' (s.450); the Director may order a ward or a relative not to live with another ward (s.45D) and that person must comply (s.45E). Section 45F slightly alters the wording of the

\(^{42}\) The penalties for contravention of section 64 are: for a first offence - one hundred pounds or imprisonment for six months, or both; for a second offence - not more than two hundred pounds or imprisonment for twelve months, or both, and not less than fifty pounds or imprisonment for three months; in other cases - not more than five hundred pounds or imprisonment for two years, or both, and not less than one hundred pounds or imprisonment for six months.

\(^{43}\) N.T.L.C.D., 8-10 June 1953, p.16.

A number of the original provisions have thus been repealed, relating to: marriages of wards; soliciting by Aboriginal women; the prohibition on doing any of the things listed in section 45F; and the exoneration of Aboriginal females from prosecution for being party to the offences in any of the sections remaining. The repeal of the last two provisions is of interest.

The effect of the new Section 45F, together with the repeal of the Director’s power to forbid a male ward from doing certain things, is this: although a non-Aboriginal male may not habitually live with, consort with, be in the company of, or cohabit with a female ward, or persuade a female ward to whom he is not married to enter into any sexual relationship, a male Aboriginal may do all these things. The member for Elsey sought similar prohibitions governing male wards because ‘this Council has been talking assimilation and I believe we have reached a stage where what is good for one is good for the other’. The Crown Law Officer objected, saying ‘that a male ward would be prohibited from living with a female ward unless she is married to him – and “married” means “married according to law”. For that reason the amendment is obviously unacceptable because it creates a situation which the member for Elsey would agree is not a desirable situation’.

In the debate the non-official member, Mr. B.F. Kilgariff, moved for the omission of the section exonerating Aboriginal females.

45. (1) A male person, other than a ward, shall not without lawful excuse —
   (a) habitually live with a female ward to whom he is not married;
   (b) habitually consort, keep company or associate with a female ward to whom he is not married; or
   (c) between the hours of sunset and sunrise, be in the company of a female ward to whom he is not married, unless that person is a relation of the female ward.


48. Ibid., p. 2541.
49. Ibid., pp. 2543–2544.
In moving this amendment, in my view there is no doubt that this bill is for the protection of female wards. I think this is carrying protection much too far. . . . I think that if the female ward is equally guilty with the person who has committed the offence with her, . . . she should be equally punished . . . Why should she not be guilty? With assimilation as our aim, I say that the female ward should be taught that if she carries out this practice, she is equally guilty.

There was no debate after this speech and the amendment was agreed to.

The effect of this amendment is that a female ward who willingly allows herself to be cohabited with, consortd with etc, by a male non-ward, or who allows herself to be invited, persuaded, or 'attempted to be persuaded' into some sexual liaison, may now be liable to punishment. What the punishment would be is not clear since there is no statutory provision which specifies that such acts by a female ward are offences. But it may be presumed that she would be guilty at common law of being an accessory to a non-ward who habitually lives with, consorts with her or keeps her company and so on.

If assimilation is the policy which concerns the Council, it is indeed strange that no provision was made to cover the case of a male ward committing various acts and intents towards female wards, or the cases of male wards committing them towards female non-wards or of a white woman inviting, persuading or attempting to persuade a male ward. Perhaps it is more pertinent to conjecture whether the policy of assimilation would not be better implemented by abolishing all these measures.

The inter-relationship between the various categories of persons and the barriers to various liaisons leads to some bewildering legal complexities. Subject only to the laws governing the age of consent and unnatural relationships as generally understood, the situation is as follows:

1. A male ward may sleep with any female ward with impunity.
2. A male non-ward may sleep with anyone except a female ward, unless he is married to her, a contract difficult to achieve until recently.
3. A male ward may sleep with any female non-ward irrespective of marriage.
4. A female ward may not willingly sleep with a male non-ward, her offence being that she is an accessory to an act committed by a person prohibited from sleeping with her.
5. A female non-ward may sleep with anyone, including a male ward, with impunity.

The persons with the greatest degree of freedom in sexual matters are female non-wards and male wards.
According to the Welfare Branch, the number of offences committed in contravention of these provisions is not high. Experience in other countries — particularly in South Africa where 'Immorality Laws' are stringent and though differing essentially in motive from the Territory laws, nevertheless produce the same effect, namely, prohibition of sexual relations between consenting adults — has shown that such laws are by and large unenforceable and may make illicit pleasures more pleasurable. Sex in a civilised society ought to be the concern of the individual. It would seem that there is little place for legislation, especially in view of the assimilation policy, which prevents all the women of a racial group from making decisions of such a personal nature.

(iii) The Removal System

There is another class of provisions which aims at assisting the authorities administering Aborigines.

Under section 17(1) of the original Welfare Ordinance the Director of Welfare could, where he considered it 'in the best interests of the ward' —

(a) take the ward into his custody;
(b) authorise a person to take the ward into custody on behalf of the Director;
(c) order that the ward be removed to, and kept within, a reserve or institution;
(d) order that the ward be kept within a reserve or institution; and
(e) order that the ward be removed from one reserve or institution to another reserve or institution.

A saving clause stated that the Director could not exercise these powers if by so doing a child under 14 years would be removed from his parents or a parent would be removed from his children, unless the Administrator authorised him to do so. A ward had to obey such an order on penalty of ten pounds or three months imprisonment (s.20).

The 'committal order' procedure, as it came to be known, was seldom used by the Welfare Branch. In most instances where an Aborigine was in some sort of trouble with settlement or mission authorities, or where he had offended tribal law and his kinmen were seeking retribution, welfare officers had little difficulty in persuading the man to go to some distant settlement for a 'holiday'. The writer observed no duress in this persuasion; in most cases the Aborigine willingly agreed to the suggestion. Where an Aborigine resisted the idea of voluntary removal, resort was had to committal orders.
The Director's power was constantly criticised both by elected members of the Legislative Council and by the local press. The Director himself was always reluctant to sign orders. As a consequence, the Director sought an amendment to the Ordinance in 1961.50 and the elected members of the Council strongly supported the measure.

Under the new section 17 the Director, or a welfare officer, may apply to a court of summary jurisdiction for a removal order where he considers 'it in the interest of a particular ward or in the interest of wards in a particular place or in the public interest'. The court may order an Aborigine to be taken into the Director's custody and to be removed to a reserve or institution and detained there for a specified period, or, if the court thinks fit, that he be removed from the Territory to a place outside the Territory. Notice of the Director's application must be delivered to the Aborigine at least three days before the date of application and the deliverer of the notice 'shall explain to the ward the effect of the notice'. A court may not make an order unless satisfied that notice of the application has been served on, and its effect explained to, the Aborigines; but if the court is so satisfied, 'it may make an order whether or not the ward is present in court'. No order can be made if a child under 14 would be separated from his parent or a parent separated from a child under 15 (sic), unless the court is satisfied —

(a) that the circumstances of the case are such as to make that course necessary; and

(b) that adequate arrangements have been made for the maintenance, education and care of the child.

The Director, or the Aborigine concerned, may apply to a court, whether it is the court which made the order or not, to alter, amend or rescind the order. The removed Aborigine must not leave the place to which he is sent during the period specified in the order, on penalty of six months imprisonment. A detained Aborigine 'shall be in the custody and under the control of the superintendent of the institution and shall obey all lawful orders and instructions given to him' on penalty of three months imprisonment.

Under section 17A, a special procedure applies where an Aborigine is distant from a court. Where it is inconvenient to serve notice of an application on an Aborigine and explain its effect to him, a welfare officer may arrest him, but where he does so he shall 'bring the ward as soon as is practicable, but in no event later than five days after the arrest' before a court to which he shall forthwith apply for an order.

There are two major defects or omissions in these sections.

which prevent the proceedings from being what the Legislative Council intended them to be - a true judicial process. As the law stands, the proceedings may well have the attributes of an administrative process since, first, an order can be made in the absence of the respondent and, secondly, no provision is made for his representation.

Three months after section 17 became law the Director of Welfare applied to a Darwin court for the removal of ward Kenny Lewis. Two days before the hearing on 7 August 1962, the Director made an administrative decision which went beyond the provisions of the law: he asked the Crown Law Officer to make the application on his behalf and he appointed legal counsel to oppose the application on Lewis's behalf. Although this may have set a precedent under the present Director's administration, there is no assurance that such provision will be made by a future Director. If applications are to be in the nature of a judicial process it is suggested that the procedures be altered to make the presence and defence of an Aborigine mandatory.

The Director's application was based on the order being 'in the interest of a particular ward', namely, that Lewis was unable to resist liquor. Evidence was led of Lewis's record: three convictions in Alice Springs (two for drinking and one for assault) and ten convictions in Darwin (nine for liquor, one for assault). The Crown Law Officer asked that Lewis 'be removed from one environment to another environment', from Darwin to Melville Island for six months, adding that 'Lewis is addicted to alcohol with the consequent results typical when these people take liquor'. He concluded that committal to Snake Bay was not imprisonment. Although Lewis was going to an island 'he will be at full liberty within the confines of the island'. The magistrate granted the order: 'in view of the man's previous record and his penchant for liquor, he should be removed for twelve months'.

The removal system raises several questions. Aborigines are under a number of legal prohibitions, such as on drinking liquor. In Lewis's case, and in subsequent ones, it is clear that because the liquor prohibition has failed recourse is had to another prohibition - committal to a place where (ostensibly) there is no liquor. Throughout Lewis's case no mention was made of any positive value of sending him to Snake Bay and the question of rehabilitation was not raised. Although our legal system provides for the confinement of habitual drunkards, the important point is that such a process is clearly seen as remedial rather than punitive. In Lewis's case removal to a different environment is resorted to as a punishment for 'addiction':

51. The facts of this case are as the writer recorded them in court.
Welfare Branch superintendents are not trained social workers and settlements have neither the personnel nor the facilities to engage in rehabilitative social welfare work. Lewis's future, in view of his background, would therefore appear to be an endless series of committed to places where he cannot drink.52

The cases in which an Aborigine agrees to removal – an action which dispenses with the machinery of section 17 – are invariably the ones in which the Aborigine is concerned for his safety arising out of his breach of tribal custom. The cases which involve the use of section 17 have been, and will doubtless continue to be, ones arising out of the liquor laws. It is difficult to reconcile the removal system, based as it is primarily on the ineffectiveness of the liquor laws which are discriminatory and which apply exclusively to Aborigines, with the definition of the special measures for Aborigines given by the assimilation policy framers: 'they are regarded as temporary measures not based on colour but intended to meet their need for special care and assistance and to protect them from any ill-effects of sudden change and to assist them to make the transition from one stage to another in such a way as will be favourable to their future social, economic and political advancement'.

(iv) Powers of Arrest

In November 1961 welfare officers were given powers of arrest in connection with removal orders. At the same time a new section 61 in the Welfare Ordinance gave them much wider disciplinary powers and powers of arrest:53

61. – (1) The superintendent of a reserve or an institution or, in the absence of the superintendent, a welfare officer, may, for the purpose of controlling the management of or maintaining order on the reserve or institution, give orders and directions to a ward who is on a reserve or institution.

(2) A ward to whom an order or direction is given under the last preceding sub-section shall comply with that order or direction.

Penalty: imprisonment for three months.

(3) A welfare officer or the superintendent of the reserve may arrest without warrant a ward whom he believes on reasonable grounds to have committed an offence against the last preceding sub-section.

The origin of this section is of interest for two reasons: first, because it has to be reconciled with the temporary measures


taken for Aborigines in their transition stage and secondly, because its place on the statute book is based to a large extent on a misre-
presentation of a magistrate's judgment when he declared a welfare officer's arrest of an Aborigine unlawful.

On 20 March 1961 at Papunya settlement, a white female school-
teacher complained to the superintendent that ward Johnny Wheeler had been 'cheeky' to her following her instructions to him to stop interfere-
ring with pupils' football games in the school-yard. When Wheeler refused to come to his office, the superintendent and a patrol officer set out in a Land Rover station wagon to find him. The officers ordered Wheeler into the vehicle; he refused, and while they were assisting him into the vehicle, Wheeler kicked, breaking the superintendent's rib. There was a subsequent riot on 21 March involving, amongst other things, Wheeler assaulting a police officer.

On 8 May 1961 the Alice Springs magistrate found Wheeler guilty on two counts of unlawful assault.54 In his judgment he said:

I have found that the defendant was unlawfully taken into custody and I think that the circumstances of his apprehension were such as to cause him to become considerably excited and violent. Moreover it may be said that the apprehension these circumstances would set up in the mind of a primitive person such as the de-
fendant would be such that he could not be expected to react in as balanced a manner as a white person. Nevertheless I must regard these acts in a serious light. Both the superintendent and the constable are persons in authority. In my opinion it is necessary to maintain the authority of a superintendent of a Welfare settlement, otherwise it is difficult to see how the Queen's peace will be kept, and it may be that if such authority is not maintained there will be a tendency to serious violence. I would regard an assault on a superintendent of a Welfare settle-
ment in a serious light, but I feel that there are mitigating circumstances in this case. I take into account that the defendant is a first offender and that these incidents arose out of his unlawful apprehension. However, here is the case of a primitive man in a high state of excitement who has probably misunderstood the situation.

Wheeler was sentenced to six months hard labour on the two counts, the sentences to run concurrently.55

Early in 1961 this amendment to the Welfare Ordinance was proposed:56

55. It is surprising that Wheeler did not appeal, at least on the conviction for assaulting the superintendent: it was not shown that in resisting an unlawful arrest he had used force in excess of the force used in apprehending him.
56. From File No.61/1142, 'Welfare Ordinance', W.B.H.O.
The power of arrest for an offence against section 62 (the new section 61(1)) has been shown to be necessary by the judgment delivered by the Magistrate in Alice Springs, Mr. Lemaire, concerning the Papunya riots. On settlements and institutions, the maintenance of order and discipline is of course most important and it is necessary in all community centres for the person in charge to be able to enforce his authority.

During consideration of this proposal, the following comment was made:

The practical problems are fully appreciated but the provisions specifically conferring these powers on welfare officers are certain to attract adverse comment. The long term solution seems to be to have police officers resident at or within reach of settlements and institutions so that law enforcement and maintenance of order can be carried out by the proper authorities. A European community with a population the size of those at many of the settlements would certainly have a police officer stationed there. It is suggested that the Administrator should be informed that the provisions in the Bill are acceptable only as unavoidable interim measures, and that he should submit a programme for stationing police officers at or within reach of settlements or institutions as early as practicable.

In his initial presentation of the Welfare Amendment Bill, the Director stated that section 61 should be regarded as an interim arrangement pending the stationing of policemen at or near Aboriginal centres. The Crown Law Officer, he said, had 'made the point that under common law any person in a community has the power to arrest if he sees somebody committing a felony'.

Does a superintendent need a statutory power to enforce his authority? Of the twelve Welfare Branch superintendents interviewed by the writer, ten were emphatic that they had never felt any such need and did not want such a power. The most senior and experienced superintendents, one of whom had superintended Papunya before and after the so-called riots, were critical of the Papunya superintendent's action. They alleged that he had failed to understand the mood of the people; they had a grievance against him for the shooting of their surplus pets; as one accused put it, 'You no more shoot dogs and donkeys or we kill you - they belong to God'. He had tried to

57. From File No.59/3401, 'Proposed Introduction of Regular Police Patrols to Native Settlements and Missions', W.E.H.O.
59. While it is difficult to define what constitutes a riot, the writer's view, after reading the evidence and interviewing all parties to the event, is that the Papunya 'set to' does not qualify as a race riot in say, the South African sense. Some accounts of the Papunya affair would suggest such a sense.
60. Many Territory Aborigines use the word 'kill' as whites use the word 'hit'.

demonstrate his authority at an inopportune time of day and place when arresting Wheeler. The heads of the four mission authorities informed the writer that they would instruct their superintendents not to make use of these powers. Two went further by saying they would refuse to nominate their superintendents for official gazetted as superintendents in order to obviate their ever making use of these powers.

Did the magistrate advocate these powers? In three interviews he was adamant that he neither intended nor saw the need of such powers. At the time of the Papunya case he felt that a superintendent should have some powers where there was a breach of the law. He had remarked to various officials that these powers could well be given by appointing superintendents as special constables in times of riot and disturbance. The magistrate pointed out that while special constables' powers might have been necessary when the riots took place, that is, when Wheeler and others assaulted and threatened to assault police officers, such powers were not necessary, and should not be given, for a superintendent to deal with an infringement of an internal settlement rule, which was Wheeler's initial offence.

Are the powers given under section 61 the same as those which every individual has to arrest a person committing a felony? The answer is clearly no. The section is divided into two parts: it gives power 'to give orders and directions' to a ward 'for the purpose of controlling management of or of maintaining order' on a settlement. While 'maintaining order' may have a specific legal connotation and interpretation which a magistrate can determine, it would seem, in the opinion of the (Papunya) magistrate and the present Judge of the Supreme Court in the Territory, that 'controlling the management' is so imprecise as to leave the superintendent and not the judicial officer the arbiter of what constitutes an order for control of management.

It is curious that the words 'reasonable and lawful' were omitted in relation to orders. Under section 17 a 'removed' Aborigine 'shall obey all lawful orders and instructions'. The

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61. Section 13 of the Police and Police Offences Ordinance provides for the appointment of special constables where there is evidence that 'any tumult, riot or felony has taken place'.

62. For example, if a superintendent directed an Aborigine to make boomerangs, or dance a corroboree for visitors, or collect firewood on Sunday afternoon, or desist from wearing a loincloth, could a magistrate rightly decide whether the Aborigine's refusal to do these things was injurious to the 'controlling of management'? They might well be injurious in the superintendent's eyes and it seems that in such cases he would be the final arbiter.
three months penalty for failing to obey an order seems excessive: 
the maximum penalty which can be imposed on Queensland settlements for an act 'subversive of good order and discipline' is £1 or three weeks. 
A Territory superintendent may arrest an Aborigine 'on reasonable grounds' that the person has committed an offence under section 61(1). 
The arresting power is thus available to a superintendent where there is a breach of settlement rules, and not solely where there is a breach of law or felony committed. His power is therefore far wider than that of a citizen at common law, and wider than that of a police officer in the course of duty.

A person arrested by a police officer must be brought before a court within 24 hours if possible to be charged, dealt with summarily or remanded in custody. If this is not done the arrested person can bring an action for damages for unlawful arrest or unlawful detention and he also has available the right of habeas corpus. Section 17A provides for bringing an arrested Aborigine before a court within five days. The Director of Welfare foreshadowed the same safeguard in relation to section 61, yet surprisingly it was omitted in the final draft of the section. Because section 17A(2) cannot be read in conjunction with section 61, it seems that an Aborigine arrested under the latter section can be detained indefinitely. If he is not brought before the court, will an Aborigine have the same right of action for damages and will he be able to invoke habeas corpus? He may have the right, but who, in the circumstances, will seek legal redress on his behalf, since the Welfare Branch is his protector and at the same time his detainer?

How 'temporary' is section 61? The Welfare Branch says that it must remain on the statute book until police stations are built on settlements and missions. In November 1961 the practical difficulties of stationing police officers on Aboriginal centres became apparent: the definite lag in the building programme for the Police Branch meant that the building of stations on Aboriginal centres would be a long-term solution. At an inter-Branch conference in July 1962, the Police Branch suggested that it would be wrong to build stations on Aboriginal institutions before building them in urban centres, that local police stations might well create 'a bad impression' on the native mind and that stations for Aborigines would have to wait until the building lag was caught up. If stations and police accommodation were built on 20 of the 27 missions and settlements at the rate of two units annually, it would take until 1974 before section 61 could be repealed and those powers handed back to the 'proper authorities'.

63. From File No.59/3401, 'Proposed Introduction of Regular Police Patrols to Native Settlements and Missions', W.B.H.O.
The Director of Welfare told the writer that as long as he is Director he will ensure that no superintendent under him uses these powers. If this is so, it must remain an open question why section 61 still remains on the statute book.

(v) Mission and Settlement Discipline

In 1961 the Assistant Director of the Welfare Branch classified possible Aboriginal 'offences':

(a) transgressions of Aboriginal law and custom which are not contrary to our general body of law (he used the term lex australis for convenience) or to the rules of the settlement;

(b) situations where conduct is in conformity with the customs, practices and requirements of Aboriginal life but which
   (1) contravene the lex australis, or
   (2) contravene settlement rules, or
   (3) are not acceptable to a member of the tribe who does not consider himself bound by the same set of customs;

(c) situations characterised by an individual's lack of self-control which
   (1) gives personal offence to another Aborigine and/or
   (2) constitutes a breach of the rules of the institution and/or
   (3) could bestow on the offended party a right of civil action and/or
   (4) could make the offender liable on a criminal charge.

(Wherever settlement is used, read settlement and mission).

The Assistant Director defined the jurisdiction of a superintendent in these matters:

(1) in respect of tribal disputes, no jurisdiction;
(2) in respect of breaches of the lex australis, no jurisdiction;
(3) in respect of breaches of settlement rules, 'full jurisdiction over all residents, as civic leader' ('it is his responsibility to acquaint the native population with settlement rules and the consequences of breaches of the rules');
(4) in respect of breaches of 'church' laws and rules, qualified jurisdiction. A superintendent, if spiritual leader, is at liberty to press for observance of the rules in this area only in respect of church members or adherents. But should this pressure result in the 'secession of a member because of a conflict between this set of rules and the tribal rules, the person should not be penalised under settlement rules.

The Assistant Director advocated a uniform code of settlement
rules. Further,

Consideration must now be given to an aborigine who, whilst wishing to reside on a settlement, appears unwilling to keep the rules. In civil life generally, the proprietor of a boarding-house, a headmaster etc. may request an incorrigible person to leave, or may even remove him and his effects within the limits of the law. A superintendent cannot so act in relation to wards resident at or visiting a settlement. As the situation stands at the present time, a superintendent can apply no sanctions to residents in respect of observing settlement rules, except by consent of individual residents. He cannot require an incorrigible person to leave the precincts of the settlement.

In disciplinary matters a superintendent had jurisdiction only in the area of settlement rules: 'This, I suggest, should lead us to lay down a body of settlement rules which is uniform for all mission and government settlements. Penalties for breach of rules should also be worked out'. (The Assistant Director's proposed rules and penalties are given in Appendix 46).

In theory a superintendent's jurisdiction has been widened considerably by the enactment of section 61, which could cover all matters other than direct breaches of law. However, in view of statements by the Director of Welfare and missionaries that no use will be made of these powers, section 61 may be ignored in the discussion below.

Several questions arise out of the Assistant Director's analysis. First, have superintendents restricted themselves to punishments for breaches of settlement rules, rules which, in the absence of a uniform code, must necessarily be ad hoc rules varying from institution to institution? Secondly, have these punishments in any way been illegal? Thirdly, do mission superintendents punish persons where there has been conflict between church rules and tribal rules? Fourthly, is it a fact that a superintendent 'cannot require an incorrigible person to leave the precincts of the settlement'?

A constant complaint of some settlement superintendents is that they have no means of enforcing discipline, especially where they seek to make Aborigines work and to get sick people and pregnant women to attend hospitals for health checks and additional food. One suggestion by superintendents is to suspend privileges. But, as these officers agreed, Aborigines have so few privileges that there is nothing to suspend, apart from say, one film show per week. Another suggestion is the creation of privileges so that they can be suspended.

In most cases settlements have resorted to food deprivation.
Its effectiveness has been explained in this way: food forms a major part of Aboriginal mythology and religion; it is more important to them than it is to whites who have other ambitions and values and take food for granted. Aborigines do not have these other values, hence the importance of food. Food deprivation takes the form of closing communal kitchens or stopping the issue of dry rations. These superintendents claim that they would 'never starve a people wholly'. There are refinements of this technique, such as taking people off the wage sheets and making them work for rations only. Since attendance at a hospital and working are not settlement rules appearing in any legal schedule, punishment of any sort is difficult to justify. The legality of food deprivation is discussed below.

Some mission superintendents resort to barring an offender (whatever the offence) from buying goods in the store. The most common punishment, however, is banishment from the mission for a specified period. The following report from Umbakumba mission to the Welfare Branch is some indication:

Report for October 1960

INDISCIPLINE - Wabinchelma, 3 months walkabout for moral misbehavior.
Bukunda, 1 month walkabout for spear throwing.

On C.M.S. missions a major problem has been created by the Society's insistence on monogamy, that is, that a man having a consort or wife (or more than one) shall not take another. This is not the place to examine in detail the marriage and polygamy problems at Groote Eylandt, except in relation to the punishments meted out for breaches of such church rules as those enjoining monogamy and forbidding fornication. The above report, and others not included here, indicates that some missions consider the breach of a church's moral code more serious than a breach of ordinary law. That fornication is worse than spear-throwing resulting in injury (there was a wounded victim in Bukunda's case) is, perhaps, a legitimate consideration for missionaries in the abstract. It is the action taken by missionaries that is illegitimate. The spearing case was clearly a police matter and outside the superintendent's jurisdiction. The morals case was the concern of the missionary, provided, as the Assistant Director stated, that the offender was an adherent of the

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65. Information from the mission concerned.
66. The Welfare Branch has conducted considerable research into this question.
67. In Queensland, where superintendents have powers of imprisonment in relation to 'breaches of good order and discipline', Aborigines have received the same sentence of two weeks for arson as for adultery.
church. In both cases, however, the punishments were outside the superintendent's jurisdiction and right to punish.

In a real sense punishment by banishment is illegal. Section 71 of the *Welfare Ordinance* makes it an offence to deprive an Aborigine of food, clothing, shelter and hygiene facilities, on penalty of five hundred pounds or two years' imprisonment, or both. Section 17 allows removals only where there will be no separation of child from parent and parent from child. Banishment for three months, or any other period, does not take into consideration such separations. Banishment is not a judicial process but an administrative one not subject to safeguards, checks and appeals. Nor is banishment always a punishment for breach of the law.

Missionaries stated to the writer that to send Aborigines 'walking about' for three months involved no possibility of injury or harm to the Aborigines since they are capable hunters, food-gatherers and 'can look after themselves'. This presumption that an Aborigine can, or ought to be able to, sustain himself is unlikely to be accepted as a defence to a charge if one were brought under section 71. Even so, the law specifies that clothing, shelter and hygiene facilities must be provided. In this sense, too, food deprivation as a punishment is illegal.

While there have been instances of missionaries saying: 'If you want us to stay, you must accept and obey the rules', many missionaries have used the converse argument to Aborigines: 'If you want to stay, you must accept and obey rules'. An incorrigible Aborigine, it is said, cannot be required to leave the precincts. The fact is that missions, but not settlements, do require Aborigines to leave the precincts, but with a major qualification: they must leave the environs of the mission but not its sphere of influence. Unlike the resident of a boarding-house who can leave if he dislikes the rules, most mission Aborigines do not have the option of 'conform or get out'. In many instances, by reason of geography (known equally to the Aborigines and to the superintendent), the Aborigine has to stay and conform. A Welfare Branch officer found this example:

68. 71. - (1) A person who has the control or management of a ward shall not ill-treat a ward by failing to provide the ward with reasonable food, shelter, clothing, and facilities for hygiene. (1A) It shall be a defence to a charge under the last preceding sub-section if the defendant proves, to the satisfaction of the court hearing the charge, that he has taken all practicable steps to provide the ward with reasonable food, shelter, clothing and facilities for hygiene.

Reports from several officers over a period of years have indicated that one motive for conspicuous crime on the (Groote) island is sometimes a desire to obtain a free passage to Darwin. The fact that arrested men are given a return trip to Darwin while others wishing to go must pay the near-impossible sum of £11 has not escaped the islanders' attention - it is, in fact, a matter of aggrieved comment.

It has already been pointed out that most missionaries are reluctant to allow Aborigines to go to Darwin because of the 'unsevoury' nature of Bagot settlement.

Aborigines on remote missions have no freedom to evade the church and its rules. By law they do not have to conform to church rules, yet in practice they must do so. By law they cannot be sent off institutions by arbitrary administrative action, yet in practice they are - until they conform. They are rarely sent off in a truly physical sense for all time. By law, reserves are set apart for Aborigines; by privilege, missions conduct their operations on them.

B. THE ADMINISTRATION OF THE CRIMINAL LAW

(1) Counsel for Aborigines

Section 82(4)(a) of the Welfare Ordinance provides that where a court is satisfied that the person charged is a ward or was a ward at the time of the offence, 'the court shall permit counsel, the Director or a welfare officer to appear on behalf of the person'. Welfare Branch practice has been to engage professional counsel for Aborigines in all Supreme Court cases and in all indictable cases. In summary and non-indictable cases, which constitute the great majority of cases involving Aborigines, the practice is to appoint welfare officers as counsel.

It is this latter practice which requires discussion here. The first consideration is whether welfare officers have the competence and/or qualifications to act as legal counsel. Those who appear in court are usually the town patrol officers, who are supposed to complete the Patrol Officers' Certificate Course conducted by A.S.O.P.A. This training includes a law course which is primarily an introduction to the laws affecting Aborigines in the Territory and includes an exposition of the Laws of Evidence. Acquaintance with the laws does not necessarily lead to a full understanding of what is required in a true client-counsel relationship. Some patrol officers have not undertaken these elementary courses: the patrol officer in Alice Springs since 1959 has had no training at all; the officer in Darwin acted as counsel for almost three years before
Lack of training and ignorance of the professional ethics involved in a client-counsel relationship have led to this kind of situation: a stipendiary magistrate in Darwin was asked by a welfare officer to give his client a particularly severe sentence because 'the Welfare Branch can't do anything with him'. The magistrate rebuked the officer for failing to defend his client and for his ignorance of the canons of legal ethics.

The second question is whether a welfare officer can ignore the interests of his Branch in favour of the interests of his client. It often happens that a welfare officer reports an Aborigine to the police for the commission of an offence, such as drinking, and after arrest the same officer appears for the accused in court. In Lewis's case mentioned above this situation was avoided when, after it was pointed out that it would be unfair to a welfare officer for him to oppose an application made by his Director, arrangements were made to appoint legal counsel for Lewis. Officers who act as counsel have complained (to the writer) that they often find themselves in an embarrassing position when the Branch has gone to pains and expense to bring a 'trouble maker' to court from a remote area and they succeed in having the accused acquitted.

Thirdly, what of the views of the clients in these cases? Two former stipendiary magistrates in the Territory stated to the writer that there appears to be an element of duress when welfare officers act as counsel: they have authority, and because of that authority there may be fear on the Aborigine's part that he will lose wages or rations if he fails to comply with what is expected of him. These judicial officers believed that town Aborigines certainly understand that they are 'not getting a full fair go - as fair as a white man would get' because of this lack of impartiality and the defender's prior knowledge of and subsequent relationship to the accused. Even assuming a sincere attempt by the officer to have his client acquitted, the client-counsel relationship does not end with the court's verdict. The defending officer often does an about-face after the trial, reprimanding, perhaps even suggesting voluntary removal to the client for conduct which he has shown in court to be untrue or unproven. This must lead to confusion in the mind of the Aborigine and to a distrust of the officer who protects him. Darwin Aborigines have confirmed these views in discussion with the writer.

Lord Brougham, in his defence of Queen Caroline in her divorce case, told the House of Lords:
I once before took occasion to remind your Lordships, which was unnecessary, but there are many when it may be needful to remind, that an advocate, by the sacred duty which he owes his client, knows in the discharge of that office but one person in the world — that client and no other... Nay, separating even the duties of a patriot from those of an advocate, and casting them if need be to the wind, he must go on reckless of the consequences, if his fate it should unhappily be to involve his country in confusion for his client's protection.

This has become the classic statement of the loyalty which counsel owes to his client. Since trials are by adversary proceedings (which welfare officers and others often fail to appreciate), and since it is the aim of policy to bring Aborigines into the mainstream of Australian law, it would seem that there is no place for 'counsel' who do not understand, or who because of other loyalties cannot be expected to understand, that counsel 'owes entire devotion to the interest of the client, warm zeal in the maintenance and defence of his rights and the exertion of his utmost learning and ability'70 to the exclusion of all else.

(ii) Legal Aid

Under section 8(f)(iv) of the original Welfare Ordinance the Director of Welfare could take such steps as he considered necessary for the relief of the distress and the promotion of the welfare of non-wards. Legal aid was not mentioned and there is some doubt as to whether such aid was authorised for ex-wards and non-wards. The Poor Persons Legal Assistance Ordinance of 1936 provided for legal aid to persons in certain cases only: it excluded non-indictable cases and confined aid in indictable cases to the Supreme Court. However, Ordinance 12 of 1962 added to section 8(f)(iv) the words 'including the provision of legal assistance'. The position at present is that all non-wards in indigent circumstances and all wards may obtain legal aid from the Welfare Branch.

(iii) Aborigines and the Jury System

Trial by jury, except in murder cases, was abolished in the Territory in 1921, reinstated shortly afterwards and abolished again by the Criminal Procedure Ordinance in 1933. Justice Kriewaldt was emphatic that the jury trial system, where the accused was an Aborigine, should be abolished.71 He based his contention on three points: (1) the fact that in Aboriginal murder trials by jury, from 1944 to 1956, a large percentage of cases resulted in verdicts of manslaughter and acquittal; (2) 'the difficulties encountered (by juries) in understanding and valuing evidence given by aborigines';

70. One of the Canons of Ethics of the American Bar Association.
and (3) 'the attitude many white citizens of the Northern Territory hold towards the application of the criminal law to aborigines', that is, the belief of many citizens that the criminal law should not be applied to Aborigines and they should not be tried in the ordinary courts.

The jury system for all cases was reintroduced by an amendment to the Criminal Procedure Ordinance, No.33 of 1961. The Crown Law Officer, in discussion of Kriewaldt's views with the writer, said that in his experience juries have never displayed this 'leave-the-blacks-alone' attitude. In fact, he asserted, since juries have known that there is no death penalty for Aborigines they have always felt freer to convict than they would otherwise be. There had been no significant difference in the number of acquittals as between Aboriginal and non-Aboriginal cases.

Whichever of these two views is correct, a possible solution to Kriewaldt's objections may be to allow Aborigines to serve on juries in all cases, particularly those involving an Aboriginal accused. Aborigines now have the franchise and automatically qualify for the jurors' roll. Selection for jury service is by ballot. Thirty persons are nominated and twelve are chosen. The Crown and defence may each challenge six jurors peremptorily. The Crown may challenge jurors for cause; although this is rare, the Crown Law Officer stated that in the Territory the Crown has never had to show cause. This has now been enshrined in the new Ordinance. The Crown will in fact be able to stand aside a whole panel and so exclude the possibility of any Aborigine serving on a jury. It remains to be seen whether this will be done.

(iv) Lack of Interpreters

Much has been written on Aboriginal evidence - its nature, value and unreliability - by Justice Kriewaldt, Professor A.P. Elkin, T.G.H. Strehlow and G. Dickinson. The use of 'pidgin' has been condemned by many observers of its use. A former magistrate in Darwin banned it in his courts, but the police reintroduced it when that officer was transferred. In 1947 Professor Elkin condemned it.

75. Elkin, Oceania, March 1947, p.177.
Blackfellow 'pidgin' is a very inadequate substitute for either English or the Aboriginal language; it cannot express the underlying motive of the search for objective fact and truth, especially when it is the language used by the interpreter to us, not by the witness or accused to us or to the interpreter. Telling a native to speak 'straight-fellow' avoids the issue; 'straight for whom?' In his own interests and in those of his clansmen and relations? Surely. What else is straight for him?

'Pidgin' is a most convenient means of dodging or confusing the issue. How often is the answer to a question 'Might be!' But what does it mean? That the native does not understand the question, or that he is not sure of the answer; or that he is not certain what sort of answer or information is required; or that he knows the answer is in the negative, but he does not want to disappoint or offend the questioner. All these are possibilities.

The writer has observed cases in police courts in which the magistrate has had to point out to the police prosecutor that the Aboriginal witness's English was superior to and more comprehensible than his 'pidgin'. The deputy Commissioner of Police informed the writer that 'pidgin' was preferable to standard English, especially in the hands of experienced officers like his inspectors who have the 'pidgin know-how'.

Justice Kriewaldt contended that it is impossible to translate certain concepts into 'pidgin' or an Aboriginal language: 'neither "pidgin" nor any aboriginal language suffices to convey the meaning of "malice aforethought" or of "unlawfully" or of "fraudulently without a claim of right" or of "lawful custody". There is a strong case for simplifying legal jargon and archaic terms in Aboriginal cases. The writer's experience is that if the trouble is taken to enunciate clearly in simple English at a reasonable pace, most Aborigines comprehend the substance, if not the detail, of what one is saying.

An obvious expedient is to use interpreters. Official, and even unofficial, interpreters have not to the writer's knowledge been used in the courts since 1950 at least. The claim is often made by the Welfare Branch, particularly with reference to the use of the vernacular in education, that such a scheme could not be universal because of the number of Aboriginal dialects and languages. While this assertion is true, it should not debar the use of interpreters where a language is known to white officials. It is not clearly understood why Aboriginal interpreters with a command of English should be ruled out. There appears to be no sound reason why Aborigines from the Lutheran sphere of influence, the Methodist province, Groote Eylandt and Aruyonga (the only welfare officer who
has knowledge of a language is well versed in Pitjantjara), should not have interpreters in court cases. The advent of the day when all Aborigines have a sufficient command of English is beyond the realm of planning and lies in the field of speculation.

(v) Police Attitudes towards Aborigines

Some time prior to the enactment of the Welfare Ordinance police officers ceased to act as protectors of Aborigines. The protector's function was to prevent the exploitation of Aborigines, to act as their guardian, moral supervisor and so on. At present this system prevails in Queensland. It is the subject of much criticism, for the same reason that welfare officers acting as counsel is criticised: the difficulty of combining the functions of prosecutor, protector and defender in one and the same man.

When police officers acted as protectors, Aborigines were exposed to the police force, and the law, in a very real way. They had direct access to Aborigines and in many ways controlled, if not quite their destiny, their immediate fortunes and behaviour. With the appointment of welfare officers as 'protectors', police officers lost this direct access: in a real sense, welfare officers act as buffers between Aborigines and the police. Senior police officers have expressed the view (to the writer) that the Welfare Branch 'spoils' Aborigines and protects them from the law even when it is clear that Aborigines have offended and ought to be punished.

This buffer function can be seen from a provision in the Welfare Ordinance. Section 82(4) stated that in a trial of a ward -

(b) the person shall not be permitted to admit his guilt or a fact sought to be proved against him unless upon the advice of his counsel, the Director or the welfare officer appearing for him;

(c) a statement or admission alleged to have been made by the person is not admissible in evidence unless it is shown that the statement was made at a time when the person was not a ward or was made in the presence, and with the consent, of his counsel, the Director or a welfare officer.

Ordinance 12 of 1962 repealed subsections (b) and (c) above. The police authorities had been agitating for their repeal for some time. Their grounds were that it was an intolerable situation where a police officer would interview an Aborigine, the Aborigine would make a statement and that statement was inadmissible as evidence owing to the absence of a welfare officer or of his consent. Further, a police officer could not take a statement in a remote area until the arrival of a welfare officer who might, on arrival, persuade the Aborigine not to make a statement.
The Director of Welfare gave a very different reason for repeal.

I draw attention to this particular amendment because I believe it to be an important one. It will now place the onus where it should be — on the court — on the question whether a statement is admissible in evidence. It will therefore remove from my officers what I considered was an intolerable burden in relation to deciding whether or not they would let a ward make a statement in a particular instance.

It is this very 'onus' and 'intolerable burden' which is felt by welfare officers when they have to decide whether to guide a court towards punishing an Aboriginal accused or whether to discard all other considerations and fight for their client's acquittal.

(vi) Treatment of Prisoners

There is no evidence that Aboriginal prisoners and offenders are treated in any way differently from other prisoners. The only comment of significance in this connection was made by a former District Welfare Officer: the prison authorities, he said, have proved themselves better assimilators of Aborigines than the combined efforts of missionaries and Welfare Branch staff. Given basic facilities in prison, 'yall' Aborigines emerge with a working, often sound, command of English; often with a skill acquired in workshops; with a sense of dress and personal hygiene unachieved elsewhere; and with a sense of mateship, camaraderie and, often, equality with the people with whom they served.

C. THE APPLICATION OF THE CRIMINAL LAW TO ABORIGINES

Kriewaldt dealt at length with the protection of Aborigines through the criminal law:

The basic principle underlying the criminal law is that an individual is subjected to the criminal law in return for the protection afforded by that same law... Today it can safely be said that, by and large, aborigines enjoy the protection of the law to the fullest extent in their dealings with whites.

There may well be disagreement with the first part of this assertion, particularly since it implies a mental attitude and a voluntary acceptance on the part of Aborigines which has not been shown to be present. However, the framers of policy and its administrators would doubtless accept it. The latter portion of Kriewaldt's assertion needs qualification. There is a strong doubt whether

78. Kriewaldt, p.10.
Aborigines enjoy the protection of the law to the fullest extent in their dealings with whites. To date the Welfare Branch has sued for damages on behalf of an Aborigine in one instance only. Aboriginal participation in the civil law, in the sense of claims for damages for negligence or injury against the Commonwealth and others, or claims for damages for personal injuries or wrongs, can be said to be non-existent.

Kriewaldt argued that if Aborigines were to be assimilated 'it is essential that they be punished for crimes they commit'. This straightforward assertion could be accepted as it is but for the Judge's own qualification, one which negates his major premise. Writing of the comprehension by Aboriginal accused of the proceedings of a trial, he said that if the accused cannot understand the nature of trial proceedings he cannot be tried, and if he cannot be tried he cannot be punished. He wrote:

The plain fact is that in the Northern Territory the trial of an aborigine in most cases proceeds, and so far as I could gather, has always proceeded, as if the accused were not present. If he were physically absent no one would notice this fact. The accused, so far as I could judge, in most cases takes no interest in the proceedings. He certainly does not understand that portion of the evidence which is of the greatest importance in most cases, namely, the account a police constable gives of the confession made by the accused. No attempt is made to translate any of the evidence to him. If a jury is present the accused certainly does not understand the summing up nor could it be explained to him. If there is no jury, the accused in most cases has no comprehension of the addresses made by counsel to the Judge sitting as the fact-finding tribunal. If the rule requiring substantial comprehension of the proceedings were applied in the Northern Territory, many Aborigines could simply not be tried.

I can see no possible way by which this difficulty can be overcome. It matters not what changes may be made in the composition of the tribunal before which Aborigines are tried, or what alterations are effected in the rules of procedure regulating trials, or what alterations are made in the law of evidence, the fundamental fact that most accused Aborigines do not understand the proceedings will not be affected for many years to come. There is no solution. If the criminal law is to be applied at all to Aborigines, it must simply be accepted that, for some years yet, many Aborigines will not understand, even to a limited extent, the method whereby it is decided whether they be guilty or not.

Kriewaldt wrote that these views applied to Supreme Court trials only. As regards minor offences in inferior courts 'there is no similar problem': 'these Aborigines are nearly always of the sophisticated class and nearly all of them plead guilty'. He believed that these Aborigines 'understand that their presence in

79. Ibid., p.15.
80. Ibid., p.23.
court is due to the commission of an offence and that the penalty they will suffer is determined by the court. 81

Discussion of Kriewaldt's views with judicial officers in the Territory elicited a general consensus that the Judge was exaggerating his case, particularly in reference to Aboriginal comprehension of the proceedings. A former Darwin magistrate believes that in most cases Aborigines know why they are in court and the majority are able to distinguish charges to this extent: on 'ward drink liquor' charges the accused always pleaded guilty; on 'ward drink metho' charges they pleaded not guilty. His view is that Aborigines were well aware of the fact that he always fined in the former instances and imprisoned in the latter. Further, he said, 'we under rate their understanding of things'. At only one point in trials do Aborigines generally fail to comprehend:

Aborigines are truthful and tell their stories truthfully when in the witness box. They miss out on cross-examination. They don't understand it. They feel that they've told their story once and that's it. When pressed under cross-examination, and when they are asked the same questions for the third or fourth time, they give it away - believing that the examiner wants them to say something different.

This magistrate believed strongly, with Kriewaldt, that local courts should be held at the scene of the offence, without strict formality. There was an important reason for this: 'on his tribal and home grounds, the Aborigine is a man of some dignity - dressed in tatters in a Darwin police court, he is not'.

Justice Kriewaldt, he said, because of his deeply religious thinking and missionary spirit, 'considered the native Aborigine as the white man's burden, that at all times they were the white man's cross': 'Kriewaldt was really a missionary, not a Judge'. His own belief is this: 'we must co-relate our duty to the Aborigine as a man needing help with our recognition of him as a human being and a man of dignity; we must approach him as an individual, whereas Kriewaldt approached him as a member of an Aboriginal tribe'.

The present Supreme Court Judge felt that Kriewaldt 'had a magnified fear' that Aborigines did not comprehend trial proceedings and more particularly, the nature of an indictment. His experience is that Aborigines do know why they are in court. He too rejects the idea of special tribunals. However, he feels that it is often unfair to apply white man's law to Aborigines and his only remedy

81. Ibid, pp.24-25. Kriewaldt believed that for minor offences Aborigines should continue to be tried in ordinary courts but he was prepared to agree with the establishment of special courts for the trial of Aborigines accused of serious crimes (pp.46-47).
lies in lenience of sentence. These views are almost identical with those of the present Darwin magistrate. A former Alice Springs magistrate believes that Aborigines comprehend matters to a greater degree than Kriewaldt gave them credit for.

The Crown Law Officer stated that to get Aborigines to understand and accept the principle that they should be amenable to the legal system which gives them protection is a difficult task - one which the welfare authorities have not yet begun. Kriewaldt, he believes, went too far in his assertions on comprehension: 'they do understand the significance of the proceedings if not the proceedings themselves; they do understand the origins, ends and purposes of the proceedings'. He believes, with the judicial officers mentioned, that while there is unfairness in applying certain laws to Aborigines, the solution lies in lenient and tolerant application of the laws.

The former Darwin magistrate believes that the trend towards lighter sentences is wrong: 'each individual case must be looked at - we should not water down sentences because they, as a group, are Aborigines'.

One point made by Kriewaldt needs questioning: can one believe that there is one class of Aborigines, those who come before a Supreme Court, who do not comprehend the proceedings and another class of Aborigines, those who appear in inferior courts, who do comprehend?

There can be no perfect formula for applying the criminal law to Aborigines. Kriewaldt's impasse with no solution seems exaggerated. What is the best we can do? In view of the assimilation policy, it seems wrong to introduce codes of tribal law and exempt Aborigines from the criminal law. There is a case for changes in proceedings, at least for simplification of them. Interpreters must be a vital factor in improving the application of the law. Tribunals should remain as they are, with the possible exception that use be made of assessors sitting as advisers with the judge or magistrate in certain cases. At present welfare officers give expert evidence on Aborigines whom they know, but are often expected to guide a court in cases where they do not know the accused. Assessors who know something of the accused's background could well be used, be they welfare officers, superintendents, missionaries or Aborigines. There is merit in having courts sit at the scene of offences.

Much of Kriewaldt's objection can be met, not by changes in law or tribunals, but by leniency in sentence. In the past and present, sentences on Aborigines have been lenient; a recent trend has been
to sentence them in the Supreme Court to the rising of the court or to
give a short prison sentence pro-dated to the date of committal from
the lower court. Lenience should, as one magistrate suggested, be
tempered by viewing each case on an individual basis, not on an Abori-
ginal basis. A number of Aborigines in Darwin told the writer that
they were aware of this lenience and 'get away with murder' by
pretensions of tribal, primitive, child-like dumbness. Assessment
of an individual may be open to abuse and it may lead to classificat-
ions such as those proposed by the Welfare Branch for determining
'proximity to citizenship status' (see Chapter II for a description
of the Branch's 'assimilation rating'). If assessors are used in
court (rather than have a pre-hearing to determine the 'status' of an
Aborigine), a court should be able to arrive at a decision as to the
degree of comprehension and culpability of the accused. There is
already provision for 'tribal' evidence to be given in mitigation when
sentence is to be passed.

There are two final considerations. First, welfare and judicial
officers should examine the vast literature on the application of law
to African and Asian races under colonial rule, indeed, a beginning
could well be made with the literature in relation to Aborigines.
Until the writer raised the subject of Kriewaldt's views in his paper
and produced copies of it, not one welfare or judicial officer was
aware of its existence. Secondly, if Aborigines are to be brought
into the mainstream of Australian law and administration of justice,
they ought to be educated, adults and children alike, in what some of
the laws are - not, as at present, learning the nature of the laws
after they have breached them. There is already a disrespect for
the law and its administration which will take some considerable
repair. It is equally important that Aborigines be informed that
they can participate in the civil law and be shown how to participate
in it. A concomitant of having the same rights as other Australians
is surely instruction in what these rights are.
PART 4
CHAPTER X: CONCLUSIONS

A. THE RELATION BETWEEN 'POLICY' AND 'ADMINISTRATION'

The first consideration is whether or not one can draw any line between the concepts of 'policy', that is, word formulation by the politicians, and 'administration', that is, execution of the will of the policy-makers. Is 'policy' really a separate thing from 'administration'? In viewing the Aboriginal problem as a whole in any given area like the Territory, can one isolate the constituent parts of the whole and apportion responsibility or blame for ills to any one part?

Mary Parker Follett\(^1\) considered that 'unities are determined not only by their constituents but by the relation of these constituents to one another'. To obtain control of any situation, it is necessary to see the field of control, to see that it is not constituted by certain elements alone but by certain reciprocal activities. Unity in any situation, she wrote, is always a process: not only is the whole determined by its parts but it is determined by the relation of whole and parts. The greatest truth she knew was that 'the various departmental policies (whether in business or public administration) are being influenced by the general policy while they are making general policy'.

The first enunciation by Woodrow Wilson\(^2\) that administration is something outside of politics or policy no longer has general acceptance; rather has Follett's philosophy, as applied to policy and administration, come to have wide support. Paul Appleby\(^3\) stated that administration (government in direct action) and policy-making (the exercise of discretion with respect to such action) are not separable:

There are different orders of action, and different orders of policy, but these orders together are a continuum, with the fundamental common character which use of that term requires. Confusion enters when the continuum is denied. Wisdom comes when the process of decision-making is considered as a whole.

Wherever there is action affecting the public, he wrote, there is policy-making. Policy is made by means of all the political


processes by which government is carried on. The various processes interact, because the processes are varied and do interact, 'the parts of the government are not isolated, autonomous or uncontrollable'.

Albert Lepawsky\textsuperscript{4} explained that any effective administrative corps helps to define policy prior to the legislative stage, to draft the legislation and to define post-legislative policy 'whether that policy involves the substance of the program and possible legislative revisions or whether it involves the machinery of enforcement, that is, what is strictly referred to as administration'. Good administration of poor policy, he wrote, may be more dangerous than poor administration of good policy, which is why 'a mature society must be interested in the relationships between policy and administration, not merely in their differentiation'.

R.S. Parker\textsuperscript{5} stated that administration is the process whereby the purpose of an organisation is analysed into mutually consistent sub-purposes and 'the theory of administration is the analysis of the manner in which the decisions and behaviour of its members, clients and other participants are influenced within and by the organisation'. Public servants do play a part in policy-making and Ministers do in fact take part in administration.\textsuperscript{6} There is thus a division of administrative labour, widely diffused among Ministers and officials, based not on any distinction between the processes of decision and action, but on a gradual narrowing down from broad policy aims to increasingly specific decisions and actions. When goals and aims are formulated, there is a similar sharing of thought and decision, but even more widely diffused among electors, pressure groups, political parties, representatives and officials. Policy-administration is therefore an unbroken continuum:

\begin{quote}
... there is a two-way interaction between the furthering of previously decided purposes and the formulation of modified or new purposes. In this complex hierarchy of decisions and action, there is no logically discernible dividing line between "policy" decisions and "administrative" decisions, nor between decision-making and decision-applying. The application of decisions itself involves further decisions.
\end{quote}

From the literature, and particularly from R.S. Parker's analysis, it is clear that logically there is no dividing line between policy and administration provided that ultimate aims are

\begin{itemize}
\item \textsuperscript{4} Administration, The Art and Science of Organization and Management, Albert Lepawsky, 1952, pp.73 and 75.
\item \textsuperscript{5} 'New Concepts of Administration - Its Meaning and Purpose', R.S. Parker, Public Administration (Sydney) Vol.XXI, No.1, March 1962, pp.21-32, especially p.27.
\item \textsuperscript{6} 'Policy and Administration', R.S. Parker, Public Administration (Sydney), Vol.XIX, No.2, June 1960, pp.113-120, especially at pp.115-118.
\end{itemize}
broken down into sub-aims that are mutually consistent at a given point and are progressive over successive time periods. If this is applied to the assimilation policy, the following (hypothetical) picture emerges: there are broad aims - Aborigines shall enjoy the same rights and privileges as whites - and there are sub-aims such as the following:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Sub-Aims</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10 years</td>
<td>Universal primary education</td>
</tr>
<tr>
<td></td>
<td>in white-type houses</td>
</tr>
<tr>
<td>11-20 years</td>
<td>vocational training</td>
</tr>
<tr>
<td></td>
<td>50 per cent. in white-type houses</td>
</tr>
</tbody>
</table>

Assimilation is meaningless unless it is divided into specific sub-aims. In Chapter II it was shown that this has been done to some extent. It is also meaningless unless it is extended into more detailed administrative measures, for example, 'equal education' extended into provisions for special teacher training, devising special syllabuses and so on.

It may happen that a particular sub-aim cannot be achieved in a given time, or over a longer period, or not at all. It may also happen that two sub-aims are not compatible, for example, communal kitchen feeding and the aim of individual and family responsibility. In this way a feedback is obtained: actual administration modifies the policy sub-aims so that an unattainable aim is removed from the pattern set for the particular time period (say 10 per cent. at universities in 11-20 years) and adjustments are made in the pattern to cope with the incompatible or irreconcilable aims. In this way the meaning of policy is constantly modified in the process of administration; this feedback may sometimes reach back and modify the broad aims, such as the Minister's aim that settlements and missions should work themselves out of a job within sixty years.

If the policy is not broken down into sub-aims, detailed administrative measures, time-tables and targets in some consistent way, or if little is done to put that policy into practice piece by piece - in which case it remains only a potential policy and not an active one - then there seems to be a gap between policy and administration.

What has happened in the case of policy-administration in the Northern Territory? The empirical evidence shows that there is a very definite gap between policy as enunciated from time to time and actual administrative practices. Essentially the reason for this gap lies in the fact that what has been described at length in this
thesis is not administration of the assimilation policy as declared in 1951 and later. It is administration of some other policy—another brand of assimilation, or perhaps not assimilation at all but the protection and segregation policies before the new philosophy of 1951-1953. Or perhaps it is something else altogether.

B. THE ACTUAL GAP BETWEEN THE ASSIMILATION POLICY AND ITS ADMINISTRATION

In this thesis the way of assessing the gap between Aboriginal policy and its administration has been to measure administrative practices in numerous fields against the stated broad and detailed aims. For the sake of brevity, and rather than reiterate the empirical evidence, it is proposed here to contrast the position of the Aborigines now with what it was when policy-administration began.

Are Aborigines better off financially than in the protection-segregation-Aborigines Ordinance period? They are in the sense that wages are higher for the work skills and effort involved. However, it is doubtful whether this 'improvement' is meaningful in the sense of being true or real wages for gainful employment. On several missions wages are in fact no higher than they were a decade ago. On some missions employment and wage conditions still have a distinct correspondence with the general conditions described by Bleakley in 1928. Many officials still view Aboriginal wages as a form of pocket money or poor relief: the wage levels on settlements, missions and pastoral properties clearly seem to be a reflection of this view.

Is employment any more real than it was? Has it come any closer to being gainful, productive, worthwhile and requiring greater skill? Greater employment opportunities have become available with the physical expansion of settlements and missions. But employment, with few exceptions, is still of the general labouring type, often seemingly without aim or purpose. The employment horizon of the worker still remains limited. The wider variety of jobs now available has not carried a corresponding wage opportunity. The extremely small range between highest and lowest wages can hardly be considered as an effective inducement which will stir a worker to compete for a better job or trouble himself to acquire a greater skill.

What have been the achievements of the training programmes? There are certainly more training programmes conducted today, but for the Aboriginal trainee there is little at the end of it. He is still unskilled, unqualified and unable to earn the same wage as his unskilled white counterpart. The 'butcher' or the 'baker' with his 'certificate of training' would seem to have no more chance of skilled employment at a basic wage than if he had had no training at all.
Even on the settlement or mission, his training has little financial advantage to him. On some missions and settlements the low rates paid to trainees, the uncertain duration of training and the known ceiling for a 'trained' worker, have had the effect of deterring many youths from undertaking training.

That some 40 wards among several thousand potential wage earners are on award wages after ten years is not significant, particularly since most of these men have come to their wage-skill level through individual talents which have risen above the 'system' and through skills acquired outside of the mission-settlement education-training domain.

For the Aborigine seeking gainful employment and a wage giving him independence, his choice is still his mission at 10/- to £1 per week plus rations; his settlement at £1 to £2 plus rations; the pastoral industry at £2 or even £3 plus rations; or the armed services in Darwin at some £5 minus his family and for periods limited to three or six months.

Has eligibility for social service benefits had any advantage for Aborigines? Unemployment and sickness benefits and tuberculosis allowances have not applied to Aborigines in practice. For one important group, the discharged lepers, there is no benefit in spite of their ineligibility for employment in urban areas. For the mothers of children under 16 there is no direct material benefit, only some doubtful indirect ones. Pensioners have 10/- per week pocket money and still await some real form of housing and amenities which their benefit is supposed to entitle them to. In a few instances new mothers have some cash in hand; mostly they have layette items, items which clearly do not have the same value to a centralian Aboriginal mother as they would have for a white mother.

The official argument that social services money has created greater direct and indirect benefits for the beneficiaries is untenable. The evidence on housing, feeding, health services and so on leads to the conclusion that these benefit sums have enabled the supply of services to Aborigines to remain at a higher level below the mandatory standards than would have been the case without them.

Has there been any improvement in Aboriginal health? Important improvements have been the provision of aerial medical services, evacuations, special surveys, Native Survey sisters and so on. The statistics on communicable diseases are so unsatisfactory that it is not possible to say whether there has been any improvement in the ill-health pattern. Statistically there seems to be more serious
The infant mortality rate is said to be declining and the increase in population is a significant indication of social progress. That more and more children are reaching the age of one is doubtless due to the improved medical and nursing services available, yet the mortality rate is still one of the highest in the world. Some of the factors that contribute to disease and mortality - sanitation, housing, water supply - have not changed to any marked extent over the years. The former ability or facility of Aborigines to move away from soiled camping conditions has now disappeared with permanent residence on settlements and missions. Crude sanitation in confined areas has doubtless worsened conditions and thus facilitated the transmission of some diseases.

Hygiene supervisors and the health education programme have contributed little to the improvement of the health situation. Untrained hygiene personnel, ignorant of the techniques necessary to communicate instruction and propaganda to illiterate people, have not achieved anything of significance.

The Health Department has devised elaborate ration scales based on an awareness of the deficiencies in Aboriginal diets and consequent ill-health. Where some missions and settlements have conformed to the advice given by the Health Department's survey sisters and to the recommended dietary scales, there has been improvement. But the majority of Aboriginal centres have tended to ignore professional advice because of other considerations, and have exempted themselves or been exempted from the legal requirements in relation to feeding. Settlement and mission life has turned natural food-gathering into more of a pastime than it was in 1952. Food intake is still largely the flour-sugar-tea dry ration on missions and pastoral properties and communal kitchen feeding on settlements. In the sense of achieving 'responsibility' in food matters, Aborigines on settlements have probably retrogressed: in principle dry ration 'handouts' are no different from communal kitchen 'handouts'. Eating as a family unit has virtually disappeared on settlements.

Has housing improved in the physical sense of better quality buildings and in the sense of Aboriginal desire for different or better housing? Humpies still predominate. The wide variety of huts or one-roomed huts, whether aluminium, bark, adobe brick or sheeting iron is some kind of improvement. No real advance has been made in housing Aborigines in homes of the Australian type and standard.
There has been considerable expenditure on settlements on climatically unsuitable housing, not really habitable in summer and inadequate in winter, especially in the centre. The provision of 150 houses to the standards required by law on pastoral properties since 1959, and the intended provision of 25 Housing Commission homes in Darwin is not a considerable advance for some 15,000 people.

That have been the economics of the education programme? There are considerably more children in primary schools than there were fourteen years ago. There are more schools and more teachers. But the evidence indicates that the programme has done little to lift the literacy and educational standards of all Aborigines, including the pupils. It may be thought that there is merit in giving a smattering of the three R's to a large number of children - but the value to the children in the light of the employment, wages and training available is doubtful. Aborigines can earn a 'living' without this education. The economic return on education expenditure has been very small: a few teaching, nursing and hygiene assistants whose standards of skill cannot replace white staff or result in any meaningful form of Aboriginal self-help.

Some 55 children annually in pre-schools in the past eight years, in a total of some 2,500 children of pre-school age, has little meaning. Adults have not materially improved their lot through the adult education programme. Vocational training has not as yet enabled any Aborigines to move out into any kind of economic competition with their white counterparts. Only if education is a good thing for its own sake, irrespective of the advantages it does or does not bring to the pupils, then the increased expenditure on schooling may be said to be a considerable advance since a decade ago.

Has the political status of Aborigines changed and if so, to what advantage to the Aborigines? Today the Aborigines have a vote, but this right still leaves them in the same position as they have always been in vis-a-vis their participation in matters affecting them. They are still 'ruled' from above; they still do not participate in 'municipal-type' management of their own affairs wherever they live. The village councils in which a few participate are without power, advisory and largely ignored when their suggestions run counter to what the local superintendent deems 'law'. Even autonomy in tribal matters is diluted when church or personal values are 'infringed'. Political education does not exist in any real sense. Aborigines have been discouraged from participation in the one movement for Aboriginal advancement started in the Territory since the new philosophy of welfare and assimilation began.
What of the Aborigines' legal status? Legally an Aborigine is still a controlled person. In the Aboriginals Ordinance he was controlled as a minor because he was an Aborigine; in the present era he is a controlled minor because he is in need of care and assistance. His status may be said to have improved in one sense: intermarriage is possible without official permission and a ward cannot be removed or detained without a court's direction. But these changes are of no great moment in relation to the things he still cannot do: drink, enter into sexual relations of his own choice, and sell his labour and skill to his best advantage.

He does not participate in the civil law. His participation in the criminal law is still fraught with the same difficulties as it was ten years ago.

In short, the programme of 'social change' and 'social engineering' has not brought any marked change in the areas that seem of the greatest importance to the individual: the right to sell labour in the best market, the right to make decisions on purely personal matters, the right to enjoy social privileges and the right to have some say in matters affecting his life and living conditions.

What has the programme achieved? It has, in a number of ways, deprived Aborigines of incentives, incentives to maintain independence, to obtain food, to work for money in order to obtain food, to remain responsible for his family. In these senses the Aborigine has been pauperised. His residence on a settlement or mission, as an inmate of an institution, where he often gets something for nothing, where ration handouts save the need to forage or to work, where his family is catered for, where decisions on many matters are made for him by officials in his best interests, is in fact pauperisation. It has found increasing expression in his awareness, or even vested interest, in being an Aborigine: it has become commonplace for an Aborigine, especially on settlements, to demand certain 'rights' because he is an Aborigine and because Welfare works for him. Administrators have become aware of this and have tried to impose a give and take system, such as payment for meals and accommodation. But this official realisation has come too late for many Aborigines: for too long they have had 'privileges' without concomitant obligations and gradually these privileges have become rights.

C. THE REASONS FOR THE POLICY-ADMINISTRATION GAP

In this discussion an attempt is made to explain, in administrative terms, why there is this shortfall between ultimate aims and what is actually happening in Aboriginal administration. This
analysis does not pretend to be comprehensive; discussion is confined to those factors or elements which seem most important. It is hoped that from this discussion there will emerge some guide-lines which may be useful in making an appraisal of the situation in the Northern Territory as well as in other Australian states.

(i) Achieving Assimilation Aims: Failure to See the Policy-Administration Continuum

In Section B it is stated that assimilation is meaningless unless ultimate aims are broken down into mutually consistent sub-aims which are progressive over successive time periods. The feedback process, this modification of ultimate aims by removal of inconsistent or unattainable sub-aims, is vital in successful policy-administration. For effective administration there must be a pattern of sub-aims and time-tables or targets, as shown in the diagram on page 265.

A major reason for the policy-administration gap in the Aboriginal context may well be the failure of all the agents of policy to see the need for removal of incompatible aims. Often incompatible aims are not seen as such: for example, the aim of family responsibility and unity and the communal feeding system, or economic independence and the continued system of 'poor relief' wages together with free food, accommodation, education, hospitalisation and so on. In Chapter II it was shown that there were inconsistencies from the start; for example, leaving the way open for declaration of a ward on the basis of his individual needs and then declaring all full-bloods wards.

Secondly, there has been a failure to set target dates. Throughout this research, the writer found only two: that missions and settlements should complete their tasks within sixty years and that 100 per cent. of all children should be in school by 1966. In Chapter II reference was made to a 'target date': ten years after the passing of the Welfare Ordinance an 'assimilation-rating' was drawn up, but not implemented. The Minister for Territories was doubtless right when he said that there are forces behind social change greater than the directive power of any of those participating in it.\(^7\) Officials, he added, had a limited capacity to produce change or govern its outcome because of the continual change in the whites, the Aborigines and their common environment. However, this view seems to have produced in officials a sense of 'timelessness', a lack of design in time, with the consequent view that administration has a peculiar momentum of its own. Aborigines, whites and the changing environment will somehow interact and everything will fall into place.

\(^7\) See Chapter II, p.15.
The criterion of legislative and administrative planning in the time-table sense has tended to be 'when they are ready' or 'when we think they are ready'. There is therefore no real recognition, as the Minister warned, of the differences between small Pintubis in the centre and sophisticated town-dwellers at Bagot. There are no tools for measuring mass 'readiness', for liquor or for higher wages. 'Readiness' is too vague a target - and if there are no targets there can be no real measurement of performance. Rigidity in time-tables may be poor administration; the absence of time-tables seems disastrous.

(ii) Achieving Unity: Relations Between the Agents of Policy

Another reason may be the failure of all the agents of policy to see that policy-administration is a continuing process which embraces Follett's idea of unity. The first step in attaining control of the Aboriginal problem is to see it as a whole, not as consisting of certain elements alone. In Follett's terms, the fundamental thing is that 'we must unify policies before we can unify activities' - the underlying policies of departments and agents must be the same.

It is necessary to see what elements make up the whole, to see what are the relations between the elements and between the elements and the whole, and to see how much unity of policies there is among the elements.

The elements in the whole are the Department of Territories, the Welfare Branch, the rest of the Northern Territory Administration, the Commonwealth departments in the Territory, departments such as the Treasury and Public Service Board, the missions, the pastoral properties, the Legislative Council, the public, the press, and the non-official Aboriginal advancement leagues. They constitute the 'organisation' concerned with Aborigines and assimilation. In Chester Barnard's terms, however, they constitute only part of the organisation: its clientele, the Aborigines, form the vital other part.

(a) The Welfare Branch and the Department of Territories

The Minister for Territories described the Department in Canberra as a 'central secretariat on all territorial matters' which assisted territories 'to overcome their problems': territories administered themselves and there was no 'remote control'. E.P. Milliken described Canberra staff as being no better qualified than local Territory officers and certainly less informed of the local situation.

8. Dynamic Administration, p.207.
yet with 'authority to approve, reject, vary or comment on proposals' coming from the Territory.

Canberra officials have argued that the Welfare Branch, in its physical isolation, cannot see the problem as a whole: the complex of finance, relations with other Commonwealth departments, Parliamentary feeling, pressure group activity, the international spotlight on race issues and so on. They must therefore act as reviewers of Territory impetuosity and/or ignorance.

In Canberra there are not more than five officers with recent first-hand experience of the Territory and Aboriginal conditions. Trained personnel, in charge of such functions as Labour and Industrial Development, are expected to review proposals on Aboriginal labour without ever having seen a settlement or an Aborigine at work, or an Aborigine. Recently staff at lower levels of authority have been sent to the Territory, but their very short visits have enabled them to see only a fraction of the Territory 'whole'.

The ignorance of Canberra staff about Territory conditions is perhaps one of the most vital elements in understanding the policy-administration gap. For the majority of Canberra staff assimilation is a paper framework, a set of words printed and reprinted in official publications. The verbal formula is the yardstick and there tends to be impatience with Territory proposals which are at variance with the formula. There is a tendency to lay down procedures, ideas and sub-aims which ought to work, with little recognition that when they fail there may be many valid reasons other than the sheer 'incompetence' of Territory officials. In other words, the 'intangibles' which may modify a policy aim or procedure in the Territory cannot modify that policy or procedure in the eyes of Canberra staff.

On the other hand, the information supplied to Canberra from the Territory is often inadequate and unreliable. Perhaps the greatest indictment of this is the fact that the draft chapters of this thesis constituted for some Canberra officials a better source of information on wages, employment, social service procedures and so on than equivalent information from their principal agent in the Territory.

Whatever its ingredients, there is a 'split', a disunity between the Welfare Branch and the Department of Territories. It would seem that some administrative re-arrangement is necessary to overcome this lack of unity of ideas, policies, administrative practices and knowledge of what is possible and not possible.
(b) The Welfare Branch and the N.T.A.

The most striking feature of relations between the Welfare Branch and the rest of the N.T.A. is what appears to be the view that the assimilation policy is something that belongs exclusively to the Welfare Branch and does not 'apply' to anybody else.

Participation, wrote Mary Parker Follett, has two foundation stones: understanding and co-ordination. The most important thing about co-ordination, she wrote, is that it must begin at the bottom, not at the top. Simon, discussing the loyalty of employees to an organisation's objective, wrote that 'all the members of an organisation become imbued, to a greater or lesser degree, with the organisation aim, and are influenced by it in their behaviour'.

If the objective has any appearance of usefulness, the organisation members, whose attention is continually directed to it by their everyday work, will acquire an appreciation of its importance and value (often an exaggerated appreciation), and the attainment of the value will come, to that extent, to have personal value for them. It will be seen later that, in addition to this loyalty to the organization objective, there may also develop in employees a very different loyalty - a loyalty to the organization itself and an interest in its survival and growth.

Perhaps nowhere else in the complex of relationships between agents of policy is the antithesis of the Simon 'ideal' more clear than in the relations between the Welfare Branch and the other branches of the N.T.A. The Branch's aims receive little or no appreciation, understanding, or sympathy from those participants in the organization whole. There is little comprehension of what the Branch is trying to do, and there is constant criticism of the way it is trying to do whatever it is meant to be doing. In the writer's view, these attitudes stem less from antagonism towards Aborigines and their advancement than from an incomprehension and resentment at the observed behaviour and expenditure of the Welfare Branch. The (often) deliberate non-cooperation of the servicing Branches must seriously hinder the execution of programmes for Aborigines.

The picture is not altogether one-sided. There has been Welfare Branch resentment at the separation of stores, transport and personnel recruitment functions from the Branch. The Branch does not always co-operate, particularly in such matters as supplying the Finance Branch with information on expenditure on Branch cattle and training projects.

10. Dynamic Administration, p.222.
In a small community like Darwin, there must inevitably be personal animosities which have far more serious consequences than would perhaps be the case in a larger administrative centre. The organisation hierarchy is such that if Director X dislikes Director Y, he comes to dislike Y's programme. This kind of conflict can rarely be settled by the good offices of Assistant Director X and Assistant Director Y.

These observations apply to relations between the Welfare Branch and some of the Commonwealth departments in the Territory; to the Departments of Works and Health in particular.

(c) The Welfare Branch and the Legislative Council

In the past decade relations between the Branch and the Council have been characterised by conflict over the functions of the Branch. This is reflected in the repeated attempts of elected members to have education, general welfare and particularly child welfare removed from Branch control. This point is discussed more fully later.

The Council, unlike some Branches of the N.T.A., has shown a greater appreciation and understanding of what the Branch is trying to do. It has been reasonably consistent in seeking the abolition of provisions which restrict Aborigines in several ways. However, like the rest of the N.T.A., it has been a constant critic of the allegedly large expenditure on Aborigines and the manner of the expenditure. Elected members have often used the Branch as a 'whipping-boy' in its arguments for greater political autonomy. The original Clause 6 of the 1962 'Remonstrance' is evidence of this.

The Council has also been the medium for pressure groups like the pastoral lessees' associations, as in the case of the successful attempt to remove the licensing system in relation to Aboriginal employment.

There have been unpleasant, at times unseemly, personal antagonisms resulting in the Director of Welfare and his Branch being the subject of constant attacks, criticisms and derision. In February 1964 the Director introduced three new bills into the Council: one to abolish the concept of wardship, another to lift some of the restrictions on Aboriginal drinking and another to amend the employment legislation (these bills are discussed later). The Council appointed a select committee to investigate the measures: it consists of all elected members, all non-official members and two official members. The Council excluded the introducer of the measures - the Director of Welfare.
The Welfare Branch and the Missions

The missions are treated as agents of the assimilation policy and are subsidised for this purpose. Although they are concerned with one-third of the Aboriginal population, their participation in policy-administration is less than could be expected, especially on the 'policy' side.

The official attitude to missions in Canberra tends to be that if missions wish to continue their work they must conform to the declared programme and work towards the fulfilment of the government's aims. Territory missions are not, however, missions in the usual sense of being proselytisers and spiritual teachers of Aborigines. They are in fact duplicates of settlements, engaged in 'social change' and committed to the same kinds of staff, apparatus and activities as settlements. Whereas settlement and field staff have some voice in policy-administration, missionaries have virtually no say at all in the formulation of major aims and subordinate aims.

Follett wrote that participation means everyone taking part, according to his capacity, in a unit composed of related activities. One obtains this participation by an organization which provides for it, by a daily management which recognizes and acts on the principle of participation, and by a method of settling differences. The only real provision for mission participation is the biennial Missions-Administration conference.

Follett wrote that there are three methods of settling differences:

- By domination only one side gets what it wants; by compromise neither side gets what it wants; by integration we find a way by which both sides may get what they wish.

Integration is not a foregone conclusion; 'it is an achievement'.

The Canberra officials' attitude to missions is that they must do as they are told within certain limits; the Welfare Branch's attitude is a constant plea to missions to do what is asked. In many ways the Welfare Branch has come to act as the champion of mission causes and arguments at Canberra. The application of the Ward's Employment Ordinance to missions is a case in point. Ultimate aims of policy as reflected in that legislation appear not to apply to the missions since they, and the Welfare Branch on their behalf, have represented that they cannot afford to maintain the

legal standards for housing, wages, feeding and so on. The compromise in this case is that certain aims of policy have to be discarded because it is still more economic and useful for the government to use the missions for this work than to extend the work of the official agents.

At successive missions-administration conferences the missions have endorsed their acceptance of the assimilation policy and have agreed to implement it. They have also claimed that they are bound by government policies in respect of the activities for which they are subsidised. There is sufficient evidence to show that missions try to implement their own version of what is 'right' for Aborigines and that they do not always conform to official aims in the subsidised fields of activity. Some of the areas in which they have a discretion often result in conflict with official aims.

These conflict points are not always the result of antagonism towards or disagreement with official aims. They stem more than anything else from a lack of knowledge, communication and understanding of what the aims are. The biennial conferences at the top levels of authority have clearly not resulted in understanding, and therefore co-operation, at the grass roots level between the Welfare Branch officials and the local mission superintendents.

This lack of control or co-ordination does not apply solely to the Welfare Branch on one side and all the missions on the other. There is a similar lack of unity of policy and of activity as between mission groups and between individual missions within the same group. There is ample evidence of the different manner in which various missions pay wages, train, house, clothe and feed Aborigines. Under the general banner of assimilation, the Welfare Branch often pursues one thing and each set of missions another.

(e) The Welfare Branch and the Pastoralists

Since policy-administration began a decade ago there has been a system of priorities within the Welfare Branch which has led to concentration of policy on a particular group of Aborigines. The Branch, with slightly less than one-third of the Aboriginal population on settlements, has looked upon those Aborigines as first priority; next come mission Aborigines and lastly the pastoral Aborigines. The latter group are somehow beyond the pale of aims, administrative practices and control. The Aboriginal problem tends to be dealt with officially as one-third of the problem, sometimes two-thirds and hardly ever as a whole.

The earliest example of this attitude can be seen with the start
of the Aboriginal education programme. There was a concern to start a government settlement programme and to regulate the existing mission programme. To include pastoral properties was considered 'too big'; such a programme might also have disrupted the labour supply, if it was true that Aborigines would move from properties without schools to those with them.

From many points of view there is conflict between the aims of the government and the aims of the pastoral industry vis-à-vis Aborigines. It would be unfair to impute a desire for Aboriginal retrogression to pastoralists, but it is clear that the financial interest of pastoralists in the continued availability of uneducated Aboriginal labour at current wage rates is paramount. There is a desire to maintain the status quo because of the considerable assistance given to the industry in maintaining dependents of workers. Pastoralists do not want their labour to drink — therefore they have opposed and will continue to oppose measures to lift the restrictions, irrespective of the other considerations involved.

Pastoralists have been successful in contributing to the scale of priorities mentioned above. Pastoral Aborigines have almost been kept outside the ambit of the government's education, pre-schooling, adult education and health service programmes. They have virtually been exempted from the laws and regulations aimed at protecting and assisting Aboriginal workers. Pastoralists' pressure abolishes the licence-to-employ system, the one held which the Branch had on some pastoral managements. Similar pressure prevented the Employment Advisory Board from discussing or making recommendations on Aboriginal labour, employment and wages. The 'success' of these moves has been equally due to the inability of the administration to inspect all stations regularly, to take action against defaulting pastoralists and to enforce the laws and regulations. Pastoralists in this sense have been allowed to 'administer' their 'own' Aborigines according to their lights, and not the government's.

Above all else, pastoralists have succeeded in gaining wide acceptance of the view that the pastoral industry is the only industry in the Territory and that nothing should hinder or hamper it in any way.

(f) The Welfare Branch, the Public and Aboriginal Advancement Organisations

From the beginning a precept of the assimilation policy has been that the goodwill and co-operation of the public is a vital factor in the attainment of the policy objectives. To achieve
public goodwill, the programme must be 'sold' to the public in that there must be understanding of what the programme is trying to achieve and what problems are involved. The Welfare Branch's public relations work in the Territory has not been of the highest order. And the Branch, no doubt sensitive on race matters, has always shown a strong reluctance to admit publicly, and in reasonable detail, what the problems are.

For understanding we need openness and explicitness, wrote Follett. The truth of this is illustrated clearly in relations between the Branch and the private Aboriginal advancement groups. A remarkable feature of the Aboriginal 'problem' throughout Australia is the proliferation of such groups and the growing tension (and animosity) between them and administrations. For the groups, the government has become an 'enemy'; for the administrations, the groups have become guerrilla snipers, shooting petty, largely uninformed barbs at every opportunity. Although there is conflict at the level of what policy (the verbal formula) ought to be, there is at root a common dedication to Aboriginal advancement. Why then is there this conflict?

The most important cause, in the writer's view, is this lack of openness on the part of the administrations. If the Welfare Branch were to moderate the arrogance it sometimes displays and openly admit, in detail, what difficulties it has and is facing, and invite suggestion, most of the raison d'etre of some of these groups would disappear.

The aims and objectives of the N.T.C.A.R. are barely different from those of the Welfare Branch, yet the antagonism between them is increasing. In Chapter VIII it was shown that the N.T.C.A.R. had written to the Administrator criticising aspects of administration and concluding that these criticisms might help in the adoption of more realistic practices and attitudes. The Director of Welfare's reply, though not quoted in the thesis, consisted of self-defence and refutation of the criticisms. In some instances, the reply went beyond refutation and became exaggeration, for example: 'The policy and practice of the Government is to pay a wage which bears a relationship to the work's skill, responsibility and reliability of the award'. Further, the Employment Advisory Board kept employment matters under close review: 'This Board recommends to me (the Administrator) variation in the wage structure for wards in various types of industries and callings'. Adult education classes 'are held on the majority of settlements and missions covering a wide range of subjects'. Finally,

13. Ibid., p.222.
The education being provided to aboriginal children is the equal to that being given to other Australian children in terms of trained staff, facilities and equipment; if anything, it is slightly better in terms of trained staff, facilities and equipment than any outback areas in most of the Australian States.

Returning to public goodwill, it is the writer's contention that administrators, especially those dealing with race questions, are the pace-setters in forming goodwill. Two analogies from this thesis come to mind: can the public consider leprosy as an ordinary communicable disease when the Health Department maintains a segregated leprosarium and has specific legislation for this 'disease apart'? If the administration values all Aborigines' skill, reliability and responsibility at £2 or £1 per week, can the employing members of the public be expected to do otherwise?

(g) Relations Between All Agents and the Aborigines

The literature cited contains many expressions of the view that the customers or clients are as vital a part of the organisation as the employees. Barnard14 wrote that customers do not have a different relationship to an organisation from that of employees. The customer and employee must both be brought into a co-operative relationship with the organisation before they can or will co-operate: 'In both cases the techniques of advertising and salesmanship are employed, with persuasion as a major characteristic'.

Simon15 stated that the organisation objective is not a static thing:

In order to survive, the organization must have an objective that appeals to its customers, so that they will make the contributions necessary to sustain it. Hence, organisation objectives are constantly adapted to conform to the changing values of customers . . . The organisation may also undertake special activities to induce acceptance of its objectives by customers - advertising, missionary work, and propaganda of all sorts.

The task of the total organisation is to bring about 'social change' by selling assimilation - westernisation, Europeanisation - to Aborigines. The clients in this case, like any other customers, are influenced by material incentives, by their manner of treatment, by the kind of persons they must associate with and work for, by their working and physical conditions and above all, by what Barnard called 'the feeling of enlarged participation'.

It is precisely here that all similarity between Aboriginal

administration and Barnard's and Simon's models falls away. Aborigines, the subject matter of administration, have yet to be viewed as part of the organisation. Paul Hasluck sounded ideas similar to Follett's and Barnard's in 1952 when he warned administrators that to an increasing extent 'the ideas which the aboriginal himself has about his own future will be a factor in shaping that future'.

However, in the absence of articulate disagreement with policies and practices, agents of policy have presumed agreement on the part of Aborigines. Even where there has been evidence of physical reaction to programmes, whether active or passive, this disagreement has not been recognised and has not altered or modified aims.

Follett's view was that consent of the governed was not enough: 'More voting is a gesture of agreement rather than real agreement'. Genuine agreement 'is part of a slow process of the interweaving of many activities, and this is not consent but participation'. For the most part, agents of policy have not yet progressed to the point of 'consent of the governed': the gesture of voting is not yet a reality in the wider policy aims nor in the local management of settlements, missions and pastoral properties.

Some administrators have been aware of this lack of participation, but failure to do anything about it has been rationalised on the ground that we cannot tell what the Aborigines think or want. This is only partly true: there is some evidence of what they do not want, for example, liquor restrictions. There are obvious communication difficulties, but it would seem wrong in principle, if genuine Aboriginal participation is wanted, to say that this participation will come about when Aborigines have reached articulation in English. Given the basic desire to know what it is they want, or what some of them want, use can be made of the many techniques that have been evolved for eliciting information from illiterate communities. Relying only on what we think, in Canberra or Darwin, is in the Aborigines' best interests is the antithesis of participation, and without their participation whole programmes or parts of them must founder.

(iii) Achieving Unity: Internal Organisation of the Welfare Branch and Missions

Much of what has been said about organisation, creating unities and participation as applied to relations between agents of policy is also relevant to each administrative unit. There are, however, other administrative criteria which help to explain the gap between

16. Dynamic Administration, p.211.
policy and practice.

(a) Research and Policy-Making

Urwick wrote that the underlying principle upon which the art of administration rests is investigation.\(^\text{17}\) The underpinning of the principles of organisation, wrote Follett,\(^\text{18}\) 'is information based on research'.

It would seem that neither the Welfare Branch nor the missions have accepted this view of the place and value of research. The missions, whether in the Territory or in southern headquarters, have not engaged in any form of research or systematic investigation of the facts either in their spheres of influence or in the Territory as a whole.

The Welfare Branch employed one research officer for some six years and then in 1962 reorganised so as to include a policy and research investigation unit. This unit, as described in Chapter III and shown in Table III.2., is not the pivotal point of the Welfare Branch. It is placed in an advisory position, disconnected from the operational sections of the Branch. The work of the senior research officer was largely ignored, especially where his investigations called for a slowing down of operational activities. It is possible that because of its location the new research unit may be similarly ignored.

It would seem sounder in principle to have investigation officers within each administrative sub-section, or all such officers within a unit which is at the centre of all Branch activities. Unless so placed, effective administration is difficult: unless the facts are known, the directors of sections cannot effectively decide what needs to be done and how it shall be done.

(b) Planning

Urwick discussed the impossibility of planning in a void: 'the conception of making a plan postulates that it is a plan to do something'.\(^\text{19}\) Planning, he wrote, is a mental predisposition to do things in an orderly way, to think before acting, and to act in the light of facts rather than of guesses.\(^\text{20}\)

\(^\text{17}\) The Elements of Administration, p.18.
\(^\text{18}\) Dynamic Administration, p.305.
\(^\text{19}\) The Elements of Administration, p.26.
\(^\text{20}\) Ibid., p.33.
Planning by the Welfare Branch and missions in the sense of working out aims that are compatible and progressive in time has been discussed at length.

The lack of factual investigation by the agents of policy makes it difficult for them to act in the light of the facts. Much of the planning done is based on guess-work. For example, restrictions on liquor will be lifted when the Aborigines 'are ready', or Kingston and units will be altered to include kitchens because some couples are 'ready' to care for themselves. Financial budgeting by the Welfare Branch, as will be shown, is based on what a small directorate in the head office believe to be the annual settlement needs for feeding, clothing, housing, wages and so on. Available information is often not communicated, or communicated in an unsatisfactory way, to the planners (see sections (c) and (d) below).

The most striking symptom of the lack of planning by the Branch and the missions is to be found in the field staffs' struggle to maintain settlements and missions in physical repair. The preoccupation with keeping the centres from falling apart - whether it be drains, houses, latrines, water and electricity supplies, transport, radio and so on - means that staff, including superintendents, are constantly engaged in this physical maintenance work. No one has time to tackle what may be called the positive aspects of assimilation.

The head office and district offices of the Welfare Branch are similarly occupied with those physical aspects. Crises in transport, stores, buildings, equipment and staff often give the impression of the units being in a state of 'cage'.

The various units and agents are swamped with routine work (and crises) because no one has insisted that planning is an integral part of officers' duties, that staff in the field give the right priority to planning and that 'higher' plans - those worked out in relevant head offices - be translated into 'lower' ones at all levels of administration.

(c) Communications

Fundamentally, Barnard wrote, "communication is necessary to translate purpose into terms of the concrete action required to effect it - what to do and when and where to do it. This necessitates knowledge of the conditions of the environment and of the

action under way. Communication, according to R.S. Parker,\textsuperscript{22} is a vital instrument of daily management and control, of accountability, of policy-making and of morale. There needs to be communication downwards, at intermediate levels and at the operating levels. At all levels it is desirable to communicate to employees the broad objectives and major policies of the concern, the reasons why particular actions and procedures are required and the organisation structure of the concern.

The failure of communications in two senses - mere messages of instruction and the three-fold sense of Professor Parker's - is possibly one of the greatest weaknesses in the Welfare Branch, and to a lesser extent the missions.

Instructions and orders are difficult in the geographic situation. Most missions have to rely on weekly air mail services for written instructions from headquarters or on telegrams via out-back radio. In 1962 the Welfare Branch was able to start daily radio contact between its settlements and the Darwin district office.

Poor communication in the other sense has led to the low morale of Branch staff and to the lack of precedents in administrative procedures and practices. Geographic situation clearly makes personal communication of broad objectives and policy aims difficult, but there are numerous techniques other than verbal ones. The Handbook of Instructions to Superintendents prepared by the Welfare Branch was never completed and was issued in an incomplete form to a limited number of staff. The detailed foreword by the Director of Welfare has therefore remained largely unread.

It has been shown that senior officers in head office have radically different ideas of what policies are in relation to the assimilation programme. Policy on any matter is very often what a particular officer thinks it is in relation to a query, problem or proposal before him.

This lack of communication has serious repercussions at the superintendent level. When the writer queried why disciplinary action was not taken against superintendents who defied policy instructions, such as by not erecting Kingstrands, the answer given was that superintendents of quality are so difficult to obtain that the Branch could not afford to take disciplinary action for fear of resignations. Whatever the reason, the non-enforcement of policy has led to a lack of policy and precedents on any single settlement.

It has been shown that the wage rates on settlements are what the individual superintendent feels they should be, within the framework of what head office feels should be the total allocation for wages. The rates paid are often based on the individual's subjective attitude towards Aborigines. This individualism could have some merit if superintendents remained in their posts for any length of time. Turnover of staff, however, is rapid and borders on the abnormal: Aborigines on any one settlement may have a new set of rules on wages, feeding, housing and so on every three or six or twelve months. The adoption of a practice and its almost immediate abandonment, its reinstatement and abandonment again, seem not to have produced any 'trauma' in Aborigines — rather an amused contempt at the constant parade of staff, each with his new broom.

Most missions have precedents of greater vintage, but there is still a considerable degree of individual decision-making and interpretation of policy. This applies not only to official policy but also to local or church policy. The Methodist procedure of holding an annual synod in Darwin, which allows for staff participation, has at least produced consistent policies on such matters as wages and feeding. The new C.M.S. system of field and station councils now provides for staff participation and for a means of defining policy. Lutheran mission policies are still dictated to a great extent from Adelaide. Roman Catholic policies are as the Bishop of Darwin defines them. However, there is still inconsistency on wages, feeding, housing, social services and other policies within each mission group.

Most Branch field staff have little idea of the Branch's organisational arrangements. The Director is well known since he is the only official who visits settlements and missions regularly. Other senior officers are mere names whose functions are unknown. South of Darwin head office becomes 'them' or 'they', people who issue instructions seemingly without knowledge of the local position. 'They' in Canberra are an even remoter 'enemy'. Mission staff generally have a clear picture of their mission organisation.

(d) Staffing

According to Urwick appropriate staffing depends on careful selection and placement, with a system of rewards and sanctions and careful maintenance of morale.23

Under present conditions in the Territory there has to be

23. The Elements of Administration, p.78.
realistic acceptance of the fact that recruitment of professionally qualified staff is extremely difficult. The retention of such staff, especially in the Welfare Branch, is almost impossible. There is too small a Territory-born population to form the nucleus of an administrative corps and recruitment is therefore based on attracting people from the various states.

Does service in the Territory have any attraction for a man in the public service in a capital city? Does it offer better facilities for professional work? Does life in the Territory have any greater advantages in the material-cultural sense? The answer to these questions is no. Is the financial reward any greater? The basic salaries plus district allowances and cost of living adjustments give the appearance of greater financial reward. However, the majority of staff have stated to the writer that high freight costs on essential items make life in the Territory no more financially attractive or advantageous.

Is there greater opportunity for promotion after service in the Territory? There is no public service merit system or other means of assessing a man's work and contribution. Service in the Territory often seems to mean lost opportunity: a man in a southern position is at least able to keep himself before the eyes of his 'promoters'.

One positive answer is that the Territory is very often a less competitive field. There is opportunity to obtain a senior post which the person could not otherwise aspire to down south without further training or academic qualifications. This does not mean that the personnel section of the N.T.A. is not selective, but once a man is prepared to stay in the Territory, it is his sheer staying power and the absence of competition which enables him to attain a senior position.

The Welfare Branch ratio of 260 positions filled in an establishment of 430 is fairly constant and is evidence of the difficulty of recruiting and retaining staff.

Missions have similar difficulties. While the staff shortage is not quite as dramatic as in the Welfare Branch, missions do have problems obtaining men of suitable calibre, particularly for superintendentships.

The Welfare Branch's co-ordination of staff has done little to help in the difficult problem of retaining staff. Where officers have been appointed to particular tasks, they sometimes do not fulfill those tasks. For example, an Employment Officer in a district office...
performed five other tasks in as many years, each unconnected with his nominal task. Officers with particular skills are often moved to occupy positions for a temporary period of up to one year, for which they have no ability or qualification. One man in his time indeed plays many parts. Settlement staff are constantly moved: a farm manager often becomes attached to his project on his settlement; on moving he may find no farm at all or that he is expected to occupy some other position. Most settlement staff, and even senior staff in district offices, rarely have the chance of seeing the results of programmes they have initiated. They feel that their contribution is nebulous: there is no inner satisfaction which to many is as important an inducement as money. Mission staff also share this feeling.

Most field staff have little or no idea of the aims of the organisation or any feeling of participation in them. Welfare Branch communications were said to be inadequate in this respect; they are as poor in relation to field staff suggestions. For example, a superintendent who had spent four years at a settlement and was to be transferred wrote a paper on the administration of his settlement and his thoughts for its future. He also asked that he be allowed to spend a month with his successor. His report was filed after being read by one head office man and his request ignored.

In these circumstances there can be little loyalty to the organisation’s aims or loyalty to the organisation itself: as Simon put it, there can be little ‘interest in its survival and growth’. 24

(e) Training

Training may be said to have two purposes: first, identity of training can ensure that staff have an understanding of the organisation and its purposes; secondly, it can lead to efficiency by instruction in technical skills.

Almost without exception staff who join the Welfare Branch have no previous experience of or in native administration. Their backgrounds and skills are varied in the extreme. Because of this training would seem to be a prime necessity. However, training of personnel is confined to one-year courses at A.S.O.P.A. for patrol officers and it is from their ranks that superintendents are appointed.

Mention was made in the thesis of the value of this training; it cannot be ideal because courses are given to staff who have spent time in the Territory by academic staff who have not. A.S.O.P.A.

staff have stated that a one-year course is inadequate. The courses in anthropology, law, geography and so on are clearly helpful, but there is no education in 'administration' as such.

All field staff are meant to be teachers of Aborigines as well as artisans or professional workers. Without training as to why there is a need to teach Aborigines and in how to teach them, this educative aspect of their function becomes meaningless.

It can be said that there is no real in-service training in the Branch. Patrol officers do instruct patrol-officers-in-training, but that is the limit of the in-service programme. This thesis has shown that much of the assimilation policy implies something 'special': special schools, special syllabuses, special knowledge of Aborigines, special labour conditions, special housing standards and so on. This quality of 'specialness' would seem to demand special training.

Mission staff generally are better trained for their work. Today all staff have to undertake training at a southern centre before they are allowed to proceed to a calling. This training is often of a high standard: an artisan must not only demonstrate an ability in his skill, but also a missionary skill. There appear to be no training programmes for superintendents. Missions' policy has always been to appoint clerics as superintendents and there seems to be a reluctance to recognise that theological training is not really synonymous with an understanding of the principles of management.

(f) Direction, Delegation, Control and Co-ordination

There is a considerable literature on these subjects and writers have ascribed different meanings to the terms. Co-ordination and control are used here synonymously. Co-ordination involves distributing the work at different levels of an organisation (which in turn raises the question of delegation) and harmonising activities of groups or of individuals engaged in different spheres of work and operating side by side: which are, in other words, co-ordinate. 25

A basic approach to delegation of authority is that everything should be delegated to the lowest possible level. The person nearest to the scene of action should have the maximum possible authority to make decisions and deal with situations. 26 Simon wrote that given ample time the superior could make more accurate decisions than the subordinate, but this would only be true if the information upon which the decision was to be based were equally

25. R.S. Parker, Administration, cited in footnote 22.
26. Ibid., pp.5-6.
accessible to both. When the organisation is characterised by geographic dispersion, such as the Welfare Branch, this is rarely possible.

In the Territory situation delegation and decentralisation are not really separable. The Welfare Branch is a highly centralised unit through head office determination to have control of the Branch's work resulting from distrust of officers' responsibility down the line. There are advantages in centralisation of authority, expertise and responsibility but the cost is enormous in a dispersed area like the Territory. Geographic decentralisation must, if it is to have any meaning and enable the sub-units to function, be accompanied by adequate delegation.

It is evident that the directorship of the Branch is not as aware of local situations as the local personnel. The information fed from below is often inadequate and outdated. Through staff crises on settlements, quarterly and annual reports are written well after the time period in question and sometimes remain unwritten. Decisions taken on these reports in head office often apply to situations that have ceased to exist.

To overcome this lack of communication from below, the Director of Welfare has had to become a constant traveller to the various centres to assess local situations. Other senior head office staff rarely travel; when they do, their visits are for very brief periods. Since the Director is the only person in the Branch with a reasonably full picture, at least on settlements, he has become virtually the only decision-maker on local situations. His reluctance to delegate authority, based on a possibly realistic view of the unreliability of field staff, amounts to a picture of a 'one man show'.

The chain of command is sometimes a chain and sometimes not. On a visit the Director may orally approve a proposal to meet an immediate crisis; in the absence of a visit a superintendent must report to his district welfare officer, whom he the matter moves to his divisional assistant-director, then to one or several head office staff, to the Director and then back down the line. Flexibility in a chain of command is considered desirable, but in this case the volume of petty proposals and requests that come to the Director is evidence of lack of delegation and the uncertainty of their authority on the part of senior field officers rather than evidence of conscious flexibility in the chain.

The Methodist group is geographically more centralised; all its missions are in the top end and the District Chairman has considerable autonomy. His superintendents have greater authority
than their settlement counterparts and they have greater say in policy-making. C.M.S. superintendents, before the 1962 reorganisation, were virtually without authority: control and direction from Sydney to Arnhem Land was neither conducive to efficiency nor to meeting the immediate needs of the Aborigines. Until recently the Lutheran mission suffered the same disability. The highly centralised authority of the Bishop of Darwin and a clear hierarchical chain of command has made the Roman Catholic group one of the most efficient units in this sense of co-ordination.

(g) Review

Simon described review as the means by which the hierarchy learns whether decisions are being made correctly or incorrectly, and whether work is being done well or badly at the lower levels. It is a fundamental source of information upon which the higher levels rely heavily for their decisions. There are, he wrote, four functions of review. First, it leads to a diagnosis of the quality of decisions being made by subordinates. Secondly, this diagnosis leads to an influencing of subsequent decisions. Thirdly, it assists in the correction of incorrect decisions that have been made. Fourthly, review is often essential to the effective exercise of authority. Sanctions can only be applied if there is some means of ascertaining when authority has been respected and when it has been disobeyed.

In those senses, what review is there in the Welfare Branch? The process of review resolves itself into various questions, such as the following: is the 'span of control' too wide at any level? That is, do some staff have too many subordinates and activities under their control and supervision? The Welfare Branch seems not to have asked this question, and at this point it may be useful to do so.

Bernard stated that effective communication, even with good channels, is not possible if more than fifteen people are engaged at the same level in an activity: 'for many types of co-operation five or six persons is the practicable limit'. The complexity of relationships in groups increases with great rapidity as the number of persons in the group increases. In a group of two, there is one relationship; in a group of three there are three relationships. By adding one to the group the number of relationships has increased by two. By the time there are six in the group there are fifteen relationships; with 20, there are 190 relationships. Urwick has

27. Administrative Behavior, pp.233-238.
29. The Elements of Administration, pp.52-53.
also written that no superior can supervise directly the work of more than five or six subordinates whose work interlocks.

A settlement superintendent supervises the work of from ten to twenty staff members: his function is meant to be the integration of activities such as primary teaching and farm managing into one 'indivisible' process. A district welfare officer in Darwin, for example, is expected to supervise and integrate or co-ordinate the work of four settlements and eleven missions. The establishment of new unit organisations seems imperative, for example, a district welfare office in Arnhem Land and another in the Papunya area. Span of control is particularly relevant to Aboriginal health: can one aerial medical doctor and one survey sister effectively supervise the professional and lay nursing activities on some seventy centres of Aboriginal population in the Alice Springs district? Would local health centres be more effective in tackling Aboriginal ill-health, from the Aborigines' point of view even if not from the Health Department's administrative point of view?

Neither the Welfare Branch nor the missions have consciously applied the techniques of review in Simon's sense. Compiling annual reports in statistical terms is not review. Review does come about when crises arise, rarely before.

There is another important sense of review, apart from Simon's sense: review of Welfare Branch, mission, pastoralist and Health Department performance and achievement, other than in statistical terms. This thesis has attempted a review of policy aims and aspirations and actual achievement. On the few occasions that the Welfare Branch has indulged in this kind of review it has been because of pressures from outside. For example, when the Administrator's Council refused to recommend the addition of some 2,500 names to the Register of Wards in August 1962, the Welfare Branch was forced to re-consider the need for wardship in the administration of Aborigines. There is an attitude in the Branch that all its policies are too young to be reviewed in this sense. If it is scientifically known that an atom takes two years to split, there would seem little point in examining it microscopically every six months. However, the success or otherwise of housing, education, feeding and training programmes can be assessed in a critical light every year or six months; if not, then the result is policies jogging along on a momentum of their own, whether attainable or compatible or not.

The one mission group that does engage in this kind of review is the Methodist group at its annual synod.
Review as between agents is confined to biennial missions-administration conferences. They are not, however, review in this critical appraisal sense of aims measured against achievements. Conference time is devoted to papers on a wide variety of topics and to resolutions for joint action, for example, creating good neighbour councils, or to requests, such as mission representation for financial assistance in paying Aboriginal workmen's compensation premiums.

(h) Budgeting

A constant criticism of the Welfare Branch has been, to use the phrase of the N.T.C.A.R., that it is 'not how much you spend but how you spend it that counts'. The Legislative Council has used the term 'waste' in connection with Branch expenditure and the Annual Reports of the Auditor-General use the words 'unsatisfactory' and 'unrealistic' and 'incomplete' in relation to Branch expenditure on training programmes.

Annual estimates are prepared in the head office by the Director, Assistant Director and the Administrative Officer (General) in consultation with heads of sections. These draft estimates are then pruned by the Finance Branch and the Assistant Administrator (A.S. & F.); from there they are sent to the Department of Territories which reviews the plans in consultation with the Treasury.

Two points in this procedure are noteworthy. The first is the fact that superintendents of settlements and district welfare officers have no voice in the preparation of estimates. The head office directorate proposes estimates based on what they believe to be the needs of settlements. Thus, they may consider a sum of £80,000 sufficient for Aboriginal wages for a year, irrespective of the working population size and the work skills and standards involved. If they consider that Kingstrands are suitable housing, irrespective of whether superintendents believe that some of the people are not ready for them or will not use them, 70 or 80 are budgeted for. A remarkable feature of Queensland settlements is that superintendents submit estimates of their annual needs; these estimates are realistic and are hardly ever varied by more than £1,000 in budgets running to £100,000. The argument that the Branch has no superintendents of sufficient calibre to assume the responsibility of budgeting can only be met with the argument that unreliability in such matters cannot be assessed until the men have had the chance to demonstrate it.

The second point is that officials in Canberra have the power to vary the estimates prepared in Darwin. Budgeting for the needs
of 19,000 Aborigines must, if it is to be realistic and unwasteful, be based on an intimate knowledge of those needs. Whatever the knowledge of the three or four men in the Branch of these needs, still less is the knowledge of the Finance Branch and the Assistant Administrator, and still less that of officials in Canberra who have not seen the Territory.

(iv) Achieving Efficiency: Allocation of Functions to the Welfare Branch

(a) Conventional Attacks on and Defences of Welfare Branch Functions

The popular, interdepartmental and public criticisms of the Welfare Branch's functions really amount to one assertion: that the Branch is nominally a general welfare service but has remained actually and essentially an Aboriginal welfare service. Critics insist that this should be recognised openly and frankly by divorcing non-Aboriginal (general) welfare functions from the Branch and placing them in a separate organisation. This insistence rests essentially on two bases.

First, the methods of Aboriginal welfare are used in treating white clients. The techniques for 'white welfare', especially child welfare, should not be confused with those for Aborigines. Because the Branch has confused them, general welfare has been neglected and handled badly.

Secondly, the combination of both sets of welfare functions 'inflates' the Welfare Branch's budget and this causes or adds to the unpopularity of the Branch and the Aboriginal assimilation policy. The argument is that the inclusion of general welfare expenditure in the Branch's budget makes expenditure on a basically Aboriginal service seem too great.

This latter argument for separation of functions deserves little serious consideration. General welfare expenditure is so small a proportion of total expenditure - not because of 'neglect' but because of the small volume of work involved - that separation of the two sums would be hardly noticeable. A small reduction in total expenditure would not make Aboriginal policy-administration any more popular. There might well be an argument for increasing the expenditure on the developmental Branches, but this has no relevance to expenditure on Aborigines or to the functions of the Welfare Branch.

The Welfare Branch has defended itself on several grounds. In answer to the first criticism it has asserted that the combination of wards' and general welfare overcomes any overtones of discrimination that could arise out of a branch bearing the title of Native Affairs
and suggestive of a separate or special clientele. Although this political argument is of vital importance, as will be shown in the discussion following, it does not refute the criticism of administrative inefficiency.

However, on the administrative aspects the Branch has defended its functions in two ways. First, when part-Aborigines were exempted from special legislation there was a need to provide welfare services for them. The inclusion of general welfare in the Branch's functions seemed a more logical extension of its functions than creating a new branch, and the volume of this work clearly did not warrant the expense of a separate branch. Secondly, the Branch does not discriminate between the different clienteles. There is equal treatment for all, and where there are differences in treatment, they are according to individual needs, and not on a racial basis.

There can be no argument with the first of these assertions. On the second point, while a broad equality of service standards is applied to Aborigines and non-Aborigines, these standards are below what would be expected in a modern community because they tend to be shaped by traditional attitudes towards the bulk of the clientele - the Aborigines. In the absence of expert staff the rough and ready methods of serving Aborigines are perpetuated and extended to all clients. Furthermore, there is an element of racial discrimination in the application of these standards: Aborigines are rarely treated as individuals.

For the moment, the only substantial administrative arguments are that general and wards' welfare is handled inadequately because all welfare services are provided by a Branch inexpert in the techniques of social welfare work, but that the volume of general welfare work does not warrant the establishment of a separate branch.

(b) Allocation by Clientele or by Function?

The first demand of the critics - allocation of functions to a department according to the clientele to be served - is reminiscent of the debate about the Haldane Report on the Machinery of Government in England. 30

The Report has, for instance, been attacked by Professor W.J.M. Mackenzie, 31 Dr. B.B. Schaffer 32 and by D.N. Chester and F.M.G.

31. 'The Structure of Central Administration', W.J.M. Mackenzie, British Government Since 1918, 1950, pp.56-84, especially at pp.57-60 and pp.78-84.
Willsom\textsuperscript{33} for underrating the political element in decisions about departmental organisation, and for pronouncing one paramount principle of division at the departmental level, namely, division by major function.

As to the political element, L.J. Hume\textsuperscript{34} has sought to refute the criticism that the Haldane Committee was a-political, that it concerned itself solely with administrative questions and eschewed politics - and was therefore being unrealistic in its proposals. The administrative theories of the Committee were not 'independent of wider social and political objectives which in themselves had little direct connection with administrative problems and structures'. There was a close connection between the Haldane Report and the Poor Law controversy.

The Webbs, he wrote, criticised the concentration of Poor Law functions in the hands of a Board of Guardians: they were 'attacking not only the inefficiency of the system that placed responsibility for a number of different activities (medical services, maintenance, education, care of the insane etc.) in the hands of a single body. They were also opposing the social stigma involved in setting apart persons in receipt of relief into a special and discreditable category, and in dealing with them in specialised institutions and under specialised legislation.' The Webbs sought to remove pauper education from the Guardians and to place it with the ordinary education authorities: they 'were aiming at not only more efficient education for the children concerned, but also their re-instatement on an equal footing with the rest of the community'. Thus, Dr. Hume concluded, the Haldane Committee took over these principles and it 'inherited a social policy as well as a set of administrative assumptions'.

Of the importance of the second principle - allocation by function - Professor Mackenzie is particularly sceptical. Comparing it with the other principle of division according to clientele rejected by the Haldane Committee, he wrote that it is a 'good principle as a principle of cheap administration'.\textsuperscript{35}

It is the most economical way in which to use a limited staff of experts. But it is not necessarily economical for the public; there are other important and productive persons besides those in government service, and it may sometimes be more wasteful to send the public on circuit through a series of different offices than to create single offices capable of handling all the business brought to them by a particular


\textsuperscript{35}\textit{The Structure of Central Administration}, p.81.
class of clients. It is now one of the functions of government to save the time and temper of housewives and business men, and in this cause it may often be necessary to break the Haldane principle even at the expense of some slight rise in departmental estimates and in the quarterly returns of the Civil Service establishment. The old principle can be of overriding importance only when the number of experts available is very limited and it is clearly slow and wasteful to train more.

Following this, Dr. Schaffer is very emphatic about relating the organisation adopted to the history and existing facts about the operations under examination. In an essay on the Brownlow and Brookings approaches to principles of allocation in the United States, he wrote that 'the existing system shows what has happened and what is, therefore, likely to be workable'.

History offers explanations and justifies arrangements. The objectives, working rules and policies of organizations must be considered. Day-to-day relationships, connections with special groups, may be considered. (The Brookings Report) is an unusually full, discerning, and at points quite original list of what has mattered and, therefore, what must be sensibly considered in allocating and grouping work in that system.

Dr. Schaffer's conclusion is a preference for 'the internal, the piecemeal and the avowedly political'. The officials themselves constitute a preferable source of advice on questions of allocation:

This is precisely because these decisions are matters of politics, not principle, of continual struggle, and, for the most part, of marginal (not total) change; their results uncertain, the guides peculiar not general. The continuity, the contingency, the organic nature of the assessment of organisational role demands help from sensitive, absorbed and modest weapons, more concerned with accuracy than with dogma.

If Dr. Schaffer's advice is applied to the problem of Aboriginal administration by the Welfare Branch, it becomes clear that the vital historical and contemporary considerations point away from organisation by clientele and towards organisation by primary function.

In the first place, the position in the Territory is certainly one of scarce resources and staff, both of which have to be husbanded to the full. The Territory simply cannot afford the duplication of two parallel welfare services for two clienteles. Particularly pertinent here is Professor Mackenzie's view that functional division is of over-riding importance when the number of experts available is very limited.

In the second place, and more important than anything else, is the vital political consideration (which has been recognised as of

primary importance) that there shall not be or appear to be any discrimination in the treatment of Aborigines and non-Aborigines. The trend of past evolution – from the Native Affairs Branch to the Welfare Branch and from the Aboriginals Ordinance to the Welfare Ordinance – all emphasises non-discrimination as an essential aspect of the assimilation policy. Thus the very same considerations apply here as Dr. Hume said were influential in shaping the Haldane Report, and these suggest that the same organisational solution is appropriate in the Welfare Branch case: organisation by service to be rendered rather than by clientele.

However, what in practice has been the effect of the unified organisation of welfare services on the standards of service provided for Aborigines and non-Aborigines? Throughout this thesis it has been shown that services for Aborigines have been below the ideal hoped for by the policy-formers and stated as being achieved by the Director of Welfare. Aborigines are not treated by social welfare experts on an individual basis. General welfare has sometimes been handled with the same paternalistic attitudes as characterise services to Aborigines. The 'neglect' of general welfare has been due to three things: an inability to retain permanently the services of professionally qualified officers; the consequent delegation of this work to unqualified persons; and the inclusion in district officers' duties of functions for which they profess no enthusiasm simply because they have no qualifications and confidence to deal with them.

Thus inadequacy of service should not be attributed simply to the union of Aboriginal and general welfare functions in the one organisation. Its causes lie deeper. Some of them, related to the internal administration and staffing of the Branch, have already been discussed at length.

Unified control of welfare services for different clienteles is only one aspect of the Welfare Branch's functions. There remains the paradoxical fact, and perhaps the more important one from the Aboriginal administration point of view, that the Welfare Branch is responsible for a number of functions in relation to Aborigines as a clientele, over and above the welfare functions proper. Again the debates on the Haldane and other famous reorganisation reports are helpful, but the administrative choice involved is slightly different.

Since the Haldane Report, other students of administration have added to the criteria of functional division two others: division by area and by kind of service or technique (sometimes called adminis-
trative process). 37 The doubts of Dr. Schaffer 38 and others as to whether these four criteria exhaust the possible principles of allocation of duties among departments need not be pursued. They are sufficient to supply the choice which clearly exists in the case of the Welfare Branch. In the present connection, this is between organisation on a clientele basis and organisation according to expertise or kind of service.

(c) Allocation by Clientele or by Kind of Service?

It may be as well at this point to grant one of the criticisms of the conventional fourfold 'principles of allocation'. They are not mutually exclusive. For example, the Haldane Committee argued in favour of allocation by 'services to be performed': 39

Now the inevitable outcome of this method of organization (distribution by class of persons) is a tendency to Lilliputian administration. It is impossible that the specialized service which each Department has to render to the community can be of as high a standard when its work is at the same time limited to a particular class of persons and extended to every variety of provision for them, as when the Department concentrates itself on the provision of one particular service only, by whomsoever required, and looks beyond the interests of comparatively small classes.

Despite subsequent criticisms there is still a great deal of cogency in this analysis. This principle is often interpreted as meaning 'by function'; in fact it also embraces the so-called fourth principle of division according to technique, expertise, or administrative process. Indeed it is hard to distinguish it from the principle of 'homogeneity' quoted with approval by Chester and Willson. 40

Each Government Department should have a reasonably homogeneous block of work, or one or two homogeneous blocks of work amounting in total to enough, and not more than enough, to keep fully occupied the normal departmental hierarchy . . . One should avoid (always provided there are not overwhelming common sense reasons to the contrary) creating unnecessary heterogeneity either in assigning new functions or in switching existing ones.

So far as Aboriginal administration is concerned, and again on the criteria of scarcity of skilled staff and economy and efficiency of service, the evidence in this thesis points to the failure of the clientele principle in relation to health, education, employment and social security services for Aborigines.

37. Chester and Willson, pp.349-357.
40. Statement by L. Petch, quoted in Chester and Willson, p.349.
The Health Department has argued that specialised health services, like nursing and hygiene supervision, are best given by a professionally competent organisation. Retention of these services by the Welfare Branch means that the factors contributing to Aboriginal ill-health - bad housing, bad feeding and bad sanitation - will continue. The writer's argument has been that lay supervision of these activities, the lack of responsibility to a professional chain of command (and the consequent freedom to ignore professional advice) and the lack of professional 'apparatus' in the Branch (knowledge, staff, research) have been responsible for the non-fulfilment of policy aims in regard to health. Control by the Health Department seems more likely to achieve policy aims, provide adequate services and attract professional staff than control by the Branch.

As regards education, official and political arguments have been that Welfare Branch control implies either inferior standards, or apartheid, or both, and each is undesirable. The Branch is unable 'to point to a single Aborigine with higher education'. The writer's contentions are that the Branch lacks the resources of a fully-fledged education authority. It cannot attract or retain staff because it has no such status. It works in a knowledge vacuum, with no libraries, no access to ideas, trends or new educational principles. The same questions and answers as to control by the Health Department apply to a new Education Branch: it is not readily conceivable that control of these activities by professional departments would fail to raise standards above those provided by the Welfare Branch.

The question of social service benefits raises a slightly different question. Should the department which pays the benefits concern itself with the disbursement of the money and the use made of it by the authorities to whom it is paid on behalf of Aborigines? If the answer is yes, then it would seem that the Department of Social Services, professionally knowledgeable and equipped, should take control of this service.

The evidence on wages and employment suggests that with greater co-ordination and a strict enforcement of one policy in these matters, a more realistic system is possible. However, unless the Branch is able to attract a corps of at least six to eight qualified men, it cannot arrive at any real assessment of work skills, productivity and reliability. The Department of Labour and National Service has the skill and expertise to make such assessments.

The Welfare Branch has constantly argued that control of specialist staff by specialist agencies creates different allegiances which in turn lead to friction and clashes over areas of responsibility.
and jurisdiction. Past experience in education, says the Branch, has shown that friction results from different allegiances and this is not in the best interests of Aborigines. Furthermore, a separate Education Branch would favour non-Aborigines and settlements would be denuded of good staff. If the Branch surrenders its health and education specialists, logic demands that other specialists be controlled in the same way, thus removing Welfare Branch control of all staff on settlements except a superintendent and manager. The programme of social engineering for Aborigines requires unified direction, control and teamwork. The Branch is the only body which can be trusted to give Aborigines a fair deal in all spheres, and the Branch alone has the specialised knowledge of Aborigines necessary to train, guide and advise staff.

(d) Functional Division versus Unity of Policy-Administration

In these debates a basic inconsistency appears in the attitudes of the Welfare Branch. It seeks to justify its unified control of Aboriginal and non-Aboriginal 'welfare' by favouring the principle of non-discrimination between the races and rejecting the principle of apartheid involving separate services to different clienteles. But in relation to health and education in particular, it argues in favour of organisation by clientele, on the ground that the assimilation policy requires unified direction of all services in so far as they apply to Aborigines. If this is a non sequitur in relation to 'welfare', it must also be so in relation to these other functions. The Branch cannot have it both ways. It is surely of the essence of the assimilation policy that administrative organisation should at no point involve a separate treatment of the different races. It is argued above that technical administrative considerations point in the same direction.

The most specific argument raised by the Welfare Branch on this point is really an administrative one: that settlements are administrative units, upon which these services are rendered, and over which there needs to be unified administrative control to avoid the dangers of 'divided allegiance' - loss of morale, friction and so on.

This is an extremely common administrative problem: that of the co-ordination of different functional activities at a regional level. But it exists whether the functional activities are controlled at the administrative headquarters by functional heads within the same department or in different departments.

The prime cause of friction between teachers and superintendents was not, as the Welfare Branch alleged, the 'divided allegiance'
resulting from teachers being employed by the Commonwealth Office of Education and working on Welfare Branch settlements. Teachers, no matter who their employers may be, will always have some responsibility to their functional superiors in the Welfare Branch or to their counterparts in a separate Education Branch. In either case there is a potential clash with loyalty to the superintendent. Apart from the theoretical problem, the extremely serious clashes between teachers and superintendents under Welfare Branch control is sufficient to negate the 'divided allegiance-causes-friction' argument. The problem can, however, be minimised by defining the spheres over which the superintendent and the functional superiors have jurisdiction.

It does not follow logically that if teachers, nursing sisters and hygiene officers are employed by professional departments, then farm managers, cooks, carpenters and mechanics must also be employed by professional departments. The latter group have skills of their own which are not dependent on information, knowledge, advice, in short, expertise, which can only come from professional organisations. In other words, it is only teachers, health personnel and employment officers who need to work for professional organisations.

That 'social engineering' requires unified direction and teamwork is doubtless true. But there is nothing that departs from this principle if nurses nurse and teachers teach at the settlement level under the banner of their respective Branches and Departments, so long as policies and practices are co-ordinated at the top level of authority. 41

There is no reason to assume that a separate Education Branch would favour non-Aborigines. In Queensland the integration of Aboriginal with white education under the control of the Education Department has led to the selection of better teachers for settlement posts. This results from a Departmental determination to bridge the gap in pupil attainments, and from a top level direction that Aboriginal pupils should get their fair share of the cake. Coordination and teamwork at the settlement level are, in the opinion of teachers and Native Affairs Department staff, far superior to what obtained before this reallocation.

The Director's conception of unified control implies a mammoth

41. See Functional Management in a Hospital, Dr. C.J. McCaffrey, Medical Superintendent of the Royal Newcastle Hospital, paper presented to a Seminar on Administrative Studies, Australian National University, August 1963. In this hospital the ward has been made the administrative unit, serviced by specialists in different sections of the hospital. The co-ordination achieved between the medical, nursing and administrative sections at the level of the ward should be equally capable of achievement at the Aboriginal settlement level.
organisation which employs its own specialists for every variety of service and which services itself in relation to stores, transport, personnel and so on. Would organisation aims be better achieved if the Branch became an all-embracing Native Affairs Commission, divorced from the N.T.A., which employed its own specialists to serve a purely Aboriginal clientele? The answer would probably be yes, but for the paramount political consideration that an organisation dealing with Aborigines would be a negation of the assimilation policy.

The alternative, suggested by the evidence in this thesis and by administrative arguments discussed above, is the reorganisation of the Branch into a branch specialising in social welfare services, with trained welfare workers, for the whole community. At the same time those functions or services which can be provided by existing Departments or even by the creation of a new one (Education) should be surrendered by the Welfare Branch.

(v) Achieving Assimilation Aims: The Role of Precedent

(a) The Pattern of the Aboriginals Ordinance

An important element in this assessment of why there is a gap between policy and practice is the 'tradition' of Aboriginal policy-administration. The Aboriginals Ordinance, embracing the protection-segregation policies, was in operation from 1918 to 1957. It has been shown that although assimilation is theoretically the antithesis of protection-segregation, the Welfare Ordinance is closer in spirit and letter to the Aboriginals Ordinance than to the new philosophy which it was meant to express.

Why is this so? The writer's belief is that there was a natural reluctance to depart widely from a devil well-known in favour of one unknown. Officials who assisted in drafting the Welfare Ordinance were too close to the segregation phase - they were still part of it at the time - to visualise anything radically different. The patterns before them were their own attitudes and practices in the Territory, and in the Australian states the patterns were almost identical.

(b) The Pattern of the Native Affairs Branch

Most of the officers who served in the Native Affairs Branch remained in the new Welfare Branch. They participated to some extent in building the structure of the new Branch, and through previous experience they influenced its form, procedures and policies.

The Welfare Ordinance was passed in 1953 and the Director of
Welfare was appointed in 1954. His Branch, however, had to administer the Aboriginals Ordinance until the commencement date of the new Ordinance in May 1957. For almost three years, while the new Branch was being shaped and the Register of Wards compiled, the 'old' philosophy of things continued.

(a) The Disparity between Social Change and Policy-Administration

For many officials, missionaries and Legislative Councillors, the 'changing mind of the native', which the Minister for Territories recognised in 1952, has only meant change for the worse. Aborigines have become less docile and amenable, 'cheekier' and more actively resentful. They have become parasitic, greater 'bludgers' and less responsible. The results of administrative 'pauperisation' are seen, but without a corresponding understanding of why this has happened.

There have indeed been considerable changes in the 'customers', but in the absence of this understanding, policy-administration has proceeded as though there has been no change at all.

(b) Prospects for the 'Social Welfare Philosophy' of 1964

On 19 February 1964 the Director of Welfare introduced into the Legislative Council what the local press called 'the most sweeping reforms in native welfare laws in the Northern Territory's and Australia's history'.

The bills were the Social Welfare Bill, Licensing Bill and Wards' Employment Bill (see Enclosure 8). The Social Welfare Bill purports to repeal the Welfare Ordinance and abolish the concept of wardship. It would authorise the Director of Social Welfare to give assistance by loan or gift of money, goods or services to persons, Aboriginal and non-Aboriginal, who 'are socially or economically in need of assistance'. This assistance ranges from education and employment to advances of money or goods. The bill would repeal the powers given to a court to give a vesting order to the Director for the management of a ward's property and to give an order for the detention or removal of a ward. The measure would, however, retain restrictions on entry into reserves and increase the penalties for illegal entry.

The final form of the employment legislation is still undecided. As an interim measure, the Wards' Employment Bill would retain the special conditions relating to Aboriginal employment, but the special

42. N.T. News, 19 February 1964. For reports on the Legislative Council debates and editorial comments, see also N.T. News for 24, 25 and 26 February 1964.
workman's compensation provisions in the Ordinance would be removed. An Aborigine would thus become entitled to workmen's compensation under the same law and subject to the same rules as any other worker.

It is proposed to abolish the restrictions on drinking except on reserves. Control over drinking on reserves, applicable to all persons, is to be achieved by -

(a) prohibiting liquor from being brought on to a reserve except with the permission of the person in charge;
(b) prohibiting drinking except at a place approved by the person in charge; and
(c) prohibiting the possession of liquor except at one of the places so approved.

It is therefore open to missions and settlements to establish canteens.

It is hoped to introduce legislation which would allow Aborigines possession of methylated spirit, and allow cohabitation with an Aboriginal woman by a non-Aboriginal, provided the woman is not under 17 years and gives her consent.

On 25 February the Legislative Council appointed a select committee to inquire into all aspects of the bills. The motion for such a committee was adopted by thirteen votes to four. The committee is to report its findings to the Council by 12 May 1964.

Assuming the passing of these bills, what are the prospects for the Aborigines and for the achievement of the assimilation aims? Will the personnel of the Welfare Branch, missions and pastoral properties readily adjust to something new in Aboriginal affairs, something meant to be radically different from the past ten, or even 46 years? Will the persons engaged in Aboriginal administration alter their procedures, practices and attitudes on settlements, missions and pastoral properties?

Will this legislative change be accompanied by changes in the administrative machinery? The writer's conclusion is that sweeping changes in legislation, however liberal in spirit, have little or no meaning for the Aborigines unless there is drastic revision of relations between agents of policy and of the internal organisation of the agencies themselves. If there is corresponding 'sweeping reform' in the machinery, the stage may be set for the beginning of the implementation of the policy of assimilation.

<table>
<thead>
<tr>
<th>Mission</th>
<th>As at 30th June, 1962</th>
<th>As at 30th June, 1963</th>
<th>Grand Total</th>
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<tr>
<td></td>
<td>Adults</td>
<td>Children</td>
<td>Total</td>
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<td><strong>Aboriginal Population Resident on Missions and Settlements</strong></td>
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<td><strong>Church Missionary Society</strong></td>
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<tr>
<td>Gospel</td>
<td>177</td>
<td>125</td>
<td>302</td>
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<tr>
<td>Rose River</td>
<td>78</td>
<td>56</td>
<td>164</td>
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<td>Roper River</td>
<td>77</td>
<td>70</td>
<td>233</td>
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<tr>
<td>Groote Eylandt, Angurugu</td>
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<td>Groote Eylandt, Nhakunta</td>
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<td>Lutheran</td>
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<td>Hermannsburg</td>
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<td><strong>Methodist Overseas Missions</strong></td>
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<tr>
<td>Goulburn Island</td>
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<td>Willingale</td>
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<tr>
<td>Nhoko Island</td>
<td>213</td>
<td>271</td>
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<td>Yarruma</td>
<td>182</td>
<td>247</td>
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<td><strong>Roman Catholic Missions</strong></td>
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<tr>
<td>Bethurst Island</td>
<td>492</td>
<td>390</td>
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<td>Port Keats</td>
<td>256</td>
<td>201</td>
<td>457</td>
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<td>Santa Teresa</td>
<td>130</td>
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<tr>
<td>Daly River</td>
<td>55</td>
<td>129</td>
<td>184</td>
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<td>2,618</td>
<td>5,112</td>
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<td><strong>Grades Totals</strong></td>
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<tr>
<td></td>
<td>4,579</td>
<td>2,452</td>
<td>7,031</td>
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</table>


A D M I N I S T R A T O R

Assistant Administrator
(Administration, Services and Finance)

Police Branch
(Deputy Commissioner of Police)

Administrator
(Control of Prisons & Controller of Fire Services)

General Services Branch
(Director of General Services)

Harbours and Railways Branch
(Director of Railway Services)

Welfare Branch
(Director of Welfare)

Education Branch
(Director of Education)

Agricultural Resources Branch
(Director of Plant Industry)

Agricultural Branch
(Director of Agriculture)

Labour and Survey Branch
(Director of Survey)

Animal Industry Branch
(Director of Animal Industry)

Agricultural Branch
(Director of Agriculture)

Water Resources Branch
(Director of Water Resources)

Administration
Co-ordination
Training
Investigation
Records and
Enforcement
Civil Services
Fire Services
Electricity
Water Supply
Municipal Services
Traffic
Roadside
Police
Parks
Public Library
Gardens
Control
Municipal
Services
Administration
Public Library
Parks and Gardens
Control and maintenance
of the Rural Public
Infrastructure
Planning and control of Fire Services
Supply
Electricity
Water Supply
Municipal Services
Traffic
Roadside
Police
Parks
Public Library
Gardens
Control and maintenance
of the Rural Public
Infrastructure
Planning and control of Fire Services
Administration
Welfare of Workers
Education
Apprenticeship
School Committees
Administration
of land legislation
Survey and Mapping
Valuation
Leases
Development
Development of Agriculture
Research
Department
Extension Work
Plant Protection
Investigation of underground and
Surface Waters
Water Analysis
Drafting and examination of legislation for
control of water
use
Development of water supplies

Assistant Administrator
(Economic and Social Affairs)

Stock Routes
Research
Department
Extension Work
Plant Protection

Investigation of underground and
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Department
Extension Work
Plant Protection

Investigation of underground and
Surface Waters
Water Analysis
Drafting and examination of legislation for
control of water
use
Development of water supplies

* Police, Prisons and Education Branches are established under the Northern Territory Public Service Division, all other branches are under the Commonwealth Public Service Act.
* The Prisons Branch also controls Fire Services.
The chart shows the organisation of the Department as at 1 January, 1964.

- These two branches are temporarily located in I. & C., pending transfer to S. & G.S.
APPENDIX 4

FUNCTIONS OF THE WELFARE BRANCH

(a) The planning and provision of native welfare services, involving:

1. Management of native settlements (original Native Affairs);
2. Provision of educational services (new function: taken over from the Commonwealth Office of Education on 1 January 1956);
3. Provision and conduct of infant welfare and nursing services (new Welfare Branch function from 1954);
4. Provision of food and catering services (original Native Affairs);
5. The development of training programmes and courses and the supervision of employment conditions throughout the Territory (original Welfare Branch, but Native Affairs Branch patrol officers supervised employment conditions);
6. The co-ordination and, in certain fields, the supervision of the work of the Missions (original Native Affairs, but some new functions have accrued to the Branch since its creation, for example, the supervision of Mission education);
7. The provision of legal counsel for wards (original Native Affairs).

(b) The planning, provision and administration of child, family and social welfare services, involving:

1. The care and maintenance of State children (new function: the Welfare Branch took an interest from June 1955 but this became an official function in February 1959);
2. The provision of assistance under section 8(f) of the Welfare Ordinance (original Welfare Branch);
3. The establishment and management of probationary services (new Welfare Branch function);
4. The provision of housing for part-Aboriginal families (original Native Affairs function taken over by the Welfare Branch and since given up);
5. The provision of counselling and family guidance services (consequence of original Welfare Branch functions);
6. Administration of the scheme for the education of part-Aboriginal children in other States (ad hoc Native Affairs function taken over by Welfare Branch);
7. The establishment and management of receiving homes (new function: 1959);
8. The co-ordination of the work of the Missions and other bodies concerned with the care and maintenance of children committed to their charge (new function: February 1959).

(c) The planning, provision and administration of pre-school education (started by Commonwealth Office of Education and taken over by Welfare Branch in 1956).

(d) Administration of the scheme for establishing and operating hostels for school children and young working people in the Territory (new function: 1959).
(e) Administration of the scheme for grants to cultural, sporting and welfare organisations (new function: 1957/1958).

(f) Administration of home nursing services (new function: no date).

(g) The maintenance of a mobile works force for construction work on settlements (this function was formerly held by the Welfare Branch after its establishment, then removed from the Branch to the Department of Works, then restored to the Welfare Branch in mid-1962).

WAGES AND EMPLOYMENT ON PASTORAL PROPERTIES

In terms of Regulation 54 of the Wards' Employment Regulations, employers of Aborigines are obliged to complete and return to the Welfare Branch a form, Form 9, entitled 'Return of Wards Employed'. The samples below are taken from these forms:

<table>
<thead>
<tr>
<th>EMPLOYER 'A'</th>
<th>NATURE OF EMPLOYMENT</th>
<th>SEX</th>
<th>NO. EMPLOYED</th>
<th>WEEKLY WAGE RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Domestic</td>
<td>F</td>
<td>58</td>
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</tr>
<tr>
<td></td>
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<td>F</td>
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<td>1. 2.0.</td>
</tr>
<tr>
<td></td>
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<td>37</td>
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<tr>
<td></td>
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<tr>
<td></td>
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<td></td>
<td>Stockman</td>
<td>M</td>
<td>3</td>
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<tr>
<td></td>
<td>Trainee stockman</td>
<td>M</td>
<td>6</td>
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</tr>
<tr>
<td></td>
<td>Gardener</td>
<td>M</td>
<td>4</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Gardener</td>
<td>M</td>
<td>1</td>
<td>1.15.0.</td>
</tr>
<tr>
<td></td>
<td>Storeman</td>
<td>M</td>
<td>1</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Woodcutter</td>
<td>M</td>
<td>1</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Labourer</td>
<td>M</td>
<td>6</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Butcher</td>
<td>M</td>
<td>2</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Garage assistant</td>
<td>M</td>
<td>1</td>
<td>3. 0.0.</td>
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</tbody>
</table>

134

<table>
<thead>
<tr>
<th>EMPLOYER 'B'</th>
<th>NATURE OF EMPLOYMENT</th>
<th>SEX</th>
<th>NO. EMPLOYED</th>
<th>WEEKLY WAGE RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Stockman</td>
<td>M</td>
<td>14</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Stockman</td>
<td>M</td>
<td>5</td>
<td>3. 0.0.</td>
</tr>
<tr>
<td></td>
<td>Labourer</td>
<td>M</td>
<td>2</td>
<td>2.15.0.</td>
</tr>
<tr>
<td></td>
<td>Garden boy</td>
<td>M</td>
<td>1</td>
<td>3. 0.0.</td>
</tr>
<tr>
<td></td>
<td>School laundress</td>
<td>F</td>
<td>2</td>
<td>2. 0.0.</td>
</tr>
<tr>
<td></td>
<td>School cook</td>
<td>F</td>
<td>1</td>
<td>2. 0.0.</td>
</tr>
<tr>
<td></td>
<td>Domestic</td>
<td>F</td>
<td>5</td>
<td>2. 0.0.</td>
</tr>
<tr>
<td></td>
<td>Homestead cook</td>
<td>M</td>
<td>1</td>
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</tr>
<tr>
<td></td>
<td>Goatherd</td>
<td>F</td>
<td>2</td>
<td>1. 0.0.</td>
</tr>
<tr>
<td></td>
<td>Apprentice stockman</td>
<td>M</td>
<td>2</td>
<td>2. 7.0.</td>
</tr>
<tr>
<td></td>
<td>Apprentice stockman</td>
<td>M</td>
<td>2</td>
<td>1.11.0.</td>
</tr>
</tbody>
</table>

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1. Return for six months ended 30. 6. 61.
### APPENDIX 5

<table>
<thead>
<tr>
<th>NATURE OF EMPLOYMENT</th>
<th>SEX</th>
<th>NO. EMPLOYED</th>
<th>WEEKLY WAGE RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stockman</td>
<td>M</td>
<td>9</td>
<td>2.15.0.</td>
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<tr>
<td>Trainee stockman</td>
<td>M</td>
<td>1</td>
<td>2.15.0.</td>
</tr>
<tr>
<td>Trainee stockman</td>
<td>M</td>
<td>2</td>
<td>1.11.0.</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>1</td>
<td>4.0.0.</td>
</tr>
<tr>
<td>House girl</td>
<td>F</td>
<td>5</td>
<td>1.10.0.</td>
</tr>
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</table>

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#### EMPLOYER 'D' 4

<table>
<thead>
<tr>
<th>NATURE OF EMPLOYMENT</th>
<th>SEX</th>
<th>WEEKLY WAGE RATES</th>
<th>WAGES EARNED</th>
<th>DEBITS</th>
<th>BALANCE DUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>52.10.0.</td>
<td>50.0.0</td>
<td>2.10.0.</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>28.10.0.</td>
<td>51.8.0</td>
<td>-</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>78.0.0.</td>
<td>91.19.10</td>
<td>6.0.0.</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>6.12.0.</td>
<td>-</td>
<td>5.0.0. D*</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>78.0.0.</td>
<td>99.0.0</td>
<td>5.0.0. D*</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>52.10.0.</td>
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</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>78.0.0.</td>
<td>95.6.0</td>
<td>7.10.0.</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.0.0.</td>
<td>52.10.0.</td>
<td>47.0.0</td>
<td>5.10.0.</td>
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<tr>
<td>Stockman</td>
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<td>52.10.0.</td>
<td>50.0.0</td>
<td>2.10.0.</td>
</tr>
<tr>
<td>Domestic</td>
<td>F</td>
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<td>65.0.0.</td>
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<tr>
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<td>35.5.0.</td>
<td>35.5.0</td>
<td>- **</td>
</tr>
<tr>
<td>Domestic</td>
<td>F</td>
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<td>39.0.0.</td>
<td>45.16.6</td>
<td>3.0.0.</td>
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<tr>
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<td>F</td>
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<td>39.0.0.</td>
<td>31.15.10</td>
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<tr>
<td>Part-time domestic</td>
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<td>1.0.0.</td>
<td>4.10.0.</td>
<td>3.9.6</td>
<td>1.0.6</td>
</tr>
<tr>
<td>Part-time gardener</td>
<td>F</td>
<td>1.0.0.</td>
<td>4.10.0.</td>
<td>3.15.6</td>
<td>14.6.</td>
</tr>
<tr>
<td>Part-time goat girl</td>
<td>F</td>
<td>1.0.0.</td>
<td>4.10.0.</td>
<td>3.16.0</td>
<td>14.0.</td>
</tr>
<tr>
<td>Part-time gardener</td>
<td>F</td>
<td>1.0.0.</td>
<td>4.10.0.</td>
<td>3.7.6</td>
<td>1.2.6</td>
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<tr>
<td>Temporary help</td>
<td>M</td>
<td>3.0.0.</td>
<td>24.0.0.</td>
<td>24.0.0</td>
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<td>Temporary help</td>
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<td>24.0.0.</td>
<td>24.0.0</td>
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<td>Temporary help</td>
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<td>30.0.0</td>
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<tr>
<td>Pig boy</td>
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<td>9.0.0</td>
<td>- **</td>
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<tr>
<td>Odd jobs</td>
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<td>2.0.0.</td>
<td>4.0.0.</td>
<td>4.0.0</td>
<td>- **</td>
</tr>
</tbody>
</table>

D = debit.

* The arithmetic in these columns is faulty.

** These figures are not explainable.

<table>
<thead>
<tr>
<th>NATURE OF EMPLOYMENT</th>
<th>SEX</th>
<th>NO. EMPLOYED</th>
<th>WEEKLY WAGE RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stockman</td>
<td>M</td>
<td>15</td>
<td>2.00</td>
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<tr>
<td>Domestic</td>
<td>F</td>
<td>10</td>
<td>1.00</td>
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</table>

<table>
<thead>
<tr>
<th>NATURE OF EMPLOYMENT</th>
<th>SEX</th>
<th>WEEKLY WAGE RATE</th>
<th>WAGES EARNED</th>
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<tbody>
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<td>4.00</td>
<td>8.00</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>4.00</td>
<td>12.00</td>
</tr>
<tr>
<td>Domestic help</td>
<td>F</td>
<td>1.00</td>
<td>3.00</td>
</tr>
<tr>
<td>Stockman</td>
<td>M</td>
<td>3.00</td>
<td>27.00</td>
</tr>
<tr>
<td>Casual</td>
<td>M</td>
<td>2.00</td>
<td>1.00</td>
</tr>
<tr>
<td>Domestic</td>
<td>F</td>
<td>1.00</td>
<td>7.00</td>
</tr>
<tr>
<td>Buffalo camp</td>
<td>M</td>
<td>2.00</td>
<td>16.00</td>
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<tr>
<td>Buffalo camp</td>
<td>M</td>
<td>2.00</td>
<td>8.00</td>
</tr>
<tr>
<td>Gardener and handyman</td>
<td>M</td>
<td>2.00</td>
<td>52.17</td>
</tr>
<tr>
<td>Garden</td>
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<td>26.00</td>
</tr>
<tr>
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<td>56.00</td>
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<tr>
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<td></td>
<td>5.00</td>
<td></td>
</tr>
<tr>
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<td>11.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.00</td>
<td></td>
</tr>
<tr>
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<td>M</td>
<td>4.00</td>
<td>12.00</td>
</tr>
<tr>
<td>Domestic help</td>
<td>F</td>
<td>1.00</td>
<td>9.00</td>
</tr>
<tr>
<td>Horse tailor</td>
<td>M</td>
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<td>32.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.00</td>
<td></td>
</tr>
<tr>
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<td>1.00</td>
<td>15.00</td>
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<tr>
<td>Stockman</td>
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<td>3.00,</td>
<td>15.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4.00</td>
<td></td>
</tr>
</tbody>
</table>

5. Return for six months ended 31.12.61.
6. Return for six months ended 30.6.61.
## APPENDIX 6

### CATEGORIES OF ABORIGINAL WORKERS ON GOVERNMENT SETTLEMENTS

#### A. MALE WORKERS

<table>
<thead>
<tr>
<th>Position</th>
<th>Position</th>
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<tbody>
<tr>
<td>apprentice mechanic</td>
<td>groundsman</td>
</tr>
<tr>
<td>assistant ganger</td>
<td>head cook</td>
</tr>
<tr>
<td>baker</td>
<td>head ganger</td>
</tr>
<tr>
<td>baker's assistant</td>
<td>head stockman</td>
</tr>
<tr>
<td>beautification worker</td>
<td>hygiene assistant</td>
</tr>
<tr>
<td>butcher</td>
<td>hygiene ganger</td>
</tr>
<tr>
<td>butcher's assistant</td>
<td>hygiene labourer</td>
</tr>
<tr>
<td>camp cleaner</td>
<td>hygienic worker</td>
</tr>
<tr>
<td>camp orderly</td>
<td>jinker driver</td>
</tr>
<tr>
<td>canteen assistant</td>
<td>jinker offsider</td>
</tr>
<tr>
<td>carpenter</td>
<td>Kingsland maintenance</td>
</tr>
<tr>
<td>carpenter's assistant</td>
<td>Kitchen hand</td>
</tr>
<tr>
<td>carpenter's labourer</td>
<td>labourer</td>
</tr>
<tr>
<td>carpentry trainee</td>
<td>lawns and parks</td>
</tr>
<tr>
<td>cement gang</td>
<td>leading hand</td>
</tr>
<tr>
<td>concrete mixer</td>
<td>lime burning</td>
</tr>
<tr>
<td>cook</td>
<td>mechanic's labourer</td>
</tr>
<tr>
<td>cook's assistant</td>
<td>messenger</td>
</tr>
<tr>
<td>copper attendant</td>
<td>mill ganger</td>
</tr>
<tr>
<td>crawler tractor operator</td>
<td>mill labourer</td>
</tr>
<tr>
<td>crawler tractor offsider</td>
<td>mobile gang</td>
</tr>
<tr>
<td>dining-room attendant</td>
<td>office assistant</td>
</tr>
<tr>
<td>driver</td>
<td>office orderly</td>
</tr>
<tr>
<td>engineering cleaner</td>
<td>orderly</td>
</tr>
<tr>
<td>engines</td>
<td>painter</td>
</tr>
<tr>
<td>fencing foreman</td>
<td>painter's assistant</td>
</tr>
<tr>
<td>fencing worker</td>
<td>piggery attendant</td>
</tr>
<tr>
<td>Ferguson driver</td>
<td>pigs and goats</td>
</tr>
<tr>
<td>fisherman</td>
<td>plumber</td>
</tr>
<tr>
<td>Fordson driver</td>
<td>plumber's assistant</td>
</tr>
<tr>
<td>forestry labourer</td>
<td>post cutter</td>
</tr>
<tr>
<td>forestry trainee</td>
<td>poultry hand</td>
</tr>
<tr>
<td>ganger</td>
<td>pumper</td>
</tr>
<tr>
<td>garage assistant</td>
<td>rail cutter</td>
</tr>
<tr>
<td>garage hand</td>
<td>relief driver</td>
</tr>
<tr>
<td>garage pumper</td>
<td>road worker</td>
</tr>
<tr>
<td>garden ganger</td>
<td>sanitation worker</td>
</tr>
<tr>
<td>gardener</td>
<td>sawmill labourer</td>
</tr>
<tr>
<td>gardener's assistant</td>
<td>school teaching assistant</td>
</tr>
<tr>
<td>general worker</td>
<td>school gardener</td>
</tr>
<tr>
<td>general works force</td>
<td>school yardman</td>
</tr>
<tr>
<td>goatherd</td>
<td>shepherd</td>
</tr>
</tbody>
</table>
spinnifex gatherer
stockman
stockman trainee
stone quarrier
storeman
storeman's assistant
tractor crew
tractor driver
trainee
vegetable gardener
welder
well digger
woodcutter
work shop worker
yardman

TOTAL: 99 CATEGORIES

airstrip cleaner
baker
cleaner
clinic assistant
creche attendant
dining-room attendant
dining-room cleaner
dispensary worker
domestic
gardener
goatherd
hospital assistant
hospital laundress
hospital trainee
infant feeding
kitchen worker
labourer
laundress
nursing aide
office cleaner
poultry attendant
pre-school assistant
pre-school trainee
seamstress
school cleaner
school laundress
school monitor
teaching assistant
trainee cook
trainee domestic
trainee laundress
trainee seamstress
tree-waterer
vegetable gardener
well digger
woodstacker

TOTAL: 36 CATEGORIES

B. FEMALE WORKERS

1. The categories listed above are taken from the wage sheets at the following settlements during the period September 1961 to August 1962: Amoonguna, Areyonga, Bagot, Beswick Creek, Beswick Station, Delissaville, Haasts Bluff Cattle Project, Hooker Creek, Jay Creek, Papunya, Snake Bay, Warrabri and Yuendumu.
<table>
<thead>
<tr>
<th>TRAINEE</th>
<th>TUTORS' REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>Not suitable for further training.</td>
</tr>
<tr>
<td>No. 2</td>
<td>Had her educational standard been higher she would possibly have been able to do further training as a Nurse Aide.</td>
</tr>
<tr>
<td>No. 3</td>
<td>Has not done as well as expected in the classroom. Knowledge only fair. Disappointing, considering her standard of education appears higher than that of others in her group who have done better.</td>
</tr>
<tr>
<td>No. 4</td>
<td>Would benefit from further training, but capable at present of doing the Nurse Aide course.</td>
</tr>
<tr>
<td>No. 5</td>
<td>Ability only fair. Not good enough educational standard for further training.</td>
</tr>
<tr>
<td>No. 6</td>
<td>With a higher educational standard she may have been able to present herself for further training.</td>
</tr>
<tr>
<td>No. 7</td>
<td>Has some natural aptitude. Educational standard has proved an advantage. Would possibly benefit from further training. If educational standard raised would be worth considering later for a Nurse Aide course.</td>
</tr>
</tbody>
</table>

1. M.E.A.B., sixth meeting, p.17.
The unadjusted average wage per worker per fortnight in the tables has been arrived at by dividing the total number of workers, male and female, into the total amount paid in wages for the relevant fortnight.

Because of the variation in the proportion of female to male workers on settlements, an adjusted figure is given based on the equivalent number of male workers. This male equivalent number has been arrived at by taking two-thirds of the number of female workers and adding them to the number of male workers. The figure of two-thirds is a somewhat arbitrary choice. Under Commonwealth Conciliation and Arbitration Commission awards, female rates of pay are three-quarters of the male basic wage. Under the Wards' Employment Ordinance, the scheduled rate of pay to female workers in four industries or callings is half the male prescribed wage; in the only other calling for which there is a female award, the female rate is one-quarter of the male rate (see Appendix 12).

Until February 1963 the Welfare Branch was not bound by the Ordinance and its Regulations and settlement wage rates have not had to conform to the award. The variations in male:female rates are, therefore, 100:75 for non-wards and 100:50 and 100:25 in the case of wards. The average of the two would be 100:62.50, but for convenience the ratio 100:66.66 has been chosen.
### Table: fortnightly wages and Alice Springs supplement

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
<th>Unadjusted Ave.</th>
<th>Two-thirds of</th>
<th>Equivalent no.</th>
<th>Total sum paid</th>
<th>Adjusted Ave. wage for equivalent male workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>26/12/60 - 8/1/61</td>
<td>36</td>
<td>21</td>
<td>57</td>
<td>£3.23</td>
<td>14</td>
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1. Figures from the wage sheets held on the settlement.

* Due to an epidemic, movement to Alice Springs was prohibited. Simultaneously there was a 3/- rise given to each worker.
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<th>TOTAL SUM PAID IN FORTNIGHT</th>
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1. These figures exclude the wages paid to Aborigines working on Beswick Station.
2. From 1 September 1961 the wage allocation was increased from £140 to £240 per fortnight. The increase was not put into effect until the last fortnight in October.
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### FORTNIGHTLY WAGES: SHARK BAY SETTLEMENT

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<td>27</td>
<td>70</td>
<td>2.67</td>
<td>18</td>
<td>186.18</td>
<td>3.06</td>
</tr>
<tr>
<td>4/1/-17/1/62</td>
<td>44</td>
<td>27</td>
<td>71</td>
<td>2.61</td>
<td>18</td>
<td>185.70</td>
<td>3.00</td>
</tr>
<tr>
<td>18/1/-31/1/62</td>
<td>47</td>
<td>32</td>
<td>79</td>
<td>2.68</td>
<td>21</td>
<td>212.00</td>
<td>3.11</td>
</tr>
<tr>
<td>1/2/-14/2/62</td>
<td>47</td>
<td>31</td>
<td>78</td>
<td>2.71</td>
<td>21</td>
<td>211.70</td>
<td>3.11</td>
</tr>
</tbody>
</table>

1. As from 1 September 1961 the wage allocation was increased from £240 to £340 per fortnight.

### FORTNIGHTLY WAGES: WARRABRI SETTLEMENT

<table>
<thead>
<tr>
<th>TIME PERIOD</th>
<th>MALES</th>
<th>FEMALES</th>
<th>TOTAL</th>
<th>UNADJUSTED AV. MALE WAGE PER WORKER</th>
<th>TWO-THIRDS OF EQUIVALENT NO. MALE WORKERS</th>
<th>TOTAL PAID</th>
<th>ADJUSTED AV. WAGE FOR EQUIVALENT MALE WORKERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>22/6/-5/7/61</td>
<td>63</td>
<td>40</td>
<td>103</td>
<td>2.40</td>
<td>27</td>
<td>246.10</td>
<td>2.74</td>
</tr>
<tr>
<td>6/7/-19/7/61</td>
<td>60</td>
<td>37</td>
<td>97</td>
<td>2.47</td>
<td>25</td>
<td>239.10</td>
<td>2.82</td>
</tr>
<tr>
<td>20/7/-2/8/61</td>
<td>61</td>
<td>35</td>
<td>96</td>
<td>2.50</td>
<td>23</td>
<td>238.15</td>
<td>2.84</td>
</tr>
<tr>
<td>3/8/-16/8/61</td>
<td>60</td>
<td>39</td>
<td>99</td>
<td>2.41</td>
<td>26</td>
<td>239.00</td>
<td>2.78</td>
</tr>
<tr>
<td>17/8/-30/8/61</td>
<td>62</td>
<td>37</td>
<td>99</td>
<td>2.47</td>
<td>25</td>
<td>245.00</td>
<td>2.80</td>
</tr>
<tr>
<td>31/8/-13/9/61</td>
<td>67</td>
<td>37</td>
<td>104</td>
<td>2.46</td>
<td>25</td>
<td>255.10</td>
<td>2.77</td>
</tr>
<tr>
<td>14/9/-27/9/61</td>
<td>94</td>
<td>45</td>
<td>139</td>
<td>2.42</td>
<td>30</td>
<td>336.10</td>
<td>2.71</td>
</tr>
<tr>
<td>28/9/-11/10/61</td>
<td>91</td>
<td>43</td>
<td>134</td>
<td>2.43</td>
<td>29</td>
<td>326.00</td>
<td>2.71</td>
</tr>
<tr>
<td>12/10/-25/10/61</td>
<td>89</td>
<td>51</td>
<td>140</td>
<td>2.40</td>
<td>34</td>
<td>336.10</td>
<td>2.73</td>
</tr>
<tr>
<td>26/10/-8/11/61</td>
<td>93</td>
<td>48</td>
<td>141</td>
<td>2.40</td>
<td>32</td>
<td>338.10</td>
<td>2.70</td>
</tr>
<tr>
<td>9/11/-22/11/61</td>
<td>87</td>
<td>51</td>
<td>138</td>
<td>2.45</td>
<td>34</td>
<td>338.10</td>
<td>2.80</td>
</tr>
<tr>
<td>23/11/-6/12/61</td>
<td>88</td>
<td>47</td>
<td>135</td>
<td>2.48</td>
<td>31</td>
<td>335.00</td>
<td>2.81</td>
</tr>
<tr>
<td>7/12/-20/12/61</td>
<td>87</td>
<td>48</td>
<td>135</td>
<td>2.50</td>
<td>32</td>
<td>338.10</td>
<td>2.84</td>
</tr>
</tbody>
</table>
### fortnightly wages : Yuendumu settlement

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
<th>Unadjusted Av. Wage per Worker</th>
<th>Two-thirds of Female Workers</th>
<th>Equivalent No. Male Workers</th>
<th>Total Sum Paid in Fortnight</th>
<th>Adjusted Av. Wage for Equivalent Male Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/7/- 14/7/61</td>
<td>55</td>
<td>21</td>
<td>86</td>
<td>1.75</td>
<td>14</td>
<td>79</td>
<td>151.0.0.0.</td>
<td>1.91</td>
</tr>
<tr>
<td>15/7/- 28/7/61</td>
<td>84</td>
<td>20</td>
<td>104</td>
<td>1.50</td>
<td>13</td>
<td>91</td>
<td>156.0.0.0.</td>
<td>1.60</td>
</tr>
<tr>
<td>29/7/- 11/8/61</td>
<td>78</td>
<td>20</td>
<td>98</td>
<td>1.56</td>
<td>13</td>
<td>91</td>
<td>153.10.0.0.</td>
<td>1.68</td>
</tr>
<tr>
<td>12/8/- 25/8/61</td>
<td>78</td>
<td>20</td>
<td>98</td>
<td>1.44</td>
<td>13</td>
<td>91</td>
<td>141.10.0.0.</td>
<td>1.55</td>
</tr>
<tr>
<td>26/8/- 8/9/61</td>
<td>78</td>
<td>18</td>
<td>96</td>
<td>1.58</td>
<td>12</td>
<td>90</td>
<td>152.5.0.0.</td>
<td>1.68</td>
</tr>
<tr>
<td>9/9/- 22/9/61</td>
<td>76</td>
<td>18</td>
<td>94</td>
<td>1.78</td>
<td>12</td>
<td>88</td>
<td>167.6.0.0.</td>
<td>1.87</td>
</tr>
<tr>
<td>23/9/- 6/10/61</td>
<td>67</td>
<td>39</td>
<td>106</td>
<td>1.55</td>
<td>26</td>
<td>93</td>
<td>165.0.0.0.</td>
<td>1.77</td>
</tr>
<tr>
<td>7/10/-20/10/61</td>
<td>80</td>
<td>35</td>
<td>115</td>
<td>1.62</td>
<td>23</td>
<td>103</td>
<td>186.10.0.0.</td>
<td>1.81</td>
</tr>
<tr>
<td>21/10/-3/11/61</td>
<td>83</td>
<td>43</td>
<td>126</td>
<td>1.60</td>
<td>29</td>
<td>112</td>
<td>201.10.0.0.</td>
<td>1.80</td>
</tr>
<tr>
<td>4/11/-17/11/61</td>
<td>83</td>
<td>42</td>
<td>125</td>
<td>1.58</td>
<td>28</td>
<td>111</td>
<td>198.0.0.0.</td>
<td>1.78</td>
</tr>
<tr>
<td>18/11/-1/12/61</td>
<td>93</td>
<td>45</td>
<td>138</td>
<td>1.71</td>
<td>30</td>
<td>123</td>
<td>237.0.0.0.</td>
<td>1.92</td>
</tr>
<tr>
<td>2/12/-15/12/61</td>
<td>110</td>
<td>49</td>
<td>159</td>
<td>1.57</td>
<td>33</td>
<td>143</td>
<td>250.15.0.0.</td>
<td>1.75</td>
</tr>
<tr>
<td>16/12/-29/12/61</td>
<td>110</td>
<td>49</td>
<td>159</td>
<td>1.57</td>
<td>33</td>
<td>143</td>
<td>250.15.0.0.</td>
<td>1.75</td>
</tr>
</tbody>
</table>

1. In winter most men leave the settlement to go 'puppy-dogging', that is, hunting for dingo pups. There is a bounty of £1 per dingo scalp.
| SETTLEMENT  | TIME PERIOD | DRIVER W | COOK M | GANGER M | CARPENTRY WORK (M) | MACHINERY WORK (M) | BUTCHER M | GARDENER M | LAUNDRY M | KITCHEN M | KITCHEN F | HOSPITAL F | DOMESTIC F | LAUNDRY F |
|------------|-------------|----------|--------|----------|-------------------|-------------------|-----------|------------|-----------|-----------|-----------|------------|------------|-----------|-----------|
| Amonguna   | 9/12 - 22/12/61 | 3.10.0. 2.10.0. | 4.5.0. | 3.5.0. | -                  | -                 | -         | 3.15.0.    | 3.0.0.    | 2.5.0.    | 2.5.0.    | 3.0.0.     | 2.0.0. | 1.15.0.   | 1.0.0.   |
| Arengna    | 23/11 - 6/12/61 | 5.0.0.    | 1.5.0. | 2.10.0. | -                  | 1.15.0.           | -         | 16.0.      | 1.10.0.   | 1.0.0.    | -         | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Baggot     | 8/8 - 21/8/62   | 10.0.0.   | 5.0.0. | 3.5.0. | -                  | 5.0.0.            | -         | 10.0.      | 5.0.0.    | 3.0.0.    | 1.0.0.    | -          | -          | 1.0.0.    |
| Beedlick Creek | 28/9 - 11/10/61 | 3.10.0.   | 2.10.0. | 5.0.0. | 2.0.0.             | 1.10.0.           | -         | 10.0.      | 5.0.0.    | 3.0.0.    | 2.0.0.    | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Bellissaville| 7/12 - 20/12/61 | 5.0.0.    | 4.0.0. | 3.10.0. | -                  | 4.10.0.           | -         | 10.0.      | 5.0.0.    | 3.0.0.    | 2.0.0.    | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Hooker Creek | 26/10 - 8/11/61 | 3.0.0.    | 2.10.0. | 5.0.0. | 2.10.0.            | 3.0.0.            | 2.10.0.   | 1.0.0.    | 1.0.0.    | -         | 2.0.0.    | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Jay Creek  | 31/8 - 13/9/61  | -         | 2.10.0. | -       | 2.0.0.             | 1.5.0.            | 1.15.0.   | -         | 1.5.0.    | 1.0.0.    | -         | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Papunya    | 12/10 - 25/10/61 | 3.10.0.   | 2.0.0. | 2.0.0. | 1.10.0.            | 1.10.0.           | 1.0.0.    | 1.0.0.    | 1.0.0.    | 1.0.0.    | 2.0.0.    | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Snake Bay  | 1/2 - 14/2/62   | 3.5.0.    | 2.10.0. | 2.10.0. | 2.0.0.             | 1.10.0.           | 1.10.0.   | 1.0.0.    | 1.0.0.    | 1.0.0.    | 2.0.0.    | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Turrabri   | 3/8 - 16/8/61   | 2.0.0.    | -       | 2.10.0. | 2.0.0.             | 1.10.0.           | 1.10.0.   | 1.0.0.    | 1.0.0.    | -         | 1.5.0.    | 1.0.0.     | 1.0.0.     | 1.0.0.    |
| Yuendumu   | October 1961    | 2.10.0.   | 15.0.   | -       | 1.0.0.             | 1.0.0.            | 1.0.0.    | 1.0.0.    | -         | 10.0.     | 10.0.     | 10.0.      | 10.0.      | 10.0.    |

1. These figures are taken from the wage sheets held on each settlement.
2. The underlined figures are the maximum and minimum wages in each category.
3. * Junior or trainee.
### APPENDIX 10

**CHARGES FOR MEALS AND ACCOMMODATION ON SETTLEMENTS**

#### SCALE OF CHARGES

<table>
<thead>
<tr>
<th>EARNING CAPACITY</th>
<th>CHARGES FOR MEALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Husband</td>
<td>Non-working wife</td>
</tr>
<tr>
<td>Up to and including 10/- per week</td>
<td>1/-</td>
</tr>
<tr>
<td>Over 10/- per week and up to and including £1 per week</td>
<td>1/3d.</td>
</tr>
<tr>
<td>Over £1 per week and up to and including £1.10.0. per week</td>
<td>2/6d.</td>
</tr>
<tr>
<td>Over £1.10.0. per week and up to and including £3 per week</td>
<td>5/-</td>
</tr>
<tr>
<td>Over £3 per week and up to and including £12 per week</td>
<td>£1</td>
</tr>
<tr>
<td>Over £12 per week and up to the basic wage</td>
<td>£2</td>
</tr>
<tr>
<td>Basic wage and over</td>
<td>£3</td>
</tr>
<tr>
<td>Casual meals</td>
<td>1/-</td>
</tr>
</tbody>
</table>

Children - no charge

Aged and infirm - no charge

Repatriates - no charge

Working wards not in receipt of wages - no charge.

Where the wife of a ward is employed and is earning wages she shall pay at the rate set down for her particular earning capacity and the husband shall be treated as a single man.

Where a ward by virtue of his employment is absent from the Settlement (e.g. droving industry) but his wife and family remain at the Settlement, the ward shall be responsible to pay for meals and accommodation for his wife.

---

1. M.E.A.B., third meeting, Appendix 1. By December 1962 the system of meal charges had been implemented at three settlements only: Amoonguna, Bagot and Warrabri.
### ABORIGINES RECEIVING THE BASIC WAGE

<table>
<thead>
<tr>
<th>EMPLOYER</th>
<th>AREA</th>
<th>NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stevedoring Company</td>
<td>Darwin</td>
<td>10</td>
</tr>
<tr>
<td>Department of Works</td>
<td>Darwin</td>
<td>1</td>
</tr>
<tr>
<td>Building Industry</td>
<td>Darwin</td>
<td>1</td>
</tr>
<tr>
<td>Fire Brigade</td>
<td>Darwin</td>
<td>1</td>
</tr>
<tr>
<td>Railways</td>
<td>Darwin</td>
<td>1</td>
</tr>
<tr>
<td>Health Department</td>
<td>Darwin</td>
<td>2</td>
</tr>
<tr>
<td>Supreme Court Judge</td>
<td>Darwin</td>
<td>1 *</td>
</tr>
<tr>
<td>Sanitation Department</td>
<td>Alice Springs</td>
<td>8</td>
</tr>
<tr>
<td>Postmaster-General</td>
<td>Tennant Creek</td>
<td>2</td>
</tr>
<tr>
<td>Postmaster-General</td>
<td>Barrow Creek</td>
<td>1</td>
</tr>
<tr>
<td>Postmaster-General</td>
<td>Elliott</td>
<td>3</td>
</tr>
<tr>
<td>Department of Works</td>
<td>Elliott</td>
<td>2</td>
</tr>
<tr>
<td>South Adelaide Football Club</td>
<td>Adelaide</td>
<td>1</td>
</tr>
</tbody>
</table>

**TOTAL:** 35

---

1. Information from the Welfare Branch, Darwin. On 13 August 1962 the Director of Welfare stated that 'there are 35 wards receiving at least the basic wage': see N.T.L.C.D., 13 August 1962, p.3065.

* In this case husband and wife share the basic wage.
### TABLE OF WAGES IN RELATION TO EMPLOYMENT OF WARDS

<table>
<thead>
<tr>
<th>INDUSTRY OR CALLING</th>
<th>Adult Males £ s. d.</th>
<th>Adult Females £ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>2.0.0.</td>
<td>1.0.0.</td>
</tr>
<tr>
<td>Building</td>
<td>5.0.0.</td>
<td></td>
</tr>
<tr>
<td>Domestic</td>
<td>2.0.0.</td>
<td>1.0.0.</td>
</tr>
<tr>
<td>Drovers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) with plant and stock</td>
<td>10.0.0.</td>
<td></td>
</tr>
<tr>
<td>(b) with plant only</td>
<td>5.0.0.</td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>4.0.0.</td>
<td>1.0.0.</td>
</tr>
<tr>
<td>Mining</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) surface work</td>
<td>2.0.0.</td>
<td></td>
</tr>
<tr>
<td>(b) underground</td>
<td>6.0.0.</td>
<td></td>
</tr>
<tr>
<td>Municipal</td>
<td>3.10.0.</td>
<td></td>
</tr>
<tr>
<td>Pastoral</td>
<td>2.0.0.</td>
<td>1.0.0.</td>
</tr>
<tr>
<td>Pearling</td>
<td>4.0.0.</td>
<td></td>
</tr>
<tr>
<td>Timber</td>
<td>2.0.0.</td>
<td></td>
</tr>
<tr>
<td>Transport</td>
<td>2.0.0.</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>2.0.0.</td>
<td>1.0.0.</td>
</tr>
</tbody>
</table>

**Juniors Male and Female**

<table>
<thead>
<tr>
<th>Age</th>
<th>Percentage of appropriate adult rate specified for industry or calling.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 17 years of age</td>
<td>40</td>
</tr>
<tr>
<td>At 17 years of age</td>
<td>60</td>
</tr>
<tr>
<td>At 18 years of age</td>
<td>80</td>
</tr>
<tr>
<td>At 19 years of age</td>
<td>100</td>
</tr>
</tbody>
</table>

1. The wage award in terms of the Wards' Employment Regulations was gazetted in the Northern Territory Gazette of the 16th September 1959. The extract above is taken from the Gazette.
## MANDATORY RATION SCALE IN WAEDS' EMPLOYMENT REGULATIONS

### Food to be Supplied

<table>
<thead>
<tr>
<th>Food</th>
<th>Weekly quantity for Wards over 10 Years of Age other than Non-working Females and Aged and Infirm Wards.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meat</td>
<td>7 lb. exclusive of weight of bone</td>
</tr>
<tr>
<td>Flour</td>
<td>5 lb.</td>
</tr>
<tr>
<td>Potatoes or rice</td>
<td>2 lb.</td>
</tr>
<tr>
<td>Sugar</td>
<td>1 lb.</td>
</tr>
<tr>
<td>Peas, dried</td>
<td>1 lb. or dried fruit</td>
</tr>
<tr>
<td>Fruit or vegetables</td>
<td>2 lb. tinned or fresh</td>
</tr>
<tr>
<td>Margarine* - Vitamin A fortified</td>
<td>½ lb.</td>
</tr>
<tr>
<td>Dried whole or skim milk, Vitamin A fortified, or cheese</td>
<td>6 oz.</td>
</tr>
<tr>
<td>Golden Syrup, jam or treacle</td>
<td>1 lb.</td>
</tr>
<tr>
<td>Tea</td>
<td>3 oz.</td>
</tr>
</tbody>
</table>

* Where this is not supplied, an additional 1 lb. of yellow fruit or vegetables (excluding peaches) or 12 oz. of orange juice should be supplied for adults.

### Notes:
- The cash value of this ration has been assessed by the Welfare Branch as slightly over £2. 9. 0.

---

1. Regulation 24, Second Schedule, of the Wards' Employment Regulations lays down, in Part I, the 'Scales of Food to be Supplied to Wards'.

---
<table>
<thead>
<tr>
<th>MISSION</th>
<th>TIME PERIOD</th>
<th>DRIVER</th>
<th>STOCKMAN</th>
<th>SAMILLER</th>
<th>LAUNDERER</th>
<th>SCR Shine</th>
<th>GARDNER</th>
<th>MECHANICAL</th>
<th>COOK</th>
<th>DOMESTIC</th>
<th>LAUNDRY</th>
<th>HOSPITAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roman Catholic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bathurst Island</td>
<td>March 1962</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>6.0</td>
<td>10.0</td>
<td>10.0</td>
<td>0.0</td>
</tr>
<tr>
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<td>M.O.M.</td>
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<td>C.M.B.:</td>
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</tr>
<tr>
<td>Angurugu</td>
<td>August 1962</td>
<td>1.5.0</td>
<td>1.0.0</td>
<td>1.5.0</td>
<td>3.0.0</td>
<td>1.0.0</td>
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<td></td>
<td></td>
<td>16.0</td>
<td>16.0</td>
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<td>17.0</td>
<td>17.0</td>
<td>17.0</td>
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<td>12.0</td>
<td>12.0</td>
<td>13.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
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<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
</tr>
<tr>
<td></td>
<td></td>
<td>16.0</td>
<td>16.0</td>
<td>16.0</td>
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<td>16.0</td>
<td>16.0</td>
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<td>12.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>18 s.f.t.</td>
<td>18 s.f.t.</td>
<td>18 s.f.t.</td>
<td>18 s.f.t.</td>
<td>18 s.f.t.</td>
<td>18 s.f.t.</td>
<td>18 s.f.t.</td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
<td>1/- per</td>
</tr>
<tr>
<td></td>
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<td>16.0</td>
<td>16.0</td>
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<td>16.0</td>
<td>16.0</td>
<td>12.0</td>
<td>12.0</td>
<td>12.0</td>
<td>13.0</td>
</tr>
</tbody>
</table>

1. These figures are taken from the wage sheets of the missions concerned.
2. In all cases, except the Methodist missions, rations are given in addition to the wages indicated. Methodist missions pay higher wages than those shown, but £1.5.0 is deducted from each worker's wages for rations. The net cash wages appear in the table.
   * The subsidised wage is £3.0.0 a compulsory saving of 10/- as well as £1.5.0. for rations is deducted.
   + All subsidised workers pay 15/- board and lodging.
   The underlined wages are paid to trainees.
MISSIONS: ACTUAL WEEKLY RATION SCALES ISSUED TO ABORIGINES

A. RATION SCALE AT BATHURST ISLAND FOR ADULT WORKERS, MARCH 1962

In addition to wages, the following total ration is issued to adult working men and women per week. The ration is spread over three issues.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moot</td>
<td>1 tin, usually 12 oz.</td>
</tr>
<tr>
<td>Flour</td>
<td>7 lbs. 7 oz.</td>
</tr>
<tr>
<td>Sugar and tea</td>
<td>approximately 3 lbs. mixed.</td>
</tr>
<tr>
<td>Niki-niki (tobacco)*</td>
<td></td>
</tr>
<tr>
<td>Tomatoes</td>
<td></td>
</tr>
<tr>
<td>Peanuts</td>
<td></td>
</tr>
<tr>
<td>Coconuts</td>
<td>. . . . . . . . . . . . . . . . . . . . When available</td>
</tr>
<tr>
<td>Fish</td>
<td></td>
</tr>
<tr>
<td>Fresh meat</td>
<td></td>
</tr>
</tbody>
</table>

* Part III of Regulation 24 relates to 'Scale of Tobacco and Other Articles to be Supplied to Wards'. The scale is:
  Male wards: 4 oz. tobacco, 1 box of matches and 4 oz. soap, weekly.
  Female wards: 2 oz. tobacco, 1 box of matches and 4 oz. soap, weekly.

B. RATION SCALE AT SANTA TERESA FOR ADULT WORKERS, OCTOBER 1961

In addition to wages, the following ration scale is issued to adult workers weekly. The ration is spread over three issues.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moot</td>
<td>2 lbs.</td>
</tr>
<tr>
<td>Flour</td>
<td>7 lbs. (maximum of 30 lbs. per family)</td>
</tr>
<tr>
<td>Sugar and tea</td>
<td>One-third cup mixed, daily, with maximum of 8 cups (one-third) for a family per week: total 2 lbs.</td>
</tr>
<tr>
<td>Golden Syrup</td>
<td>1 tin per family of six.</td>
</tr>
<tr>
<td>Baking powder</td>
<td>Per spoon (no quantity specified).</td>
</tr>
<tr>
<td>Vegetables</td>
<td>No quantity specified.</td>
</tr>
<tr>
<td>Tea</td>
<td>1 ½ lb. packet.</td>
</tr>
<tr>
<td>Powdered milk</td>
<td>1 tin.</td>
</tr>
<tr>
<td>Rice</td>
<td>1 two-pint jug per week.</td>
</tr>
</tbody>
</table>
C. RATION SCALES ON METHODIST OVERSEAS MISSIONS, 1961-62

The ration scale below is issued to all workers, but its cash value, assessed by Synod at £1.5.0., is deducted from wages.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whole meal flour</td>
<td>10 lbs.</td>
</tr>
<tr>
<td>Sugar</td>
<td>3 lbs.</td>
</tr>
<tr>
<td>Tea</td>
<td>4 oz.</td>
</tr>
<tr>
<td>Fish</td>
<td>As it becomes available.</td>
</tr>
<tr>
<td>Supplements:</td>
<td>Given free of charge when in season and available.</td>
</tr>
<tr>
<td>Peanuts, tomatoes,</td>
<td></td>
</tr>
<tr>
<td>carrots, bananas,</td>
<td></td>
</tr>
<tr>
<td>pawpaws, dried fruit,</td>
<td></td>
</tr>
<tr>
<td>meat, fish.</td>
<td></td>
</tr>
<tr>
<td>Tobacco</td>
<td>Extra wages given in lieu of ration.</td>
</tr>
</tbody>
</table>

D. RATION SCALE AT HURUJINSBURG, DECEMBER 1961

In addition to wages, the following ration is issued.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meat</td>
<td>Up to 6 lbs.</td>
</tr>
<tr>
<td>Flour</td>
<td>10 lbs. for men; 8 lbs. for women.</td>
</tr>
<tr>
<td>Tea</td>
<td>3 oz.</td>
</tr>
<tr>
<td>Sugar</td>
<td>½ lbs.</td>
</tr>
<tr>
<td>Baking powder</td>
<td>To the value of 1/3d.</td>
</tr>
<tr>
<td>Niki-niki and matches</td>
<td>To the value of 1/3d.</td>
</tr>
<tr>
<td>Dried fruit</td>
<td>To the value of 2/3d.</td>
</tr>
<tr>
<td>Potatoes and onions</td>
<td>To the value of 2/-</td>
</tr>
<tr>
<td>Golden Syrup</td>
<td>To the value of 2/-</td>
</tr>
<tr>
<td>Soap</td>
<td>To the value of 1/-</td>
</tr>
</tbody>
</table>

* The superintendent assessed the cash value of this issue at 16/-

E. RATION SCALE AT ANGURUCU MISSION, AUGUST 1962

The following ration was issued, in addition to wages.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour</td>
<td>2 lbs. per adult; 1 lb. for each child.</td>
</tr>
<tr>
<td>Ground wheat porridge</td>
<td>½ lbs.</td>
</tr>
<tr>
<td>Rice</td>
<td>1 lb.</td>
</tr>
<tr>
<td>Treacle or syrup</td>
<td>4 oz. per child.</td>
</tr>
<tr>
<td>Fish</td>
<td></td>
</tr>
<tr>
<td>Garden produce</td>
<td>When available.</td>
</tr>
</tbody>
</table>

F. RATION SCALE AT UMBAKUNBA MISSION, AUGUST 1962

The following ration was issued, in addition to wages.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour</td>
<td>6 lbs. per adult; 3 lbs. per school-child.</td>
</tr>
<tr>
<td>Porridge</td>
<td>6 pannikins (orange-juice tin): meal for two adults and four children.</td>
</tr>
<tr>
<td>Rice</td>
<td>6 pannikins: meal for three adults and six children.</td>
</tr>
<tr>
<td>Sugar and tea mixed</td>
<td>6 pannikins: for two adults.</td>
</tr>
</tbody>
</table>
### Categories of Aboriginal Workers on Missions

#### A. Male Workers

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>agricultural labourer</td>
<td>hygienic worker</td>
</tr>
<tr>
<td>baker</td>
<td>junior stockman</td>
</tr>
<tr>
<td>bark painter</td>
<td>labourer</td>
</tr>
<tr>
<td>boat builder</td>
<td>leading hand</td>
</tr>
<tr>
<td>boat captain</td>
<td>leather worker</td>
</tr>
<tr>
<td>boat crew</td>
<td>maintenance worker</td>
</tr>
<tr>
<td>brick-maker</td>
<td>mechanic</td>
</tr>
<tr>
<td>carpenter</td>
<td>metal worker</td>
</tr>
<tr>
<td>cattle run</td>
<td>painter</td>
</tr>
<tr>
<td>construction labourer</td>
<td>pastoral worker</td>
</tr>
<tr>
<td>cook</td>
<td>post cutter</td>
</tr>
<tr>
<td>crab catcher</td>
<td>road worker</td>
</tr>
<tr>
<td>craft worker</td>
<td>sawmiller</td>
</tr>
<tr>
<td>cypress pine nurseryman</td>
<td>stockman</td>
</tr>
<tr>
<td>driver</td>
<td>stone quarryman</td>
</tr>
<tr>
<td>evangelist</td>
<td>store aide</td>
</tr>
<tr>
<td>fencing worker</td>
<td>storeman</td>
</tr>
<tr>
<td>fisherman</td>
<td>tannery worker</td>
</tr>
<tr>
<td>fitter and turner</td>
<td>teaching assistant</td>
</tr>
<tr>
<td>gardener</td>
<td>timber collector</td>
</tr>
<tr>
<td>garage hand</td>
<td>tractor driver</td>
</tr>
<tr>
<td>general foreman</td>
<td>truck driver</td>
</tr>
<tr>
<td>general worker</td>
<td>truck crew</td>
</tr>
<tr>
<td>head stockman</td>
<td>woodcutter</td>
</tr>
<tr>
<td>housebuilder</td>
<td>wood-truck crew</td>
</tr>
</tbody>
</table>

**Total: 50 Categories**

#### B. Female Workers

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>baker</td>
<td>grass cleaner</td>
</tr>
<tr>
<td>camp toilet cleaner</td>
<td>hospital cook</td>
</tr>
<tr>
<td>cleaner</td>
<td>hospital worker</td>
</tr>
<tr>
<td>cook</td>
<td>house girl</td>
</tr>
<tr>
<td>crab catcher</td>
<td>hygiene worker</td>
</tr>
<tr>
<td>craft worker</td>
<td>laundress</td>
</tr>
<tr>
<td>domestic</td>
<td>nursing assistant</td>
</tr>
<tr>
<td>domestic trainee</td>
<td>rug maker</td>
</tr>
<tr>
<td>eating-house worker</td>
<td>salt-rubber</td>
</tr>
<tr>
<td>fancy-worker</td>
<td>school laundress</td>
</tr>
<tr>
<td>gardener</td>
<td>sewing girl</td>
</tr>
<tr>
<td>goatherd</td>
<td>soap-maker</td>
</tr>
<tr>
<td>shepherd</td>
<td>teaching assistant</td>
</tr>
</tbody>
</table>

**Total: 25 Categories**

1. Taken from the wage sheets at the following missions during the period Sept. 1961 to August 1962: Bathurst Is., Santa Teresa, Elcho Is., Goulburn Is., Milingimbi, Yirrkala, Hermannsburg, Angurugu and Umbakumba.
## APPENDIX 11

### ABORIGINAL PRODUCE SOLD TO BATHURST ISLAND MISSION 1960-61

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
<th>RATE</th>
<th>CASH PAYMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>wallabies</td>
<td>31,870 ½ lbs.</td>
<td>slightly over 5d, lb.</td>
<td>£684. 3. 3.</td>
</tr>
<tr>
<td>crabs</td>
<td>536</td>
<td>slightly under 1/-</td>
<td>25.14. 0.</td>
</tr>
<tr>
<td>dugong</td>
<td>470 lbs.</td>
<td>5d. lb.</td>
<td>9.17. 0.</td>
</tr>
<tr>
<td>turtle</td>
<td>249 lbs.</td>
<td>slightly under 6d. lb.</td>
<td>6. 4. 6.</td>
</tr>
<tr>
<td>turtle eggs</td>
<td>142 lbs.</td>
<td>6d. lb.</td>
<td>3.11. 0.</td>
</tr>
<tr>
<td>yams</td>
<td>532 lbs.</td>
<td>4.3d. lb.</td>
<td>9.13. 0.</td>
</tr>
<tr>
<td>cockles</td>
<td>231 ½ bags</td>
<td>slightly under 9/- per bag.</td>
<td>98.14. 0.</td>
</tr>
<tr>
<td>oysters</td>
<td>2 ½ tins</td>
<td>approx. 7/6 tin.</td>
<td>19. 0.</td>
</tr>
<tr>
<td>mussels</td>
<td>606</td>
<td>3.6d. each</td>
<td>9. 2. 0.</td>
</tr>
<tr>
<td>crocodile meat</td>
<td>32 lbs.</td>
<td>6d. lb.</td>
<td>16. 0.</td>
</tr>
<tr>
<td>prawns</td>
<td>17 lbs.</td>
<td>6d. lb.</td>
<td>8. 6.</td>
</tr>
<tr>
<td>bush apples</td>
<td>58 lbs.</td>
<td>approx. 7d. lb.</td>
<td>1.13. 0.</td>
</tr>
<tr>
<td>bush fruit</td>
<td>14 lbs.</td>
<td>6d. lb.</td>
<td>7. 0.</td>
</tr>
<tr>
<td>fish</td>
<td>270½ lbs.</td>
<td>7.4d. lb.</td>
<td>83. 9. 1.</td>
</tr>
<tr>
<td>pawpaws</td>
<td>90 lbs.</td>
<td>5.3d. lb.</td>
<td>2. 0. 0.</td>
</tr>
<tr>
<td>bananas</td>
<td>48 lbs.</td>
<td>5.25d. lb.</td>
<td>1. 1. 0.</td>
</tr>
<tr>
<td>tomatoes</td>
<td>69 lbs.</td>
<td>6d. lb.</td>
<td>1.14. 6.</td>
</tr>
<tr>
<td>cucumbers</td>
<td>6 lbs.</td>
<td>8d. lb.</td>
<td>4. 0.</td>
</tr>
<tr>
<td>watermelons</td>
<td>152 lbs.</td>
<td>7d. lb.</td>
<td>4. 8. 6.</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td></td>
<td></td>
<td><strong>£943.19. 4.</strong></td>
</tr>
</tbody>
</table>

1. Information from Bathurst Island mission.
## APPENDIX 18

### WAGES AND CASH STORE SALES AT BATHURST ISLAND

#### 1961 - 1962

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount Paid in Wages</th>
<th>Amount Spent in Cash Store</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 - 29 July 1961</td>
<td>£124. 8. 0.</td>
<td>£582. 9. 1.</td>
</tr>
<tr>
<td>5 - 26 August</td>
<td>139. 2. 0.</td>
<td>673.15. 2.</td>
</tr>
<tr>
<td>2 - 30 September</td>
<td>229. 8. 0.</td>
<td>737.19. 0.</td>
</tr>
<tr>
<td>7 - 28 October</td>
<td>194.17. 0.</td>
<td>890. 8. 9.*</td>
</tr>
<tr>
<td>4 - 25 November</td>
<td>220.14. 0.</td>
<td>1233.15. 1.</td>
</tr>
<tr>
<td>2 - 30 December</td>
<td>258.18. 0.</td>
<td>1421.10. 5.**</td>
</tr>
<tr>
<td>6-27 January 1962</td>
<td>176. 6. 0.</td>
<td>644. 3.10.</td>
</tr>
<tr>
<td>3 - 24 February</td>
<td>209. 9. 0.</td>
<td>642.17. 3.</td>
</tr>
<tr>
<td></td>
<td><strong>£1553. 2. 0.</strong></td>
<td><strong>£6826.18. 7.</strong></td>
</tr>
</tbody>
</table>

**Note:** Total wages paid in 1960-61: £2173.6.0.
Total cash spent in cash store 1960-61: £2861.2.4.

---

1. Information from Bathurst Island Mission.

* Salt-workers returned from Shoal Bay.

** Employees of the armed services returned.
### APPENDIX 19

**ABORIGINES EMPLOYED BY QANTAS EMPIRE AIRWAYS**

#### MALE LABOURERS

<table>
<thead>
<tr>
<th>No. Employed</th>
<th>Weekly Wage Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>£5.10. 0.</td>
</tr>
<tr>
<td>2</td>
<td>5. 0. 0.</td>
</tr>
<tr>
<td>1</td>
<td>4.15. 0.</td>
</tr>
<tr>
<td>7</td>
<td>4.10. 0.</td>
</tr>
<tr>
<td>7</td>
<td>4. 0. 0.</td>
</tr>
<tr>
<td>13</td>
<td>3.10. 0.</td>
</tr>
<tr>
<td>1</td>
<td>2.10. 0.</td>
</tr>
<tr>
<td>1</td>
<td>2. 0. 0.</td>
</tr>
<tr>
<td><strong>36</strong></td>
<td></td>
</tr>
</tbody>
</table>

1. Return to the Welfare Branch for the six-month period ended 30. 6.61.
A brief description of the social service benefits available to the Australian community is given; only those benefits which are relevant to Northern Territory Aborigines are described.

1. **Age Pensions**: these are payable to men, 65 years and over, and to women, 60 years and over, who are British subjects and have resided continuously in Australia for 10 years. Certain discontinuities of residence are recognised. There is no limit on the duration of the benefit. There is a means test on income and property.

2. **Invalid Pensions**: these are payable to persons over 16 years who have resided continuously in Australia for five years and who are permanently incapacitated for work to the extent of at least 85 per cent., or are permanently blind. There is no time limit on the benefit and there is a means test on income and property. Since October 1961 the rates payable for both age and invalid pensions have been:

<table>
<thead>
<tr>
<th>Pensions</th>
<th>Maximum annual rate</th>
<th>Maximum weekly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£273. 0. 0.</td>
<td>£5. 5. 0.</td>
</tr>
</tbody>
</table>

(Invalid pensioners in benevolent homes receive a portion for their personal use; the balance is retained by the authority caring for the pensioner for his maintenance.)

'Aboriginal natives, other than those who are nomadic or primitive, are eligible for age and invalid pensions on the same conditions as other members of the community', *2

3. **Dependent Wives' Pensions**: these are payable to the wives of invalid pensioners (and of age pensioners who are permanently incapacitated for work or are permanently blind). There is a means test on income and property. To be eligible, such wives must not be receiving an invalid, age or other pension. In addition, a dependent wife may receive a child's allowance for a first or only child under 16 and an allowance for each other child. As at March 1962, the rates payable were:

<table>
<thead>
<tr>
<th>Allowance for non-pensioner (dependent) wife</th>
<th>Maximum annual rate</th>
<th>Maximum weekly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>£123.10. 0.</td>
<td>£2. 7. 6.</td>
</tr>
</tbody>
</table>

| Allowance for first child under 16          | 39. 0. 0.           | 15. 0.              |

| Extra pension for each other child          | 26. 0. 0.           | 10. 0.              |

Aborigines, other than those nomadic or primitive, are eligible on the same conditions as other members of the community.

4. **Widows' Pensions**: At March 1962 there were three classes of widows' pensions, payable to women with five years' continuous residence who satisfy certain character qualifications and a means

---

1. These descriptions have been compiled from O.Y.B.C.A., No.48, 1962, pp. 699-710, and from the Commonwealth Social Services Handbook, issued by the Commonwealth Department of Social Services, March 1961.

2. This quotation, and similar ones below, are from the 1962 Commonwealth Year Book, cited in footnote 1.
test on income and property.
Class A: a widow with one or more children under 16 in her care.
Class B: a widow aged 50 or more with no children.
Class C: a widow under 50 with no children and who is in need of assistance within 26 weeks of her husband's death.

The rates at March 1962 were:

<table>
<thead>
<tr>
<th>Class</th>
<th>Maximum Annual Rate</th>
<th>Maximum Weekly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>£286.0.0.</td>
<td>£5.10.0.</td>
</tr>
<tr>
<td>Extra pension for each child other than the first</td>
<td>39.0.0.</td>
<td>15.0.</td>
</tr>
<tr>
<td>B</td>
<td>240.10.0.</td>
<td>4.12.6.</td>
</tr>
<tr>
<td>C</td>
<td></td>
<td>4.12.6.</td>
</tr>
</tbody>
</table>

'Aboriginal natives, other than those who are nomadic or primitive, are eligible for widows' pensions on the same conditions as other members of the community'.

5. Child Endowment: A person who is resident in Australia and has the custody, care and control of one or more children under the age of 16 years, or an approved institution in which children are inmates, is qualified to receive an endowment in respect of each child. Since 30 June 1950 the rate of endowment has been 5/- per week for the first child of the family, 10/- per week for each other child and 10/- per week for each child in an institution. 'Endowment is payable to aboriginal natives unless they are nomadic or primitive'.

6. Maternity Allowance: These allowances are paid to provide financial assistance towards the expenses associated with the birth of children. At March 1962 the rates were:

Where mother has no other children under 16 | £15.0.0. |
Where there are one or two other children | 16.0.0. |
Where there are three or more other children | 17.10.0. |
Extra payment for each additional child in multiple births | 5.0.0. |
Pre-natal portion of allowance | 10.0.0. |

'Aboriginal natives, other than those who are nomadic or primitive, are eligible for maternity allowances on the same conditions as other members of the community'.

7. Unemployment and Sickness Benefits: these benefits are paid to males between 16 and 65 and women between 16 and 60 who suffer temporary loss of regular earnings because of unemployment, sickness or accident. There is a means test on income but not on property. Persons receiving other forms of pension are generally ineligible for these benefits. To receive an unemployment benefit, a person must be unemployed (provided this is not due to participation in a strike); be willing and capable to undertake suitable work and must have taken reasonable steps to obtain work. Income which a person may have and still be eligible for the benefit is £2 per week for an adult or married person under 21, and £1 per week for an unmarried person under 21. If the claimant's income from other sources exceeds these amounts, the benefit is reduced by the amount of the excess. For unemployment benefits, the income of the claimant's spouse is considered. 'Income' includes earnings, any other form of income and any periodical payment and benefit by way of gift or allowance. It does not include child endowment, war pensions, medical and hospital benefits.
At March 1962 the rates were:

<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum weekly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult or married minor</td>
<td>4. 2. 6.</td>
</tr>
<tr>
<td>Unmarried person aged 16-17</td>
<td>1.15. 0.</td>
</tr>
<tr>
<td>Unmarried person aged 18-20</td>
<td>2. 7. 6.</td>
</tr>
<tr>
<td>Dependent spouse</td>
<td>3. 0. 0.</td>
</tr>
<tr>
<td>Each child under 16</td>
<td>15. 0.</td>
</tr>
</tbody>
</table>

'Aboriginal natives, other than those who are nomadic or primitive, are eligible for those benefits on the same conditions as other members of the community'.

8. *Tuberculosis Allowances*: These allowances are paid to people suffering from tuberculosis 'to encourage them to give up work and undergo treatment, minimizing the spread of tuberculosis and promoting the better treatment of the disease'. There is a means test on income: the amount of income which a person may have before any reduction is made in his allowance is £3.10. 0. per week for a single person and £7 for a married person. If the person's income from other sources exceeds these amounts, the allowance is reduced by the excess.

At March 1962 the rates were:

<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum weekly rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single person without dependants</td>
<td>£7. 7. 6.</td>
</tr>
<tr>
<td>If receiving free hospital treatment</td>
<td>5. 5. 0.</td>
</tr>
<tr>
<td>Married person with dependent wife</td>
<td>12. 2. 6.</td>
</tr>
<tr>
<td>Allowances for first dependent child under 16</td>
<td>15. 0.</td>
</tr>
<tr>
<td>Allowance for each other dependent child under 16</td>
<td>10. 0.</td>
</tr>
</tbody>
</table>
### ISSUE TO MOTHERS OF ENDOWED CHILDREN

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>powdered milk</td>
<td>two tins per child</td>
</tr>
<tr>
<td>condensed milk</td>
<td>one tin per family</td>
</tr>
<tr>
<td>honey</td>
<td>one jar for one or two children</td>
</tr>
<tr>
<td>washing soap</td>
<td>one bar for two children</td>
</tr>
<tr>
<td>toilet soap</td>
<td>one bar for two children</td>
</tr>
<tr>
<td>eggs</td>
<td>five per child</td>
</tr>
<tr>
<td>butter</td>
<td>( \frac{1}{2} ) lb. per child</td>
</tr>
<tr>
<td>cheese</td>
<td>( \frac{3}{4} ) lb. per child</td>
</tr>
<tr>
<td>fruit (vegetables)</td>
<td>worked out proportionately</td>
</tr>
<tr>
<td>rice</td>
<td>( \frac{1}{2} ) cup per child</td>
</tr>
<tr>
<td>sugar</td>
<td>one cup per child</td>
</tr>
<tr>
<td>weetbix or ocravite</td>
<td>six biscuits per child</td>
</tr>
<tr>
<td>custard powder</td>
<td>on request</td>
</tr>
<tr>
<td>corn flour</td>
<td>on request</td>
</tr>
<tr>
<td>ovaltine and cocoa</td>
<td>on request</td>
</tr>
<tr>
<td>steel wool, kitchen</td>
<td></td>
</tr>
<tr>
<td>utensils, baby bottles</td>
<td>as required</td>
</tr>
<tr>
<td>teats, dummies etc.</td>
<td></td>
</tr>
</tbody>
</table>

---

1. The information following was obtained from the Department of Native Affairs, Brisbane and from the superintendents of the settlements.
### Methodist Overseas Missions

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Widows</td>
<td>£37,905</td>
<td>£20,673</td>
<td>78</td>
<td>£25,000</td>
</tr>
<tr>
<td>July</td>
<td>£1,835</td>
<td>£1,348</td>
<td>7</td>
<td>2,350</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>£16,520</td>
<td>£27,916</td>
<td>550</td>
<td>23,750</td>
</tr>
<tr>
<td>Maternity Allowances</td>
<td>1,049</td>
<td>1,877</td>
<td>120</td>
<td>1,900</td>
</tr>
<tr>
<td>Unemployment Benefit</td>
<td>811</td>
<td>811</td>
<td>811</td>
<td>110</td>
</tr>
<tr>
<td>Total</td>
<td>£51,354</td>
<td>£65,926</td>
<td>£45,456</td>
<td>£33,000</td>
</tr>
</tbody>
</table>

### Church Missionary Society

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Widows</td>
<td>£32,771</td>
<td>£11,056</td>
<td>66</td>
<td>£21,950</td>
</tr>
<tr>
<td>July</td>
<td>£6,007</td>
<td>£4,295</td>
<td>14</td>
<td>5,000</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>£16,521</td>
<td>£20,601</td>
<td>750</td>
<td>17,000</td>
</tr>
<tr>
<td>Maternity Allowances</td>
<td>711</td>
<td>95</td>
<td>45</td>
<td>75</td>
</tr>
<tr>
<td>Unemployment Benefit</td>
<td>811</td>
<td>811</td>
<td>811</td>
<td>119</td>
</tr>
<tr>
<td>Total</td>
<td>£57,152</td>
<td>£51,662</td>
<td>£39,082</td>
<td>£34,600</td>
</tr>
</tbody>
</table>

### Roman Catholic Missions

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Widows</td>
<td>£79,419</td>
<td>£36,333</td>
<td>149</td>
<td>£40,000</td>
</tr>
<tr>
<td>July</td>
<td>£5,932</td>
<td>£5,533</td>
<td>30</td>
<td>10,000</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>£19,471</td>
<td>£25,247</td>
<td>850</td>
<td>20,600</td>
</tr>
<tr>
<td>Maternity Allowances</td>
<td>977</td>
<td>1,433</td>
<td>80</td>
<td>1,500</td>
</tr>
<tr>
<td>Unemployment Benefit</td>
<td>811</td>
<td>811</td>
<td>811</td>
<td>119</td>
</tr>
<tr>
<td>Total</td>
<td>£84,630</td>
<td>£51,882</td>
<td>£46,957</td>
<td>£47,900</td>
</tr>
</tbody>
</table>

### Finke River Mission Board (Homestown)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Widows</td>
<td>£16,317</td>
<td>£7,666</td>
<td>28</td>
<td>£8,000</td>
</tr>
<tr>
<td>July</td>
<td>£1,357</td>
<td>£2,150</td>
<td>10</td>
<td>3,950</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>£5,713</td>
<td>£8,308</td>
<td>260</td>
<td>6,000</td>
</tr>
<tr>
<td>Maternity Allowances</td>
<td>263</td>
<td>474</td>
<td>30</td>
<td>475</td>
</tr>
<tr>
<td>Unemployment Benefit</td>
<td>811</td>
<td>811</td>
<td>811</td>
<td>119</td>
</tr>
<tr>
<td>Total</td>
<td>£6,783</td>
<td>£26,866</td>
<td>£16,086</td>
<td>£17,725</td>
</tr>
</tbody>
</table>

1. Figures as supplied by the Department of Social Services, Melbourne (see footnote 7, Chapter V).
### INCOME FOR ALL MISSIONS
(except Roman Catholic Missions)
FROM 1955-56 TO 1958-59

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Endowment</td>
<td>£124,436</td>
</tr>
<tr>
<td>Operational Subsidies</td>
<td>£305,512</td>
</tr>
<tr>
<td>Capital Subsidies</td>
<td>£61,217</td>
</tr>
<tr>
<td>Government Contribution</td>
<td>£491,165</td>
</tr>
<tr>
<td>Mission Boards</td>
<td>192,835</td>
</tr>
<tr>
<td>Station Produce</td>
<td>108,561</td>
</tr>
<tr>
<td>Station Earnings</td>
<td>85,157</td>
</tr>
<tr>
<td>Mission Contribution</td>
<td>192,835</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>£386,553</strong></td>
</tr>
<tr>
<td>Social Services as a Percentage of Government Contribution</td>
<td>25%</td>
</tr>
<tr>
<td>Social Services as a Percentage of Total Mission Income</td>
<td>14%</td>
</tr>
</tbody>
</table>

---

1. From File No. 60/216, 'Financial Assistance to Missions', W.B.H.O. Since Roman Catholic Missions do not seek capital subsidies they are not obliged to present annual statements of income and expenditure. In compiling this table, the Welfare Branch was unable to include contributions from Roman Catholic Missions.
CHURCH MISSIONARY SOCIETY OF AUSTRALIA: ANNUAL COMMITTEE
UBUDUWA MISSION
INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 30TH JUNE, 1961

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th>INCOME</th>
</tr>
</thead>
</table>

### Stipends and Allowances to Stationaries
- £18,16.10.
- £17,15.10.

### Passages and Outfits of Stationaries
- £22,10.10.
- £22,10.10.

### Stores for Natives, including one produce
- £430,10.10.
- £258, 2. 4.

### Clothing and Blankets for Natives including Gifts
- £202,11.5.
- £202,11.5.

### Firewood
- £297, 5. 11.
- £297, 5. 11.

### Fuel
- £250, 10. 3.
- £250, 10. 3.

### Machinery Maintenance
- £89, 10. 2.
- £89, 10. 2.

### General Maintenance
- £201, 10. 10.
- £201, 10. 10.

### Insurance and Registrations
- £293, 6. 2.
- £293, 6. 2.

### Stationery
- £130, 16. 6.
- £130, 16. 6.

### Agriculture
- £11, 16. 3.
- £11, 16. 3.

### Education Account
- £18, 13. 4.
- £18, 13. 4.

### Medical Account
- £745, 10. 0.
- £745, 10. 0.

### Plant and Machinery
- £41, 11. 1.
- £41, 11. 1.

### Transport
- £77, 5. 2.
- £77, 5. 2.

### Darwin Establishment
- £417, 844, 18. 8.
- £417, 844, 18. 8.

#### SUBSIDIES
- Psychiatric Assistant:
  - Allowances
  - Stores
  - Accommodation
  - Total
- Teaching Assistant:
  - Allowances
  - Stores
  - Total

#### DEPARTMENT OF SOCIAL SERVICES
- Aged, Invalid and Widow Pensions and Maternity Allowances
  - £345, 10. 0.

#### DEPARTMENT OF SOCIAL SERVICES:
- Child Endowment Receipts
  - £2441, 0. 0.

#### DEPARTMENT OF SOCIAL SERVICES:
- Child Enrichment
  - £2960, 3. 6.
  - £2960, 3. 6.

#### DEPARTMENT OF SOCIAL SERVICES:
- Child Enrichment
  - £460, 17. 4.
  - £460, 17. 4.

#### DEPARTMENT OF SOCIAL SERVICES:
- Products of the Mission
  - £387, 0. 0.
  - £387, 0. 0.

#### DEPARTMENT OF SOCIAL SERVICES:
- Child Enrichment
  - £47, 844, 18. 8.
  - £47, 844, 18. 8.

### CAPITAL SUBSIDY
- Portion Materials for Hospital Bldgs.
  - £32, 750, 18. 8.
  - £32, 750, 18. 8.

1. Information supplied by the Darwin establishment of the C.M.S.
### CHURCH MISSIONARY SOCIETY OF AUSTRALIA
#### ROBER TRIVER MISSION
#### INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDING JUNE 30TH, 1926

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th>FIGURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stipends and Allowances to Missionaries</td>
<td>5391.13. 6.</td>
</tr>
<tr>
<td>Passengers and Outfit of Missionaries</td>
<td>1850. 6. 0.</td>
</tr>
<tr>
<td>Stores for Natives including seed produce</td>
<td>9356. 7. 4.</td>
</tr>
<tr>
<td>Clothing and Blankets for Natives including Gifts</td>
<td>6154.19.10.</td>
</tr>
<tr>
<td>Plant and Equipment</td>
<td>1131.54. 0.</td>
</tr>
<tr>
<td>Freight</td>
<td>4575. 7. 0.</td>
</tr>
<tr>
<td>Allowances for Natives</td>
<td>8920. 1. 10.</td>
</tr>
<tr>
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<tr>
<td>Cattle Account</td>
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</tr>
<tr>
<td>Education Account</td>
<td>831. 2. 7.</td>
</tr>
<tr>
<td>Medical Account</td>
<td>425. 6. 9.</td>
</tr>
<tr>
<td>Stationery</td>
<td>331.17. 5.</td>
</tr>
<tr>
<td>Stationery</td>
<td>317.16. 11.</td>
</tr>
<tr>
<td>General Maintenance</td>
<td>2231.7. 0.</td>
</tr>
<tr>
<td>Agriculture</td>
<td>179.11. 6.</td>
</tr>
<tr>
<td>Insurance and Registrations</td>
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</tr>
<tr>
<td><strong>MINISTRIES</strong></td>
<td></td>
</tr>
<tr>
<td>- Nursing Assistants</td>
<td>131. 9. 6.</td>
</tr>
<tr>
<td>Allowances</td>
<td>21. 0. 0.</td>
</tr>
<tr>
<td>Accommodation</td>
<td>110.10. 0.</td>
</tr>
<tr>
<td>Trust Held</td>
<td>312. 0. 0.</td>
</tr>
<tr>
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<td>12. 3. 0.</td>
</tr>
<tr>
<td>Accommodation</td>
<td>122. 5. 4.</td>
</tr>
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<td>282. 2. 10.</td>
</tr>
<tr>
<td>- Nursing Assistants</td>
<td>101.18. 0.</td>
</tr>
<tr>
<td>Allowances</td>
<td>11. 5. 0.</td>
</tr>
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<td>Accommodation</td>
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<td>Trust Held</td>
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<tr>
<td><strong>CAPITAL SUBSIDY</strong></td>
<td></td>
</tr>
<tr>
<td>Power Driven Drills</td>
<td>449. 0. 0.</td>
</tr>
<tr>
<td>Partition Fencing Feature Areas</td>
<td>1000. 0. 0.</td>
</tr>
<tr>
<td>Storage Tank etc.</td>
<td>371. 0. 0.</td>
</tr>
<tr>
<td>3 Advanced Native Cottages</td>
<td>1275. 0. 0.</td>
</tr>
<tr>
<td>5 Abodeau Rooms</td>
<td>3716. 0. 0.</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
</tr>
<tr>
<td><strong>MINISTRIES</strong></td>
<td></td>
</tr>
<tr>
<td><strong>CAPITAL SUBSIDY</strong></td>
<td></td>
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<td>Partition Fencing Feature Areas</td>
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<tr>
<td>Storage Tank etc.</td>
<td>371. 0. 0.</td>
</tr>
<tr>
<td>3 Advanced Native Cottages</td>
<td>1275. 0. 0.</td>
</tr>
<tr>
<td>5 Abodeau Rooms</td>
<td>3716. 0. 0.</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
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</tr>
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</table>

### DEPARTMENT OF SOCIAL SERVICES

#### AGE AND INCOME ALLOWANCES

<table>
<thead>
<tr>
<th>EXPENDITURE</th>
<th>FIGURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aged and Infirm</td>
<td>5139. 8. 9.</td>
</tr>
<tr>
<td>Children</td>
<td>2514.17. 5.</td>
</tr>
<tr>
<td>Staff</td>
<td>2309. 16. 6.</td>
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<tr>
<td>Hospitalization</td>
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<tr>
<td>Prev. and Post Pensions</td>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>14512.19.11.</td>
</tr>
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</table>

### MINISTRIES

- **ROPER MISSION**
  - **MINISTRIES**
    - Nursing Assistants
    - Teaching Assistants
    - Nursing Assistants
    - Nursing Assistants
  - **CAPITAL SUBSIDY**
    - Power Driven Drills
    - Partition Fencing Feature Areas
    - Storage Tank etc.
    - 3 Advanced Native Cottages
    - 5 Abodeau Rooms
  - **TOTAL**

1. Information supplied by the Darwin establishment of the C.M.S.
**APPENDIX 24C**

**METHODIST OVERSEAS MISSIONS: NORTH AUSTRALIA DISTRICT**

**STATEMENT OF INCOME & EXPENDITURE FOR YIRRKALA FOR YEAR ENDED 30.6.61**

### INCOME:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Station Earnings:</strong></td>
<td></td>
</tr>
<tr>
<td>Craft Sales</td>
<td>3,498.6.7.</td>
</tr>
<tr>
<td>Crocodile Skins</td>
<td>324.2.0.</td>
</tr>
<tr>
<td>Sundries</td>
<td>27.0.0.</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>3,849.10.7.</td>
</tr>
<tr>
<td>Government Subsidies</td>
<td>5,451.10.0.</td>
</tr>
<tr>
<td>Aboriginal Pensions</td>
<td>14,140.6.6.</td>
</tr>
<tr>
<td></td>
<td>2,022.0.0.</td>
</tr>
<tr>
<td><strong>Total Income:</strong></td>
<td>£25,463.7.1.</td>
</tr>
</tbody>
</table>

### EXPENDITURE:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Operational -</strong></td>
<td></td>
</tr>
<tr>
<td>Food and Tobacco</td>
<td>7,132.16.6.</td>
</tr>
<tr>
<td>Clothing and Blankets</td>
<td>1,639.11.1.</td>
</tr>
<tr>
<td>Fuel</td>
<td>332.4.4.</td>
</tr>
<tr>
<td>Repairs etc. (MACH. &amp; Plant)</td>
<td>1,076.4.6.</td>
</tr>
<tr>
<td>Building Maintenance</td>
<td>836.11.5.</td>
</tr>
<tr>
<td>Furnishings</td>
<td>125.19.5.</td>
</tr>
<tr>
<td>General</td>
<td>512.16.2.</td>
</tr>
<tr>
<td><strong>Total Operational -</strong></td>
<td>£12,457.4.3.</td>
</tr>
<tr>
<td>Salaries and Allowances</td>
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<tr>
<td>Staff Travelling</td>
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</tr>
<tr>
<td>Insurances</td>
<td>248.16.0.</td>
</tr>
<tr>
<td>Boat running</td>
<td>890.11.3.</td>
</tr>
<tr>
<td>Contingencies</td>
<td>38.1.7.</td>
</tr>
<tr>
<td>Wireless</td>
<td>5.7.3.</td>
</tr>
<tr>
<td>Darwin Administrative Costs</td>
<td>1,328.18.5.</td>
</tr>
<tr>
<td></td>
<td>£23,126.1.11.</td>
</tr>
<tr>
<td><strong>B. Capital -</strong></td>
<td></td>
</tr>
<tr>
<td>Native Housing</td>
<td>187.0.2.</td>
</tr>
<tr>
<td>Wireless Room &amp; Office</td>
<td>250.0.0.</td>
</tr>
<tr>
<td>Hospital Equipment &amp; Laundry</td>
<td>230.5.7.</td>
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<tr>
<td>Implement Shed</td>
<td>79.19.0.</td>
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<tr>
<td>5 Ton Truck</td>
<td>2,513.1.8.</td>
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<tr>
<td><strong>Total Capital -</strong></td>
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<tr>
<td>Less Transfer from Yirrkala Plant</td>
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<tr>
<td>Replacement Reserve</td>
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<tr>
<td></td>
<td>£2,022.0.0.</td>
</tr>
<tr>
<td><strong>Expenditure -</strong></td>
<td></td>
</tr>
<tr>
<td>Operational</td>
<td>£23,126.1.11.</td>
</tr>
<tr>
<td>Capital</td>
<td>2,513.1.4.6.</td>
</tr>
<tr>
<td>Income</td>
<td>25,438.16.5.</td>
</tr>
<tr>
<td></td>
<td>£25,463.7.1.</td>
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<tr>
<td><strong>Deficit</strong></td>
<td>20.9.4.</td>
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</table>

### C. Capital - Subject to Government Grant

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Native Housing</td>
<td>200.0.0.</td>
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<tr>
<td>Sanitation</td>
<td>550.0.0.</td>
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<tr>
<td></td>
<td>£750.0.0.</td>
</tr>
<tr>
<td><strong>Government Grant Received</strong></td>
<td>£750.0.0.</td>
</tr>
</tbody>
</table>

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1. Information supplied by the Darwin Establishment of the Methodist Overseas Missions.
APPENDIX 24D

METHODIST OVERSEAS MISSIONS; NORTH AUSTRALIA DISTRICT

STATEMENT OF INCOME & EXPENDITURE FOR ELCHO ISLAND FOR YEAR ENDED 30.6.61

<table>
<thead>
<tr>
<th>INCOME:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Station Earnings:</td>
<td></td>
</tr>
<tr>
<td>Craft Sales</td>
<td>904.19.9.</td>
</tr>
<tr>
<td>Crocodile Skins</td>
<td>613.10.6.</td>
</tr>
<tr>
<td>Timber</td>
<td>5,107.3.5.</td>
</tr>
<tr>
<td>Fish</td>
<td>39.9.4.</td>
</tr>
<tr>
<td>Sundries</td>
<td>12.4.6.</td>
</tr>
<tr>
<td>Child Endowment</td>
<td>6,787.0.0.</td>
</tr>
<tr>
<td>Government Subsidies</td>
<td>18,359.2.1.</td>
</tr>
<tr>
<td>Aboriginal Pensions</td>
<td>24,742.0.0.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURE:</th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Operational -</td>
<td></td>
</tr>
<tr>
<td>Food &amp; Tobacco</td>
<td>8,771.0.9.</td>
</tr>
<tr>
<td>Clothing &amp; Blankets</td>
<td>2,815.18.7.</td>
</tr>
<tr>
<td>Fuel</td>
<td>1,647.18.6.</td>
</tr>
<tr>
<td>Repairs etc. (Mach.&amp; Plant)</td>
<td>2,452.15.7.</td>
</tr>
<tr>
<td>Building Maintenance</td>
<td>460.19.10.</td>
</tr>
<tr>
<td>Furnishings</td>
<td>515.19.1.</td>
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<tr>
<td>General</td>
<td>596.4.6.</td>
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<tr>
<td></td>
<td>£27,260.16.10,</td>
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<tr>
<td>Salaries &amp; Allowances</td>
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<td>Travelling</td>
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<tr>
<td>Insurances</td>
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<tr>
<td>Boat Running</td>
<td>1,187.0.3.</td>
</tr>
<tr>
<td>Contingencies</td>
<td>38.1.7.</td>
</tr>
<tr>
<td>Wireless</td>
<td>5.7.3.</td>
</tr>
<tr>
<td>Darwin Administrative</td>
<td>1,328.18.6.</td>
</tr>
<tr>
<td>Costs</td>
<td>£29,511.18.4.</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td>B. Capital -</td>
<td></td>
</tr>
<tr>
<td>Water Pump, Piping, Sprays</td>
<td>457.0.4.</td>
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<td>Fencing</td>
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<td>Electric Motor for Planing Machines</td>
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<tr>
<td>Fordson Tractor &amp; Trailer</td>
<td>1,627.16.10.</td>
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<tr>
<td>Residence (Balance of Cost)</td>
<td>436.15.5.</td>
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<tr>
<td></td>
<td>£3,077.9.7.</td>
</tr>
</tbody>
</table>

|                          |               |
| Income                   |               |
|
| Expenditure -            |               |
| Operational              | £29,511.18.4. |
| Capital                  | 3,077.9.7.    |
|                          | £34,545.9.7.  |

| C. Capital - Pensioners  |               |
| Native Housing           | 498.5.1.      |
| Tank & Stand             | 298.7.0.      |
| Piping                   | 127.7.3.      |
|                          | £923.19.4.    |

| D. Capital - Subject to Government Grant |               |
| Pump Units & Water Piping          | 600.0.0.      |
| Tables & Chairs Childrens          |               |
| Dining Room                         | 900.0.0.      |
| Native Cottages                     | 500.0.0.      |
| Government Grants Received          | 2,000.0.0.    |

| E. Capital - Special Staff House   |               |
| Boat Captain                       | 2,500.0.0.    |
| Church                              | 2,500.0.0.    |
| Native Cottage                      | 5,000.0.0.    |

|                          |               |
|                          | 34,545.9.7.   |
|                          | 32,589.7.11.  |
|                          | 1,956.1.8.    |

|                          |               |
|                          |               |

1 Information supplied by the Darwin establishment of M.O.M.
METHODOIST OVERSEAS MISSIONS: NORTH AUSTRALIA DISTRICT
STATEMENT OF INCOME & EXPENDITURE FOR GOULBURN ISLAND FOR YEAR ENDED 30. 6. 61.

**INCOME:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
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<td>Station Earnings:</td>
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</tr>
<tr>
<td>Craft Sales</td>
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<td>Crocodile Skins</td>
<td>21.14.0</td>
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<tr>
<td>Sundries</td>
<td>2.0.0</td>
<td></td>
</tr>
<tr>
<td>Child Endowment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government Subsidies</td>
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<tr>
<td>Aboriginal Pensions</td>
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<td></td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>8,727.14.4</td>
<td></td>
</tr>
</tbody>
</table>

**EXPENDITURE:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Operational -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food &amp; Tobacco</td>
<td>4,174.9.7</td>
<td></td>
</tr>
<tr>
<td>Clothing &amp; Blankets</td>
<td>1,494.13.6</td>
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<tr>
<td>Fuel</td>
<td>169.0.1</td>
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</tr>
<tr>
<td>Repairs etc, (Mach. &amp; Plant)</td>
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<tr>
<td>Building Maintenance</td>
<td>337.6.7</td>
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<tr>
<td>Furnishings</td>
<td>140.16.0</td>
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<tr>
<td>General</td>
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<td><strong>Total Operational</strong></td>
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</tr>
<tr>
<td>Salaries &amp; Allowances</td>
<td>3,018.11.10</td>
<td></td>
</tr>
<tr>
<td>Staff Travelling</td>
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<tr>
<td>Insurances</td>
<td>96.4.10</td>
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</tr>
<tr>
<td>Boat Running</td>
<td>890.11.2</td>
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</tr>
<tr>
<td>Contingencies</td>
<td>19.0.10</td>
<td></td>
</tr>
<tr>
<td>Wireless</td>
<td>2.13.7</td>
<td></td>
</tr>
<tr>
<td>Darwin Administrative Costs</td>
<td>664.9.3</td>
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</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>12,601.19.6</td>
<td></td>
</tr>
<tr>
<td>B. Capital</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Native Housing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ferguson Tractor Mower</td>
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<td></td>
</tr>
<tr>
<td>Expenditure -</td>
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<td></td>
</tr>
<tr>
<td>Capital</td>
<td>248.13.11</td>
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</tr>
<tr>
<td><strong>Total Capital Capital Income</strong></td>
<td>12,890.13.5</td>
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</tr>
<tr>
<td><strong>Deficit</strong></td>
<td>1,254.2.1</td>
<td></td>
</tr>
<tr>
<td>C. Capital - Pensioners -</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Housing</td>
<td>1,028.16.11</td>
<td></td>
</tr>
<tr>
<td>Water Piping &amp; Fittings</td>
<td>343.10.8</td>
<td></td>
</tr>
<tr>
<td>Furnishings</td>
<td>108.10.5</td>
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</tr>
<tr>
<td><strong>Total Capital Subject to Grant</strong></td>
<td>1,480.18.4</td>
<td></td>
</tr>
<tr>
<td>D. Capital - Subject to Government Grant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irrigation Piping and Pump</td>
<td>350.0.0</td>
<td></td>
</tr>
<tr>
<td>Government Grant Received</td>
<td>350.0.0</td>
<td></td>
</tr>
</tbody>
</table>

**Total Income & Expenditure:**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Income</strong></td>
<td>8,727.14.4</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>12,601.19.6</td>
<td></td>
</tr>
<tr>
<td><strong>Deficit</strong></td>
<td>1,254.2.1</td>
<td></td>
</tr>
</tbody>
</table>

1. Information supplied by Darwin establishment of M.O.M.
## APPENDIX 25

**NOTIFIABLE DISEASES IN THE NORTHERN TERRITORY**

*(ALL RACES)*

**(Figures as at 31st December)**

<table>
<thead>
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<th></th>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Hookworm</td>
<td>58</td>
<td>63</td>
<td>25</td>
<td>66</td>
<td>-</td>
<td>259</td>
<td>308</td>
<td>298</td>
<td>192</td>
<td>210</td>
<td>1479</td>
</tr>
<tr>
<td>Infantile diarrhoea</td>
<td>66</td>
<td>13</td>
<td>8</td>
<td>13</td>
<td>116</td>
<td>97</td>
<td>71</td>
<td>318</td>
<td>218</td>
<td>183</td>
<td>1103</td>
</tr>
<tr>
<td>Bacillary dysentery</td>
<td>-</td>
<td>5</td>
<td>2</td>
<td>25</td>
<td>37</td>
<td>108</td>
<td>99</td>
<td>61</td>
<td>40</td>
<td>69</td>
<td>446</td>
</tr>
<tr>
<td>Infective hepatitis</td>
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</tr>
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<td>-</td>
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<td>-</td>
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<td>-</td>
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<td>Meningococcal infection</td>
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<td>-</td>
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<td>5</td>
<td>1</td>
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<td>4</td>
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<td>3</td>
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<td>4</td>
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<td>7</td>
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<td>254</td>
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<td>1021</td>
<td>665</td>
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<td><strong>TOTAL ALL DISEASES</strong></td>
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<td>1102</td>
<td>1029</td>
<td>692</td>
<td>748</td>
<td>6256</td>
</tr>
</tbody>
</table>

---

1. These figures were derived from the A.R.D.G.H. for the years: 30 June 1954 to 30 June 1956; 1 July 1956 to 30 June 1958; 1 July 1958 to 30 June 1960; 1 July 1960 to 30 June 1961; 1 July 1961 to 30 June 1962 and 1962-63.

**The incidence of the diseases following is minimal and they have been omitted from the table: rheumatic fever; amoebiasis; anthrax; bilharzia; brucellosis; chorea; dengue; encephalitis; erythema nodosum; homologous serum jaundice; hydatid; lead poisoning; leptospirosis; ophthalmia; ornithosis; paratyphoid; trichinosis and typhus. In these years there were no cases of chorea, plague, smallpox, typhus or yellow fever.**
### Footnotes
* These diseases are included in the World Health Organization's International Classification of Infectious Diseases, but are omitted from the Northern Territory classification and are not published in the Director-General of Health's Annual Reports.
* Diseases which have minimal incidence have been omitted.
### NOTIFIABLE DISEASES: VARIATIONS IN ALICE SPRINGS DISTRICT FIGURES

**A** = the figures obtained from File No. AS 5/2/1, 'Administration - Annual Reports - Annual Returns', Alice Springs Hospital. **D** = figures for Alice Springs obtained from the Director of Health, Darwin.

The Alice Springs Hospital figures for 1955-56 are not available.

<table>
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<tr>
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<th>54-55</th>
<th>56-57</th>
<th>57-58</th>
<th>58-59</th>
<th>59-60</th>
<th>60-61</th>
</tr>
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<tr>
<td><strong>Poliomyelitis</strong></td>
<td>-</td>
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<td>-</td>
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<td>2</td>
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<tr>
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<td>-</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Tuberculosis</strong></td>
<td>18</td>
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<td>-</td>
<td>23</td>
<td>21</td>
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<td>2</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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</tr>
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<td>-</td>
<td>-</td>
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<td>1</td>
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<td>1</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
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<td>26</td>
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<td><strong>Yaws</strong></td>
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<td>1</td>
<td>21</td>
<td>18</td>
<td>-</td>
</tr>
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<td><strong>Syphilis</strong></td>
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<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td><strong>Scarlet fever</strong></td>
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<td>-</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Puerperal fever</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Malaria</strong></td>
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<td>-</td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>TOTAL</strong></td>
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<td>38</td>
<td>54</td>
<td>54</td>
<td>1134</td>
<td>1453</td>
<td>175</td>
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33
## Tuberculosis in the Northern Territory

### Year

<table>
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<th>Year</th>
<th>Aboriginal</th>
<th>Non-Aboriginal</th>
<th>Total</th>
<th>Aboriginal %</th>
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<tr>
<td>1953-54</td>
<td>32</td>
<td>18</td>
<td>50</td>
<td>64.0%</td>
</tr>
<tr>
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<td>27</td>
<td>71</td>
<td>62.0%</td>
</tr>
<tr>
<td>1955-56</td>
<td>22</td>
<td>13</td>
<td>35</td>
<td>62.8%</td>
</tr>
<tr>
<td>1956-57</td>
<td>51</td>
<td>5</td>
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<tr>
<td>1958-59</td>
<td>38</td>
<td>8</td>
<td>46</td>
<td>82.6%</td>
</tr>
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<td>1959-60</td>
<td>33</td>
<td>13</td>
<td>46</td>
<td>71.7%</td>
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1. Figures from A.R.D.G.H. for the years shown.
APPENDIX 29

NOTIFIABLE DISEASES: VARIATIONS BETWEEN PUBLISHED ANNUAL RETURNS AND DIVISIONAL ANNUAL RETURNS

Published returns are those which appear in the Annual Reports of the Director-General of Health. The Divisional Returns are those which appear in Appendix 26, the figures supplied by the Director of Health, Darwin.

The published returns are for calendar years and the divisional returns for financial years. In the former case a sample is given for 108 months, and in the latter case, for 96 months.

<table>
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<th>DISEASE</th>
<th>PUBLISHED ANNUAL RETURNS</th>
<th>DIVISIONAL RETURNS</th>
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<tbody>
<tr>
<td>Hookworm</td>
<td>1421</td>
<td>1379</td>
</tr>
<tr>
<td>Infantile diarrhoea</td>
<td>1037</td>
<td>949</td>
</tr>
<tr>
<td>Bacillary dysentery</td>
<td>446</td>
<td>411</td>
</tr>
<tr>
<td>Infective hepatitis</td>
<td>439</td>
<td>408</td>
</tr>
<tr>
<td>Leprosy</td>
<td>305*</td>
<td>339*</td>
</tr>
<tr>
<td>Malaria</td>
<td>193</td>
<td>169</td>
</tr>
<tr>
<td>Poliomyelitis</td>
<td>25*</td>
<td>26*</td>
</tr>
<tr>
<td>Rubella</td>
<td>79</td>
<td>79</td>
</tr>
<tr>
<td>Salmonella</td>
<td>25</td>
<td>24</td>
</tr>
<tr>
<td>Scarlet fever</td>
<td>31</td>
<td>26</td>
</tr>
<tr>
<td>Tetanus</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>Trachoma</td>
<td>1266*</td>
<td>5787*</td>
</tr>
<tr>
<td>Tuberculosis</td>
<td>521</td>
<td>513</td>
</tr>
<tr>
<td>Diphtheria</td>
<td>14*</td>
<td>17*</td>
</tr>
<tr>
<td>Meningococcal infection</td>
<td>22</td>
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<tr>
<td>Puerperal fever</td>
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<td>20</td>
</tr>
<tr>
<td>Typhoid fever</td>
<td>20</td>
<td>18</td>
</tr>
<tr>
<td><strong>TOTALs</strong></td>
<td><strong>5885</strong>*</td>
<td><strong>10,194</strong>*</td>
</tr>
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</table>
1960

January: Outpatients treated = 537+ (no attempt was made to record all treatment); inpatients = 63.

February: Outpatients treated = 448+; inpatients = 6. Meal: mostly satisfactory for the infants in residence in camp. But ailing and underweight children frequently are taken bush to their detriment.

March: Outpatients treated = 462+; inpatients = 7. Health of infants has suffered probably as a result of a plague of flies. Many minor eye infections and more than the usual number of diarrhoea cases.

April: Outpatients treated = 506+; inpatients = 7. There have been more than the usual number of diarrhoea cases—unfortunately among the underweight babies.

May: Outpatients = 431+; inpatients = 5.

June: Outpatients = 454+; inpatients = 6. Four deaths: 2 pneumonia and 1 gastro-pneumonia. More than the usual number of cases of diarrhoea.

July: Outpatients = 789+; 0 inpatients. Deaths: 6—all gastro-enteritis and pneumonia. Diarrhoea: 51 cases were treated, only six of them being infants over 18 months. The epidemic was unusual for the absence of vomiting and of blood and mucus in stools. These were creamy, fluid and projectile—it responded to dietary treatment, but was followed in 24 hours by respiratory infection.

August: Outpatients = 568+. 4 cases of diarrhoea and 6 more settled with treatment in less than 48 hours. There have been many infants treated for coughs and respiratory infections.

September: Outpatients = 1057+; inpatients = 6. Infectious diseases: 12 diarrhoea—9 infants and 3 adults. 45 others were treated and discharged within 24 hours.

October: Outpatients = 1251+; inpatients = 11. Complaints mainly "chesty coughs", headaches, otitis media, infected eyes, sores, scabies and diarrhoea.

Diarrhoea = 5 adults } all treated and settled down 28 children } within 48 hours.


1961

January: Outpatients = 3599; inpatients = 32. Infectious diseases: diarrhoea = 78 children, 39 adults, 13 whites; otitis media = 48; influenza = 83.
February

Outpatients = 4000; inpatients = 16. Infectious diseases: diarrhoea = 52 - all settled within 2 days; otitis media = 50. Unaccountable loss of weight of 1960 babies found to have been due to the condition of their chests.

March

Outpatients = 2250; inpatients = 13. Diarrhoea = 61 - all settled in 48 hours, except 1. Chicken pox = 1; otitis media = 100. Unaccountable loss of weight of babies and children found to have been due to the condition of their chests and lack of maternal care.

April

Outpatients = 700+; inpatients = 20. Diarrhoea = 44 - all settled in 48 hours. Children with weight losses have been put on milk complements and supervised at meals.

May

Outpatients = 700+; inpatients = 20. Diarrhoea = 32 - all settled except 2. Otitis media = 25. Many this month have had "ghostly" conditions with an outbreak of flu in the last month.

July

Outpatients = 700+; inpatients = 7. Diarrhoea = 28 - all settled in 48 hours except 1. Polio = 1; otitis media = 50. The natives this month have had the ordinary complaints such as boils, scabies, otitis media and diarrhoea. They have cleaned up with treatment with the exception of scabies as we cannot treat the cause of scabies, it being in their comp.

August

Outpatients = 676; inpatients = 8. Diarrhoea = 54 - all settled within 48 hours, except 15; otitis media = 25. This month there was an outbreak of diarrhoea. Adults recovered within 48 hours; children and babies were most affected with the diarrhoea, lasting 72-80 hours. Thus a great percentage of them had a loss of weight up to 2 lbs. and have taken a full two weeks to recover from it.

September

Outpatients = 650; inpatients = 6. Diarrhoea = 14 - all settled within 48 hours, except 2; scabies = 22. Influenza with sore throats = 48; chicken pox = 2.

October

Outpatients = 3500; inpatients = 34. Diarrhoea = 48 - all settled except one death. Chicken pox = 3; pyrexia, colds and urti = 50; scabies and impetigo = 20. Boils etc. = 12. Worst feature of the month: coughs and colds, infantile diarrhoea, together with chest infections.

1. From the records held at Papunya settlement. The contents of this appendix are verbatim extracts from the records.
### Appendix 31

#### A. Causes of Infant Deaths (0 - 2 years) As Recorded

**From Settlement and Mission Records**

The figures below were extracted from the record books at the following centres:

- **Milingimbi**: 1956 to September 1961
- **Elcho Island**: 1957 to June 1962
- **Bathurst Is.**: 1956 to 1961
- **Yuendumu**: 1957 to October 1961
- **Umbakumba**: February 1958 to August 1962
- **Areyonga**: 1951 to 1961
- **Warrabri**: 1957 to 1961
- **Hermannsburg**: 1952 to 1961
- **Santa Teresa**: 1957 to 1960

<table>
<thead>
<tr>
<th>Cause as Recorded</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>diarrhoea</td>
<td>8</td>
</tr>
<tr>
<td>diarrhoea and pneumonia</td>
<td>7</td>
</tr>
<tr>
<td>pneumonia</td>
<td>25(17)*</td>
</tr>
<tr>
<td>gastro-enteritis</td>
<td>38(10?)*</td>
</tr>
<tr>
<td>gastro-pneumonia</td>
<td>25</td>
</tr>
<tr>
<td>broncho-pneumonia</td>
<td>6</td>
</tr>
<tr>
<td>neglect</td>
<td>2</td>
</tr>
<tr>
<td>malnutrition</td>
<td>19(17)*</td>
</tr>
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<td>gastro and malnutrition</td>
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</tr>
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<td>starvation</td>
<td>3</td>
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<tr>
<td>'died out bush'</td>
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<tr>
<td><strong>Total:</strong></td>
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</tbody>
</table>

**unknown**  15  
**stillborn** 28  
**premature** 18  
**other causes** 47

(* number in brackets with query indicates uncertainty as to cause)

#### B. Causes of Infant Deaths (0 - 2 years), Alice Springs Hospital, 1959 to October 1961

<table>
<thead>
<tr>
<th>Cause as Recorded</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>gastro-enteritis</td>
<td>7</td>
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<tr>
<td>broncho-pneumonia</td>
<td>11</td>
</tr>
<tr>
<td>pneumonia and pneumonia malnutrition</td>
<td>29</td>
</tr>
<tr>
<td>malnutrition</td>
<td>5</td>
</tr>
<tr>
<td>gastro-pneumonia</td>
<td>14</td>
</tr>
<tr>
<td>diarrhoea</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>88</strong></td>
</tr>
</tbody>
</table>

**unknown**  2  
**stillborn** 6  
**premature** 5  
**other causes** 12

**Total:** **93**

*1. Information from Alice Springs Hospital.*
1. **Personal Health Services** are those which deal with persons and require medical, dental, nursing and ancillary personal for their execution. These services comprise:

(a) **Personal Promotive Health Services**: These are concerned with the building up of good health in the individual, or, as the World Health Organisation defines it, the building up of physical, mental and social well being. Examples are:
   (i) adequate wages (Welfare Branch and missions);
   (ii) conditions of, and in, employment (Welfare Branch and missions);
   (iii) nutrition (dietary scales are devised by the Health Department and suggested to the Welfare Branch and missions whose function it is to implement them);
   (iv) general education, including adult education (Welfare Branch and missions);
   (v) physical exercise and recreation (Welfare Branch and missions);
   (vi) health education (Welfare Branch and missions).

(b) **Personal Preventive Health Services**: These are based on the family as the unit and on periodic medical and dental examinations as the main method. They include:
   (i) antenatal and post-natal clinics (Welfare Branch and missions);
   (ii) infant welfare clinics (Welfare Branch and missions);
   (iii) immunisation services (Health Department);
   (iv) clefts (nil);
   (v) child guidance clinics (nil);
   (vi) school health services (no specific service);
   (vii) routine examination of all adults (Health Department).

(c) **Personal Curative Services**: These include settlement, mission, clinic and hospital services, carried out in the houses (or camps) of patients, at health centres and in institutions (Welfare Branch and missions; the Health Department conducts these services in urban centres and in rural areas by means of the aerial medical service for evacuation of serious cases).

(d) **Personal Rehabilitative Services**: These include the health, education and re-employment of tuberculosis sufferers and lepers (Health Department in urban centres and at East Arm Leprosarium; no services available on settlements and missions).
2. Non-Personal Health Services are those which deal with things and do not require medical, dental, nursing or ancillary personnel for their execution. They fall largely within the traditional functions of local authorities, and include:

(a) Housing (Welfare Branch and missions).
(b) Water Supplies (Welfare Branch and missions).
(c) Excreta and Garbage Disposal (Welfare Branch and missions).
(d) Food Handling and Feeding (Welfare Branch and missions on the advice of the Health Department).
WATER SUPPLIES ON SETTLEMENTS AND MISSIONS

1. BATHURST ISLAND

An unofficial private report by P.G. Dunn, of an oil development team, was submitted to the mission in September 1961. The prospects of finding water were considered bleak. In 1959 the Water Resources Branch examined the water levels of existing wells. In 1960 that Branch stated that further exploration would be carried out - by March 1962 this had not been done. The Mission Settlement has no permanent surface waters available to it and depends for the whole of its supply on underground waters obtained from shallow wells sunk in the Settlement area. The present water supply is insufficient to meet the needs of the Mission's expanding population and its expanded programme of agricultural development. At the end of the 1960 dry season, available water was reduced to 39,000 gallons per day. In the current year, the available volume at the end of the dry season could be less than this because of the substantially shorter and lighter wet season. Population on the mission at March 1962: 906.

2. SANTA TERESA

Water, according to the agricultural supervisor, is the greatest problem facing the mission. The water available is limited and extremely salty. It is pumped from a considerable distance. The sole source of supply is a bore producing 1,200 gallons an hour. There is a small dam but it is considered too small to be effective. Population at October 1961: 335.

3. ELCHO ISLAND

Irrigation is still a very important item and as time goes on gradual improvements in the quantity of water in taking place. We have cause to believe our water problems can be overcome. The finding and pumping of the water will be fairly expensive, but the results obtained from agriculture will more than offset the costs. As the prosperity of any community depends so much on water, it is vital that we make every effort to have sufficient water for the expansion of our agriculture and forestry cultivation programme. The Water Resources Branch suggest that in all probability water would be obtainable underground at most points of the Island. So it is very desirable that we experiment without delay and really find out what our resources are. Population at 30 June 1962: 524.

4. ANGRUIGH, GROOTE EYLANDT

Water Services: An abundant supply of good water for all purposes is available to the Mission from a perennial creek. Additional materials for water reticulation from a capital grant of £1,015 in 1960/61 are on site and the installation of same depends on professional advice and recommendations being sought by the Superintendent from the Water Resources Branch. The native village area had only one water point at the perimeter close to the Mission and after discussions with the Superintendent it was agreed to put in extra water points more conveniently for the people's use. Population as at 30 June 1962: 407.

5. ROSE RIVER

Water Services and Reticulation: At the time of my visit the water supply was extremely low and inadequate with still half of the dry season to go before rains of any consequence may be expected. The Superintendent is hopeful however, that officers of the Water Resources Branch will find a new and more adequate source of supply during their next visit to the Mission which is expected to take place in September. Population as at 30 June 1962: 184.

6. HERMANSBURG

According to the Superintendent, in January 1962, the water situation was as follows: for stock purposes there were, in an area of 1,542 square miles, three large dams, 20 small dams, and three bores. Mission water was limited to 800 gallons an hour from a spring and a bore. Water was rationed. A second bore, equipped on 4 January 1962, was expected to supply 1100-1200 gallons an hour. Population as at September 1961: 516.

7. DELISSAVILLE

Water Supply: A third dam was constructed below the existing water hole...It is now hoped that the settlement will not again suffer from a water shortage towards the end of the dry season. Population as at March 1962: 119.

8. SNAKE BAY

Water: Test bores were sunk by the Water Resources Branch late in 1960. No additional supplies near the existing springs were found. The capacity of the settlement spring has been reached for domestic

supply, with no surplus for the existing settlement garden in the dry months.\footnote{From ‘Annual Report Snake Bay 1960-61’, Snake Bay settlement.}

Water: the present run-in of the spring is 1550 gallons per hour. This is sufficient for domestic use only and irrigation has to be restricted to 2 hours per day maximum.\footnote{From ‘Quarterly Report Snake Bay, 30/9/61’, Snake Bay settlement.}

Population as at September 1961: 229.

9. 

YUENDUMU

‘On other papers I have reported the unsatisfactory water supply available on the settlement. One bore is giving only 160 gallons per hour and the other around 700. Nitrate content for the two bores is the highest since I have been at Yuendumu and each bore is classified as unfit for human consumption . . . The two new 5000 gallon tanks at the settlement were connected with the settlement reticulation, giving total storage of 20,000 gallons. The reticulation was changed to enable supply to consumers to be cut off while tanks were being filled. By running the better of the two bores all night we are now able to start each day with some water stored.’\footnote{From File No. 60/1531, ‘Amoonguna Settlement Quarterly Reports’, W.B.H.O.}

Population as at 31 December 1961: 609.

10. 

AMOONGUNA

Water Supply: Both the Water Resources Branch and private contractors have continued to prospect for water. However, all holes drilled to date are either dry or contain unsuitable water. The present supply of water is just sufficient to maintain the settlement. During the week, when the school demand is high, there is no water for storage. Only at weekends is it possible for the water tanks to fill.’\footnote{From File No. 60/2561, ‘Yuendumu Settlement Quarterly Reports’, W.B.H.O.}

The single bore at Amoonguna, as at September 1962, was producing 1,300 gallons per hour according to settlement staff. The Works Department supervisor of settlement water equipment stated (to the writer) that the true value of this bore was 980 gallons per hour.
One bore is at present producing about 1000 gallons an hour of water that is not good for domestic use but apparently good enough for agriculture. Recent prospecting by the Water Resources Branch, when some 19 holes were drilled, has failed to find more water. At the moment the routine demands of the Settlement, in its present state of static development, can be met. There is approximately 60,000 gallons storage capacity on the Settlement.

If we make any progress with teaching habits of personal hygiene we will only do so after we have provided the occasion for the habits to be started. Once we build enough showers and washing places for the population we must find the water to operate them. The present bore is being operated at less than half its apparent capacity and, no doubt, could be developed. But what would be the amount of water required if the settlement is to have some success in developing, teaching and training its people and developing its economic potential in any way? I would suppose that 100,000 gallons daily would be a considerable estimate for a community of 300-400 persons. I would also suppose that this requirement would be raised as the community prospered and became more sophisticated.

### RATION SCALES FOR USE ON SETTLEMENTS AS RECOMMENDED BY THE HEALTH DEPARTMENT TO THE WELFARE BRANCH

Space prevents the inclusion of the total scale recommended. The scale below is the recommended scale for each adult worker.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity Per Week</th>
<th>Comments</th>
<th>Varieties and Alternatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Meat (Boneless weight)</td>
<td>7 lbs.</td>
<td>7 lbs. boneless beef = 9 lbs. dressed carcass beef = 14 lbs. live weight. 2 lbs. crab with shell = 1 lb. meat. ½ doz. eggs = 1 lb. meat. 12 oz. tinned or cooked meat = 1 lb. raw meat.</td>
<td>Beef; mutton (goat); pork; Native game = kangaroo, ducks, geese etc.; fish, dugong; turtle; oysters (without shell); crab; eggs (fowl or turtle); poultry.</td>
</tr>
<tr>
<td>2. Potatoes</td>
<td>2 lbs.</td>
<td>2 lbs. pumpkin = 1 lb. potatoes.</td>
<td>English potatoes; yams or other edible roots; sweet potatoes; pumpkin; turnips; swedes.</td>
</tr>
<tr>
<td>3. Vegetables or fruit (fresh, tinned or dehydrated)</td>
<td>2 lbs.</td>
<td>If 1 lb. of liver is not regularly part of each person's diet, this 2 lbs. of vegetables must be increased to cover the quantities set out of the following food items (this is to give adequate Vitamin A): Carrots ½ lb. or green vegetables including turnips 4 lbs.; or green leaves or shoots 4 lbs.; or dried apricots or Porto Rico sweet potatoes 5 lbs.</td>
<td>Carrots; tomatoes; green vegetables; Porto Rico sweet potatoes; potatoes; bananas; grapes; oranges; grapefruit; limes; lemons; pawpaw; pineapples; mangoes; cashew apples; apricots; other fruits; onions.</td>
</tr>
<tr>
<td>4. Dried peas</td>
<td>½ lb.</td>
<td>½ lb. nuts in shell = 1 lb. shelled.</td>
<td>Dried beans; saltanas; raisins; prunes; pigeon peas; peanuts; other nuts (cashew, etc.).</td>
</tr>
<tr>
<td>5. Bread or flour</td>
<td>5 lbs.</td>
<td>If flour, then baking powder may be issued.</td>
<td>Macaroni and/or spaghetti where there is communal feeding; polished rice.</td>
</tr>
<tr>
<td>7. Porridge meal</td>
<td>1 lb.</td>
<td>Could be increased at expense of flour, item 5.</td>
<td>Wholemeal flour, oatmeal, rolled oats, wheatmeal, brown rice, sorghum meal, maize meal.</td>
</tr>
</tbody>
</table>
8. Sugar  |  **\( \frac{3}{4} \) lbs.**  | To be restricted to this amount – overissue dangerous.

9. Jam, syrup or treacle |  **\( \frac{3}{4} \) lb.**  | Syrup and treacle preferred to jam. Honey

10. Dried Milk (Full Cream) or cheese |  **4 oz.**  | To be increased if full meat ration not supplied. Cheese to be increased if butter not supplied. (see item 11)

11. Butter or margarine |  **\( \frac{1}{2} \) lb.**  | If dry rations are issued, cheese is preferred to butter. Margarine must be a variety fortified by Vitamin A. Dripping may be issued for cooking purposes, but is not a full substitute as it contains no Vitamin A.

12. Salt |  **1 oz.**  | Though this amount appears small it is very important to see that salt up to the ration is included in every person’s diet.

13. Tea |  **3 oz.**  | 

---

Section "B" is the scale of extra items for children and pregnant and lactating women.

Section "C" is the scale of non-food expendable items issued in conjunction with rations (soap and tobacco).

Table II lists supplementary issues.

Table III lists the special items for infants under fifteen months.

Table IV gives the fractional allowances for various groups of persons:

<table>
<thead>
<tr>
<th>Category</th>
<th>Working</th>
<th>Not Working</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adults</td>
<td>Full</td>
<td>Two-thirds</td>
</tr>
<tr>
<td>Males: 10-20 years</td>
<td>Full</td>
<td>Full</td>
</tr>
<tr>
<td>Pregnant and lactating women</td>
<td>Full</td>
<td>Two-thirds</td>
</tr>
</tbody>
</table>
"RATION SCALES FOR AUSTRALIAN ABORIGINES
FOR USE IN THE NORTHERN TERRITORY"

As recommended by the Health Department
to the Welfare Branch, October 1962.

The Health Department devised eight ration scales to cover twelve
groups, classified according to age, sex and physical activity. In
the table below only the adult active male ration has been given.

<table>
<thead>
<tr>
<th>BASIC FOODS</th>
<th>MEN: ACTIVE 20-65 YEARS</th>
<th>ADULT SCALE AS PER APPENDIX 34</th>
<th>EXTRA ITEMS IN NEW SCALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meat carcase</td>
<td>9 lbs.</td>
<td>7 lbs.</td>
<td>2 lbs.</td>
</tr>
<tr>
<td>Eggs</td>
<td>7</td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>Cheese</td>
<td>½ lb.</td>
<td>4 oz.</td>
<td>4 oz.</td>
</tr>
<tr>
<td>Whole dried milk</td>
<td>½ lb.</td>
<td>4 oz.</td>
<td>½ lb.</td>
</tr>
<tr>
<td>Fresh vegetables</td>
<td>6 lbs.</td>
<td>2 lbs.</td>
<td>4 lbs.</td>
</tr>
<tr>
<td>Potatoes</td>
<td>3½ lbs.</td>
<td>2 lbs.</td>
<td>½ lbs.</td>
</tr>
<tr>
<td>White bread</td>
<td>3½ lbs.</td>
<td>5 lbs.</td>
<td>- ½ lbs.</td>
</tr>
<tr>
<td>White rice</td>
<td>½ lb.</td>
<td></td>
<td>½ lb.</td>
</tr>
<tr>
<td>Dried beans</td>
<td>½ lb.</td>
<td>½ lb. (peas)</td>
<td>- ½ lb.</td>
</tr>
<tr>
<td>Oatmeal</td>
<td>½ lb.</td>
<td></td>
<td>½ lb.</td>
</tr>
<tr>
<td>Sugar</td>
<td>1 lb.</td>
<td></td>
<td>- ½ lb.</td>
</tr>
<tr>
<td>Golden syrup</td>
<td>1 lb.</td>
<td>½ lb.</td>
<td>½ lb.</td>
</tr>
<tr>
<td>Jam</td>
<td>½ lb.</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Butter</td>
<td>½ lb.</td>
<td>½ lb.</td>
<td>-</td>
</tr>
<tr>
<td>Cooking fat</td>
<td>½ lb.</td>
<td></td>
<td>- ½ lb.</td>
</tr>
<tr>
<td>Tea</td>
<td>½ lb.</td>
<td>1 oz.</td>
<td>1 oz.</td>
</tr>
<tr>
<td>Salt</td>
<td>½-1 lb.</td>
<td>1 oz.</td>
<td>3-7 oz.</td>
</tr>
<tr>
<td>Drinking and washing water</td>
<td>minimum</td>
<td>-</td>
<td>7 gallons</td>
</tr>
</tbody>
</table>

The new scales devised are:
Scale A.1: covers active men 21-65 years and very active women.
Scale A.2: covers very active men and boys 15-20 years.
Scale A.3: covers lactating women.
Scale B.1: covers active women 19-65 years, men over 65 and girls 15-18.
Scale B.2: covers school children 6-14.
Scale B.3: covers pregnant women.
Scale C.1: covers pre-school children 16 months - 5 years.
Scale C.2: covers women over 65 years.
A special scale was devised to cover infants 6-15 months.
Space prevents full descriptions of actual feeding schemes on all settlements and missions visited. Three samples only are given.

PARIYWA, November 1961

The kitchen operates for three meals per day five days per week; dry rations are issued over weekends. Hospital sisters control the preparation of supplementary foodstuffs for mothers, children and pregnant women. The 27 pre-school children are fed at the pre-school with food prepared in the kitchen. Supplementary food includes milk and fruit. School-children eat in the kitchen under supervision.

Eating time-table in summer: Breakfasts 7.15 All children 7.30 Adults
Lunch: 11.30 All children 12-1 Adults
Tea: 4.30 All children 5.0 Adults.

Approximately 450 people attend each meal session; this figure includes meals served to old people at the cooking coppers. Their food is served in billy-cans from these coppers.

Bread is baked twice a week, pending the completion of a bake-house, when it is hoped to bake bread daily.

Fresh garden vegetables vary with seasonal production. The main vegetables used are dehydrated. Weekend rations are: flour; tea and sugar; one tin of beef; one tin of jam; one tin of margarine; one tin of cheese; a bar of soap and a plug of tobacco. This is given to every man, woman and child (except the tobacco).

The following sample menu was used by the kitchen supervisor at the settlement. There is little variation from this model.

<table>
<thead>
<tr>
<th>Breakfast</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>On rations</td>
<td>Cereal with sugar &amp; milk.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
</tr>
<tr>
<td></td>
<td>Scouse with margarine &amp; jam.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
</tr>
</tbody>
</table>

<p>| | | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Corral</td>
<td>Sugar</td>
<td>Milk</td>
<td>Sugar</td>
<td>Milk</td>
<td>Sugar</td>
<td>Milk</td>
</tr>
</tbody>
</table>
**APPENDIX 36**

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lunch</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Milk, milk for children</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tea</th>
<th>On rations</th>
<th>Rice</th>
<th>dumplings &amp; salt-meat</th>
<th>Scouse</th>
<th>Scouse with butter &amp; jam</th>
<th>Scouse with butter or vegemite</th>
<th>Scouse with butter &amp; jam</th>
<th>On rations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Milk, sugar &amp; milk</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td></td>
</tr>
</tbody>
</table>

ARENONGA, December 1961

A few workers work for rations only, that is, they receive no wages. Breakfast for workers, women and children, starts at 6 a.m. and ends at 6.30. Morning tea is served at the kitchen at 10.

Lunch: children fed at 11.30, women and babies at noon and workers at 12.30 or 1 p.m.

There is no evening meal. This system operates five days per week.

Rations are supplied for Saturdays, Sundays and evening meals:

**PER PERSON**

- 5 lbs. flour (children get half, non-working women get three-quarters and children aged 7 to 10 get three-quarters of the adult ration);
- 3 oz. tea;
- ½ lb. sugar;
- 3 oz. baking powder;
- ½ lb. butter or margarine or dripping;
- jam or syrup or treacle or honey; issued on family scale;
- cheese; on family scale;
- tinned fruit; on family scale.

**NOTE:** This system no longer operates since the opening of a new communal kitchen.
ANGURUGU, August 1962

The ration scale for adults and children is given in Appendix 15 E. All infants, school-children and pensioners are given a hot meal at mid-day five days per week. The infants are fed by their parents from rations issued and from purchases in the store. There are no cooked meals on Saturdays and Sundays. The ration scale is issued on a Monday and food can be bought from the store two days per week. (Umbakumba has a slightly different system: the ration is issued daily except Saturday. A mid-day meal is given five days a week for children and pensioners.)
### A. COMMONWEALTH NATIVE SCHOOLS

#### SCHOOLS, ENROLMENTS AND TEACHERS

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bagot</td>
<td>42</td>
<td>35</td>
<td>30</td>
<td>42</td>
<td>34</td>
<td>34</td>
</tr>
<tr>
<td>Bungleow</td>
<td>27</td>
<td>34</td>
<td>49</td>
<td>50</td>
<td>56</td>
<td>81</td>
</tr>
<tr>
<td>Bulleenville</td>
<td>32</td>
<td>31</td>
<td>31</td>
<td>26</td>
<td>22</td>
<td>29</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>68</td>
<td>55</td>
<td>51</td>
<td>80</td>
<td>88</td>
<td>105</td>
</tr>
<tr>
<td>Arroyonga</td>
<td>-</td>
<td>48</td>
<td>50</td>
<td>29</td>
<td>58</td>
<td>81</td>
</tr>
<tr>
<td>Beswick</td>
<td>-</td>
<td>46</td>
<td>-</td>
<td>-</td>
<td>37</td>
<td>50</td>
</tr>
<tr>
<td>Phillip Creek</td>
<td>-</td>
<td>-</td>
<td>39</td>
<td>40</td>
<td>43</td>
<td>57</td>
</tr>
<tr>
<td>Jay Creek</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>38</td>
<td>36</td>
<td>41</td>
</tr>
<tr>
<td>Snake Bay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Hatches Creek</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>14</td>
</tr>
<tr>
<td>Murray Downs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>32</td>
</tr>
</tbody>
</table>

| Total enrolments | 169 | 249 | 250 | 305 | 394 | 544 |
| Teachers         | 5   | 11  | 8   | 11  | 15  | 21  |
| Pupils per teacher | 33.8 | 22.6 | 31.2 | 27.7 | 26.2 | 25.9 |

### B. EXPENDITURE ON NATIVE EDUCATION

#### IN THE NORTHERN TERRITORY (EXCLUDING BUILDINGS)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Costs of instruction</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- salaries</td>
<td>10,946</td>
<td>10,774</td>
<td>15,312</td>
<td>21,116</td>
</tr>
<tr>
<td>- equipment</td>
<td>2,303</td>
<td>1,421</td>
<td>3,950</td>
<td>3,913</td>
</tr>
<tr>
<td>- miscellaneous</td>
<td>110</td>
<td>129</td>
<td>1,133</td>
<td>523</td>
</tr>
</tbody>
</table>

| Capital expenditure     |         |         |         |         |
| - furniture             | 4,120   | 221     | 843     | 3,320   |

| Auxiliary costs         |         |         |         |         |
| - freight, transfer     | 1,131   | 2,681   | 1,529   | 3,350   |
| and removal of teachers |         |         |         |         |

| Total Expenditure       | 20,794  | 19,141  | 25,630  | 37,147  |

---

1. Edwards, p. 117.
2. Edwards, p. 118.
ABORIGINAL SCHOOLS UNDER CONTROL OF THE WELFARE BRANCH, 1956 - 1963

( Figures as at 30 June each year)

### A. GOVERNMENT SCHOOLS

#### (i) Settlements

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Amoonguna (ex Bungalow)</td>
<td>96</td>
<td>80</td>
<td>70</td>
<td>54</td>
<td>43</td>
<td>50</td>
<td>90</td>
<td>106</td>
</tr>
<tr>
<td>Arlyonga</td>
<td>78</td>
<td>75</td>
<td>79</td>
<td>66</td>
<td>83</td>
<td>37</td>
<td>54</td>
<td>53</td>
</tr>
<tr>
<td>Bagot</td>
<td>52</td>
<td>51</td>
<td>52</td>
<td>53</td>
<td>55</td>
<td>50</td>
<td>57</td>
<td>64</td>
</tr>
<tr>
<td>Berwick Creek</td>
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<td>57</td>
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<td>74</td>
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<td>Delisanville</td>
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<td>24</td>
<td>32</td>
<td>37</td>
<td>45</td>
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<td>Jay Creek</td>
<td>38</td>
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<td>-</td>
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<tr>
<td>Maningrida</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>52</td>
<td>134</td>
</tr>
<tr>
<td>Papunya</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>112</td>
<td>109</td>
<td>133</td>
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<td>167</td>
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<tr>
<td>Snake Bay</td>
<td>28</td>
<td>23</td>
<td>24</td>
<td>29</td>
<td>40</td>
<td>29</td>
<td>37</td>
<td>24</td>
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<td>Warretri (ex Phillip Creek)</td>
<td>57</td>
<td>52</td>
<td>79</td>
<td>118</td>
<td>123</td>
<td>131</td>
<td>124</td>
<td>142</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>108</td>
<td>108</td>
<td>131</td>
<td>106</td>
<td>113</td>
<td>103</td>
<td>138</td>
<td>159</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td>525</td>
<td>546</td>
<td>627</td>
<td>716</td>
<td>726</td>
<td>719</td>
<td>889</td>
<td>1065</td>
</tr>
</tbody>
</table>

#### (ii) Industrial Centres

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Hatches Creek</td>
<td>7</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

#### (iii) Pastoral Properties

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Banka Banka</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>13</td>
<td>19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lake Nash</td>
<td>-</td>
<td>11</td>
<td>30</td>
<td>37</td>
<td>34</td>
<td>37</td>
<td>37</td>
<td>30</td>
</tr>
<tr>
<td>Meinoru</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>33</td>
<td>51</td>
<td>46</td>
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<tr>
<td>Newcastle Waters</td>
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<td>22</td>
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<td>Wave Hill</td>
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<td>-</td>
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<td>22</td>
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<td>27</td>
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<tr>
<td>Murray Downs</td>
<td>32</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Elkedra</td>
<td>17</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td>56</td>
<td>56</td>
<td>56</td>
<td>64</td>
<td>56</td>
<td>113</td>
<td>160</td>
<td>152</td>
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</table>

**Total Pupils**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>581</td>
<td>602</td>
<td>683</td>
<td>780</td>
<td>782</td>
<td>832</td>
<td>1049</td>
<td>1217</td>
</tr>
</tbody>
</table>

**Teachers**

| 24   | 26   | 25   | 28   | 31   | 27   | 36   | 48   |

**Pupils per Teacher**

| 24.2 | 23.2 | 27.2 | 27.8 | 25.2 | 30.8 | 29.1 | 25.3 |

1. Figures taken from A.R.W.B. for the years shown.
   - Indicates that a school had not been established.
   -* Indicates that a school had been established and had subsequently closed.
### B. SUSPENDED SCHOOLS Enrolments

#### (i) Pastoral Properties

<table>
<thead>
<tr>
<th>Year</th>
<th>Auvergne</th>
<th>Brunette Downs</th>
<th>Killarook</th>
<th>Moreak</th>
<th>Roper Valley</th>
<th>Ursupanga</th>
<th>Elsey</th>
<th>Narwilstoom</th>
<th>Malornu</th>
<th>Godilbah</th>
<th>Elkodra</th>
<th>Mt. Riddock</th>
<th>Hayes Creek</th>
</tr>
</thead>
<tbody>
<tr>
<td>1956</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>13</td>
<td>18</td>
</tr>
<tr>
<td>1957</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
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<td>16</td>
<td>16</td>
</tr>
<tr>
<td>1958</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>11</td>
<td>16</td>
</tr>
<tr>
<td>1959</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>1960</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>25</td>
<td>11</td>
<td>-</td>
<td>-</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>1961</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>1962</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>20</td>
<td>19</td>
</tr>
</tbody>
</table>

#### (ii) Missions

<table>
<thead>
<tr>
<th>School</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bethurst Island (Boys)</td>
<td>136</td>
</tr>
<tr>
<td>Bethurst Island (Girls)</td>
<td>129</td>
</tr>
<tr>
<td>Daly River</td>
<td>71</td>
</tr>
<tr>
<td>Port Keats (Boys)</td>
<td>96</td>
</tr>
<tr>
<td>Port Keats (Girls)</td>
<td>103</td>
</tr>
<tr>
<td>Santa Teresa</td>
<td>92</td>
</tr>
<tr>
<td>Groote Eylandt</td>
<td>118</td>
</tr>
<tr>
<td>Ompilli</td>
<td>36</td>
</tr>
<tr>
<td>Roper River</td>
<td>95</td>
</tr>
<tr>
<td>Ross River</td>
<td>44</td>
</tr>
<tr>
<td>Umbakumba</td>
<td>17</td>
</tr>
<tr>
<td>Hermansburg</td>
<td>133</td>
</tr>
<tr>
<td>Elcho Island</td>
<td>92</td>
</tr>
<tr>
<td>Goulburn Island</td>
<td>37</td>
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<tr>
<td>Milingimbil</td>
<td>103</td>
</tr>
<tr>
<td>Yirrkala</td>
<td>80</td>
</tr>
</tbody>
</table>

Sub-total

| Total Pupils | 1032        |
| Teacher      | 28          |
| Pupils per Teacher | 37.5 |

GS. Malornu became a government school in 1961.
O2. Coolibah's school opened and closed within a year.

In 1961 Bathurst Island and Port Keats created separate schools for boys and girls.
QUALIFICATIONS OF WELFARE BRANCH TEACHERS EMPLOYED BETWEEN 1956 AND 1962

<table>
<thead>
<tr>
<th>Qualification</th>
<th>Experience in Years</th>
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<tbody>
<tr>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Teachers' Certificate</td>
<td>1</td>
</tr>
<tr>
<td>ASOPA Certificate</td>
<td>7</td>
</tr>
<tr>
<td>No certificate</td>
<td>6</td>
</tr>
<tr>
<td>Degree</td>
<td>1</td>
</tr>
<tr>
<td>Degree and Dip. Ed.</td>
<td>1</td>
</tr>
<tr>
<td>Kindergarten Diploma</td>
<td>1</td>
</tr>
<tr>
<td>Other diploma</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>14</td>
</tr>
</tbody>
</table>

SPECIAL TRAINING FOR WELFARE BRANCH TEACHERS

The extent of special training, between 1956 and 1962, is shown below:

1. Fifteen Office of Education teachers continued with the Welfare Branch in 1956, the majority of whom had a six weeks' special training course at Sydney University.

2. 1957: A teachers' conference, attended by 48 mission and Welfare Branch teachers, was held in Darwin. The Senior Lecturer in Education at A.S.O.P.A. attended and assisted in preparing a tentative syllabus for craft work. Six teachers attended an orientation course at A.S.O.P.A. before taking up duty.

3. 1958: The first annual induction course for mission and Welfare Branch teachers was held in Darwin. The two weeks' course was conducted for seven Branch and two mission teachers. Professor A.F. Elkin gave lectures in Anthropology and Mr. R. Coppock gave lectures in English as a foreign language. Lectures were also given in law, health, geography, agriculture and history.

4. 1960: In June 1955 the Public Service Board approved the specialised training of teachers. In March 1958 the N.T.A. submitted a scheme for the training of cadets at a teachers' college, to start in 1959. A delay put the programme forward to 1960. In 1959 the Welfare Branch advertised 15 positions of teacher trainees. In 1960 eight teachers-in-training began the course at A.S.O.P.A. The Cadet Education Officers' Certificate Course includes courses in Anthropology, English as a foreign language, Geography and Government in relation to the Northern Territory. The courses are given by trained personnel, although A.S.O.P.A. staff have little experience of the Territory and virtually no opportunity of visiting it. At the end of 1961 seven trainees graduated.
6. 1962: three trainees started at A.S.O.P.A.
7. 1963: five trainees started at A.S.O.P.A.

* 1. Information supplied by the Personnel Section, N.T.A. Of 110 teachers employed since 1956, reasonably full records were available for the 82 teachers included in the table.

2. The information was obtained from Native Education: Report and Statistics, 30th June 1959, Education Section, Welfare Branch, from A.R.W.B. for the years shown and from records held at A.S.O.P.A.
APPENDIX 40

INSPECTION OF SETTLEMENT SCHOOL

A. STATISTICAL

1. Head Teacher or Teacher-in-Charge

   Mr. ------------------

   (a) Training: Primary Teachers Certificate, N.S.W.
   (b) Year of Training: 1945-1946
   (c) Experience in Present Position: 6 weeks

2. Teacher

   Mr. ------------------

   (a) Training: English Primary Teachers Certificate & Primary
   (b) Year of Training: 1949 and 1954 Teachers Certificate,
   (c) Experience in Present Position: 4 months N.S.W.

3. Teacher

   Mr. ------------------

   (a) Training
   (b) Year of Training
   (c) Experience in Present Position

4. Teacher

   Mr. ------------------

   (a) Training
   (b) Year of Training
   (c) Experience in Present Position

<table>
<thead>
<tr>
<th>First Day</th>
<th>Second Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENROLLMENT</td>
<td>ATTENDANCE</td>
</tr>
<tr>
<td>TEACHER</td>
<td>Boys</td>
</tr>
<tr>
<td>Mr. --</td>
<td>33</td>
</tr>
<tr>
<td>Mr. --</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>= 112</td>
</tr>
</tbody>
</table>

PRE-SCHOOL CHILDREN OF PERMANENT RESIDENTS

<table>
<thead>
<tr>
<th>2 years</th>
<th>3 years</th>
<th>4 years</th>
<th>5 years</th>
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</thead>
<tbody>
<tr>
<td>Boys</td>
<td>Girls</td>
<td>Boys</td>
<td>Girls</td>
</tr>
<tr>
<td>Information not available</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DATE 11 August 1959  
SIGNATURE Inspector 'X'
B. PHYSICAL

1. Buildings (condition, needs, etc.)

4 classrooms, 1 office, 1 storeroom etc.

2. Supplies and Equipment (storage, needs, etc.)

(Described as adequate)
3. Records

(1) 'A' class equipment
   Adequate

(2) 'B' class equipment
   Adequate

(3) Pupil Record Cards
   Not commoned to date

(4) Time-Table
   Satisfactory

(5) Work Programme
   Well done

(6) Clerks Attendance Book
   Satisfactory

(7) Roll Book
   Satisfactory

(8) Day Book
   Satisfactory

(9) Files:
   (a) Supplies
       Satisfactory

   (b) Correspondence Inward

   (c) Correspondence Outward

   (d) Returns

   (e) Monthly Return Important Happenings
C. INSTRUCTION

1. School Organisation

There are two groups, a senior one taken by Mr. --- and the other by Mr. ----. Some of the more advanced pupils in each group work as a second grade within that group for a few subjects only. This organization is adequate for the present standard of attainment of the pupils, and is providing a nucleus for further grades in the future .... Some difficulty is being experienced in maintaining regular attendance of the pupils enrolled. It is felt that this difficulty will not be completely overcome until more teaching and settlement staff are available for duty at ----.

2. Subject Instruction

(1) English

Oral

Work is progressing slowly along a planned programme based on Branch publications. Satisfactory attention is being given to integrating Oral English with other subjects. Progress is slow because of isolation, lack of a need for English and almost complete lack of prior knowledge of spoken English.

Written composition is limited to a few pupils in the senior group. The work is mainly connected with the Daily Diary. The other pupils lack the required skill in writing to do effective work in this subject.

Reading

Group II: slow but fairly accurate. Words can be recognized out of context and comprehension is fair.

Writing

Group II: The writing programme is proceeding along a planned programme, progressing from the simple to the difficult letters. Almost all letters of the alphabet can be written, although some are not easily recognized.

Spelling: as a formal lesson this has not been taken with either group.

Group I: follows the same programme.
(2) Number Concepts

Group II: Recognition of numbers and figures to 10 is fair. Some number combinations to 10 are known to a few pupils.

Group I: Recognition of numbers and figures to 99 are known. Simple mechanical operations to 20 are known by about half the group.

Analysis

Money, Weights and Measures

Some qualitative concepts are known by both groups.

(3) Social Studies

To date, restricted in both groups to personal health and hygiene work, and to talks on — district with the aid of locality and settlement sketch maps.

(4) Arts and Crafts

Satisfactory

(5) Poetry and Singing

Poetry not attempted; singing, fair.

(6) Religious Instruction

No formal instruction to date.

(7) Other Subjects

D. TRAINING (Technical, on-the-job and Post School).

Nothing has been possible at this stage.
E. CHILD WELFARE

(1) **Hygiene** (showering, physical education, etc.; hospital parade and medical, etc.).

Satisfactory

(2) **Feeding**

(details given)

(3) **Housing**

All children live in wurlays.

F. **FINAL COMMENT**

There is a large number of children of school age on the settlement who do not attend school. The exact number is not known. Considerable difficulty is being experienced at present by the teachers and other settlement staff in maintaining regular attendance of the pupils enrolled.

2. It is felt that this difficulty will continue until such time as there is adequate teaching staff to handle the whole population of school age on the settlement, and there is adequate settlement staff to provide the follow-up action necessary until the children and their parents become used to regular school routine.

G. **RECOMMENDATION**

(Various recommendations made on staffing, classrooms and the provision of hot-water services.)
### ADULT EDUCATION ON GOVERNMENT SETTLEMENTS

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Adult Population</th>
<th>Instruction Given</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amoonguna</td>
<td>M: 134; F: 169</td>
<td>'Night classes in woodwork (arc) conducted for wards interested in the subject.'</td>
</tr>
<tr>
<td>Areyonga</td>
<td>M: 80; F: 60</td>
<td>Nil</td>
</tr>
<tr>
<td>Jay Creek</td>
<td>M: 44; F: 40</td>
<td>Nil</td>
</tr>
<tr>
<td>Papunya</td>
<td>M: 134; F: 138</td>
<td>Nil</td>
</tr>
<tr>
<td>Yuendumu</td>
<td>M: 174; F: 168</td>
<td>Nil</td>
</tr>
<tr>
<td>Borroloola</td>
<td>M: 31; F: 25</td>
<td>Nil</td>
</tr>
<tr>
<td>Warrabri</td>
<td>M: 108; F: 198</td>
<td>Programmes for evening classes in woodwork have been commenced: 4 hours per week. Afternoon class in co-operative store management: 4 hours per week.</td>
</tr>
<tr>
<td>Beswick Creek</td>
<td>M: 174; F: 112</td>
<td>Three 'R's', social studies and civics: 5 hours per week.</td>
</tr>
<tr>
<td>Hooker Creek</td>
<td>M: 84; F: 83</td>
<td>'In February 1962 a general meeting was held and 39 wards gave their names as being interested in Adult Education classes.' Since then: mechanics - 4 hours per week; carpentry - 4 hours per week; 3 'R's', social studies and civics - 4 hours per week.</td>
</tr>
<tr>
<td>Bagot</td>
<td>M: 162; F: 121</td>
<td>Swimming for youth, 1 hour per week. Adults: nil.</td>
</tr>
<tr>
<td>Delissaville</td>
<td>M: 41; F: 27</td>
<td>'A willingness to attend Adult Education classes.'</td>
</tr>
<tr>
<td>Naningrida</td>
<td>M: 161; F: 101</td>
<td>Nil</td>
</tr>
<tr>
<td>Snake Bay</td>
<td>M: 95; F: 101</td>
<td>Sewing: 4 hours per week; Woodwork: 4 hours per week; 3 'R's', social studies and civics: 4 hours per week.</td>
</tr>
</tbody>
</table>

2. The material in this column is derived from A.R.W.B., 1961-62 and from File No. 62/369, 'Adult Vocational Classes Policy', W.B.H.O.
CONSTITUTION OF THE NORTHERN TERRITORY COUNCIL
FOR ABORIGINAL RIGHTS

1. The name of the organisation shall be: "THE NORTHERN TERRITORY COUNCIL FOR ABORIGINAL RIGHTS".

2. The aims of the Council shall be:
   To plan, conduct and organise the widest possible support for a campaign to obtain justice for all Australian Aborigines. In determining the objectives in this campaign, the Council shall be guided by the United Nations' Universal Declaration of Human Rights.

3. In pursuing the above aims and objectives, the Council shall undertake such activity as the following:
   (a) Conduct of public meetings and other functions to stimulate public interest in the plight of Australian Aboriginal peoples.
   (b) Raise funds for such activity/actions as may be decided upon to carry out the aims of the Council.
   (c) Initiate and give assistance to the setting up of Commissions of inquiry into the conditions of Aboriginal peoples in Australia, such Commissions to include citizens with experience in such fields as those of Health, Education, Law, Anthropology, Trade Union matters etc., and to investigate, free of restraint, specific charges made against deficiencies in the provisions and/or administration of Aborigines' Ordinances, Legislation, Regulations etc.
   (d) Assist in the setting up of similar Organisations in other States with the aim of working out a widely acceptable National policy upon matters involving the living conditions, rights and aspirations of Aboriginal Peoples throughout Australia.
   (e) Seek co-operation with and the support of all organisations in agreement with the general aims of the Council.
   (f) Exchange views and information with interested individuals and organisations and examine all matters pertaining to the welfare of the Aboriginal people.
   (g) Sponsor the collection and publication of material relating to the conditions of Aborigines in the form of books, pamphlets, films etc.

4. The conditions of membership of the Council shall be support of the stated aims and payment of a subscription of five (5/-) shillings per annum, due on the first day of January each year.

5. (a) Organisations supporting the aims and objects of the Council may affiliate thereto for the fee of two pounds (£2) per annum, due on the first day of January each year.
   (b) Each affiliated organisation may nominate one delegate to speak and vote at any meeting of the Council on behalf of that organisation.
6. Control of the Council shall be vested in general meetings of financial members and delegates from affiliated organisations. An annual General Meeting must be held at which an Annual Report and Financial Statement shall be presented and office bearers elected.

7. Administration of the Council's affairs between general meetings shall be in the hands of the Committee elected at the Annual General Meeting by financial members and delegates of affiliated organisations. This Committee shall consist of: President, Vice-President, Secretary, Treasurer and seven committee members, all of whom shall not in an honorary capacity. The Committee shall have power to co-opt up to three additional members. The Committee shall be composed of at least 75% members of Aboriginal descent.

8. General meetings of the Council shall be called by the President and Secretary upon instructions from the Committee or by resolution of the Council itself at a general or special meeting.

Special meetings of the Council may be summoned upon the written demand of at least twenty-five financial members and/or delegates of affiliated organisations; such demand shall be presented to the Secretary who shall thereupon arrange for such special meeting to be held within fourteen days of receipt thereof.

9. Committee meetings shall be called at least six times a year by the President and Secretary on their own initiative or by direction of the Committee.

10. A quorum for meetings of the Council shall not be less than twenty financial members and/or delegates of affiliated organisations. A quorum for committee meetings shall not be less than five office bearers and/or Committee members.

(b) At all meetings of the Council, members of Aboriginal descent shall be in the majority.

11. Notices for general and special meetings of the Council shall be in writing, not less than seven days in advance of the time fixed for such meetings, or by such other method as a general meeting may decide, provided that the President and Secretary shall have power to call on extraordinary meeting of Council with not less than forty-eight hours notice.

(b) Notices for meetings of the Committee shall be not less than forty-eight hours in advance of the time fixed for such meeting.

(c) Where notice of motion is given to alter the Constitution or terminate the affairs of the Council, the wording of such motion shall be set out on the notices calling the meeting at which this motion is to be discussed.
12. The Treasurer shall keep proper records of income and expenditure and present a statement of the Council's financial position at each Committee meeting. Books and accounts statements shall be held at an address to be made known and be open to inspection by the membership. Cheques against the Council's account shall be signed by any two office bearers selected by the Committee. Books and accounts for the Council shall be certified by a statement prepared for the Annual General Meeting by an auditor appointed by the Council.

13. Alterations to the Constitution may be made by not less than two-thirds majority vote at a general meeting.

14. The affairs and activities of the Council may be terminated by not less than two-thirds majority vote at a general meeting, provided that notice has been given at the previous General Meeting of the intention to seek such termination. The balance of any funds held by the Council after all liabilities have been discharged shall be devoted to the welfare of Aborigines in such manner as the Council shall determine.
WE ANSWER YOU MR. GIESE

On meet the press last week, Mr. Giese (N.T. Director of Welfare) was reported as saying: "He had grave suspicions that Peter Australia was supplying liquor to wards for profit."

Of course, Peter Australia was not there to defend himself from this slander. Yes, slander, since there is not one case on record of an aboriginal supplying another aboriginal with liquor for profit.

In the face of rising public indignation at the savage 12 months sentence and regardless of suggested amendments to the law from the Northern Territory Legislative Council, Mr. Giese is attempting to divert public attention from the main issue which is the whole of the "WELFARE ORDINANCE" that leads to this shabby treatment of the Aborigines.

The excuse has long been offered that full rights cannot be granted the aborigines because of the "serious social consequences" of liquor. This is not borne out by fact since the effect of alcohol has no relation to skin colour.

Mr. Giese knows full well that many aborigines do not drink and those that do are forced to drink bad alcohol because of the Ordinances he is defending:

WE, THE ABORIGINES DO NEED FULL RIGHTS,
WE DO NEED DECENT JOBS,
AND EDUCATION,
HOW DO YOU STAND HERE MR. GIESE ?? ??

You have suggested that much money is spent on the "WELFARE OF ABORIGINES."

It's not how MUCH you spend:

BUT HOW YOU SPEND IT THAT COUNTS ! !

Too long have human rights been denied the Australian Aborigines.
Too long have we been at the mercy of Governments in which we have no voice.

* DEMAND THAT THE NEWZELAND GOVERNMENT SQUASH FEDER AUSTRALIA'S SENTENCE,
* MAKE THIS A FIRST STEP TOWARDS A NEW DEAL FOR ABORIGINES.

signed

Doctor Daniels
President

Davis Daniels
Secretary

T.K. Robinson
Vice-President

R. Manning
Assistant Secretary

Don White
Treasurer

Max Bading
Committeeman

(II legible)
Committeeman

(II legible)
Committeeman

Norman Isaac
Committeeman
Dear Friend,

This is an appeal for help from the Northern Territory Council for Aboriginal Rights, an organisation actively working for full and equal rights for the Australian aborigines. Our membership is composed of 80% Aborigines.

QUOTE: "We, the Aboriginal members of the Northern Territory Council for Aboriginal Rights, appeal for help from the Australian people.

One of our members, Peter Australia, has got to go to jail in 14 days time to serve 12 months sentence because the Court has refused his appeal and says he is guilty of giving some other Aborigine a drink of liquor.

We want to save Peter Australia from jail and we want the law changed that makes one law for the white man and one law for the black man.

We want to be equal and have the same rights.

You can help us by demanding from the Attorney-General that

PETER DOES NOT GO TO JAIL and
THE LAW BE CHANGED.

Will you help us please?" UNQUOTE

The Australian Government has much to say with regard to what it is doing for our people but in spite of what they say many basic human rights are denied us. To escape overseas criticism, laws have been passed such as the "Wolfaro Ordinance 1953-1960" which does not mention the word Aboriginal yet regulates the lives of thousands of Aborigines.

Instead they call us "WARDS". Of 17,000 full Aborigines in the Northern Territory, less than 80 are now "Citizens" the rest have been declared "WARDS" e.g. A person is declared a ward by reason of

(a) his manner of living;
(b) his inability, without assistance, adequately to manage his own affairs;
(c) his standard of social habit and behaviour; and
(d) his personal associations,

stands in need of such special care and assistance as is provided for by this Ordinance."

A disgusting example of how those laws affect us is the present plight of Aboriginal citizen, Peter Australia.

From thousands of years back, our people had their own laws and under those laws which are still observed by most, we have an obligation to fulfill where we share our food and possessions.

When an Aboriginal is granted "Citizenship Rights", the laws of the white man do not permit him to observe his own law under penalty of imprisonment; 1st "offence" for supplying liquor to a "Ward" 6 months and 2nd "offence" 12 months jail.

In those cases, magistrates have no discretionary powers and the full penalties must be imposed even though the law was supposedly designed to prevent immoral elements from procuring Aboriginal women and profiteering through supplying liquor at high prices.

The special laws relating to the Aboriginal people are not the desires of our people and the Australian Government so called Assimilation Policy, in practice keeps our people isolated and retarded so that we remain longer at the mercy of exploiters of our labour for average wages of £3 per week.
Our people are waking up and struggling for Human Rights all over Australia. You may assist this cause by demanding of the Australian Government:

FREEDOM FOR PETER AUSTRALIA
REPEAL OF ALL DISCRIMINATING LEGISLATION
FULL AND EQUAL RIGHTS FOR ALL AUSTRALIAN ABORIGINES.

We are fighting for the right to act and be treated like free human beings.

Please let us know what action you take; we need friends,

Yours Fraternally,

(signed) Davis Daniels
Secretary, N.T.C.A.R.
<table>
<thead>
<tr>
<th>Year</th>
<th>Total Offences</th>
<th>A Offences</th>
<th>NA Offences</th>
<th>A Offences - Liquor Offences</th>
<th>NA Offences - Liquor Offences</th>
<th>A : NA Population</th>
<th>A : NA Offences</th>
<th>A - Liquor Offences</th>
<th>Liquor Offences as % of all A Offences</th>
<th>Liquor Offences as % of all NA Offences</th>
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<tr>
<td>1957-58</td>
<td>3559</td>
<td>484</td>
<td>3075</td>
<td>108</td>
<td>16,796 : 22,097</td>
<td>108 : 1078</td>
<td>77.90</td>
<td>35.05</td>
<td></td>
<td></td>
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<tr>
<td>1958-59</td>
<td>3732</td>
<td>567</td>
<td>3165</td>
<td>99</td>
<td>17,737 : 24,089</td>
<td>99 : 2347</td>
<td>82.54</td>
<td>35.05</td>
<td></td>
<td></td>
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<tr>
<td>1959-60</td>
<td>4013</td>
<td>552</td>
<td>3461</td>
<td>74</td>
<td>17,985 : 25,573</td>
<td>74 : 2429</td>
<td>88.60</td>
<td>29.58</td>
<td></td>
<td></td>
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<tr>
<td>1960-61</td>
<td>4794</td>
<td>529</td>
<td>4265</td>
<td>55</td>
<td>18,270 : 27,095</td>
<td>55 : 3303</td>
<td>89.60</td>
<td>22.50</td>
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<td></td>
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</table>

1. The figures for total offences, non-Aboriginal liquor offences and non-Aboriginal population were extracted from A.R.M.T., 1956-57, 1957-58, 1958-59, 1959-60 and 1960-61. The figures for Aboriginal offences and Aboriginal liquor offences were obtained from the Welfare Branch, Darwin. Aboriginal population figures were extracted from A.R.W.B., 1960-61 and 1961-62.

*2. Liquor offences mean: ward drink liquor; ward drink methylated spirit; ward sell liquor; ward possess liquor; drunk (not more than two cases in all); driving under the influence.

*3. Liquor offences here means drunkenness only.
## Appendix A6

### Settlement Rules and Suggested Penalties for Breaches

<table>
<thead>
<tr>
<th>Rule</th>
<th>Penalty for Breach</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Able-bodied resident persons must be in regular employment or prepared to take employment.</td>
<td>?</td>
</tr>
<tr>
<td>2. A private wattle or dwelling may be erected only in an area designated by the superintendent for the purpose.</td>
<td>Removal and re-erection of dwelling.</td>
</tr>
<tr>
<td>3. Trees are not to be cut down in areas designated by the superintendent.</td>
<td>For breaches, extra duties by way of planting and tending trees in the camp area.</td>
</tr>
<tr>
<td>4. In designated areas, lavatories must be used, food scraps and rubbish must not be thrown on the ground, and the reticulated water supply must be properly used.</td>
<td>Failure to use toilets - extra duty in cleaning up; failure to turn off taps - extra duty by way of carrying water; throwing food scraps, etc., around - extra duty by way of cleaning up.</td>
</tr>
<tr>
<td>5. Individual dwellings and their precincts are to be kept clean in specified areas.</td>
<td>Extra duties for non-compliance.</td>
</tr>
<tr>
<td>6. All public property or the property of the mission is to be properly cared for.</td>
<td>Negligence punishable by payment for replacement.</td>
</tr>
<tr>
<td>7. Sick people and pregnant women must be brought up for attention and children must be brought in regularly for health checks and food.</td>
<td>?</td>
</tr>
<tr>
<td>8. All fruits, vegetables, animal products and manufactured articles, produced as a result of settlement employment are the property of the settlement and must not be taken without the permission of the superintendent.</td>
<td>Breaches punishable by reduction in employment status or in pay; or where this is inappropriate, full value to be paid to the mission.</td>
</tr>
<tr>
<td>9. All camp fires lit in the area must be controlled.</td>
<td>?</td>
</tr>
</tbody>
</table>

**NOTE:** Attempts should be made to get parents to accept, as a social obligation, responsibility for the behaviour of their children.

---

ACKNOWLEDGEMENTS

A great many people assisted in making this thesis possible. To several people I wish to say a special thank you: Professor R.S. Parker, who supervised the entire project; Dr. Colin A Hughes, of the Political Science Department, Institute of Advanced Studies, for his suggestions and advice on several legal issues; Mr. R.S. Swift, of the Department of Territories, for his co-operation on numerous matters; Mr. F. H. Noy, of the Department of Territories, for his advice; Mr. H.C. Giese and Mr. E.P. Miliken, of the Welfare Branch, who co-operated in every way, particularly as regards records and visits to settlements; Miss Carola Parke, now of the Australian National University, for assistance in the production of the thesis; and to my wife Sandra, for many reasons.

The following people helped in many ways, too numerous to detail separately. They provided me with information, gave me access to files and records, checked their records for me, spent time discussing their work and problems, showed me round settlements, missions and pastoral properties, and provided me with hospitality. To them all I would like to say 'Thank you'.

Mr C.F. Adams, M.L.C.  Mr G. Bates  Sister E. Brooker
Mr H. Adams  Mr R. Bathurst  Mr. A. Bruce
Pastor F.W. Albrecht  Miss S. Baume  Mrs E. Bruce
Pastor Paul Albrecht  Mr A. Beadle  Mr G.M. Bryant, M.P.
Miss E.N. Alexander  Mrs D. Beadle  Mr R. Bryant
Mr C. Allen  Mr K.E. Beasley, M.P.  Mr K. Buckingham
Mr C.G. Allen  Mr R. Beasley  Mr M. Buick
Mr M.E. Althaus  Mr J. Berchmans  Mrs M. Buick
Mrs P.S. Althaus  Mr B.R. Behrns  Mr S. Bunbaiyu
Mr F. Anderson  Sister Benedetta  Mrs D. Burton
Sister Andrina  Mr Benedict  Mr H. Burton
Mr F. Anfilow  Sister M. Benedicta  Mr Burumurra
Sister J. Armstrong  Mr Bestaloo Bill  Brother Bush
Mrs P. Armstrong  Mr O. Bingham  Dr I.D. Byrne
Mr R. Armstrong  Mr A. Bishaw  Mr J.T. Byrne
Miss F.E. Armatage  Dr R.H. Black  Mr M. Byron
Mr J. Aurion  Mr C. Bowden  Mr C.K. Cahill
Mrs Y. Aurion  Mr J.F. Bowditoh  Mr C. Callow
Mr P. Australia  Inspector Bowis  Mrs A. Campbell
Mr J. Bailey  Mr B. Bowman  Mr D. Campbell
Sister L. Bailey  Mr H. Bradfield  Mr Canisius
Mr C. Barichard  Mr W. Bratling  Metron Carlow
Mrs C. Barichard  Mr E. Bray  Mr V. Carroll
Sister L. Barlow  Mr H. Brennan, M.L.C.  Mr M. Casey
Mr J. Barlow  Mr Justice Bridge  Mr D. Celestine
Mr L. Burnett  Mr A. Bromwich  Mr E. Chamney
Mr J. Barrow  Mr E. Brock  Mr G.S. Chin
Mr R.H. Bartlam
Miss H. Cook  
Mr C. Cooper  
Mr T. Cooper  
Mr J. Costar  
Mrs J. Costar  
Miss P.M. Cox  
Mr R. Crawford  
Mrs R. Crawford  
Dr W.H. Crick  
Mr A. Croker  
Mr L. Croker  
Mrs. L. Croker  
Dr D.A.N. Croser  
Mr R.L. Croxford  
Mr W.M. Curteis  
Mr Davis Daniels  
Mr Dennis Daniels  
Mr Dexter Daniels  
Mr R. Darken  
Mrs V. Darken  
Mr S. Davey  
Mrs B. Davidson  
Mr L. Davison  
Mr S. Davis  
Dr F. Dawes  
Mrs M. Day  
Miss D. Daybill  
Mr G. Dennis  
Mrs C. Dennis  
Mr R. Dent  
Miss S. Dicker  
Sister P. Dignam  
Mr J.C. Dillon, SM  
Mr S. Dodds, SM  
Mr B.A. Doering  
Mrs M. Doolan  
Mr J. Doolan  
Mr J. Dorling  
Brother Dowling  
Mrs Boyle  
Mr E. Draffin  
Mr G. Drake  
Mr R. Droughton  
Mr D.G.W. Drysdale  
Mr P.W. Drysdale, M.L.C.  
Mrs H. Drysdale  
Father Dwyer  
Mr T. Giddins  
Miss J. Gilbert  
Mr L. Gillespie  
Mr K. Gleson  
Mr E. Goodchild  
Mr C. Goodwin  
Miss L.C. Goudie  
Inspector C. Graham  
Mr J. Cranock  
Mr B.D. Greenfield  
Mr N. Greenfield  
Mr D. Greenhill  
Mr N. Greenree  
Rev. C.F. Gribble  
Mr G. Griffiths  
Brother A. Groves  
Mr C. Gullick  
Mrs C. Gullick  
Mr A. Guymer  
Mr G.F. Halsey  
Mr W. Hamilton  
Mr A. Hancock  
Dr J. Harrgrave  
Mr N. Harrgrave, M.L.C.  
Mr W.S. Harney  
Sister R. Harrigan  
Miss M. Harris  
Mr K. Harrison  
Mr K. Hart  
Mr E. Harvey  
Mr J. Hausser  
Mr R.G. Hausfeld  
Mr R. Hawke  
Mr S. Hawke  
Mr K.E. Hefferan  
Mrs L. Hennessay  
Mrs A. Henney  
Mrs B. Henney  
Mr C. Henry  
Mr M. Henstock  
Mrs B.F. Hiatt  
Mr L. Hiatt  
Mr D. Hogan  
Mr J. Hogbin  
Mrs J. Hogbin  
Mr G.F. Holden  
Inspector L. Hook
APPENDIX 47

Brother Howley
Mr J. Hunter
Mr A. Hutchins
Mr D. Hyde
Dr S.G. Isston
Mrs C. Ingham
Mr L. Ingham
Mr A. Ingham
Mrs P. Ingham
Mr C. Inkaamala
Miss J. Inkster
Mr M. Ivory
Mr H. Jagamara
Mr A. Jangala
Mrs A. Jangala
Mr O. Jenson
Mr M. Jibu
Mr E. Johnson
Mr J. Johnson
Mrs J. Johnson
Mr V. Johnston
Mr N. Jolly
Mr C. Jones
Dr F.L. Jones
Mr K. Jukes
Mrs K. Jukes
Mr W. Juttner
Pastor L. Kalleaske
Mrs L. Kalleaske
Mr D. Kantilla
Mr W. Keating
Mr J.H. Kelly
Mr A. Keenlyuva
Sister B. Kettle
Mr W. Kidd
Mr B.F. Kilgariff, M.L.C.
Miss C. Kilham
Mr F. Killoran
Mr J.B. Kranak
Mr F. Krause
Mrs G. Krause
Mrs E.D. Lairder
Mr T. Laidler
Mr B. Landara
Mr B. Lane
Mr J. Langford
Dr W.A. Langford
Mr J. Larcombe
Mr H. Leader, SM
Mr H. Leditschke
Mr G. Lee
Mr J. Lemaire, SM
Mr P. Lennard
Miss D. Levitt
Mr K. Lewis
Brother Lilwall
Mr C.C. Litster
Mr K. Livingstone
Sister S. Livingstone
Mr D. Lockwood
Mr J.P.M. Long
Miss F. Lopes
Mr S. Lorenz
Mr C. Lovegrove
Miss B.K. Lowe
Mrs A. Luck
Mr S.A. Luck
Mr P. Mackey
Sister M. Magdalene
Mr F. Mahoney
Mr S. Major
Mr J. Malbunka
Mr E. Manning
Inspector Manning
Mr A. Marego
Mr F. Marego
Mother Marion
Mr R. Marsh
Mr A.L. Marshall
Mr L. Martin
Mrs L. Martin
Sister Patrick Mary
Miss N. Melville
Mr H.L. Michael
Mr J. Mildenhall
Mr K. Miller
Mr M. Mooney
Rev. B. Moore
Mrs B. Moore
Mr J. Moore
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Mr T.W. Mair
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Mrs R. Mulberry
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Mr O. Namatjira
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Mr J. Nelson
Mr J.S. Nelson, M.P.
Mr J. Neville
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Mr R. Nicholls
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Dr W.S. Noble, M.L.A.
Mr Nosepag
Father O'Bryan
Father O'Carrigan
Mr D. O'Keefe
Sister V. Oldfield
Matron Oldrich
Mr C. O'Leary
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Mr G. O'Neill
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<td>Mr R.C. Ward, M.L.C.</td>
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<tr>
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<td>Rev. M.I. Spongler</td>
<td>Mr W. Washington</td>
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<td>Mr J. Wattor</td>
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<td>Mr C.B. Rasceigh</td>
<td>Miss J. Stokes</td>
<td>Mr B. Wuchope</td>
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<td>Rev. R.B. Routbor</td>
<td>Mr G. Stollo</td>
<td>Mr W. Waudby</td>
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<td>Sister L. Raymonds</td>
<td>Miss Z. Streughan</td>
<td>Mrs A. Wells</td>
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<td>Mr A.W. Richardson</td>
<td>Mr K. Struthers</td>
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<td>Mr B. Richardson</td>
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<td>Mr A.V. Wasling</td>
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<td>Mr V. Richardson</td>
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<td>Mr J. Roberts</td>
<td>Father Summervyces</td>
<td>Mr C.I. White</td>
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<td>Mr E. Robertson</td>
<td>Rev. G.J. Symons</td>
<td>Mr D. White</td>
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<td>Mr T.K. Robinson</td>
<td>Mr E.L. Tambling</td>
<td>Mr G. White</td>
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Mr J. White
Mr C. Williams
Mr D. Williams
Mr J.B.K. Williams
Mr S. Williams
Mr A. Willocks
Mr A.P. Wilson
Mr B. Wilson
Mr C.L. Wilson
Mr R.J. Wilson
Mr R.J. Withnall, M.L.C.
Mr W. Wood
Mr D. Woody
Mr K. Wratton
Mr C. Wright
Sister Miriam Wright
Rev B. Wrightson
Sister I.A. Wurst
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4. RECORDS OF THE NORTHERN TERRITORY COUNCIL FOR ABORIGINAL RIGHTS, DARWIN

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* before a title means that the material was used and cited directly in the text or appendices;

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1949 + First Session (Third Meeting) 15-18 February

1952 + Second Session (First Meeting) 1-3 September
1953 * Third Council, Second Session (Second Meeting)
20-22 January

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8-10 June

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21-25 September

1954 o Third Council, Second Session (Fifth Meeting)
22-23 March

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25-30 March

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28 November - 2 December

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9-12 April

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20-21 June

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2-4 April

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10-12 June

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4-7 November

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14-17 April

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6-10 October

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12-16 January

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28-29 October

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USE OF THESES

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<td>Progress Towards Assimilation</td>
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| 2.               | The Aborigines Ordinance 1918-1933  
Ordinance No. 5 of 1943  
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Ordinance Regulations Under the Aborigines Ordinance 1918-1933  
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| 5.               | Photographs of Aboriginal Housing in the Northern Territory |
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PROGRESS TOWARDS ASSIMILATION

ABORIGINAL WELFARE IN THE NORTHERN TERRITORY
PROGRESS TOWARDS ASSIMILATION

ABORIGINAL WELFARE IN THE NORTHERN TERRITORY


Published by the Department of Territories, Commonwealth of Australia, under the authority of the Hon. Paul Hasluck, M.P., Minister for Territories.

CANBERRA
JULY, 1958.
Revised and Reprinted January 1963.
PART 1.—GENERAL

THE NORTHERN TERRITORY

The Northern Territory covers one-sixth of Australia and is six times as large as Great Britain. Sprawled across the centre and north of the continent, it is 1,000 miles from north to south and 580 miles from east to west. Its winding coastline of 1,040 miles is indented by bays and inlets and intersected by numerous rivers but, apart from Port Darwin, it has few navigable harbours.

The tropical north is well watered, but the climatically temperate remainder depends for its life on sub-artesian water supplies which are the most extensive in Australia. The landscape varies from the lush swamp country of the coast through wide pastoral areas to the colourful red ranges and semi-deserts of the centre. The Territory has no great mountain ranges and many of its waterways are dry for the greater part of each year. The two seasons are the “wet”—from November to April, and the “dry”—from May to October.

A typical scene in the centre where, after rain, semi-desert areas are covered with grass and wildflowers
Although Malays from Macassar are known to have visited the northern shores of Australia from remote times, the earliest recorded history of the Northern Territory begins with the Dutch who first explored its unfriendly shores in 1623 and gave Arnhem Land its name. Matthew Flinders explored part of its coastline in 1803, and in 1824 Captain Gordon Bremer established the first white settlement at Fort Dundas on Melville Island near the present site of the Roman Catholic mission at Garden Point. The settlement failed, however, in 1829 and knowledge of inland northern Australia and its people was slow to develop.

In 1845 Ludwig Leichhardt made his way from Brisbane to Port Essington; in 1861 Burke and Wills traversed the continent from Melbourne to the Gulf of Carpentaria; in 1862 Stuart journeyed from Adelaide to a point on the coast about 20 miles east of the mouth of the Adelaide River. Stuart’s route made practicable the construction of the Overland Telegraph Line in 1872 and opened the way to the north for pastoralists and others who saw opportunities for development there. In 1863, the Northern Territory passed to South Australia by Royal Letters Patent, and six years later stock were introduced near the MacDonnell Ranges in Central Australia. In 1869, Palmerston (now Darwin) was selected as the site of the chief town. The outstanding achievements under South Australian administration were the construction of the Overland Telegraph in 1872 and the establishment of the pastoral industry.

The transfer of the Northern Territory to the Commonwealth (through the Northern Territory Acceptance Act) was completed in 1911. The Northern Territory (Administration) Act provided for the appointment by the Governor-General of an Administrator to be responsible for the government of the Territory under instructions from the appropriate Minister. In 1947 a partly elective Legislative Council was created with powers to make ordinances for the peace, order, and good government of the Territory.

The Minister for the Interior was responsible for the Northern Territory until May, 1951, when, with the creation of a new portfolio, this territory, together with all Australian external territories (except Antarctica), became the responsibility of the Minister for Territories.

The present population of the Territory is about 46,000, including about 18,270 aborigines.

THE ABORIGINES

The aborigines were living in Australia long before civilization came to Europe. Their original home was probably southern India and it is thought that they moved to Australia through the Malay Peninsula and Indonesia by land bridges that have since disappeared. In their natural state they were nomads, neither having nor seeking even the most primitive of dwellings to call homes. They were hunters and gatherers of food, practising no forms of agriculture or animal industry.

Generally they wore no clothes and their few personal possessions were related to practical or ceremonial purposes—for example, the coolamon and the didjeridoo. Their weapons and tools—the boomerang, throwing stick, stone axe and chisel, the club, the net, the pointed yam stick—were not only their means of survival but also vehicles for many of their art forms. Circles, wavy lines, herringbone patterns and other designs with which they adorned their weapons appeared also as sacred symbols. These symbols were part of the aborigines’ secret life of totemic ceremonies, magic, and religious systems and beliefs. Within the tribe individuals and groups were strictly disciplined by various social institutions, involved rules of kinship, and complicated marriage laws. Each tribe recognized the tribal areas of others. Their daily lives were linked through totemic ceremonies with the spirit world.

Policy up to 1939

Today, comparatively few aborigines in the Northern Territory are living fully tribal lives. In spite of their brief existence, the settlements of the
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A typical scene in the centre where, after rain, semi-desert areas are covered with grass and wildflowers
years 1824-1829 exerted a profound influence throughout western Arnhem Land, an influence that was intensified by the founding of Port Darwin in 1869.

With increasing settlement and activity in the pastoral, mining, fishing, pearling, trepanning, and buffalo shooting industries from 1870 to the early 1930's, the aborigines suffered from a mounting tempo of largely uncontrolled contact. It was a period of many abuses, armed clashes, punitive expeditions, exploitation of aboriginal women, and decline of population from introduced diseases and other causes.

Aboriginal reserves were first created in the Territory in 1892, when a total area of about 3,000 square miles was set aside. After the Commonwealth Government assumed control of the Territory in 1911, this area was increased and the Government attitude was primarily one of protection and segregation—based on a belief that aborigines became degraded by contact with a civilization they did not understand. This policy was expressed in the Aboriginals Ordinance of 1918 (with subsequent amendments) and remained negative. Not until the 1930's were there any manifestations of a new approach to the aboriginal problem.

**The Work of Missions Amongst Aborigines**

Missionary activity in the Territory began in 1877 with the establishment of the Lutheran mission at Hermannsburg. Other missionaries followed. In 1908, the Church Missionary Society established the Roper River Mission, the Roman Catholic mission began work at Bathurst Island in 1911, and in 1916 the Methodist Overseas Mission Society set up on Goulburn Island their first mission in the Territory.

The Missions tended to hold the aborigines together and prevented some of the calamitous results of open contact with unscrupulous persons. In the general welfare field, however, lack of finance hindered much positive progress. Not until the post-war years, with greatly increased Government subsidies to missions, were any big improvements effected in education, hygiene, health services, and housing. There are at present fourteen mission stations operating in the Territory—one Lutheran, five Church Missionary Society (Church of England), four Methodist, and four Roman Catholic.

The welfare programme amongst aborigines in the Northern Territory is one in which the Government and the missions co-operate closely. The Government subsidizes missions and, in addition, a considerable sum is spent each year by the missions themselves.

**The Nature of the Aboriginal Problem**

After the war, the Commonwealth Government reviewed its own past performances in the discharge of its responsibilities towards the aborigines of the Northern Territory and found little to boast about and much to condemn. During the years of administration under protective legislation, little had been achieved towards making the aborigines self-dependent within the Australian economy. Many were in poor health, and their numbers had been steadily diminishing. This state of affairs applied not only in the Northern Territory but throughout the Commonwealth. The war years, during which the Territory had been an operational area, had not only temporarily stifled development of the new positive approach which had been foreshadowed but created additional problems.

In 1951, the Commonwealth Government created a Department of Territories which was to be responsible for the Northern Territory as well
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In 1951, the Commonwealth Government created a Department of Territories which was to be responsible for the Northern Territory as well
as for Australia’s external territories (except Antarctica), and the first Territories portfolio was given to the Honorable Paul Hasluck, who had been a student of and writer on aboriginal problems for many years.

One of Mr. Hasluck’s first acts was to convene a conference of Commonwealth and State authorities administering aboriginal affairs. From this conference emerged a statement of principles to which all authorities represented subscribed. They covered Citizenship, Social Security Benefits, Health, Education and Employment. It was Mr. Hasluck himself who later highlighted the fundamental concept “...assimilation is the object of native welfare measures. Assimilation means, in practical terms, that in the course of time, it is expected that all aborigines and part-aborigines in Australia will live like white Australians do. The acceptance of this policy governs all other aspects of Native Affairs administration”. The policy of assimilation was given expression in the legislation that followed.

Another conference attended by Ministers responsible for aboriginal welfare in the various States and the Northern Territory was held in January, 1961. This conference reviewed and restated the policy of assimilation and considered methods of advancing this policy. Close attention was given by Ministers to further study and research into particular problems that might arise in relation to health, nutrition, education, housing and vocational training for aborigines.

Today, of a total 18,270 aborigines scattered over the Northern Territory, only a few hundred still live fully tribal lives. At 30th June, 1962, nearly 5,000 of them were in regular contact with Government settlements and depots, and 5,000 with mission stations. Some 5,300 were working on or attached as dependants to pastoral, mining and agricultural enterprises, and 600 were permanent residents in towns. Nomadic aborigines were estimated at about 200.

The aborigines range from the primitive nomad to the relatively sophisticated aboriginal who is at present earning his own living and managing his own affairs.

The pastoral industry has provided a means of assisting them to develop skills which they can use within the Territory economy. Few, however, appreciate social and health requirements and observances. Customs and tradition vary with locality, and practices and beliefs which may hold good on the coast are not subscribed to in the centre.

In their tribal state, aborigines had no means of storing or preserving food. In times of drought and flood their diet was inadequate and uncertain, and malnutrition was common. They had no knowledge of the causes of, and very limited means to combat, disease. Their ideas of hygiene were extremely primitive, as instanced by their practice of simply moving out of a wurlie or humpy when it became unfit for habitation and erecting another elsewhere. Tribal education for aborigines was directed towards skills in hunting and acquiring knowledge of tribal lore and ritual. They were never accustomed to permanent dwellings and attempts to induce them to live in houses have at first met with strong resistance. Their adaptation to our concepts of housing is a slow process during which many of them have to be persuaded not to use their dwellings for firewood or otherwise damage and befoul them.

The Approach to the Aboriginal Problem

When war broke out in 1939 it disrupted all planning and accelerated the effect of new forces on the aborigines, so that from 1945 onwards the aboriginal problem became vastly more acute. Under the Aboriginals Ordinance, all people of the aboriginal race came under specially restrictive legislation because of their need for protection. It was incumbent upon individual aborigines to prove that they had advanced beyond the need for such protection before they could be granted “exemption”, and definition of the word aboriginal was sufficiently elastic to include most part aborigines.

The Welfare Ordinance which replaced the Aboriginals Ordinance was passed by the Northern Territory Legislative Council in 1953 but, even before this Ordinance became effective, part-aborigines were freed from restrictive legislation by an amendment of the Aboriginals Ordinance. The Welfare Ordinance is based on the fact that Australian citizenship is as much the birthright of the aboriginal as it is of other Australians. It rejects the method of “exempting” individuals from special legislation applicable to them as a race, and provides that individuals only (wards) may be deemed in need of special protection and brought under the provisions of the Ordinance.

Major changes were made to the Welfare Ordinance in May, 1962. These changes were—

The provision that a person subject to restriction under a State Act become a ward when he entered the Territory was reduced to a period of three months. A person is no longer automatically subject to the Ordinance if he re-enters the Territory unless he was a ward at the time of his departure from the Territory. However, any person in the Northern Territory may be liable for declaration as a ward.

The power to remove a ward to a reserve or institution, or from one reserve or institution to another, formerly vested in the Director of Welfare, is now vested in a Court of Summary Jurisdiction. The court may order such a removal only if it is satisfied that the order is in the interest of the ward or is in the public interest. Only where a welfare officer is of the opinion that, because of the distance from a court, an application to a court for an order is not practicable, can he arrest a ward. If he does so, he must bring him before a court within five days.

The Director of Welfare is no longer entitled to conduct legal proceedings on behalf of a ward. He may now only do so by leave of the court.
concerned. The restrictions on pleading guilty or admitting facts were removed.

The power of the Director of Welfare to authorize removal of a ward from one reserve or institution to another has been removed.

The Director of Welfare is no longer constituted guardian of a ward by the Ordinance.

Complementary to the Welfare Ordinance is the Wards’ Employment Ordinance which provides for a positive programme of training, and the entrance of aborigines into gainful occupations. Under this ordinance provision is made for generous subsidies for the full educational needs of the aboriginal boy and girl, to and beyond university level, and advances may be made to establish individual aborigines in economic enterprises of various kinds.

These two ordinances form the basis of the programme of assimilation. The Government aims to advance the aborigines of the Northern Territory to a position of social and economic parity with other Australians, and the formal instrument by which this policy is being translated into action is the Welfare Branch of the Northern Territory Administration.

The Government has now, however, embarked on a programme of legislative amendment designed even more positively to shift the emphasis from protection to advancement and more rapidly and extensively to enlarge the means whereby aborigines may become parts of the wider Australian community.

Early in 1962, when the Commonwealth Parliament legislated to extend the franchise to all aborigines, the Commonwealth Electoral Office and the Administration organized a campaign in the Territory to educate aborigines on the meaning of the franchise.

Representative aborigines were brought to Darwin, Alice Springs and Katherine from Government settlements and missions, and given talks illustrated with visual aids for five days. Electoral officers also visited settlements, missions and many large pastoral stations and gave information to the aborigines on electoral matters.

About 1,400 aborigines enrolled for the Legislative Council elections of 8th December, 1962.

All aborigines including wards, now have the right to enroll and vote at Commonwealth elections and, within the Northern Territory, at the Legislative Council elections; social service benefits have been extended without qualifications to all aborigines except those considered by the Director-General of Social Services to be nomadic or primitive; and the Welfare Ordinance and the Ward’s Education Ordinance are being progressively amended to reduce restrictions on wards to a minimum.

Welfare Policy in Operation

The Welfare Branch is actively promoting the social, economic, and political advancement of aborigines to assist them and their descendants to take their places as members of the community. Particular efforts have been made and are continuing to be made in relation to general welfare problems, education, employment and housing. The framework on which the welfare policy is being developed consists of the reserves, government settlements, and mission stations. Eighteen separate areas totalling approximately 95,000 square miles have been set aside as reserves; on these are located most of the thirteen settlements and fourteen mission stations which are the bases from which, by patrols and other means, the Administration can keep in touch with aborigines in the surrounding districts and watch over their care and welfare; where health services can be provided; where schools can be established; where care and food can be provided for the aged, and invalid; and where economic activities can be developed and vocational training imparted. The full Government settlement providing a wide range of welfare activities is almost wholly a post-war development in the Northern Territory. Before the war, with the primary emphasis on protection and on preserving the inviolability of reserves, Government activity on reserves went little beyond patrolling and in some instances maintaining control and ration depots.

The Director of Welfare no longer holds the property of wards as trustee. A ward may now deal with his property in all respects if he had not been declared to be a ward. The Director may apply to a Court of Summary Jurisdiction for an order vesting in him property of a ward, and the court may make the order if it is satisfied that the property is such as to require management or investment, and the ward does not satisfy the court that he is able to use and manage the property to good advantage. Tools of trade or personal chattels used for the maintenance of the ward or his family are not subject to a vesting order. Where a vesting order is made, it is an offence to enter into transactions involving a greater value than £10 without the consent of the Director or a Welfare Officer. Formerly, this offence applied to such transactions with all wards.

Where a vesting order is made, the Director has power of management and investment. He may be ordered by a Court of Summary Jurisdiction to file an account of his dealings with the property.

Formerly the Wards Appeal Tribunal was required to be satisfied that a ward did not stand in need of special care and assistance before it could make an order revoking the declaration of him as a ward. Now, the Tribunal may make such an order if it is not satisfied that he stands in need of special care and assistance on those grounds on which he was declared a ward. The burden of proof on the ward who appeals to the Tribunal is therefore now much lighter.

The consent of the Director of Welfare or a Magistrate to the marriage of a ward is no longer required.
The powers of the Director of Welfare to forbid a male ward to live with a female ward to whom he is not married, or to forbid certain other acts of fraternization or cohabitation which are offences as between a male non-ward and a female ward, have been removed. The power to grant leases to institutions has been removed. Other provisions relating to fraternization between wards and non-wards were removed from the Welfare Ordinance and taken over into the Police and Police Offences Ordinance by the combined operation of the Welfare Ordinance 1961 and the Police and Police Offences Ordinances 1962.

During the war years, about 1,000 aborigines were employed by the armed services on work in and around service establishments. They were housed under army camp conditions and, as part of the remuneration paid, their dependants were maintained. In March, 1946, the Army withdrew from its native settlements and the Commonwealth Government was faced with the problem of the welfare of the aborigines no longer employed by the Army, as well as of doing something positive to advance the other 15,000 aborigines in the Territory. The task was magnified by the almost complete lack of accommodation and staff, and the difficulty of obtaining adequate supplies of foodstuffs. Much valuable service equipment, however, became available for use in constructing and developing many of the aboriginal settlements existing today, some of which were originally control and ration depots.

Settlements are the key instruments by means of which the Government's aim of assimilating the aboriginal people will be achieved. They are scattered over the immense spaces of the Territory, some on the coast and adjacent islands and others in the arid isolation of the centre. No standard pattern can be set for them, except in establishments and in the welfare services and amenities provided. Each has its own special problems, varying with location, size of population, differing customs and traditions, proximity or otherwise to centres of population, and with the particular natural resources available in each area.

The staffing of settlements is a separate problem in itself. Success or failure hinges largely on the personal qualities of the people who administer them. Settlement life demands sacrifice, and genuine concern for the future of aborigines, from the superintendents, managers, nurses, teachers, and technical officers who are playing important parts in the difficult task of fitting the aborigines for entry into the Australian way of life.

Settlements are largely self-contained as communities, and in many cases are isolated. In addition to their other functions, they are training centres to fit aborigines for outside employment. They are not regarded as ends in themselves, but rather as a means of giving temporary protection during a transitional period, and for aiding advancement towards assimilation. The reserves on which most of them are located afford an extensive area of land which may be available in the future for establishing advanced aborigines in economic enterprises. If any mineral discovery is made on a reserve the aborigines stand to benefit for, by legislation introduced by the present Government, a special royalty has to be paid on any minerals won on an aboriginal reserve or on land excised from a reserve and the funds so raised are to be applied for the benefit of the aborigines. Under recent legislation royalties on timber cut in the reserves will also be placed in the Trust Fund and used for the benefit of the aborigines. Previously these timber royalties were paid into Consolidated Revenue.

Many aborigines do not live on Government or Mission settlements but in closer association with the rest of the community. The Government's policy is to encourage the employment of all those wards who are able to work. Any aboriginal who is not a ward has the same industrial rights as any other worker and is eligible for the same protection and advancement as other Australian workers. Several aborigines have already joined industrial organizations.

For those who, as wards, need special care and assistance, the Government accepts the responsibility of training, finding suitable employment, supervising the terms and conditions of that employment, and encouraging their advancement in employment or in occupations on their own account.
The Territory is developing rapidly, but the aborigines are changing slowly. It may be several generations before the majority of them are ready to take part as ordinary citizens in the economic progress of the country.

The increasing scale of efforts being made to carry out the Government's policy is reflected in the increasing direct expenditure on aboriginal welfare and aboriginal education, as follows:

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In addition, aborigines share in general health services which, in 1961-62, cost £1,557,300.

**Health**

As well as being necessary in themselves, health measures are an early phase in the advancement of aborigines towards assimilation. Fundamental rules of health, hygiene and nutrition are taught on Government settlements and mission stations and are closely bound up with education. Infirmary have been established on all Government and Mission settlements, under the control of trained nursing sisters, and on larger settlements small full-scale hospitals are in operation. Instruction in personal hygiene is an integral part of primary-school syllabuses; and hygiene schools, where a more specialized study of the practical problems encountered amongst large congregations of people can be given, are conducted at Bagot and Amoonguna each year. The students at such courses are drawn from settlements and mission stations and a marked improvement in living conditions has taken place since the scheme began. A mobile dental clinic is in operation, and a new leprosarium has been established in Darwin at a cost of £400,000. Nutritional surveys have been carried out and improved dietary scales laid down.

On most settlements there are communal kitchens where food is prepared and served under skilled supervision. Special meals are provided for children, expectant and nursing mothers and invalids.

Outside the settlements, hospital facilities are available to aborigines at Darwin, Katherine, Tennant Creek and Alice Springs. The Aerial Medical Service of the Department of Health and the Royal Flying Doctor Service are available to aborigines.

Special attention is devoted to child and maternal welfare; and settlement and mission children emerge from the tribal background better equipped for the problems ahead than are their parents.
Total expenditure on health services in the Territory, which are for aborigines as well as Europeans, has increased as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Expenditure (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1949-50</td>
<td>261,156</td>
</tr>
<tr>
<td>1950-51</td>
<td>447,483</td>
</tr>
<tr>
<td>1951-52</td>
<td>536,974</td>
</tr>
<tr>
<td>1952-53</td>
<td>622,437</td>
</tr>
<tr>
<td>1953-54</td>
<td>706,928</td>
</tr>
<tr>
<td>1954-55</td>
<td>669,493</td>
</tr>
<tr>
<td>1955-56</td>
<td>726,482</td>
</tr>
<tr>
<td>1956-57</td>
<td>842,144</td>
</tr>
<tr>
<td>1957-58</td>
<td>946,118</td>
</tr>
<tr>
<td>1958-59</td>
<td>1,029,943</td>
</tr>
<tr>
<td>1959-60</td>
<td>1,026,282</td>
</tr>
<tr>
<td>1960-61</td>
<td>1,233,766</td>
</tr>
<tr>
<td>1961-62</td>
<td>1,557,300</td>
</tr>
</tbody>
</table>

The Government also subsidizes missions up to £975 a year for each trained nurse employed as well as for other specialists such as teachers and persons who are engaged in training aborigines in a particular skill or the conduct of economic activity.

At Darwin Hospital, aborigines are being trained as orderlies.

Education

In the field of aboriginal education in the Territory, little apart from mission achievements had been accomplished until 1949. Early in that year the Commonwealth Office of Education, acting as an agent of the Administration, undertook the education of aboriginal children in the Territory, and established Government schools for aborigines on the settlements at Bagot (Darwin), Bungalow (Alice Springs), and Yuendumu. At the beginning of 1956 the Welfare Branch of the Northern Territory Administration took over the control of the aboriginal education programme. By that time ten Government schools for aborigines had been established. In June, 1961, there were ten schools on Government Settlements, sixteen on Mission Stations, and nine on pastoral properties; the total enrolment of pupils was 2,305, and arrangements were being finalized to open a new school at Maningrića Settlement on the north-central coast.

An experimental kindergarten and infants' class was established at Bungalow Settlement in 1954. This school has since been transferred to the new settlement at Amoonguna, but the initial results achieved at Bungalow proved beyond any doubt that considerable advantage to the
child followed from its early introduction to school life. Pre-school centres have since been established on other settlements.

The policy of subsidizing teachers' salaries has encouraged some pastoral managements to establish schools on their properties. When these schools enrol sufficient numbers, full Government schools are set up on the pastoral properties. The particular value of this policy is that it enables aborigines to receive suitable education where they live and where most of them are likely to find their happiest and most satisfactory fields of employment.

Adult education classes are in operation wherever it is practicable to hold them. In such classes emphasis is placed on the teaching of oral English and reading. Instruction is given also in crafts and, where facilities are available, training is provided in a wide variety of trades such as carpentry, blacksmithing, saddlery, leatherwork, home management and motor mechanics.

A training course of two years is now offered to qualified persons wishing to make a career of teaching aboriginal children.

Together with the expanding educational programme on Government settlements has gone the extension of education facilities by missions. Mission schools receive grants from the Government at the rate of £985 a year for each trained teacher employed, together with subsidies for the assistance is given by supplying educational furniture and equipment.

The cultural background of aboriginal children and the fact that their mother tongue is not English make it necessary to educate them in special schools working to a modified and specially adapted curriculum. These schools, however, are regarded as an interim measure only, to bring aboriginal children to a level where they will be able to attend the same schools as other children in the Territory. When children reach a standard at which they can benefit from the transfer they are enrolled at general schools and a number of aboriginal children have already made this transfer.

The following table illustrates the state of education for aborigines in the Territory in June, 1961:

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number of Schools</th>
<th>Number of Pupils</th>
<th>Total Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Government Settlement</td>
<td>10</td>
<td>373</td>
<td>318</td>
</tr>
<tr>
<td>Christian Mission</td>
<td>16</td>
<td>684</td>
<td>733</td>
</tr>
<tr>
<td>Government School on pastoral properties</td>
<td>4</td>
<td>52</td>
<td>61</td>
</tr>
<tr>
<td>Subsidized School on pastoral properties</td>
<td>5</td>
<td>48</td>
<td>36</td>
</tr>
<tr>
<td>Total</td>
<td>35</td>
<td>1,157</td>
<td>1,148</td>
</tr>
</tbody>
</table>

Employment

In 1953, the Legislative Council of the Northern Territory passed the Wards' Employment Ordinance which is complementary to the Welfare Ordinance. The Employment Ordinance, which became operative in October, 1959, provides for the training of wards, and assistance in establishing them in occupations, either on their own account, or as employees. It also envisages apprenticeships for the more advanced aborigines and on-the-job training for those not sufficiently advanced to enter into apprenticeships.

The largest field of employment for aborigines until the present has been, and remains, the pastoral industry.

To accelerate achievement of the objectives of the Ordinance, an Employment Advisory Board consisting of representatives of the Administration, employers, industrial organizations, the Christian Missions, and an aboriginal who is not a ward, has been constituted to consider and advise the Administrator on all matters relating to the training and employment of aborigines. The Board concerns itself with such specific matters as—

(a) The vocational training of aborigines,
(b) The placing of wards in employment,
(c) The apprenticeship and training under agreement of wards,
(d) The promotion and development of industries and activities for wards,
(e) The regulation of conditions of employment of wards.

A number of aborigines have already attained the degree of skill necessary to qualify them for payment of award wages as builders' labourers, painters, linesmen, drovers, wharf and railway workers. They are an important minority of workmen whose numbers may be expected to increase as training programmes conducted on settlements and missions gain momentum.

At a level somewhat below that of the skilled men, one will find other aborigines employed full time in a wide range of vocations of an unskilled or semi-skilled nature. These men receive less than the basic wage but such payments are supplemented by rations, clothing and accommodation for themselves and their dependants. Workers on settlements and mission stations fall into this category as well as those attached to pastoral properties and farms where they are employed as truck drivers, gardeners and general station hands.

Finally there are the semi-nomadic people and the older members of settled tribes whose lives are still governed by tribal custom and who cannot be considered at all within the category of potential employees. For this section of the community, special provision must be made in order that they can live their lives with a minimum of disruption to the accepted practices of native tradition on the one hand and European tradition on the other.

Housing

Housing is one of the Northern Territory's major problems. Housing for aborigines, in the initial stages of their introduction to a new concept of dwelling, is made particularly difficult by their reluctance to live in permanent homes. Accustomed as they are in the tribal state to vacate a wurlie when a death occurs, or when its insanitary condition compels them to move, they tend to regard permanent homes provided for them in the same manner.

They are, nevertheless, adapting themselves to living in permanent houses and at every mission and settlement in the Territory there is evidence of the varying stages of this gradual adaptation. To the casual observer a camp consisting of galvanized iron humpies and lean-tos may seem unsightly. It is. But it is a logical step in the evolution from the wurlie to the neat new aluminium dwelling units and concrete brick cottages now erected for aborigines at some settlements. Such a camp should be judged for what it is—a transitory phase. On the other hand, at one mission, Santa Teresa, aborigines have built their own settlement of solid stone cottages, in which electric lighting has been installed.

Another serious obstacle is economic considerations, for housing and employment are closely related. Until the aborigines are sufficiently skilled to earn wages comparable to those of their neighbours, the expense of maintaining and furnishing a modern house will prove beyond their means.

Aborigines and part-aborigines are being assisted through Government housing projects to move into modern houses within townships. Of the 79 tenancies granted during 1960-61 two were given to aborigines, and 30 to part-aborigines.

ABORIGINES: POPULATION FIGURES TO JUNE, 1962

<table>
<thead>
<tr>
<th>Year Ended 30th June</th>
<th>On Government Settlements</th>
<th>On Mission Stations</th>
<th>Others</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>4,167</td>
<td>4,986</td>
<td>7,959</td>
<td>17,112</td>
</tr>
<tr>
<td>1961</td>
<td>4,390</td>
<td>5,070</td>
<td>7,766</td>
<td>17,226</td>
</tr>
<tr>
<td>1962</td>
<td>4,871</td>
<td>5,112</td>
<td>8,287</td>
<td>18,270</td>
</tr>
</tbody>
</table>

At Government and mission settlements aborigines build their own homes
PART-ABORIGINES

Before the new welfare policy was formulated, most of the part-aborigines in the Territory came within the restrictive provisions of the Aboriginals Ordinance. By amendment of that Ordinance in 1953 all part-aborigines living in the manner of other Australians were freed from the restrictions previously imposed. This placed them in a position of equality with other citizens in the Territory. In actual fact, however, for most of them their aboriginal heritage represents a social barrier to which the Government is now giving particular attention. Amendments to the Welfare Ordinance have been made to allow individuals among these people to be declared wards if they wish to seek the protection and benefits of this legislation.

Perhaps the most positive step taken by the Government in regard to part-aborigines has been to transfer where practicable, part-aboriginal children from the Territory environment, and give them a chance to develop normally in southern States. Government subsidies are provided to encourage this work. Since this scheme began in 1956, 63 children have been transferred to foster homes and institutions in southern States where they are attending technical colleges and high schools, and undertaking apprenticeships, nursing and other courses; at 30th June, 1961, 47 of these children were still being maintained under the scheme. Regular inspections of these children are made by Welfare Officers from the Northern Territory Administration and, where this might seem to be desirable, by officers from the Department of Social Services. Under this scheme, the Administration meets the cost of outfitting the child, payment of the child's fare to the south, and an amount of up to £300 a year towards the child's maintenance and education. The average annual payment is about £224.

Four homes and hostels operated by the Missions for part-aborigines in the Territory are subsidized by the Government. They are the Retta Dixon Home in Darwin, the mission stations at Garden Point and Croker Island, and St. Mary's Hostel in Alice Springs.

A plan to establish hostels for wards, part-aboriginal children, State children, and children from outback areas who leave home to obtain education has been approved. For this purpose a sum of £800,000 has been set aside.

The Government is firmly dedicated, through its policy of assimilation, to advancing the aborigines to social, economic and political equality with other Australians. No other satisfactory solution to the problem of the aborigines' future has been found. It is a long-range plan which will require the patient help and sympathy of all sections of the community. The progress already achieved foreshadows the community of the future.

PART 2.—INSTITUTIONS

GOVERNMENT SETTLEMENTS

AMOONGUNA

Location: Amoonguna, seven miles south-east of Alice Springs, is the newest Government Settlement in the Northern Territory. The reserve covers approximately one and a half square miles and serves a somewhat different purpose from that of the outlying settlements in that it provides accommodation for transients and convalescents in addition to a large resident population.

Population: Eleven tribes were represented at Amoonguna in 1961. In addition to aborigines from Central Australia, transients from as far afield as Woomera and Daly Waters were temporarily accommodated.

The average population for the year ending 30th June, 1961, was 340.

Social Development: With such a large non-resident population, and because of the unsettling effect transients have on local social life, it is
difficult to isolate the permanent population for purposes of social development. Interest in sport has been developed, a social club has been organized, and regular film evenings are held.

Employment and Training: An average of fifty settlement residents find regular employment in Alice Springs.

Training Courses are conducted throughout the year and are attended by trainees from outlying settlements and missions. The instruction given covers cooking, butchering, and practical hygiene for men, and elementary nursing for women.

Agriculture and Horticulture: A large market garden area has been prepared, but the extent of its cultivation is governed by the availability of water from year to year. A citrus orchard has been planted and produces excellent crops.

Facilities: The main kitchen provides meals three times daily. Supplementary diets for nursing mothers and infants are organized by the hospital. The hospital functions mainly as an outpatients' clinic as it is preferable to evacuate cases in need of hospitalization to the General Hospital at Alice Springs.

AREYONGA

Location and History: Areyonga settlement is 145 miles south-west of Alice Springs on a small alluvial flat near the headwaters of tributaries of the Palmer River. Since time beyond memory, it has been a traditional centre for nomadic tribes. Prior to becoming a Government Settlement, it was maintained as a ration depot and outpost by Hermannsburg Mission.

Population: The pattern of aboriginal life in this region has remained basically unchanged. The local aborigines, mainly Pitjanjara tribesmen, are still nomads; they move constantly over their old hunting grounds ostensibly to go dingo hunting for the scalp bounty, but (and this is more important to them) also to visit localities intimately connected with their religious and ceremonial practices.

The average number of people resident at the settlement over the twelve months ended 30th June, 1961, was 357.

Social Conditions: The nomadic habits of the people inhabiting this region are still part of their everyday way of life and little progress towards more sophisticated ways of living can be expected for some years to come. The tendency to move out on walkabout, without notice, is clearly evident by comparing the census taken in April, 1961, which revealed 427 persons on the settlement, with that taken in June (the national census) when barely 300 remained.

Health: The general good standard of health of these people is due mainly to the attention given to mothers and young children by way of supplementary feeding and medical checks at the hospital. Periodic visits by a doctor and a survey sister also help contribute to the good health of the people. Meals are prepared in the settlement kitchen for workers and children on five days each week; these meals are supplemented by an issue of dry rations.

Agriculture and Horticulture: Because of recurring periods of drought it is not possible to develop agricultural projects to the extent desired. Good progress, however, has been made with citrus orchards and the settlement has made itself in some measure self-sufficient in fruit.

BAGOT

Location and History: Bagot settlement, about four miles from the centre of the city of Darwin, was established in 1939, and during the war was used by the Army as a hospital. The area was handed back to the Northern Territory Administration in 1946, and for the next few years housed part aboriginal families. During this time the aborigines were accommodated at Berrimah Settlement, to which they had been moved some six years previously on the closing of army camps.
Bagot was re-established as an aboriginal settlement only in 1950, and about 200 local and itinerant aborigines moved in. Since that time the resident population has increased steadily. In June, 1961, Bagot accommodated 386 persons, of whom 195 were adult males, 89 adult females and 102 children.

**Function:** In addition to providing accommodation for aborigines who, for medical reasons, are temporarily in Darwin from outlying centres, Bagot provides a place of permanent residence for people from various tribes who now regard Darwin as their home, and transit accommodation for aborigines visiting Darwin on vacation or for other personal reasons.

For the convenience of the first group, Bagot provides temporary accommodation, rations, and a place to convalesce if necessary. For the permanent residents, who make up the second group, the settlement provides housing, education for the children, health services, recreation facilities, vocational guidance, and, for suitable persons, training in cooking, carpentry, plumbing, vehicle driving and maintenance, market gardening, and poultry farming.

An important function of the settlement is that it provides suitable accommodation close to Darwin and helps to avoid the setting up of small camps lacking sanitary facilities and supervision.

**General:** Both water and electricity are connected from the town supply and a large market garden helps to provide food supplies for the kitchen. A working party of about 40 is permanently employed at the settlement on such tasks as gardening, kitchen duties, hygiene work, driving, painting and infant welfare. The rest of the people work in town on various jobs within the local economy. In June, 1961, eight men were receiving award wages or above, and the remainder received payment varying in accordance with individual degree of skill or application.

Many of the people at Bagot are skilled in sport, and basketball teams compete in both men's and women's open competitions in Darwin. The settlement football team also gives a good account of itself in the Northern Territory Football League competition.

**BESWICK CREEK**

**Location:** Beswick Creek Settlement, on the western boundary of the Beswick aboriginal reserve, is approximately 40 air miles south-east of Katherine. There is an all-weather road to the settlement, which continues on to Mainoru Station on the southern border of Arnhem Land; beyond the settlement the road is trafficable only during the dry season.

A pastoral project under the administrative control of the Superintendent of the Reserve has its headquarters at Beswick Station, located 20 miles east of the settlement along the road to Mainoru.

**Population:** The majority of the people accommodated at Beswick Reserve are members of Jauan, Maiiali, Nalkpun or Rembarrnga tribes; a small group of people from the Roper River area and others from the Katherine region have also taken up residence at Beswick Settlement. The dominant tribe although not numerically strong, would be the Jauan, but here again it is worth noting that, over years of close association, the tribal groups have intermingled and as a community consider themselves “Beswick People”.

At 30th June, 1961, the resident population numbered 365.

**Recreation:** The establishment of sporting facilities at Beswick Settlement has proved of great benefit to the people. Improvements were made to the oval and a basketball court was put down so that those who wished to do so could play football, soccer and basketball during their leisure time, both at the weekend and after the working day. Players are coached by staff members.

Week-end hunting, although it has diminished in popularity over the past few years, is still undertaken by the older men. Beswick Reserve
abounds in natural game and hunters have little difficulty in obtaining
game and bush foods.  

**Social Development:** Evidence of the social change amongst the people of Beswick may be seen in their homes, where pride of ownership is developing; at the canteen where articles for personal use are carefully selected; and on the sporting field.  

**BORROLOOLA**  

**Location and History:** Situated on the McArthur River about 30 miles inland, Borroloola has been a Ration and Control Depot since 1949 and plans are in hand for its expansion into a full settlement. After the Borroloola police station was closed in 1948, the depot was established as a post to cater for aged and sick aborigines and to control the employment of wards on the Barkly Tablelands and adjoining districts.  

**Staff and Buildings:** The staff consists of a manager and his wife, who acts as part-time matron. School classes for children are conducted by a resident missionary teacher of the Aborigines’ Inland Mission. Buildings include a staff residence of timber and galvanized iron construction, the old police cell, wards’ kitchen, an out-patients’ clinic, store and canteen, garage and workshops. These buildings are of local construction, mainly of wooden frames and corrugated iron with concrete floors.  

**General:** The wards, numbering about 130, are at present living in homes of their own making. Gardening and hunting are the chief activities of the aborigines here and some are employed on pastoral properties on the Barkly Tableland and adjoining districts. Borroloola has an airstrip and is in two-way radio contact with Darwin.  

A new site for a full settlement is being investigated in the general area.  

**DELISSAVILLE**  

**Location and History:** Delissaville, on the western shore of Darwin harbour, is not within a proclaimed area, and a detour road takes traffic travelling to points beyond its boundaries. Access is by air, water, or road; the journey by road, however, involves an overland trip of 90 miles as against 10 miles by air or water.  

Before the war Delissaville had operated as a ration depot; during the war it was an operational area. In March, 1946, Northern Territory Administration again assumed responsibility for the area and since then Delissaville has served as a permanent home for members of the Wugait tribe, plus a few strangers from other districts who have settled in the Darwin area. About 150 persons live permanently at Delissaville. In June, 1961, the population numbered 152.  

**Staff and Facilities:** The settlement is under the control of a manager, assisted by a kitchen supervisor, a carpenter, a school teacher, a farm manager, and a driver/mechanic. An all-weather air strip is maintained. Water is reticulated to service buildings and houses, and a generator provides electric power for all local purposes.  

**Catering and Food Services:** Abundant supplies of fish and other seafoods are available and the market garden, tended by local aborigines, supplies fresh fruit and vegetables.  

A communal dining room/kitchen has been in operation at Delissaville for many years and the standard of catering and food services generally is high. A kitchen staff of reliable local residents has helped in no small measure to maintain this standard.  

**HOOKER CREEK**  

**Location:** Approximately 400 air miles south of Darwin near the southeastern boundary of the Hooker Creek Aboriginal Reserve, this settlement is visited by a weekly airmail service operating between Alice Springs and Katherine. During the wet season Hooker Creek may be cut off from overland contact for periods of up to four months.  

**Population:** The resident population consists mainly of Northern Wailbris, who are ethnically related to the people of Warrabri and Yuendumu to the south and south-east.  

The population of the Hooker Creek Reserve at 30th June, 1961, was 355.  

**Employment and Training:** As at Beswick, technical officers at Hooker Creek Settlement have undertaken on-the-job training of selected wards, who are attaining a useful degree of skill.  

Women at the settlement have been trained in the essential of housekeeping and cooking.  

Goats, pigs and the poultry project (all long-established), provide both employment and training for the wards, and produce foodstuffs for use in the kitchen.  

**Pastoral Projects:** More than 1,000 head of cattle were on the property in June, 1961, and sheep were introduced as an experiment late in 1960. Shortage of horses has tended to hold back more extensive development of these projects but each serves a useful purpose in the field of training.  

**JAY CREEK**  

**Location and History:** Jay Creek Settlement is situated 28 miles west of Alice Springs on the Jay Creek aboriginal reserve. Until 1946, Jay Creek was maintained by the Administration as a ration depot the reserve itself being regarded as a buffer between Alice Springs and the far western reserves.
Population: With the opening of Amoonguna in June, 1960, Jay Creek's importance has declined and many residents have moved to the new settlement where more advanced training and educational facilities are available. The average population in residence at Jay Creek during 1960-61 was 111.

Agricultural and Pastoral Projects: The future of Jay Creek depends on locating a new water supply which would yield at least 20,000 gallons a day. Its main activities are pastoral and agricultural, and the settlement manager runs a small herd of beef cattle, some milking goats (used also for meat) and a large flock of poultry. During the cooler months of the year vegetables are grown.

Recreation: Recreational facilities include twice-weekly film shows, physical education and sports organized by the settlement staff, and hunting. As part of the training programme senior school boys are attached to stock camps and droving plants during school holidays.

Training and Employment: Aborigines from Jay Creek are employed on adjoining cattle properties, and others are employed and trained at the settlement in hygiene, cooking, and plant maintenance.

The settlement has its own transceiver and is linked with the Royal Flying Doctor network.

MANINGRIDA

Location and History: Maningrida, on the estuary of the Liverpool River in north-central Arnhem Land, is 250 miles by air from Darwin and may be reached by sea. There are no roads to the settlement or in the area.

This settlement was established in May, 1957, and has not yet emerged fully from the pioneering phase. The people of the region are mainly Burera, Nakara, and Gunavidji, who in outlook and habit are generally primitive.

The resident population varies considerably throughout the year, as people, following their traditional pattern of life, come and go. The average number in residence over the year ending 30th June, 1961, was 495.

Facilities: Large-scale building operations over the last two years have transformed Maningrida from a bush camp to a flourishing settlement. During 1961, more than 80 men were employed full time and about 40 others part time on this building programme. Over 700 tons of stores were unloaded during the year—all by lighter or canoe. Important buildings completed and in use are: a hospital, a school, and administrative block, single quarters, staff residences, and the nucleus of a village. The whole settlement has been severed.

Forestry: An important economic project, which offers employment to many able-bodied men in the area, has opened up with the establishment of forestry camps in the region immediately surrounding the settlement. A nursery is now in operation and cypress-pine seedlings have already been raised for planting in suitable areas during the growing season. Cypress-pine, milled at the settlement, is extensively used on building projects.

Social Development: Indications that the local aborigines will adopt a measure of settled living can now be observed. During 1961, quite a considerable proportion of the residents were prepared to earn their living by working; they voluntarily restricted the number of “holidays” taken; and, perhaps most significant of all, refrained from performing their corroborees during work days—thereby permitting an uninterrupted work schedule to be maintained.

Agriculture; Fishing: A first-class market garden provides an abundant supply of fresh fruit and vegetables and regular hunting and fishing parties ensure that there will be no shortage of other foods.

PAPUNYA

Location: Papunya is west-north-west of Alice Springs, 126 miles by air and 150 miles by road. The settlement is about 10 miles to the north of the Haasts Bluff Range midway between Yuendumu and Areyonga. Papunya Settlement was occupied in 1959.

The homestead of the Haasts Bluff Cattle Project is 12 miles south of Papunya by air and 35 miles by road.

Population: Papunya cares for some 600 aborigines, many of whom have become members of this community only over the past three or four years. In consequence, Papunya is not comparable with other settlements in the Territory because of the brief period of contact with the people. Newcomers are adapting well to settlement conditions.

The average population over the year ended 30th June, 1961, was 565 at Papunya Settlement, and 38 at Haasts Bluff Cattle Project.

Social Development: Aborigines already in contact with Papunya, and nomads living further to the west, are still primitive so that it will be some time before any noticeable change in their social development will take place.

SNAKE BAY

Location and History: Snake Bay is located on a bay on the north coast of Melville Island, approximately 70 air miles north of Darwin. The island, which was declared an aboriginal reserve in 1944, has an area of 2,100 square miles. Prior to the war, the Administration maintained a Control Depot at Garden Point on Melville Island to prevent fraternization between aborigines and pearling crews. When the Roman Catholic Church
established a mission for part-aborigines at Garden Point in 1940, the Administration moved to Snake Bay.

During the war years, Army, Navy and Air Force units were stationed in the Snake Bay area, and a jetty and aerodrome were constructed close to the depot. When the area reverted to civil control in 1945, the settlement was established.

Population: The people of Melville Island and its near neighbour, Bathurst Island, belong to the Tiwi tribe. At 30th June, 1961, the resident population at the settlement numbered 189 persons.

The number of people residing at the settlement fluctuates because of the relative proximity of Darwin where employment is sometimes offering. Drift to the mainland, however, has been arrested over the last year or two and there has been a small population increase.

Afforestation Programme: An important afforestation programme is being developed in conjunction with the logging and sawmilling project on the island. Much of the native cypress-pine has been cut out over the years, but new stands of timber are being planted, using seedlings grown in a special tree nursery at the settlement. More than 15,000 seedlings had been raised to June, 1961, and four separate forest areas delineated for afforestation. Special training in forestry work is given to selected aborigines at the Forestry Bureau school at Berrimah, near Darwin.

Social Development: A significant social development has been the emergence during 1960-61 of the Snake Bay Native Council. This body, numbering thirteen, has representation from all sections of the local community. Regular monthly meetings are held and, as time passes and greater experience is gained in council work and procedure, the level of debate will undoubtedly improve. Even at this early stage of its development it is clear that the Council will have an important influence on the future domestic life of the Melville Islanders. An infant-welfare clinic maintains a high standard of service which is reflected in the appearance of the women and children on the settlement. Regular classes in domestic science, needlework, and infant care are given for the women and selected men are trained in such trades as carpentry, vehicle maintenance, and cooking.

Snake Bay is almost self-sufficient in fruit, vegetables and seafoods.

WARRABRI

Location and History: Warrabri is about 20 miles south-east of Wauchope in the pastoral country of Central Australia, 240 miles north of Alice Springs and 100 miles south of Tennant Creek. Its immediate neighbours are the pastoral properties of Neutral Junction, Murray Downs and Singleton. An all-weather road connects the settlement with the Stuart Highway, 14 miles to the west.

Warrabri Settlement was established in 1955, to replace Phillip Creek Settlement which had been established following the discovery of gold at Tennant Creek. Several sites were tried but proved to be unsatisfactory because of the shortage of water. The present site is well supplied with sub-artesian water. The surrounding country is lightly timbered and is typical of the spinifex semi-desert of the district.

Population: Three major central Australian tribal groups, Kaiditj, Wailbri, and Warramunga, are represented; as a social unit they live amicably together but prefer to retain their tribal individuality. As a result, the community is in reality three groups in one.

The resident population for the year ended 30th June, 1961, averaged 514.

Training: Three senior school children attended the 1960 teaching assistants’ course at Darwin; others received instruction locally in typing and clerical duties.

There are training courses for men in carpentry, wood-working, vehicle maintenance, plumbing and painting; the women are offered courses in sewing, knitting and embroidery.
Social Development: The people at Warrabri are now sufficiently advanced towards assimilation to recognize that they have a definite place in the larger communities centred on Alice Springs and Tennant Creek. Most of the younger people are keen to visit these towns and it is no longer uncommon to find people saving to take a holiday in some region not previously visited.

These aborigines are discriminating buyers at the canteen. No fewer than sixty personal savings bank accounts have been opened in the last couple of years. The practice of thrift has become widespread; many now save for a purpose, and with such social development has come an acceptance of the concept of work as worthwhile.

Location and History: Yuendumu Reserve, 185 miles north-west of Alice Springs, is accessible by road all the year round, and a weekly mail plane calls.

From 1945 to 1946, the Administration maintained two control and ration depots for the Walbiri people and, in mid-1946, a site for a permanent settlement was selected at Yuendumu. Before Papunya was opened in March, 1956, Yuendumu was the largest Government Settlement in the Northern Territory.

Population: Two thirds of the people in regular contact could be classed as living semi-permanently at Yuendumu and are mostly Walbiri.

The average population in 1960-61 was 466.

Development of Reserve: The work programme at Yuendumu is aimed at developing the reserve as a pastoral property and in re-settling the aboriginal population as small landholders on the available waters. Large-scale fencing work has been undertaken, roads built, stock yards and stables erected, and cattle brought in. Large areas of the reserve have been searched for new watering points and several market gardens have been established.
During 1961-62, a start was made on building houses from local stone, the building to be done by the future householder assisted by a builder attached to the settlement.

Infant Welfare: The general standard of health amongst these people is good. There is an efficient infant-welfare clinic. Training in mothercraft and the preparation of nutritious infant foods is given to all mothers and fortnightly special classes are also attended by senior school girls.

CHRISTIAN MISSIONS

ANGURUGU (FORMERLY GROOTE EYLANDT)
(Church Missionary Society)

Location and History: Angurugu Mission is located on the western coast of Groote Eylandt in the Gulf of Carpentaria. The entire island of 830 square miles is a reserve. Tribal influences are still important in this region. The mission was founded in 1921 to care for part-aboriginal people, and it was not until 1936 that attention was turned to other aborigines.

Facilities: A new village with individual cottages is under construction and, on completion, these dwellings will offer a very good standard of housing. Each cottage has three rooms and a verandah; the timber floors are raised above ground level. A new school and a kitchen for the hospital were built in 1961.

Other buildings include staff residences, single accommodation, dormitories, garage/workshop, and a church.

General: Good supplies of fruit, vegetables, and seafoods materially assist in the upkeep of the mission. Other stores required are delivered by ship, via Thursday Island, about five times annually.

A sawmill is in constant operation to keep up supplies of building materials for local use, and at Roper River Mission on the mainland.

A native Council has been formed at Angurugu and comprises twelve people elected by the residents.

OENPELLI
(Church Missionary Society)

Location and History: Oenpelli Mission is situated in isolated country east of the East Alligator River on the western boundary of Arnhem Land Aboriginal Reserve about 150 miles east of Darwin. The mission is seven miles from the river, from which it is accessible during the dry season or by the overland route, 317 miles from Darwin via Pine Creek. During the wet season Oenpelli is accessible only by air.

Founded by the Church Missionary Society in 1925, on the site of a Government experimental farm, the mission occupies a total area in excess of 200 square miles and is a natural centre of congregation for the Gun-winggu tribe. At 30th June, 1961, the resident population was 280.

Facilities: A new sawmill, replacing one destroyed by fire in 1958, came into operation towards the end of 1960. Cypress pine is scarce in the district, but useful quantities of paperbark, whitebark, bloodwood, and white cedar are milled for use locally.

Two new cottages, containing two dormitories for single women, an ablution block, a dining room, and a kitchen, were under construction in 1961, and an Economo steel carpenter's shop had been erected in the industrial area.

General: Oenpelli is attractively situated near a large billabong four miles from the Spencer Range. The stone country to the south-east is almost uninhabited. The plains to the north-west which extend over country drained by the East Alligator River are well stocked with buffalo.

Cattle are run by the mission and following 181 brandings during the 1961 mustering season, the herd numbered 609 beasts. Other livestock included 167 horses and 306 goats.

The nucleus of a dairy herd was obtained following delivery from Townsville of two heifers and a Jersey bull. The milk from the cows, in addition to goats' milk, is of major importance in maintaining an adequate diet for the entire community.

ROPER RIVER
(Church Missionary Society)

Location and History: Roper River Mission, near the south-eastern boundary of Arnhem Land, is 50 miles from the mouth of the river and 20 miles below the Roper River Bar Police Station.

The mission was founded in 1908 some 40 miles upstream, but, after being flooded in 1940, it was moved to its present location. The mission lease extends over about 230 square miles.

As the first of a number of mission stations which later spread along the Arnhem Land coast, the Roper River Mission served to fill a gap created when Macassan trading ceased towards the end of the nineteenth century. It also inherited the difficulties arising from the turbulent history of culture contact in this area.

The main tribes directly influenced by the Roper River mission are the Alawa, Mara, Nandi, Nungubuyu, Ridarrngu, and Wandarang. At 30th June, 1961, the resident population was 238.
Education and Training: A relatively high standard has been attained by the pupils at Roper River School, several of whom have graduated to South Australian correspondence school classes at Grade VII level. Some of these children won prizes in open essay competitions sponsored by the National Aborigines' Day Observance Committee and the Royal Commonwealth Society during 1961.

General: The influence of the mission extends north as far as Rose River and south to the Limmen River, and within this area considerable progress has been made in educating the population towards better social habits and the acceptance of health services.

ROSE RIVER
(Church Missionary Society)

Location and History: Rose River Mission lies between Caledon Bay, and the Roper River estuary on the Gulf of Carpentaria, due west of Angurugu Mission on Groote Eylandt. Founded in 1952, it is accessible by air or sea and is supplied by ship from Thursday Island five times a year. A bush track for use by four-wheel-drive vehicles connects Rose River and Roper River mission stations.

The majority of the people in contact with Rose River mission are of the Nungubuyu tribe and at 30th June, 1961, the resident population was 240.

Sawmilling: A sawmill is in continuous operation and provides timber for the many building projects in hand. During 1961, six new houses were built at the native village and a church was erected at mission head-quarters.

General: Subsistence activities include the growing of crops and vegetables, fishing, and the running of poultry to provide eggs for the hospital and infant-welfare clinic.

A large number of people are employed making artifacts and handicrafts for which a market has been developed in the south. These persons are encouraged to make themselves independent of the mission by paying for the food and clothing they receive from the proceeds of sales.

UMBAKUMBA
(Church Missionary Society)

Location and History: Umbakumba mission on Groote Eylandt was taken over by the Church Missionary Society in February, 1958. It was established by Mr. F. H. Gray, a trepanger, who took up residence at Umbakumba to watch over the interests of the aborigines whilst the building of a flying boat base for the United Kingdom-Australia route was in progress in 1938.

Mr. Gray managed his settlement so well that, in 1939, he was granted authority to continue his work, and a process of gradual extension began. Until 1945 when the air base was closed down, Mr. Gray conducted this settlement as a trading venture for the aborigines. In February, 1958, he sold the buildings and other assets of Umbakumba to the Government which handed over the control of the settlement to the Church Missionary Society.

Umbakumba is accessible by sea or air and, like other missions in the Gulf of Carpentaria, it is supplied from Thursday Island. The distance by air to Darwin is about 400 miles.

The resident population is fairly stable and most of the people are still strongly influenced by tribal law and custom. The average population for the year ending 30th June, 1961, was 220.

Construction: A sawmill materially assists the building programme in hand at the mission. A high standard of milling and planning has been attained and during 1961, extensive renovations were made to the existing facilities, in addition to the completion of new houses in the village.

HERMANNSBURG
(Lutheran)

Location and History: Hermannsburg mission was established in 1877 on the banks of the Finke River, about 80 miles west of the present site of Alice Springs. The first mission to be established in Central Australia, it was founded by a party of missionaries and lay assistants who spent eighteen months journeying to it from Bethany in South Australia.

Population: The surrounding countryside is the tribal land of the Western Aranda to which tribe most of the residents at the mission station belong. The influence of the mission extends also to the south and west amongst the nomadic Pintubi and Pitjantjatjaras now in contact with the Government Settlements at Papunya and Areyonga.

As at 30th June, 1961, there were 515 persons resident at Hermannsburg.

Pastoral Project: The mission operates as a pastoral project but drought conditions, particularly since the 1959-60 season, have made necessary the sale of many cattle and the removal of breeders to agistment areas in South Australia. A wide search for additional reserves of water has been made but the results have been generally unsatisfactory.

Tanning: A tannery was set up in 1936 and has since been developed into one of the most important economic enterprises on the mission. A
skilled tanner is in charge of operations, and in addition to making leather from kangaroo and bullock hides, a few snake and crocodile skins are processed. All items produced at the tannery command a ready market.

Education and Training: Two new classrooms were built during 1960-61, and good accommodation is now provided for up to 150 children; the enrolment for the 1961 school year totalled 152—62 boys and 90 girls.

ELCHO ISLAND
(Methodist)

Location and History: Situated on the south-west of Elcho Island (which is part of the Arnhem Land aboriginal reserve) Elcho Island mission is 330 air miles from Darwin and is accessible by sea during the dry season, but in the wet season it is necessary for boats to stand off the shore.

In 1921 the Methodist Overseas Mission extended its influence to include Elcho Island, but mission activities were curtailed when a company seeking oil began boring operations there.

In 1942 the Methodist Overseas Mission again assumed responsibility for the island, taking over from a police officer who had been stationed there since 1938 in an effort to discourage indiscriminate contact between pearling crews and the coastal aborigines.

The present superintendent has been in charge since 1942; prior to accepting the post he had had fifteen years' experience at Milingimbi.

The people influenced by the mission are those from Elcho, English Company, Howard and Wessel Islands, and on the mainland, to a 20-mile coastal strip extending from Woolen River to Arhem Bay. At 30th June, 1961, the resident population was 508 persons. The mission has also established outposts which are regularly visited. The superintendent, a qualified pilot, visits these in his own aircraft.

Subsistence Activities: A large market garden and an abundance of fish in the waters surrounding the island ensure ample food supplies; additional stores are brought from Darwin by sea. The sale of carved wooden artifacts in the southern states and the hunting of crocodiles, the skins of which were in strong demand during 1960 and 1961, provide an income for the people.

Education and Training: The growth of population amongst Arnhem Land aborigines has placed considerable strain on the facilities available at the mission, particularly in respect of primary schooling. Three fully trained teachers were engaged during 1961. The enlargement of school accommodation has been planned to provide adequate tuition for both primary and pre-school children.

Adult classes are also available and generally are well attended.

GOULBURN ISLAND
(Methodist)

Location and History: The Goulburn Islands, North and South, lie off the west-central coast of Arnhem Land. The mission station, established in 1916 to serve both the part-aboriginal and aboriginal people of the region, is on South Goulburn, which has an area of about 30 square miles and is about 200 air miles north-east of Darwin.

In 1940 the part-aborigines were transferred to Croker Island and the mission then concentrated its efforts on the task of helping the aborigines inhabiting both of the islands as well as the coastal strip extending eastwards as far as the Liverpool River and inland for a distance of about 20 miles.

At 30th June, 1961, the resident population was 224.

Subsistence Activities: Emphasis has been on agricultural production with extensive garden and plantation areas both near the mission and in outlying places. Sorghum, maize, Fijian yams, sweet potatoes, brown millet, pineapples, papaws, custard apples, mangoes and coconuts are grown, and
goats, cattle and pigs are kept for domestic consumption. Other activities include buffalo shooting, crocodile hunting, working salt pans and sawmilling.

Goulburn Island aborigines have developed their arts and crafts to advantage. They use local vegetable dyes to create patterns in articles made from pandanus, and in wood carvings of marine life and objects. The sale of these objects returns nearly £1,000 a year. Aborigines employed by the mission as gardeners and on general work are paid in cash and all sales at the store are for cash. All able-bodied aborigines buy their own clothes.

General: Adult education classes offer instruction in woodwork, needlework and household duties and sporting activities also assist in orienting the people towards a higher living standard. Organized football and basketball games are played within the group at the mission and occasional visits by teams from neighbouring missions or settlements help to maintain interest.

MILINGIMBI
(Methodist)

Location and History: Milingimbi is one of the Crocodile group and lies off the north-central coast of Arnhem Land between the mouths of the Blyth and Goyder Rivers. The mission was established in 1922 when the Elcho Island venture closed down following the grant of oil search rights to a petroleum company. The mission is 350 miles by sea from Darwin and can also be reached by air.

The influence of the mission extends, on the mainland, east and west of the Woolen and Goyder Rivers and as far inland as the headwaters of the Goyder. The 600 people in this area speak a variant of the same language and have a common social and religious culture. At 30th June, 1961, the population resident at the mission was 444.

Facilities: Buildings include five staff residences, school, hospital and dispensary, church, carpenter's workshops, freezing chamber, motor sheds and garage and a store. Accommodation for aborigines consists of 33 dwellings mainly of adobe brick and a few wood and iron huts. Water is reticulated throughout. The mission is in radio communication with Darwin and has an airstrip. During the twelve months ended June, 1961, three new toilet blocks were built, one at each aboriginal camp and one at the school.

General: Mission policy encourages the hunting and gathering of natural foods to obtain money for the purchase of extras. Outpost gardens have been established and the aborigines are taking increased pride in their efforts on these projects. Other activities include the manufacture by women of pandanus mats, baskets and fans and woodwork and artwork on bailer shells by men. Such articles are highly regarded for their quality and find a ready market in Darwin. The emphasis is on agriculture and such crops as citrus, coconuts, papaws, mangoes, peanuts, cassava, sweet potatoes and custard apples are grown.

YIRRKALA
(Methodist)

Location and History: Yirrkala, about 400 miles by air east of Darwin, occupies the north-eastern corner of Arnhem Land between Melville Bay and Port Bradshaw. It was established in 1935 to provide in that area of the Arnhem Land aboriginal reserve a buffer between the aborigines and occasional intruders.

The population at the mission at 30th June, 1961, numbered 479 (including visitors, who come and go throughout the year).

Education and Training: The general tone of the mission school is excellent and the interest and co-operation of the aboriginal people has been good. Major difficulties, however, arose during 1960-61 because of the inadequate accommodation for the increasing number of pupils. Several native assistants started work at the school during the year. By June, 1961, a team of three were assisting the two qualified teachers. Instruction outside the normal curriculum was given in agricultural method, woodworking, hygiene, needlework, typing and mechanics. A pre-school teacher joined the staff and, when suitable quarters can be found, will take over a class of 60.

Seven young men have been undergoing training in stock handling, fencing and other tasks associated with running a small cattle herd.

General: The industries of prime importance at the mission station are agriculture, hunting and fishing. During 1961 adverse weather during the growing season caused a sharp drop in harvests from the market gardens, but good hauls of fish were obtained. There has never been any real danger of a food shortage.

The major source of income for local aborigines is the manufacture and sale of artifacts and bark paintings. Crocodiles are hunted for their skins. During the twelve months just ended income from craft work approached £3,500.

BATHURST ISLAND
(Roman Catholic)

Location and History: Situated about 45 miles from Darwin on the eastern tip of the island, the sphere of influence of Bathurst Island Mission extends over the whole island and to the strip of coastal country adjacent to Cockle Point, directly opposite the mission headquarters. It is the largest mission in the Northern Territory and was founded in 1911 by Father (later Bishop) F. X. Gsell, of the Order of the Sacred Heart.
The people of both Bathurst Island and its near neighbour, Melville Island, are of the Tiwi tribe, and there is continual social contact between the two regions. At 30th June, 1961, the resident population at the mission was 948.

Logging and Sawmilling: Several forestry camps are now in operation on Bathurst Island and the building and maintenance of access roads to the areas at present being cut out provide employment for many men. A nursery for cypress-pine seedlings was established in November, 1959, but its location proved unsatisfactory and it was moved during 1961. Since the transfer good progress has been made and, by June, 1961, more than 5,000 seedlings had been planted in readiness for the coming wet season.

Livestock: The exact number of cattle roaming the island is not known and plans have been made to muster them. If this can be done, and a few buffalo introduced, the mission's meat supply will be assured. A strain of horses suited to local conditions has been bred and some of these animals are exported to other mission stations. In 1960, pigs were introduced and set free to run in the bush; they are still protected and appear to be thriving. A herd of goats also supplements the meat supply.

Education and Training: There are separate schools for girls and boys on Bathurst Island. The Francis Xavier School for boys accepts pupils from the age of ten years and upwards. Leaving age is 17 years (and over). In the final year of training the senior pupils divide their time between academic studies and craft training.

The St. Theresa Girls' School enrolls children from the age of six; the boys later transfer to their own school.

Training classes for men are offered in agricultural and pastoral methods, mechanics, carpentry, plumbing and metal working. Some men receive training in boat handling. The women are taught needlework, domestic science, mat and basket weaving, gardening and, for selected persons, nursing.

Daly River
(Roman Catholic)

Location and History: The mission, situated 50 miles upstream from the mouth of the Daly River, was officially opened on 28th October, 1956. Missionary activity had been undertaken in this region during 1886 and 1901 when at least three stations were established under most difficult conditions.

Aboriginal Population: The aim of the mission is to provide for the educational, medical and spiritual needs of local people without disturbing the existing established economic pattern. The mission cares for children of aborigines who are employed on neighbouring farm properties. Consequently the resident adult population is not large and consists mainly of aged and invalid people. During 1960-61, 67 children—31 boys and 36 girls—attended the school.

Facilities: Electric power is available and water is reticulated throughout the main mission centre. An airstrip is maintained. Films are screened regularly. Buildings include a church, the boarding school, a hospital, a convent, a store, a kitchen, a powerhouse, a workshop, a concert hall and a presbytery.

Port Keats
(Roman Catholic)

Location and History: Port Keats Mission is situated 151 miles southwest of Darwin on the Daly River aboriginal reserve which has an area of 5,450 square miles. The mission, founded in 1935, lies between the estuaries of the Victoria and Daly Rivers.

The influence of the mission extends from the Daly to the Fitzmaurice River and about 360 people of the Nanagu and Muambata tribes are
accommodated. The nearest cattle stations are Elizabeth Downs, 175 miles north-east, Doris Vale, 120 miles east, and Auvergne, 100 miles south. Aborigines on this reserve make few outside contacts.

At 30th June, 1961, the population was 457 persons.

**Pastoral and Other Training Projects:** Intensive efforts have been made to develop locally a small pastoral project. Selected trainees are employed on neighbouring stations to gain experience. They return to the mission when the season is over.

A saddlery room has been built at the Mission. Instruction is given in leather work.

In addition to on-the-job training, instruction is available in carpentry, agricultural methods, vehicle maintenance, nursing and domestic duties.

**Handicrafts:** Useful household articles made by the local women command a good market in southern cities. Attractive mats, woven from sisal grown locally, are always in demand and provide a steady source of income for the women engaged in their manufacture.

**SANTA TERESA**
(Roman Catholic)

**Location and History:** Santa Teresa mission is situated on a lease of 480 square miles, 56 miles south-east of Alice Springs. From 1937 until 1942 the mission was conducted in Alice Springs, but to discourage the congregation of large numbers of aborigines in the town area during the war years, the mission moved to Arltunga about 70 miles to the east. In 1954 the present lease was obtained and the unsatisfactory site at Arltunga was vacated.

The majority of the people influenced by Santa Teresa mission are of the Eastern Aranda tribe; they number upwards of 400, of whom more than 100 are children who attend the local school. Many of the adults work on neighbouring cattle stations.

**Pastoral Project:** In addition to providing a centre for Christian teaching a cattle project which began about seven years ago with a herd of about 200 beasts has flourished and reached a point where cattle are being sold on the local market as well as providing three killers weekly for local consumption.

The severe conditions which have persisted over much of Central Australia in recent years have adversely affected the pastoral project and during 1961 serious losses were sustained.

**Tannery:** A small tannery was set up in 1960 and many items of good quality leather work find a ready market locally.

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**INSTITUTIONS FOR PART-ABORIGINES**

**RETTA DIXON HOME**

The new Retta Dixon Home, which was officially opened by the Minister for Territories in July, 1961, was built with the assistance of a Government loan of £86,200.

This cottage institution, five miles from Darwin on Bagot Road, which replaces the old Retta Dixon Home on Bagot Aboriginal Reserve, caters for the needs of part-aboriginal children from all parts of the Northern Territory.

The home is managed and staffed by the Aborigines' Inland Mission and financed by the mission and the Commonwealth Government. The staff of twenty persons includes a superintendent, missionary workers and a mechanic.

Buildings of this institution include two labourers' cottages, one superintendent's cottage, a clinic, a garage and workshop, a recreation hall, eight children's cottages, consisting of two staff bedrooms, four children's bedrooms, kitchen, dining-lounge, study room, two shower and toilet rooms and a laundry.
Aborigines and part-aboriginals are capable of doing complex and intricate work. This typist works in a Darwin office.

Between 80 and 90 children of ages ranging from infants to adolescents can be accommodated at the Home.

School children attend the Nightcliff Primary School and the Darwin High School and pre-school children attend Nightcliff and Stewart Park Pre-school Centres.

ST. MARY’S HOSTEL

St. Mary’s Hostel is situated 3 miles south of Alice Springs and is maintained by the Australian Board of Missions for part-aboriginal children. It was originally built by the Army as a rest house for female members of the forces, but was taken over by the Mission Board in 1946. The primary function of the hostel is to take part-aboriginal children from remote areas and give them opportunities for schooling. In addition to neglected children, the hostel cares for children whose parents board them there.

Such children come from places as distant as Borroloola and Newcastle Waters. They return to their homes during school holidays. There are approximately 65 children at the Hostel who attend Alice Springs Public School.

The staff consists of a superintendent, warden, matron, agriculturist, and some domestic staff.

Buildings include three dormitories (one boys', one younger girls' and one older girls'), kitchen and dining room. Recreation facilities provided include films, a basketball court, and a tennis court. The hostel is primarily residential and the children assist in normal maintenance duties and hygiene. The Australian Board of Missions also conducts a day hostel (St. John's) for children at the kindergarten level.

GARDEN POINT

The Roman Catholic mission for part-aboriginal people was established at Garden Point on Melville Island in 1940, near the site of the first settlement in Northern Australia, made by Captain Gordon Bremer, R.N., at Fort Dundas in 1824. The name Garden Point was chosen because the present mission garden is on the same site as the garrison's first garden. The mission was set up in response to a request by the Commonwealth Government that the missions take care of all part-aboriginal children in the Territory. In 1941 the mission was granted a lease of 133 square miles and the first children moved in. By 1942 they numbered 68.

The population of Garden Point in June, 1961, totalled 118. Staff consists of a superintendent, three teachers, agricultural supervisor, mechanic, carpenter, plumber, and domestic science teacher. Buildings include a church, school, two dormitories, convent, kitchen block, sawmill, power house, carpenters' shop and store. Electricity and water are supplied, and the mission has its own outdoor cinema. Radio communication with Darwin is maintained and an airstrip is in use.

Boys and girls are accommodated in separate dormitories, and married couples live in neat, comfortable houses built by themselves of brick, timber and corrugated iron. Extensive gardens and plantations are made and other activities include stockwork, fishing and crocodile shooting. Apart from normal schooling, children are instructed in arts, crafts and music. Girls are taught domestic science and many boys are given technical training in carpentry, plumbing, mechanics and other trades. Recreations include cricket, football, athletics and other sports. Films are shown regularly and the mission has its own orchestra.

CROKER ISLAND

Croker Island mission was commenced in 1940 by the Methodist Overseas Mission on an island off the coast of north-west Arnhem Land.
Aborigines form the bulk of pastoral workers in the Territory

not far from the scene of early British attempts to establish settlements at Port Essington and Raffles Bay on the Cobourg Peninsula. Its purpose was and is to care for part-aboriginal children and provide education and training to equip them for full participation in the community life of the territory.

There were 45 children being maintained at Croker Island Mission at 30th June, 1961. They were accommodated in four to six-roomed cottages, each with living room, kitchen and toilet facilities, and each under the care of a senior girl. Domestic arrangements and ordering of supplies and laundry, are supervised by the mission sisters.

Staff consists of a superintendent, agriculturist, nurse, and four South Australian teachers on secondment to the Education Branch of the Northern Territory Administration. Buildings include two staff residences, church, school, store and canteen, dispensary, motor-shed and workshop, sawmill, butcher shop, dairy and bakehouse. Electricity and water are supplied. The mission is in radio contact with Darwin and has its own airstrip.

Apart from normal schooling, boys are trained in agriculture, animal industry, sawmilling and buffalo shooting and each of these industries serves as an economic asset to the mission.

Picnics, concerts, and films are held regularly and a company of Girl Guides is registered with the South Australian Girl Guides' Association.

A recently introduced scheme provides for training and education of a number of older girls in institutions in southern States, and a number of adoptions by suitable parents in the south have been arranged successfully.
THE NORTHERN TERRITORY OF AUSTRALIA.

Regulations under the Aboriginals Ordinance 1918-1933.

IN pursuance of the powers conferred upon me by the Aboriginals Ordinance 1918-1933, I, George Foster Pearce, for and on behalf of the Minister of State for the Interior, do hereby make the following Regulations under the Aboriginals Ordinance 1918-1933.

Dated this twenty-seventh day of June, 1933.

G. F. PEARCE
for Minister of State for the Interior.

ABORIGINALS REGULATIONS.

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Aboriginals Regulations. Short title.

2. All Regulations heretofore made under the Aboriginals Ordinance 1918, as amended from time to time, and in force at the date of commencement of these Regulations, except the Apprentices (Half-castes) Regulations, dated the third day of February, One thousand nine hundred and thirty, as amended from time to time, are repealed.

3. These Regulations are divided into Parts, as follows:

   Part I.—Preliminary.
   Part II.—Employment of Aboriginals.
   Part III.—Apprenticeship of Aboriginals.
   Part IV.—Miscellaneous.

4.—(1.) In these Regulations, unless the contrary intention appears—

   "Aboriginal Medical Benefit Fund" means the Trust Fund established in pursuance of regulation 12 of these Regulations;
   "apprentice" means any person who is intending to sign or has signed as apprentice an agreement of apprenticeship;
   "country district" means any portion of the Territory declared, in pursuance of section nine of the Ordinance, to be a country district;
   "licence" means a licence to employ aboriginals;
   "the Ordinance" means the Aboriginals Ordinance 1918-1933, as amended from time to time;
"town district" means any portion of the Territory declared, in pursuance of section nine of the Ordinance, to be a town district.

5.—(1.) The Superintendent of any aboriginal institution shall on the thirtieth day of June and the thirty-first day of December of each year furnish a report to the Chief Protector showing the number of aboriginal and half-caste children provided for and educated during the preceding six months.

(2.) With reference to each child mentioned in the report, the mother's European name, native name, and district shall, if possible, be given.

6. Protectors may at their discretion forward any aboriginal or half-caste children to the nearest aboriginal institution or school, and shall report the reason for such action to the Chief Protector.

7.—(1.) Protectors and Superintendents shall report all known cases of contagious diseases in aboriginals and half-castes existing in their districts to the Chief Protector.

(2.) Every employer of aboriginals or half-castes shall report all cases of contagious diseases in his aboriginal or half-caste employees of which he knows to the Protector in the district in which he resides and to the Chief Protector.

(3.) If any aboriginal or half-caste suffering from any contagious disease cannot be treated locally, he shall, wherever possible, be sent by the Protector in the district in which he is employed or found to the nearest place where professional attendance can be obtained.

8. Protectors shall furnish to the Chief Protector monthly reports, which shall show, inter alia,—
(a) the names of sick natives in the district and the nature of their illness; and
(b) the names of natives sent to the nearest place for professional attendance.

PART II.—EMPLOYMENT OF ABORIGINALS.

9.—(1.) An application for a licence to employ aboriginals shall be in accordance with Form 1 or Form 2, as the case requires.

(2.) Licences to employ aboriginals shall be in accordance with Form 3 or Form 4, as the case requires.

(3.) The fee payable in a town district for each issue of a licence shall be Five shillings per annum.

(4.) The fee payable in a country district for each issue of a licence shall be Ten shillings per annum.

10. All licences shall expire on the thirtieth day of June next succeeding the date on which the licence was issued:

Provided that any licence issued under the law in force immediately preceding the coming into force of these Regulations shall be deemed to remain in force until the thirtieth day of June next succeeding, unless sooner cancelled by a Protector for non-compliance with the conditions set out in these Regulations.

11.—(1.) An agreement with an aboriginal in any town district shall only be entered into by a person holding a licence and shall be signed by the licensee and by a Protector on behalf of the aboriginal.

(2.) Any such agreement shall, unless made with a female half-caste, be in accordance with Form 5.

(3.) Any such agreement made with a female half-caste shall be in accordance with Form 6.

(4.) The fee payable by the licensee in respect of each agreement shall be Two shillings and sixpence.

12.—(1.) There shall be a Trust Fund to be called the Aboriginal Medical Benefit Fund into which shall be paid such amounts as are prescribed.

(2.) The moneys standing to the credit of the fund shall be applied by the Chief Protector for the purpose of the provision of medical and surgical attention, hospitalization and the supply of drugs, dressings, artificial limbs, trusses and other mechanical appliances to aboriginals employed under this Part of these Regulations, but shall not, unless the Chief Protector otherwise determines, cover the transport of sick or injured aboriginals nor any expenses incurred as freight on such medical supplies as are referred to in regulation 22 of these Regulations.

13. Every licence which has been or shall be granted to any person who has made or shall make application to employ aboriginals in a town district shall be subject to the following implied conditions:

(a) that the grantee of the licence shall pay wages at the rate of Five shillings per week to or for each aboriginal employed by him:

Provided that, where the aboriginal employed is a female half-caste, the rate of wages shall be Six shillings per week;

(b) that, when wages are to be paid in accordance with the last preceding paragraph, the grantee of the licence shall pay Eight shillings of such wages every four weeks to the Chief Protector in trust for the aboriginal and shall pay the remaining Three shillings per week of such wages to the aboriginal:

Provided that, where the aboriginal employed is a female half-caste, the grantee shall pay the wages every four weeks at the rate of Six shillings per week to the Chief Protector in trust for the half-caste;

(c) that the grantee of the licence shall, to the satisfaction of a Protector, keep each aboriginal employed by him in food and clothing and shall (except in the case of a female half-caste) supply such aboriginal with such an amount of tobacco as the Chief Protector considers to be sufficient;
(d) that the grantee of the licence shall not employ or continue to employ any aboriginal except in the town district or town districts specified in the licence;

(e) that the grantee of a licence shall, as soon as is reasonably possible, notify in writing to the nearest or most accessible Protector the condition of any aboriginal employee who is sick, injured or affected by any disease;

(f) that, whenever any aboriginal is sick, injured or affected by any disease and it is expedient in the interests of the aboriginal that he should be removed to some place for medical attention or treatment, the grantee of the licence by whom that aboriginal is employed shall—

1. (i) as soon as is reasonably possible, provide free transport for the aboriginal and send him to a Protector; and

   (ii) if required so to do by a Protector, arrange and pay for the transport of the aboriginal to such place as the Protector specifies; or

2. as soon as is reasonably possible, provide free transport for the aboriginal and send him to the nearest or most accessible hospital;

(g) that the grantee of the licence shall, as soon as is reasonably possible, notify in writing to the nearest or most accessible Protector the condition of any aboriginal who is sick, injured or affected by any disease, if the aboriginal is employed by him (the grantee) or if he (the grantee) becomes aware of the sick, injured or diseased condition of any other aboriginals; and

(h) that the grantee of the licence shall, for the purposes of the Aboriginal Medical Benefit Fund, pay to the Chief Protector the following contributions:

   Where not more than two aboriginals are employed by the grantee—Sixteen shillings per annum.

   Where more than two but less than six aboriginals are employed by the grantee—One pound twelve shillings per annum.

   Where more than five but less than eleven aboriginals are employed by the grantee—Two pounds eight shillings per annum.

   Where more than ten but less than twenty-one aboriginals are employed by the grantee—Four pounds per annum.

   Where more than twenty aboriginals are employed by the grantee—Eight pounds per annum.

14. Every licence which has been or shall be granted to any person who has made or shall make application to employ aboriginals in a country district shall be subject to the following implied conditions:

(a) that the grantee of the licence shall pay wages at the rate of Five shillings per week for each aboriginal employed by him:

Provided that, where it is proved to the satisfaction of the Chief Protector that the grantee of the licence is maintaining the relatives and dependants of any aboriginal employed by him, the Chief Protector may exempt the grantee from the payment of any wages in respect of that aboriginal;

(b) that, when wages are to be paid in accordance with the last preceding paragraph, the grantee of the licence shall pay such wages amounting to One pound every four weeks to the Chief Protector to be held in trust by him for the aboriginal;

(c) that the grantee of the licence shall, to the satisfaction of the Chief Protector, keep each aboriginal employed by him in food and clothing and shall supply such aboriginal with such an amount of tobacco as the Chief Protector considers to be sufficient;

(d) that the grantee of the licence shall not employ or continue to employ any aboriginal except in the country district or country districts specified in the licence;

(e) that the grantee of the licence shall, as soon as is reasonably possible, notify in writing to the nearest or most accessible Protector the condition of any aboriginal employee who is sick, injured or affected by any disease;

(f) that, whenever any aboriginal is sick, injured or affected by any disease and it is expedient in the interests of the aboriginal that he should be removed to some place for medical attention or treatment, the grantee of the licence by whom that aboriginal is employed shall—

1. (i) as soon as is reasonably possible, provide free transport for the aboriginal and send him to a Protector; and

   (ii) if required so to do by a Protector, arrange and pay for the transport of the aboriginal to such place as the Protector specifies; or

2. as soon as is reasonably possible, provide free transport for the aboriginal and send him to the nearest or most accessible hospital;

(g) that the grantee of the licence shall, as soon as is reasonably possible, notify in writing to the nearest or most accessible Protector the condition of any aboriginal who is sick, injured or affected by any disease, if the aboriginal is employed by him (the grantee) or if he (the grantee) becomes aware of the sick, injured or diseased condition of any other aboriginals; and

(h) that the grantee of the licence shall, for the purposes of the Aboriginal Medical Benefit Fund, pay to the Chief Protector the following contributions:

   Where five or less than five aboriginals are employed by the grantee—One pound twelve shillings per annum;
Where more than five but less than eleven aboriginals are employed by the grantee—Two pounds eight shillings per annum;
Where more than ten but less than 'twenty-one aboriginals are employed by the grantee—Four pounds per annum;
Where more than twenty but less than forty-one aboriginals are employed by the grantee—Eight pounds per annum;
Where more than forty aboriginals are employed by the grantee—Sixteen pounds per annum.

Provided that no contribution to the Aboriginal Medical Benefit Fund shall be required from the grantee of any licence who is an employee of any station, mine, run or other holding, the owner or manager of which, being a grantee of a licence, makes contributions to the Aboriginal Medical Benefit Fund in respect of all the aboriginals employed on that station, mine, run or holding; and

(j) that the grantee of the licence shall keep and use for the benefit of aboriginals a supply of drugs, dressings and instruments for rendering first aid to aboriginals.

15.—(1) Paragraphs (a), (b), (c), (d), (f) and (h) of the last preceding regulation shall not apply in the case of aboriginals employed as drovers or drovers' assistants.

(2) Where any aboriginal is employed as a drover or as a drover's assistant, the licence under which the drover or drover's assistant is employed shall, in addition to the implied conditions prescribed in paragraphs (a), (g) and (j) of the last preceding regulation be subject to the following implied conditions:

(i) that the grantee of the licence shall pay to each aboriginal employed as a drover or as a drover's assistant wages at the rate of Twenty-four shillings per week whilst travelling with stock and at the rate of Sixteen shillings per week whilst travelling with plant only;

Provided that the Chief Protector may, at his discretion, in the case of any or all aboriginals employed as drovers or drovers' assistants, direct the grantee of the licence to pay all or any portion of the wages prescribed by this paragraph to the Chief Protector;

(ii) that the grantee of the licence shall, for each aboriginal employed as a drover or as a drover's assistant, provide food to the satisfaction of a Protector; and

(iii) that whenever any aboriginal employed as a drover or as a drover's assistant is sick, injured or affected by any disease and it is expedient in the interests of that aboriginal that he should be removed to some place for medical attendance or treatment, the grantee of the licence under whom that aboriginal is employed shall—

(1) (a) as soon as is reasonably possible, provide transport for the aboriginal and send him to a Protector; and

(2) as soon as is reasonably possible, provide transport for the aboriginal and send him to the nearest or most accessible hospital.

16. Notwithstanding anything contained in the last preceding regulation, where it is shown to the satisfaction of the Chief Protector that any aboriginal—

(a) has been and still is employed by the owner, manager or overseer of a station who has a licence to employ aboriginals in a country district; and

(b) is employed as a drover or a drover's assistant by that owner, manager or overseer for the purpose of droving stock which are or have been depasturing on the station of which the employer of that aboriginal is the owner, manager or overseer,

the provision of regulation 14 of these Regulations shall, and the provisions of the last preceding regulation shall not, apply in the case of that aboriginal, if the owner, manager or overseer, as the case may be, who is the employer of that aboriginal, satisfies the Chief Protector that the relatives and dependents of that aboriginal will be adequately maintained during the period in which he is conducting droving operations.

17.—(1) When wages are in accordance with paragraph (i) of sub-regulation (2) of regulation 15 paid to an aboriginal employed as a drover or as a drover's assistant, the aboriginal shall pay Sixteen shillings per annum to a Protector for transmission to the Chief Protector who shall place the amount to the credit of the Aboriginal Medical Benefit Fund.

(2) When wages are in accordance with paragraph (i) of sub-regulation (2) of regulation 15 paid to the Chief Protector for any aboriginal employed as a drover or as a drover's assistant, the Chief Protector may deduct Sixteen shillings per annum from those wages and shall place the amount so deducted to the credit of the Aboriginal Medical Benefit Fund.

18.—(1) Where the grantee of any licence incurs any expense in complying with the provisions of the conditions prescribed by paragraph (i) of sub-regulation (2) of regulation 15 of these Regulations, the Chief Protector may, at his discretion, refund to the grantee such amount of any money expended by him in complying with those provisions as the Chief Protector considers reasonable.

(2) Moneys to be refunded by the Chief Protector in pursuance of the provisions of this regulation may be paid by the Chief Protector out of moneys standing to the credit of the aboriginal employed as a drover or as a drover's assistant.

19. The Chief Protector shall keep proper records and accounts of all moneys paid into any Trust Account in accordance with the provisions of section 29(a) of the Ordinance.
20. The Chief Protector may, if he thinks fit, direct that, in lieu of any wages or portion of any wages to be paid by the grantee of any licence in pursuance of the conditions prescribed in any of the provisions of these Regulations, the grantee shall pay to any aboriginal employed by him in any country district such remuneration in kind as the Chief Protector shall specify.

21. The rates of wages specified in, or declared by the Chief Protector in pursuance of these Regulations, shall be deemed to be minimum rates, and nothing contained in these Regulations shall operate so as to prevent any aboriginal from bargaining with any employer for and receiving from that employer any rate of wages higher than the rates specified in, or declared by the Chief Protector in pursuance of, the provisions of these Regulations.

22. The Chief Protector may, at his discretion, supply free of charge to the grantee of a licence to employ aboriginals in a country district a medical chest containing all first aid requisites which, in the opinion of the Chief Protector, are ordinarily required for the purposes of rendering first aid.

23. The recognition to be entered into in pursuance of section 15 of the Ordinance shall be in accordance with Form 7.

24. Any person to whom authority is given under section 15 of the Ordinance to remove a half-caste to any place beyond the Territory shall, before removing the half-caste, or, if the half-caste was removed prior to the date of the coming into operation of this regulation, before the removal of the recognition entered into under section 15 of the Ordinance in respect of the half-caste, enter into an agreement with the Chief Protector of Aboriginals in accordance with Form 8 or Form 9, as the case requires.

25. A person in the Town District of Darwin Centre shall not:
   (a) employ more than two aboriginals; or
   (b) employ more than one female aboriginal.

26. A male person who is unmarried, or a widower, or who is living separately from his wife shall not, without the written authority of the Chief Protector, employ any female aboriginal without employing her husband.

27. A person shall not employ any aboriginal child who is under the age of twelve years.

28. (1) On every station, mine, run, or other holding the holder of a licence to employ aboriginals shall keep a true record of all aboriginal employees employed by him and the nature of such employment, all moneys earned and paid, and all stores and clothing supplied, and such record shall at all reasonable times be open to inspection by a Protector.

   (2) On such station, mine, run, or other holding the owner or manager shall set apart some portion or portions as a native camp, and the position and boundaries of such native camp shall be notified to and approved of by the Chief Protector.

29. All aboriginals in employment within a town district, other than that of Darwin Centre, shall live on premises provided by their employers and approved of by the Protector for the district, or in any reserve that may be set apart for their use, within the district or in the vicinity thereof.

30. Any aboriginal living on premises provided by the employer who is at large within a town district one hour after sunset without the written permission of his or her employer in accordance with Form 10, shall be guilty of an offence.

   Penalty: One month's imprisonment.

31. An aboriginal living in the reserve set apart for the use of aboriginals within the town district of Darwin Centre, who is outside the reserve boundary one hour after sunset without the written permission of the Protector for the district, in accordance with Form 11, shall be guilty of an offence.

   Penalty: One month's imprisonment.

32. (1) Any person other than an aboriginal who enters upon a reserve without the permission in writing of the Protector for the district, unless for the purpose of transacting business with a Protector residing thereon, shall be guilty of an offence.

   Persons other than aboriginals not to enter reserves without permission.

   (2) Any permission given by a Protector under the last preceding sub-regulation shall specify the conditions under which the person to whom it was issued may enter or remain upon a reserve and may be revoked at any time.
33.—(1.) An employer, who employs any aboriginal within the town district of Darwin Centre shall not, without the written authority of a Protector, suffer or permit that aboriginal to be or remain upon any premises, which are owned, occupied, inhabited, used or controlled by that employer and which are situated within the town district of Darwin Centre, at any time between the hours of seven o'clock in the evening of any day and six o'clock in the morning of the day following.

(2.) If any employer referred to in the last preceding sub-regulation contravenes the provisions of that sub-regulation, any licence to employ aboriginals held by him may be cancelled by any Protector:

Provided that any cancellation under this sub-regulation may be withdrawn by the Chief Protector if, in the opinion of the Chief Protector, the contravention of the provisions of the last preceding sub-regulation was due to the inclemency of the weather or to some other cause not attributable to the neglect of the employer.

(3.) The written authority referred to in sub-regulation (1.) of this regulation may be withdrawn at any time, by the Protector who gave the written authority or by the Chief Protector, by a notice in writing delivered to, or posted to the usual place of residence of, the employer to whom the written authority was given.

(4.) Any Protector, who has issued to any employer a written authority such as is referred to in sub-regulation (1.) of this regulation, shall forthwith give to the aboriginal in respect to whom the written authority has been issued, a written permit to be or remain upon any premises, which are owned, occupied, inhabited, used or controlled by the employer of that aboriginal and which are situated within the town district of Darwin Centre, at any time between the hours of seven o'clock in the evening of any day and six o'clock in the morning of the day following.

(5.) On the withdrawal or cessation of any written authority referred to in sub-regulation (1.) of this regulation, the Protector, who has withdrawn the written authority or who gave the written authority, shall forthwith notify the aboriginal in respect to whom the written authority was issued that the written permit given to that aboriginal under the provisions of the last preceding sub-regulation shall cease to have effect, and on this notification being given, the permit shall be deemed to be cancelled and shall be delivered up by the aboriginal to the Protector.

(6.) Any written authority referred to in sub-regulation (1.) of this regulation may be issued in respect of any period to be specified in the written authority and shall cease to have effect on the termination of the period so specified.

34.—(1.) Any aboriginal, who is employed in the town district of Darwin Centre, shall, unless his employer has, in respect to him, a written authority such as is referred to in sub-regulation (1.) of the last preceding regulation, or unless he has a written permit such as is referred to in sub-regulation (4.) of the last preceding regulation, be and remain within the reserve known as the Aboriginal Compound at Darwin at all times between the hours of eight o'clock of the evening of any day and five o'clock of the morning of the following day:

Provided that this sub-regulation shall not operate in the case of any particular aboriginal in respect of any time during which that aboriginal is authorized, by virtue of a permit in accordance with Form 12, or by virtue of a general permit in accordance with Form 13, to be within any prohibited area.

(2.) If any aboriginal contravenes the provisions of the last preceding sub-regulation of that aboriginal, he may be removed forthwith by any police officer or Protector to the reserve known as the Aboriginal Compound at Darwin, and any Protector may, by order in writing, authorize the forfeiture to the Crown of any portion (not exceeding One pound) of the wages which have been paid to the Chief Protector or a Protector to be held in trust for that aboriginal:

Provided that any forfeiture of wages under the sub-regulation may be withdrawn by the Chief Protector, if, in the opinion of the Chief Protector, the contravention of the provisions of the last preceding sub-regulation was due to the inclemency of the weather or to some other cause not attributable to the neglect of the aboriginal.

35. The Protector may issue to any aboriginal, or half-caste, a permit in accordance with Form 12, to be or remain within any prohibited area.

36.—(1.) The Chief Protector may, from time to time, issue, in general permits to be in accordance with Form 12, to be or remain within any prohibited area.

(2.) Any particular general permit referred to in the last preceding sub-regulation shall contain only the names of aboriginals who are employed in the same town district.

PART III.—APPRENTICESHIP OF ABORIGINALS.

37.—(1.) Aboriginals may be apprenticed to learn a trade in any town district. Apprenticeship shall only commence between the ages of thirteen and eighteen years. The consent of the Chief Protector shall be obtained in each instance. The period of apprenticeship shall be at the discretion of the Chief Protector, with a minimum period of twelve months and a maximum period of five years. The employer shall provide apprentices with food, clothing, blankets, and reasonable accommodation. In addition, apprentices shall be paid on the following scale:

1st year—3s. per week, payable in full to the apprentice.
2nd year—6s. per week, 4s. to be paid to the apprentice.
3rd year—10s. per week, 5s. to be paid to the apprentice.
4th year—15s. per week, 7s. 6d. to be paid to the apprentice.
5th year—20s. per week, 10s. to be paid to the apprentice.

(2.) The difference between the amount to be paid to the apprentice and the amount due shall be paid every four weeks to the Chief Protector to be held in trust for the apprentice.
PART 4.—MISCELLANEOUS.

38. The return to be furnished in pursuance of section twenty-five of the Ordinance by a holder of a licence to employ aboriginals shall, in the case of a holder of a licence to employ aboriginals in a country district, be in accordance with Form 14.

39. A licence to carry firearms in accordance with Form 15 may be granted to aboriginals in the employment of persons holding a licence to employ aboriginals, at the discretion of the Protector for the district.

40. Any aboriginal or half-caste who shall be found drunk or shall use any profane, indecent, obscene, abusive or threatening language or who shall fight, or behave in a riotous, disorderly, or indecent manner, within any aboriginal reserve or institution, shall be guilty of an offence.

Penalty: £10 or three months' imprisonment.

41. Any person who commits any breach of any provision of these Regulations, for which no other penalty is provided, shall be guilty of an offence and liable to a penalty not exceeding Fifty pounds or imprisonment for three months.

Penalties.

42. Strict compliance with the forms in the Schedule to these Regulations shall not be required and substantial compliance shall suffice for the purpose of these Regulations.

SCHEDULE.

Form 1

THE NORTHERN TERRITORY OF AUSTRALIA.
Aboriginals Ordinance 1918-1933.

APPLICATION FOR A LICENCE TO EMPLOY ABORIGINALS IN A COUNTRY DISTRICT.

To the Protector of Aboriginals,

I, , of occupation hereby make application for a Licence to employ aboriginals as

I agree to enter into an agreement with each of the aboriginals employed by me in the Town District of and in all respects to carry out the provisions of the Aboriginals Ordinance and Regulations. I enclose herewith the fee of Five shillings.

Signature of Applicant.

Form 2.

THE NORTHERN TERRITORY OF AUSTRALIA.
Aboriginais Ordinance 1918-1933.

APPLICATION FOR A LICENCE TO EMPLOY ABORIGINALS IN A COUNTRY DISTRICT.

To the Protector of Aboriginals,

I, , of occupation hereby make application for a Licence to employ aboriginals.

I undertake to pay wages at the rate of as per week for each aboriginal every four weeks to the Chief Protector of Aboriginals to be held in trust for the aboriginal (unless exempted by the Chief Protector of Aboriginals from the payment of wages) and to provide food, clothing, and tobacco to the aboriginals specified on the back hereof, and

I undertake—

To observe the provisions of the Ordinance and Regulations in regard to the employment of aboriginals, and especially—

To keep a record of my native labour employed, nature of employment, and wages paid; such record to be open for inspection by a Protector at any time;

To employ no children under 12 years of age;

To set aside a portion of the lands occupied by me as a Native Camp (See Regulation 28 (2)) and

To supply suitable shelter for the aboriginals I employ.

I enclose herewith the fee of Ten shillings.

Signature of Applicant.

Form 3.

THE NORTHERN TERRITORY OF AUSTRALIA.
Aboriginals Ordinance 1918-1933.

APPLICATION FOR A LICENCE TO EMPLOY ABORIGINALS IN A TOWN DISTRICT.

To the Protector of Aboriginals,

I, , of occupation hereby make application for a Licence to employ aboriginals.

I, the undersigned, do hereby make application to the said Protector, do hereby license the said , male and female aboriginals, to be employed by me in the Town District of for the purpose of [state nature of employment].

This licence shall remain in force until the 30th June next succeeding the date hereof, but may be cancelled at any time by a Protector by notice in writing if he deems the licensee to be an unfit person to be so licensed, or if the licensee fails to comply with the Ordinance or the Regulations.

This licence is granted subject to the said Ordinance and the Regulations.

Dated this day of .

Signature of Applicant.

Protector.
Form 4.

THE NORTHERN TERRITORY OF AUSTRALIA.

Licence to Employ Aboriginals in a Country District.

Whereas, the undersigned Protector, in pursuance of the Aboriginals Ordinance 1918-1933, has applied to me for a Licence to employ male and female aboriginals, and I am satisfied that he is a proper person to be so licensed: Now, therefore, I, the undersigned Protector, do grant this licence to the said... male and female aboriginals in the Country District of... (Name of district) as specified in the Schedule on the back hereof.

This licence shall remain in force until the 30th June next succeeding the date hereof, but may be cancelled at any time by a Protector by notice in writing if he deems the licensee to be an unfit person to be so licensed, or if the licensee fails to comply with the Ordinance or the Regulations.

This licence is granted subject to the said Ordinance and the Regulations.

Dated the... day of... Protector.

Schedule.

Aboriginals to be Employed.

<table>
<thead>
<tr>
<th>Name</th>
<th>Wages per Week</th>
<th>Amount to be Paid to Chief Protector every Four Weeks</th>
</tr>
</thead>
</table>

Form 5.

THE NORTHERN TERRITORY OF AUSTRALIA.

Aboriginals Ordinance 1918-1933.

Form of Agreement with Female Half-Caste.

Name of employer.

Name of half-caste employee.

I, the undersigned Protector, do hereby agree to keep the said half-caste... clothed and fed to the satisfaction of the Chief Protector of Aboriginals and to pay wages every four weeks at the rate of Six shillings per week to the said Chief Protector in trust for her and I the said... agree (1) not to permit the said half-caste to be at large on any prohibited area except as permitted by the said Chief Protector or a person authorized by him in that behalf; (2) except where the said half-caste sleeps at the Half-caste Home, to provide sleeping accommodation for her to the satisfaction of the said Chief Protector and not to permit the said half-caste to sleep at any place other than in the house occupied by me, and (3) that the said half-caste may be removed from my employment at any time by the said Chief Protector.

Signature of Employer.

I certify that the said half-caste has had this agreement explained to her and that she is reasonably aware of its provisions, and that the prescribed fee of 2s. 6d. for this agreement has been paid by the employer.

Signature of Protector.

Form 7.

THE NORTHERN TERRITORY OF AUSTRALIA.

Aboriginals Ordinance 1918-1933.

Recognition.

Be it remembered that... personally came before the undersigned Protector of Aboriginals in... for the District of... and acknowledged to owe to our Sovereign Lord the King the sum of... pounds sterling, to be made and levied on his goods and chattels, lands, and tenements respectively to the use of our Lord the King, his heirs and successors, if he the said... shall fail in the conditions as hereunder set out.

The condition of the above-written recognition is that if the said... shall return the aboriginal/half-caste... to the place designated by the Protector within twelve months from the date of these presents, then the said recognition to be void or else to stand in full force and virtue.

Taken and acknowledged the date and year first above-mentioned, at... before me... Protector of Aboriginals.

Signature...
hereby agree to keep the said ........................................while in my employ clothed and fed to the satisfaction of the Chief Protector of Aboriginals or such other person as the Chief Protector delegates in that behalf and to pay the said  ........................................ while in my employ for two years, whichever shall first happen. And I further agree that after the said  ........................................ while in my employ for two years I will increase her/his wages to 8s. per week of which 5s. shall be paid to her/him weekly and the balance 3s. per week quarterly to the Chief Protector of Aboriginals or such other person as the Chief Protector delegates in that behalf.

Dated this ................. day of .................. 10

Witness: ........................................

Signature of Employer.


AGREEMENT FOR EMPLOYMENT OF HALF-CASTE APPARENTLY OVER THE AGE OF SIXTEEN YEARS AUTHORIZED TO BE REMOVED TO ANY PLACE BEYOND THE NORTHERN TERRITORY.

In consideration of the authority given to me under section fifteen of the Aboriginals Ordinance 1918-1933 by the half-caste hereby agree to keep the half-caste ........................................ while in my employ clothed and fed to the satisfaction of the Chief Protector of Aboriginals or such other person as the Chief Protector delegates in that behalf and to pay her/him the sum of 8s. per week of which 5s. shall be paid to her/him weekly and the balance 3s. per week quarterly to the Chief Protector of Aboriginals or such other person as the Chief Protector delegates in that behalf.

Dated this ................. day of .................. 10

Witness: ........................................

Signature of Employer.

Form 10.  THE NORTHERN TERRITORY OF AUSTRALIA.  Regulation 30.

PERMIT.

Permission to hereby granted to ................................. who is employed by me, to be absent from my residence this evening ........................................ until 11 p.m. ................................. [Day of week]

Dated at ................. this ................. day of .................. 10

Employer.

Form 11.  THE NORTHERN TERRITORY OF AUSTRALIA.  Regulation 31.

Aboriginals Ordinance 1918-1933.

PERMIT.

Permission is hereby given to ................................. [Aboriginal and European name] to be absent from the Reserve set apart for aboriginals within the town district of Darwin Centre from one hour after sunset until 11 p.m. this evening .................................

[Date]

Protector of Aboriginals.

Dated at ................. this ................. day of .................. 10

Form 12.  THE NORTHERN TERRITORY OF AUSTRALIA.  Regulation 35.

Aboriginals Ordinance 1918-1933.

PERMIT ISSUED UNDER SECTION 11.

Permission is hereby granted to the aboriginal/half-caste ........................................ to be within the prohibited area of ................................. continuously for the period of ................................. to .................................

This permit is revocable at will by the Chief Protector of Aboriginals.

Dated at ................. this ................. day of .................. 10

Protector of Aboriginals.

Form 13.  THE NORTHERN TERRITORY OF AUSTRALIA.  Regulation 36.

Aboriginals Ordinance 1918-1933.

GENERAL PERMIT ISSUED UNDER SECTION 11.

Permission is hereby granted to the aboriginal hereinafter named to be within the prohibited area of ................................. between the hours of ................................. in the evening of the day following, and, on any particular occasions specified by the Chief Protector by notice in the Gazette after eight o'clock in the evening of any particular day until thirty minutes after eleven o'clock of that evening.

This permit shall be and remain in force, in respect of any particular aboriginal hereinafter named, for the period during which that aboriginal is lawfully employed under agreement in pursuance of section twenty-six of the Aboriginals Ordinance 1918-1933 and any regulations thereunder for the time being in force or under that Ordinance as amended from time to time.

[Names of Aboriginals.]

Dated at ................. this ................. day of .................. 10

Chief Protector of Aboriginals.
Regulation 38.

Aboriginals Ordinance 1918-1933.

THE NORTHERN TERRITORY OF AUSTRALIA.

EMPLOYMENT OF ABORIGINALS, COUNTRY DISTRICTS.

Return for the half-year ended: 19...

District Location

Holder of Licence Employer

<table>
<thead>
<tr>
<th>Employee</th>
<th>Tribe</th>
<th>Sex</th>
<th>Age</th>
<th>Nature of Employment</th>
<th>Date of commencement</th>
<th>Date of Termination</th>
<th>Total Period</th>
<th>Employment imposed</th>
<th>Balance</th>
<th>Dr. or Cr.</th>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>Relationship</th>
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Dependents: Name Sex Age Relationship

Form 15.

Regulation 39.

The Northern Territory of Australia. Aboriginals Ordinance 1918-1933.

Licence to Carry Firearms.

Whereas an aboriginal native of the Northern Territory, has applied to me for a Licence to carry firearms, and I am satisfied that he is a fit and proper person to be so licensed: Now therefore, in pursuance of the Aboriginals Ordinance 1918-1933 and the Regulations thereunder, I, the undersigned Protector of Aboriginals, do hereby license the said to carry (here insert description of firearms)

This licence shall remain in force provided the said aboriginal remain in the employment of for one year from the date hereof, but may be cancelled at any time by a Protector of Aboriginals, who may demand the return of such Licence shall be deemed the Licensee no longer a fit and proper person to possess it.

This Licence may be renewed for a further period of one year by indorsement thereon by a Protector of Aboriginals.

Dated the day of 19...

Protector of Aboriginals.

THE NORTHERN TERRITORY OF AUSTRALIA.

THE ABORIGINALS ORDINANCE 1918-1933,

BEING

THE ABORIGINALS ORDINANCE 1918 (No. 9 of 1918), (b)

AS AMENDED BY

THE ABORIGINALS ORDINANCE 1923 (No. 6 of 1923), (c)

THE ABORIGINALS ORDINANCE 1924 (No. 10 of 1924), (d)

THE ABORIGINALS ORDINANCE (No. 2) 1924 (No. 11 of 1924), (e)

THE ABORIGINALS ORDINANCE 1925 (No. 14 of 1925), (f)

THE ABORIGINALS ORDINANCE 1927 (No. 5 of 1927), (g)

THE ABORIGINALS ORDINANCE 1928 (No. 17 of 1928), (h)

THE ABORIGINALS ORDINANCE (No. 2) 1928 (No. 23 of 1928), (i)

THE ABORIGINALS ORDINANCE 1930 (No. 5 of 1930), (j)

AND BY

THE ABORIGINALS ORDINANCE 1933 (No. 4 of 1933). (k)

AN ORDINANCE

Relating to Aboriginals.

[Notified in Commonwealth Gazette, 13th June, 1918.] (l)

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the Northern Territory Acceptance Act 1910 and the Northern Territory (Administration) Act 1910, as follows:

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Aboriginals Ordinance 1918-1933. (a)

2. This Ordinance is divided into Parts, as follows:

Part I.—Preliminary.

Part II.—Administration.

Part III.—Reserves and Institutions.

Part IV.—Employment of Aboriginals.

Part V.—Firearms.

Part VI.—Miscellaneous.

(a) The Aboriginals Ordinance 1918, as amended by the Aboriginals Ordinance 1923, the Aboriginal Ordinance 1924, the Aboriginal Ordinance (No. 2) 1924, the Aboriginals Ordinance 1925, the Aboriginals Ordinance 1927, the Aboriginals Ordinance 1928, the Aboriginals Ordinance (No. 2) 1928, the Aboriginals Ordinance 1929 and the Aboriginals Ordinance 1933 may be cited as the Aboriginals Ordinance 1918-1933.

See Ordinances No. 6, 1923, s. 1; No. 10, 1924, s. 1; No. 11, 1924, s. 1; No. 14, 1925, s. 1; No. 6, 1927, s. 1; No. 17, 1928, s. 1; No. 23, 1928, s. 1; No. 5, 1930, s. 1; and No. 4, 1933, s. 1.

(b) Notified in Commonwealth Gazette, 13th June, 1918.

(c) Notified in Commonwealth Gazette, 3rd May, 1923.

(d) Notified in Commonwealth Gazette, 24th April, 1924.

(e) Notified in Commonwealth Gazette, 29th May, 1924.

(f) Notified in Commonwealth Gazette, 27th July, 1925.

(g) Notified in Commonwealth Gazette, 27th August, 1927.

(h) Notified in Commonwealth Gazette, 3rd August, 1928.

(i) Notified in Commonwealth Gazette, 5th November, 1928.

(j) Notified in Commonwealth Gazette, 22nd May, 1930.

(k) Notified in Commonwealth Gazette, 1st June, 1933.

(l) This is the date of notification of the Aboriginals Ordinance 1918.
PART II.—ADMINISTRATION.

4.-(1.) There shall be a Chief Protector of Aboriginals, to be appointed by the Administrator, who shall under the Administrator be responsible for the administration and execution of this Ordinance.

(2.) The Administrator may from time to time appoint such persons as he deems proper to be Protectors of Aboriginals.

(3.) Each Protector shall have and exercise such powers and duties as are prescribed.

(4.) The Chief Protector may, in relation to any particular matters or class of matters, or to any particular district or part of the Northern Territory, by writing under his hand delegate all or any of his powers and functions under this Ordinance (except this power of delegation) so that the delegated powers and functions may be exercised by the delegate with respect to the matters or class of matters, or the district or part of the Northern Territory, specified in the instrument of delegation.

(5.) Every delegation under the last preceding sub-section shall be revocable at will, and no delegation shall prevent the exercise of any power by the Chief Protector.

(6.) The officers holding office as Chief Protector and Protectors at the commencement of this Ordinance shall continue to hold office as if appointed under this Ordinance, until such time as a Chief Protector and Protectors are appointed under this Ordinance.

5.—(1.) It shall be the duty of the Chief Protector—

(a) to apportion, distribute, and apply, as seems most fit, under the direction of the Administrator, the moneys at his disposal for the purpose of carrying out this Ordinance;

(b) to distribute blankets, clothing, provisions, and other relief or assistance to the aboriginals;

(c) to provide, as far as practicable, for the supply of food, medical attendance, medicines, and shelter for the sick, aged and infirm aboriginals;

(d) to provide, when possible, for the custody, maintenance, and education of the children of aboriginals;

(e) to manage and regulate the use of all reserves for aboriginals; and

(f) to exercise a general supervision and care over all matters affecting the welfare of the aboriginals, and to protect them against immorality, injustice, imposition and fraud.

(2.) All blankets, bedding, clothing and other articles or property issued by or under direction of the Chief Protector to any aboriginal or aboriginals shall be and remain the property of the Commonwealth.

(3.) Any aboriginal who, without the permission of the Chief Protector, sells or otherwise disposes of any blanket or other article or property issued to him by the Chief Protector shall be guilty of an offence.

Penalty: Twenty pounds and the value of the articles; or imprisonment for three months.

4775.—2
(2.) Any aboriginal, or half-caste, who is or remains within any prohibited area, except with the permission of a Protector issued in the prescribed form, shall be guilty of an offence against this Ordinance.

(3.) Any Protector or Police Officer may at any time remove any aboriginal or half-caste from a prohibited area.

(4.) Any person who, without authority (proof whereof shall lie upon him), induces any aboriginal or half-caste to come within any prohibited area, or suffers any aboriginal or half-caste to be on premises owned or occupied by him in a prohibited area, or conceals or harbors any aboriginal or half-caste within a prohibited area, shall be guilty of an offence against this Ordinance.

12. The Administrator may appoint such person as he deems proper to be the Superintendent of a reserve and may appoint such other officers of a reserve as he deems necessary.

13.—(1.) The Administrator may, by notice in the Gazette, declare any mission station, reformatory, orphanage, school, home or other institution established by private contributions to be an aboriginal institution for the maintenance, custody, and care of aboriginal and half-caste children, and shall thereupon issue a licence to the institution.

(2.) Every such notice shall name persons as the Superintendent of the aboriginal institution.

(3.) The Administrator may by notice in the Gazette revoke any declaration made in pursuance of this section, and thereupon the institution shall cease to be an aboriginal institution, and the licence issued to it shall forthwith be returned to the Administrator for cancellation.

(4.) When from time to time the Superintendent of an aboriginal institution is changed the name of the new Superintendent shall be submitted to the Administrator for his approval.

(5.) Upon any change being made in the persons constituting the governing authority of an aboriginal institution, the particulars of the change shall be immediately notified to the Administrator.

(6.) Every aboriginal and half-caste child for the time being an inmate of any aboriginal institution shall be under the control and supervision of the Superintendent.

14.—(1.) The Administrator may grant to any aboriginal institution leases of any Crown Lands for any term not exceeding twenty-one years, at such rent and on such terms as he thinks fit.

(2.) The lease may confer a right of renewal, providing it can be shown to the satisfaction of the Administrator that the lands therein described are required for and applied to the use and entirely for the benefit of aboriginals or half-castes, or both.

15.—(1.) A Protector may, if he thinks fit, give authority in writing to any person so desiring it for the removal of any aboriginal, or any female half-caste, or any half-caste male child under the age of eighteen years, from one district to another, or from any reserve or aboriginal institution to another reserve or aboriginal institution, or to any place beyond the Northern Territory, provided that before such authority is given the person enters into a recognizance, with such surety or sureties as the Protector approves, in a sum which the
18.—(1.) Any Justice, Protector or Police Officer may order any aboriginal or half-caste found loitering in any municipality, town, township, public house, or wine and spirit store, or being therein forthwith to leave, and may have him removed from the municipality, town, township, public house, or wine and spirit store.

(2.) An aboriginal or half-caste who refuses or fails to comply with any such order or refuses to be removed or resists removal from any municipality, town, township, public house, or wine and spirit store shall be guilty of an offence against this Ordinance.

19. Any person (not being—
(a) an aboriginal; or
(b) the Administrator; or
(c) the Chief Protector; or
(d) a Protector; or
(e) a Police Officer; or
(f) an authorized officer)
who enters or remains on a reserve for aboriginals shall be guilty of an offence against this Ordinance, unless his action was authorized by a Protector or Police Officer, or was reasonably necessary for the protection of life or property.

19A. Any person who enters or remains on any land included in any lease granted to an aboriginal institution under this Ordinance unless the person is—
(a) a person specified in paragraphs (a), (b), (c), (d), (e) or
(f) of the last preceding section; or
(b) the person in charge of such institution; or
(c) a person authorized in that behalf by the person in charge of the institution in question or by a Protector or Police Officer,
shall be guilty of an offence against this Ordinance, unless his action was reasonably necessary for the protection of life or property.

20. Any person who removes an aboriginal, or causes, assists, entices, or persuades an aboriginal to remove from a reserve or aboriginal institution unless the person is—
(a) the Administrator; or
(b) the Chief Protector; or
(c) a Protector; or
(d) the Superintendent of such reserve or institution; or
(e) a person authorized in that behalf by the Administrator or by a Protector, or by a Superintendent of a reserve or institution in question; or
(f) a person authorized in that behalf by or under the regulations,
shall be guilty of an offence against this Ordinance.

21.—(1.) Notwithstanding the provisions of any Act of the State of South Australia applying to the Northern Territory, or any Ordinance, the holder of a miner's right shall not be entitled to enter, or remain, or be within the limits of any reserve or any land included in any lease granted to an aboriginal institution under this Ordinance.

* * * * * * * * *
(4.) The Chief Protector may in his discretion refuse the appeal or allow the appeal and remove the cancellation or direct the issue to the applicant of a new licence.

(5.) The cancellation of a licence to employ aboriginals shall be deemed to cancel any agreement made between the holder of the licence and the aboriginals employed by him.

(6.) When a licence to employ aboriginals has been cancelled, the holder shall, on demand by a Protector or Police Officer, deliver up the licence to the Protector or Police Officer, and if he fails to do so without reasonable excuse (proof whereof shall lie upon him), he shall be guilty of an offence against this Ordinance.

Penalty: Ten pounds.

(7.) Any person who knowingly makes use of or acts upon any cancelled licence as if it were in force, or knowingly represents any cancelled licence to be in force, shall be guilty of an offence against this Ordinance.

Penalty: Ten pounds.

25.— (1.) Every holder or past holder of a licence to employ aboriginals shall, within three months after the termination of each period of six months of the term for which the licence is granted, furnish a return in accordance with the prescribed form of the aboriginals employed by him.

(2.) Any holder or past holder of a licence to employ aboriginals who fails to make the return required by this section, or who willfully makes an untrue return, shall be guilty of an offence against this Ordinance.

Penalty: Twenty-five pounds.

26.— (1.) Any person residing within any Town District, and desiring to employ any aboriginal within any Town District, shall, in addition to obtaining a licence to employ aboriginals, enter into an agreement with the aboriginal in the prescribed form:

Provided that if the Chief Protector is of opinion that the employment is of a temporary nature, and is not likely to exceed one month in duration, he may dispense with the agreement.

(2.) A copy of the agreement shall be lodged with the Chief Protector, who may at any time investigate any complaint as to any alleged breach of the agreement by the employer or the aboriginal.

27. Any employer or aboriginal who is guilty of a breach of an agreement made in pursuance of the last preceding section, shall be guilty of an offence against this Ordinance.

Penalty: In the case of an employer, Twenty pounds; and in the case of an aboriginal, forfeiture of wage and cancellation or suspension of permit to enter the Town District.

28. Any holder of a licence to employ male aboriginals only who employs any female aboriginal, or who suffers any female aboriginal to be upon or about his premises or camp, shall be guilty of an offence against this Ordinance.
30. If any aboriginal or half-caste employed on board of or in connexion with any ship, vessel, or boat, dies or deserts his employment, all wages due to him up to the time of his death or desertion shall be paid to the Chief Protector at Darwin or to the nearest Protector at the port of discharge.

31.—(1.) Any master of a ship, vessel or boat or any other person who neglects or refuses to convey, or to cause to be conveyed, any aboriginal or half-caste who has been a party to an agreement for employment with him, before the expiration of such agreement, to the place or district to which the aboriginal or half-caste belongs, shall be guilty of an offence against this Ordinance.

(2.) Any person convicted of an offence against this section may be ordered by the Magistrate, Justice, or Justices, at his own expense, to convey the aboriginal or half-caste back to the place or district to which he belongs, by such route as to the Magistrate, Justice or Justices seems fit, or may be required to pay such sum as the Magistrate, Justice or Justices deem sufficient to pay for the conveyance of the aboriginal or half-caste to the place or district, and the sum shall, for all purposes, be and be deemed to be added to the penalty imposed for the offence so as to be recoverable as part thereof.

32.—(1.) No male aboriginal or half-caste under the age of eighteen years and no female aboriginal or half-caste of whatever age shall be employed on or about any ship, vessel or boat, nor shall any person without the authority in writing of a Protector permit any such aboriginal or half-caste to be or remain upon his ship, vessel or boat.

(2.) No aboriginal or half-caste shall be employed on board of or about any ship, vessel or boat trading with or voyaging to any place outside the Northern Territory except with the consent of the Chief Protector:

Provided that this sub-section shall not apply to any ship, vessel or boat which is for the time being in the use of the British Imperial Government or of the Government of the Commonwealth of Australia or any State thereof.

33.—(1.) Any person who entices or persuades an aboriginal or half-caste to leave his lawful employment shall be guilty of an offence against this Ordinance.

(2.) In any prosecution for an offence against this section the averment of the prosecutor contained in the information or complaint that the defendant enticed or persuaded an aboriginal or half-caste to leave his lawful employment shall be deemed to be proved in the absence of proof to the contrary.

34. If an aboriginal or half-caste dies whilst in the service of any person, the person shall forthwith after his death, or, if the deceased was employed on any ship, vessel or boat, forthwith after the arrival of the vessel or boat at any port in the Northern Territory, transmit to the nearest Protector, if practicable, or if not, then to the Chief Protector, notice of the death in writing signed by the person, and containing such particulars as will enable the deceased to be identified; and shall forward to the Protector or to the Chief Protector any wages due to the deceased, and any money or property in the possession of the deceased at the time of his death.
(b) his employer has delivered the firearm to him only for purposes of protection:

Provided that the exemptions allowed by this section shall not apply—

(i) in the case of the aboriginal, unless upon coming within two miles of any town or township, or any permanent dwelling house, or as soon as practicable thereafter he delivers the firearm to his employer or his servant or to some Protector or Police Officer;

(ii) in the case of the employer, unless the aboriginal so delivers the firearm, or in the case of his failure so to do, the employer as soon as practicable thereafter reports the failure to some Protector or Police Officer, and renders all assistance in his power to discover the whereabouts of the firearm.

42. In any prosecution under section thirty-eight or section thirty-nine the burden of proof that the aboriginal held a licence to carry firearms, which was in force at the time, shall lie on the defendant, and until the contrary is shown to the satisfaction of the Magistrate, Justice, or Justices, it shall be presumed that the aboriginal did not hold such licence.

PART VI.—MISCELLANEOUS.

43.—(1.) The Chief Protector may undertake the general care, protection, and management of the property of any aboriginal or half-caste, and may—

(a) take possession of, retain, sell, or dispose of and give a valid title to any of the property, whether real or personal;

(b) in his own name sue for, recover, or receive any money or other property due or belonging to, or held in trust for the benefit of any aboriginal or half-caste, or damages for any conversion of or injury to any such property;

(c) exercise, in the name of any aboriginal or half-caste, any power which the aboriginal or half-caste might exercise for his own benefit;

(d) in the name and on behalf of the aboriginal or half-caste appoint any person to act as attorney or agent for any purpose connected with the property of the aboriginal or half-caste:

Provided that the powers conferred by this section shall not be exercised without the consent of the aboriginal or half-caste except so far as may be necessary to provide for the due preservation of the property.

(2.) The Chief Protector shall keep proper records and accounts of all moneys and other properties and the proceeds thereof received or dealt with by him under the provisions of this section.

44.—(1.) Whenever a half-caste child whose age does not exceed eighteen years is being maintained at any aboriginal institution, or at the cost of the Government of the Territory, a Protector may apply...
(2.) Whenever a Protector grants permission, he shall, as soon as practicable, transmit a copy thereof to the Administrator.

(3.) If any such marriage is celebrated without the permission required by this section each of the parties to the marriage and the person who celebrated the marriage shall be guilty of an offence against this Ordinance.

46.—(1.) Where any Protector or Police Officer has reason to believe that any aboriginal or half-caste is not being treated properly by any person having the custody or control of the aboriginal (whether employer or otherwise) he may remove the aboriginal or half-caste from the custody or control of that person.

(2.) The Protector or Police Officer removing an aboriginal or half-caste in pursuance of this section shall forthwith give notice in writing, to the person from whose custody or control the removal is made, of the reason of the removal, and shall report to the Chief Protector the fact of the removal and the reasons therefor.

(3.) The Chief Protector may, if he thinks that the aboriginal or half-caste was removed for insufficient cause, direct that the aboriginal or half-caste be returned to the custody or control of the person from whose custody or control he was removed.

47. Any person having the custody or control of any aboriginal or half-caste or on whose premises any aboriginal or half-caste is living, shall on demand in writing by the Chief Protector deliver the aboriginal or half-caste, or take all reasonable steps in his power to facilitate the delivery of the aboriginal or half-caste, into the custody of the Chief Protector or into the custody of a Protector or Police Officer authorized by the Chief Protector to receive the aboriginal or half-caste into his custody, and if he fails to do so he shall be guilty of an offence against this Ordinance.

48. No aboriginal or half-caste shall visit or remain in or about any hotel or hotel premises within a Town District.

Penalty: Cancellation of permit to enter any Town District.

49.—(1.) Any person who sells or gives any intoxicating liquor to any aboriginal or half-caste shall be guilty of an offence against this Ordinance.

Penalty: Twenty pounds or imprisonment for three months for the first offence and imprisonment for twelve months for any subsequent offence.

(2.) * * * * * * *

49A. Any aboriginal or half-caste who drinks, or is in possession of, any intoxicating liquor shall be guilty of an offence.

Penalty: Ten pounds or, for a first offence, imprisonment for seven days and for any subsequent offence imprisonment for one month.

50.—(1.) The Administrator may, by notice in the Gazette, declare any place within a Town District to be a camping ground for aboriginals.
54. Any person who obstructs or hinders, or in any way refuses when called upon to assist any Protector, Superintendent, Police Officer, or other person in the exercise or execution of any power or duty under this Ordinance shall be guilty of an offence.

Penalty: Fifty pounds.

55. Any Protector or Police Officer may arrest without warrant any person whom he has just cause to suspect of having committed or being about to commit any offence against this Ordinance.

56. It shall not be obligatory upon any Protector or Police Officer, unless specially directed so to do by a Special Magistrate, to serve any summons upon, or to execute any warrant of arrest against, an aboriginal or half-caste in respect of any offence against this Ordinance beyond a distance of fifty miles from the place where such summons or warrant was issued.

57. Any action or other proceedings against any person for the recovery of wages due to an aboriginal or half-caste, who is or has been employed by that person, or for the breach of an agreement made with an aboriginal or half-caste, may be instituted and carried on by, or in the name of, any Protector authorized in that behalf by the Administrator.

58. At the hearing of any proceedings in respect of an offence against this Ordinance, the Magistrate or Justices may permit any person to address him or them and examine and cross examine witnesses on behalf of any aboriginal or half-caste, and no aboriginal or half-caste shall be allowed to plead guilty except with the consent of a Protector.

59. In any proceedings for an offence against this Ordinance, the allegation that any person named or referred to therein is an aboriginal or half-caste, or is of any sex of or under any age therein mentioned, or the reference in the information to the person as an aboriginal or half-caste, or as being of any sex or under any age therein mentioned, shall be sufficient evidence of the truth of the allegation or reference, unless the contrary is shown to the satisfaction of the Magistrate or Justice.

60. In any legal proceedings or inquiry, whether under this Ordinance or otherwise, if the Court, Judge, Coroner, Magistrate, Justice, or Justices do not consider there is sufficient evidence to determine the question whether a person concerned in or in any way connected with the proceedings or inquiry is or is not an aboriginal or a half-caste, or whether, being or being determined to be an aboriginal or half-caste, the person is or is not of any specified sex, or is or is not of or under any specified age, the Court, Judge, Coroner, Magistrate, Justice, or Justices, having seen the person, may determine the question.

61. Any person convicted of an offence against this Ordinance shall, where no other penalty is provided, be liable to a penalty not exceeding One hundred pounds, or to imprisonment with or without hard labour for any period not exceeding six months.
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(2.) The appeal shall be made to the Local Court of Full Jurisdiction nearest to the place where the conviction or order was made.

(3.) Such appeal shall be regulated by the said Ordinance No. 6 of 1850 and the Act of South Australia entitled The Justices Procedure Amendment Act, 1883-4, or any other Act or Ordinance for the time being in force regulating appeals to Local Courts:

Provided that the Court on such appeal may make any order as to costs which it thinks fit, although such costs exceed Ten pounds.

66.—(1.) The Local Court may state a special case for the opinion of the Supreme Court.

(2.) The Supreme Court shall deal with such special case according to the practice of the Supreme Court on special cases, and may make such order therein, including any order as to costs of the proceedings in that Court, as to the said Supreme Court appears just.

67.—(1.) The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters and things which by this Ordinance are required or permitted to be prescribed, or which may be necessary or convenient to be prescribed for the effectual carrying out of this Ordinance, and in particular—

(a) prescribing the duties of Protectors and Superintendents, and other persons appointed or employed under this Ordinance;

(b) providing for the care, custody and education of the children of aboriginals and half-castes;

(c) enabling any aboriginal or half-caste child to be sent to and detained in an Aboriginal Institution or Industrial School;

(d) providing for the control, care and education of aboriginals or half-castes in aboriginal institutions and for the supervision of such institutions;

(e) providing for the control and prevention of communicable diseases amongst aboriginals or half-castes;

(f) prescribing the conditions on which aboriginal and half-caste children may be apprenticed to or placed in the service of suitable people;

(g) regulating the granting of licences to employ aboriginals, and the fees to be paid for such licences;

(ga) prescribing the wages and conditions of employment of aboriginals and female half-castes employed under licences granted under this Ordinance;

(h) prohibiting the granting of licences to employ aboriginals to persons of specified races;

(i) prescribing the conditions on which any aboriginal or half-caste prisoner may be placed under the custody of any officer or servant of the Territory and for the employment of aboriginal or half-caste prisoners undergoing sentences of imprisonment with or without hard labour;

(f) providing for the control of aboriginals or half-castes residing upon a reserve and for apportioning amongst them, or for their benefit, the net produce of their labour;
(k) providing for the maintenance of discipline and good order upon a reserve;
(l) authorizing entry upon a reserve by specified persons or classes of persons for specified objects and the conditions under which those persons may enter or remain on a reserve, and providing for the revocation of the authority;
(m) regulating the granting of licences to carry firearms, and limiting the persons or classes of persons to whom licences may be granted;
(n) for the control of receipts and payment of money, the keeping of accounts and records, expenditure of money, and all matters pertaining to the accounts and records of the Chief Protector;
(o) regulating the exercise and discharge of all or any of the powers, duties and functions of the Chief Protector, and all officers appointed under this Ordinance; and
(p) prescribing penalties not exceeding for any one offence the sum of Fifty pounds, or imprisonment, with or without hard labour, for any term not exceeding three months, for any breach of any regulation.

(4.) The regulations in force immediately prior to the passing of this Ordinance shall continue in force as if made under this Ordinance until such time as they are repealed by regulations made under this Ordinance.

Repeal.

68.—(1.) The Aboriginals Ordinance 1911 is hereby repealed.
(2.) The Northern Territory Aboriginals Act, 1910 of the State of South Australia shall cease to apply to the Northern Territory.
THE NORTHERN TERRITORY OF AUSTRALIA.

No. 5 of 1943.

AN ORDINANCE

To amend the Aboriginals Ordinance 1918-1941.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the Northern Territory Acceptance Act 1910-1919 and the Northern Territory (Administration) Act 1910-1940, as follows:—

1.—(1.) This Ordinance may be cited as the Aboriginals Ordinance 1943.*

(2.) The Aboriginals Ordinance 1918-1941, as amended by this Ordinance, may be cited as the Aboriginals Ordinance 1918-1943.

2. Section three A of the Aboriginals Ordinance 1918-1941 is amended by omitting from sub-section (1.) the words "a half-caste" and inserting in their stead the words "an aboriginal or a half-caste, as the case may be;".

3. Section fifty of the Aboriginals Ordinance 1918-1941 is amended by adding, at the end of sub-section (1.) the words "or that any camping ground so declared shall cease to be a camping ground for aboriginals".

Dated this eighth day of December, 1943.

GOWRIE
Governor-General.

By His Excellency's Command,

J. S. COLLINGS
Minister of State for the Interior.

* Notified in the Commonwealth Gazette on 9th December, 1943.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.
133.—Price 3d.—A
THE NORTHERN TERRITORY OF AUSTRALIA.

No. 9 of 1953.

AN ORDINANCE

To amend the Aboriginals Ordinance 1918-1947.

[Reserved 20th February, 1953.]*

[Assented to 25th June, 1953]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1952, as follows:

1. — (1.) This Ordinance may be cited as the Aboriginals Ordinance (No. 2) 1953.

(2.) The Aboriginals Ordinance 1918-1947, as amended by the Aboriginals Ordinance 1953, is in this Ordinance referred to as the Principal Ordinance.

(3.) Section one of the Aboriginals Ordinance 1953 is amended by omitting sub-section (2.).

(4.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Aboriginals Ordinance 1918-1953.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. Section three of the Principal Ordinance is amended—

(a) by omitting the definition of "Aboriginal" and inserting in its stead the following definition:

"Aboriginal means—

(a) a person who is an aboriginal native of Australia or of an island which, being subject to the laws of the Commonwealth, of a State or of the Northern Territory, is adjacent to Australia;

(b) a person who lives after the manner of, follows, adheres to or adopts the customs of persons described in paragraph (a) of this definition and at least one of whose ancestors was a person described in that paragraph;"
2. (a) The Director may, if he considers a person, at least one of whose ancestors was a person described in paragraph (a) of the definition of "Aboriginal" in the last preceding section needs the care and control of this Ordinance, apply in writing to the Administrator for approval that the person described in the application be deemed an aboriginal within the meaning of this Ordinance.

(b) The Administrator shall cause notice of the application to be given to that person and shall state a time and place when the application will be heard by him.

(c) At the time and place specified in that notice, the Administrator shall consider the application and any matters which that person or his counsel may advance, and if he considers it in the best interests of that person he may grant the application.

(d) Upon the granting of the application the Director shall, by notice in the Gazette declare that the person specified in the notice is deemed to be an aboriginal within the meaning of this Ordinance.

(3.) Upon the publication of a notice in accordance with the last preceding sub-sections, the person specified in the notice is deemed not to be, or is deemed to be, as the case may be, an aboriginal within the meaning of this Ordinance.

(4.) The Director may, subject to the approval of the Administrator, by notice in the Gazette, revoke a declaration made in accordance with the provisions of sub-sections (1.) or (2.) of this section.

(5.) Upon the revocation, in accordance with the last preceding sub-section, of a declaration made under sub-section (1.) of this section—

(a) the declaration ceases to apply to the person in respect of whom it was made; and

(b) that person ceases to be a person who is deemed not to be, or is deemed to be, as the case may be, an aboriginal within the meaning of this Ordinance.

3b. The Director shall keep a register in which he shall enter particulars of—

(a) the name and address of every person in respect of whom a declaration is made;

(b) the date of the publication in the Gazette of a notice of a declaration having been made or revoked under the last preceding section.
### THE SCHEDULE.

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<thead>
<tr>
<th>(First Column)</th>
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<tbody>
<tr>
<td>Sections</td>
<td>Amendments</td>
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<tr>
<td>11</td>
<td>(a) Omit &quot;or half-caste&quot; (wherever occurring).</td>
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<td>13</td>
<td>(a) Omit from sub-section (1.) &quot;and half-castes&quot;.</td>
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<td>Omit &quot;or half-castes, or both&quot;.</td>
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<td>15</td>
<td>(a) Omit from sub-section (1.) &quot;of any female half-caste, or any half-caste male child under the age of eighteen years&quot;.</td>
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<td>(b) Omit from sub-section (1.) &quot;or half-caste&quot;.</td>
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<td>Omit &quot;or half-caste&quot; (wherever occurring).</td>
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<td>(b) Omit &quot;or half-caste&quot;.</td>
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<td>22</td>
<td>(a) Omit &quot;or female half-caste&quot;.</td>
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<td>Omit &quot;or half-caste&quot;.</td>
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<td>51</td>
<td>Omit from sub-section (1.) &quot;of any female half-castes&quot;.</td>
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<td>Omit from paragraph (b) of sub-section (1.) &quot;and half-castes&quot;.</td>
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<td>62</td>
<td>Omit from paragraph (c) of sub-section (1.) the words &quot;or half-caste child&quot;.</td>
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<td>63</td>
<td>Omit &quot;or half-caste&quot; (wherever occurring).</td>
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<td>66</td>
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By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.
1011.—2
THE NORTHERN TERRITORY OF AUSTRALIA.

Regulations under the Aboriginals Ordinance 1918-1937.

In pursuance of the powers conferred upon me by the Aboriginals Ordinance 1918-1937 of the Northern Territory of Australia, I, Victor Charles Thompson, a Member of the Executive Council acting for and on behalf of the Minister of State for the Interior, do hereby make the following Regulations under the said Aboriginals Ordinance 1918-1937.

Dated this nineteenth day of September, 1938.

V. C. THOMPSON
A Member of the Executive Council acting for and on behalf of the Minister of State for the Interior.

AMENDMENT OF ABORIGINALS REGULATIONS AS AMENDED TO THIS DATE.

1. Regulation 31 of the Aboriginal Regulations is repealed and the following regulation inserted in its stead:

"31.-(1.) Any aboriginal living in the Bagot Aboriginal Reserve who is outside the boundary of that Reserve at any time between the hours of eight o'clock in the evening of any day and five o'clock in the morning of the day following without the written permission of a Protector in accordance with Form 11, shall be guilty of an offence.

Penalty: One month's imprisonment.

(2.) This regulation shall not apply in respect of any time during which such aboriginal has been granted written permission by a Protector in accordance with Form 12 to be within any prohibited area or in respect of any time during which such aboriginal has been granted permission by the Chief Protector to be within any prohibited area in pursuance of a general permit in accordance with Form 13."

2. Regulation 34 of the Aboriginals Regulations is amended by omitting the words "Aboriginal Compound at Darwin" (whenever occurring) and inserting in their stead "Bagot Aboriginal Reserve."

3. Form 11 in the Schedule to the Aboriginals Regulations is repealed and the following form inserted in its stead:

"Form 11.

PERMIT.

The Northern Territory of Australia.
Aboriginals Ordinance 1918-1937.

Permission is hereby given to [Aboriginal and European name.] to be absent from the Bagot Aboriginal Reserve between the hours of 19 and 19 on the day of 19 and on the day of 19.

Dated at this day of 19

Protector of Aboriginals."

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.

5917.—Price 3d.—C.
THE NORTHERN TERRITORY OF AUSTRALIA.

Regulations 1940. No. 11.

Regulations under the Aboriginals Ordinance 1918-1939.*

In pursuance of the powers conferred upon me by the Aboriginals Ordinance 1918-1939, I, Hattil Spencer Foll, the Minister of State for the Interior, do hereby make the following Regulations under the Aboriginals Ordinance 1918-1939.

Dated this third day of October, 1940.

H. S. FOLL
Minister of State for the Interior.

AMENDMENTS OF THE ABORIGINALS REGULATIONS AS AMENDED TO THIS DATE.

1. Regulation 13 of the Aboriginals Regulations is amended:—
   (a) by omitting the words “Chief Protector” (wherever occurring) and inserting in their stead the word “Director”; and
   (b) by omitting paragraph (b) and inserting in its stead the following paragraph:—
   “(b) that, when wages are to be paid in accordance with the last preceding paragraph, the grantee of the licence shall, if required by the Director, pay to the Director every four weeks, in trust for the employee, such part of the wages of the employee as the Director may specify and shall pay the balance (if any) direct to the employee.”

2. Form 5 of the Schedule to the Aboriginals Regulations is amended:—
   (a) by omitting the words “wages three shillings” and inserting in their stead the words “wages shillings”;
   and
   (b) by omitting the words “Chief Protector” and inserting in their stead the word “Director”.

* Notified in the Commonwealth Gazette on 17th October, 1940.
7. The Aboriginals Regulations are amended as set out in the General Amendments.

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**THE SCHEDULE.**

<table>
<thead>
<tr>
<th>Regulation Amended</th>
<th>Amendment</th>
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<tr>
<td>5</td>
<td>Omit &quot;Chief Protector&quot; from sub-regulation (1.), insert &quot;Director&quot;.</td>
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<td>6</td>
<td>Omit &quot;Chief Protector&quot;, insert &quot;Director&quot;.</td>
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<td>7</td>
<td>Omit &quot;Chief Protector&quot; (wherever occurring), insert &quot;Director&quot;.</td>
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<td>8</td>
<td>Omit &quot;Chief Protector&quot;, insert &quot;Director&quot;.</td>
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<td>12</td>
<td>Omit &quot;Chief Protector&quot; (wherever occurring), from sub-regulation (2.), insert &quot;Director&quot;.</td>
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<td>24</td>
<td>Omit &quot;Chief Protector of Aboriginals&quot;, insert &quot;Director&quot;.</td>
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<td>26</td>
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<td>37</td>
<td>Omit &quot;Chief Protector&quot; (wherever occurring), insert &quot;Director&quot;.</td>
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**Schedule**

Omit "Chief Protector of Aboriginals" (wherever occurring) from Form 2, insert "Director of Native Affairs".

Omit "Chief Protector" from Form 4, insert "Director".

Omit "Chief Protector of Aboriginals" from Form 12, insert "Director of Native Affairs".

---

*By Authority: L. F. Johnston, Commonwealth Government Printer, Canberra.*
IN pursuance of the powers conferred upon me by the Aboriginals Ordinance 1918-1939, I, Hattil Spencer Foll, the Minister of State for the Interior, do hereby make the following Regulations under the Aboriginals Ordinance 1918-1939.

Dated this 8th day of May, 1941.

H. S. FOLL
Minister of State for the Interior.

AMENDMENTS OF THE ABORIGINALS REGULATIONS AS AMENDED TO THIS DATE.

1. Regulation 29 of the Aboriginals Regulations is amended by omitting the words “that of Darwin Centre,” and inserting in their stead the words “those of Darwin Centre and Alice Springs,”.

2. Regulation 31 of the Aboriginals Regulations is amended by omitting sub-regulation (1.) and inserting in its stead the following sub-regulation:

“(1.) Any aboriginal living in the reserve known as the Bagot Aboriginal Reserve, or in any reserve set apart for the use of aboriginals within or adjacent to the town district of Alice Springs, who, at any time between the hours of eight o’clock in the evening of any day and five o’clock in the morning of the following day, is outside the boundary of that reserve without the written permission of a Protector, in accordance with Form 11, shall be guilty of an offence.

Penalty: One month’s imprisonment.”.

3. Regulation 33 of the Aboriginals Regulations is amended—

(a) by omitting from sub-regulation (1.) the words “district of Darwin Centre” (first occurring) and inserting in their stead the words “Districts of Darwin Centre or Alice Springs”;,

(b) by omitting from that sub-regulation the words “district of Darwin Centre” (second occurring) and inserting in their stead the words “Districts of Darwin Centre or Alice Springs, as the case may be;”;

(c) by inserting in sub-regulation (4.), after the words “Darwin Centre,”, the words “or that of Alice Springs, as the case may be,”.

* Notified in the Commonwealth Gazette on 15th May, 1941.
† Regulations made on 27th June, 1933, as amended by Regulations made on 21st March, 1936; Regulations made on 19th September, 1938; and Regulations 1940, No. 11.

133.—Price 3d.—B
4. Regulation 34 of the Aboriginals Regulations is repealed and the following regulation inserted in its stead:

"34.—(1.) Subject to the last preceding regulation, any aboriginal who is employed in the town districts of Darwin Centre or Alice Springs shall be and remain within the reserve known as the Bagot Aboriginal Reserve or within a reserve set apart for the use of aboriginals within or adjacent to the town district of Alice Springs, as the case may be, at all times between the hours of eight o'clock of the evening of any day and five o'clock of the morning of the following day:

Provided that this sub-regulation shall not operate in the case of any particular aboriginal in respect of any time during which he is authorized, by virtue of a permit in accordance with Form 12, or by virtue of a general permit in accordance with Form 13, to be within any prohibited area.

"(2.) Any aboriginal who contravenes the provisions of sub-regulation (1.) of this regulation—

(a) may be removed forthwith by any Police Officer or Protector to the Reserve known as the Bagot Aboriginal Reserve or to a reserve set apart for the use of aboriginals within or adjacent to the town district of Alice Springs, as the case may be; and

(b) shall be guilty of an offence and shall, on conviction, be liable to a penalty not exceeding Ten pounds or imprisonment not exceeding one month.

"(3.) Any moneys paid in respect of a fine imposed under the last preceding sub-regulation shall be placed to the credit of the Aboriginal Medical Benefit Fund."

5. Form 11 of the Schedule to the Aboriginals Regulations is repealed and the following Form inserted in its stead:

"Form 11.

THE NORTHERN TERRITORY OF AUSTRALIA.
Aboriginals Ordinance 1918–1939.

Permission is hereby given to [Aboriginal and European name] to be absent from the Reserve between the hours of day of , 19 , and day of , 19 , on the on the Reserve.

Dated at day of , 19 this

Protector of Aboriginals.

By Authority: L. F. Johnston, Commonwealth Government Printer, Canberra."
AN ORDINANCE
To Provide for the Care and Assistance of Certain Persons.

[Reserved 18th June, 1953.]*
[Assented to 3rd July, 1953.]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1952, as follows:—

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Welfare Ordinance 1953. Short title.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette. Commencement.

3. This Ordinance is divided into Parts, as follows:—

   Part I.—Preliminary.
   Part II.—Administration.
   Part III.—Wards.
     Division 1.—Declaration of Wards.
     Division 2.—Powers in Relation to Wards.
     Division 3.—Duties of Director in Relation to Property of Wards.
     Division 4.—Appeals by Wards.
     Division 5.—Revocation of Declarations Otherwise than by Appeal.
   Part IV.—Reserves, Institutions, Camping Grounds and Prohibited Areas.
     Division 1.—Reserves and Institutions.
     Division 2.—Camping Grounds.
     Division 3.—Prohibited Areas.
   Part V.—Offences by and against Wards.
   Part VI.—Miscellaneous.

4. The Ordinances specified in the First Schedule to this Ordinance are repealed.

* Reservation notified in the Government Gazette of the Northern Territory on 1st July, 1953.
* Assent notified in the Government Gazette of the Northern Territory on 15th July, 1953.

4867/57.—PRICE 1S. 3D.
5. Notwithstanding the repeal effected by the last preceding section—

(a) a reserve which was set apart as a reserve within the meaning of the repealed Ordinances and which existed as a reserve, immediately before the date when this Ordinance comes into operation, shall be deemed to be a reserve for the purposes of this Ordinance until that reserve is altered or revoked; and

(b) a recognizance entered into under the repealed Ordinances shall continue in effect and be enforceable as though those Ordinances had not been repealed.

6. In this Ordinance, unless the contrary intention appears—

“camping ground” means a place, area, or part of the Territory declared, under this Ordinance, to be a camping ground for wards;

“district” means a part of the Territory declared, under this Ordinance, to be a district;

“institution” means a mission station, reformatory, orphanage, school, home or other establishment approved by the Administrator in accordance with this Ordinance, or established by the Commonwealth as an institution for the purposes of this Ordinance;

“notice in the Gazette” means the publication in the Gazette of a copy of an instrument made and signed by the Administrator;

“police officer” means a member of the Northern Territory Police Force;

“prohibited area” means a place, area or part of the Territory declared, under this Ordinance, to be a prohibited area for wards;

“relation” includes a relation whether by blood, marriage or custom;

“reserve” means land which, in accordance with the provisions of a law of the Territory, is declared to be a reserve for wards;

“superintendent” means a person appointed to the position of superintendent of a reserve or institution;

“the Director” means the Director of Welfare appointed under this Ordinance and includes an Acting Director so appointed;

“the Register” means the Register of Wards referred to in section sixteen of this Ordinance;

“This Ordinance” includes the Regulations;

“ward” means a person in respect of whom a declaration, made under section fourteen of this Ordinance, is in operation;

“welfare officer” means a person appointed under this Ordinance to be a welfare officer.

7.—(1.) The Minister shall appoint a Director of Welfare who, under the Administrator, is responsible for the administration of this Ordinance.

(2.) In the event of—

(a) the illness of the Director;

(b) the temporary inability of the Director to perform the duties of his office; or

(c) the absence of the Director from the Territory, the Minister may appoint a person to be the Acting Director of Welfare during the illness, temporary inability, or absence of the Director.

(3.) An Acting Director has all the powers and may perform all the functions of the Director.

8. It is the duty of the Director—

(a) in relation to wards, to take steps—

(i) to promote their social, economic and political advancement for the purpose of assisting them and their descendants to take their place as members of the community of the Commonwealth;

(ii) to arrange as far as is practicable for the education of wards, including their vocational training, by collaboration with, and assistance to, the education authority and educational institutions and in other appropriate ways;

(iii) to promote their physical well being, to inculcate proper habits of hygiene and sanitation and to improve their standards of nutrition and housing;

(iv) to detect, prevent and cure disease and for that purpose to establish and maintain a liaison with the Commonwealth Department of Health;

(v) to arrange for their vocational training and to obtain suitable employment for them in industrial and other enterprises and for this purpose to establish and maintain a liaison with appropriate organizations;

(vi) to provide such relief and assistance as is necessary or appropriate; and

(vii) to exercise a general supervision and care over matters affecting their welfare;

(b) subject to direction by the Administrator, to apply and apportion moneys made available for the purposes of this Ordinance in such manner as he considers proper;
(c) to supervise and regulate the use and management of institutions, other than institutions established by the Commonwealth;
(d) to control the management of institutions established by the Commonwealth;
(e) to supervise and regulate the use and management of reserves;
(f) in relation to persons other than wards, upon such conditions as the Administrator approves, and in relation to persons who are in indigent circumstances, upon such conditions as the Director sees fit—
(i) to arrange for those persons to be accommodated in institutions where such treatment, care or attention can be provided for those persons as they require;
(ii) to arrange for the supply to those persons of such accommodation, food, clothing or financial or other assistance as those persons require;
(iii) to arrange such transportation for those persons from one part of the Territory to another or to a part of the Commonwealth outside the Territory as they require;
(iv) to take such other steps as he considers necessary for the relief of the distress and the promotion of the welfare of those persons; and
(v) to arrange for the proper burial of those persons in the event of their death; and
(g) to perform such other duties and functions as are prescribed.

9. An article issued or given to a ward or to a person in indigent circumstances by the Director in pursuance of the provisions of this Ordinance is and remains the property of the Commonwealth.

10.—(1.) The Director may, by instrument in writing, delegate to a person or authority all, or any, of his powers, functions and authorities under this Ordinance (except this power of delegation) in relation to a matter or class of matters or to a district or part of the Territory so that the delegated powers, functions and authorities may be exercised by the delegate with respect to the matter or class of matters or the district or part of the Territory specified in the instrument of delegation.

(2.) A delegation under the last preceding sub-section is revocable in writing at will and does not prevent the exercise of a power, function or authority by the Director.

11.—(1.) The Administrator may appoint such welfare officers as he considers necessary for the purposes of this Ordinance.

(2.) The Administrator may appoint a welfare officer to a particular district and may transfer him from one district to another.

(3.) A welfare officer shall exercise such powers and perform such duties and functions as he is directed and as are prescribed.

12. The Administrator may appoint such superintendents and other officers as he deems necessary for the purposes of this Ordinance.

13. The Administrator may, by notice in the Gazette—
(a) declare a part of the Territory to be a district for the purposes of this Ordinance and assign a name to that district;
(b) declare a place, area of land, or a part of the Territory to be a camping ground for wards; and
(c) declare a place, area of land, or a part of the Territory to be a prohibited area for wards.

PART III.—WARDS.

Division 1.—Declaration of Wards.

14.—(1.) Subject to the provisions of this section, the Administrator may, by notice in the Gazette, declare a person to be a ward if that person, by reason of—
(a) his manner of living;
(b) his inability, without assistance, adequately to manage his own affairs;
(c) his standard of social habit and behaviour; and
(d) his personal associations,
stands in need of such special care or assistance as is provided for by this Ordinance.

(2.) A person shall not be declared to be a ward if that person is—
(a) a person who, under Part V. of the Northern Territory Electoral Regulations—
(i) is entitled to vote at an election of a member of the House of Representatives for the Northern Territory;
(ii) would, but for his being under twenty-one years of age, be entitled to enrolment, subject to the provisions of Part VI. of those regulations and to vote at such an election; or
(iii) would, but for his not having resided in Australia for six months continuously, be entitled to enrolment, subject to the provisions of Part VI. of those regulations and to vote at such an election; or

(b) a person who holds a certificate of exemption issued, and in force, under section four of the Immigration Act 1901-1949.

15. A person who is legally in the care, custody or control, or under the guardianship of a person or authority under the provisions of any of the State Acts specified in the Second Schedule to this Ordinance, or of any of those State Acts as amended from time to time, shall, if he enters the Northern Territory, and while he remains in the Northern Territory, be deemed to be a ward for the purposes of this Ordinance.

16.—(1) The Director shall keep a Register of Wards in which he shall enter the names of persons who, under section fourteen of this Ordinance, are declared to be wards, together with such other matters and particulars as are prescribed.

(2) The Register is prima facie evidence of all matters required by this Ordinance to be entered in the Register.

(3) The Director may certify, by writing under his hand, that a person named in the certificate is or is not a ward.

(4) A certificate signed, or purporting to be signed, by the Director is—

(a) admissible in evidence in all courts and proceedings without proof or production of the Register; and

(b) is prima facie evidence of the facts stated in the certificate.

Division 2.—Powers in Relation to Wards.

17.—(1) Where the Director considers that it is in the best interests of a ward, he may—

(a) take the ward into his custody;

(b) authorize a person to take the ward into custody on behalf of the Director;

(c) order that the ward be removed to, and kept within, a reserve or institution;

(d) order that the ward be kept within a reserve or institution; and

(e) order that the ward be removed from one reserve or institution to another reserve or institution.

(2) The Director shall not exercise a power under the last preceding sub-section if by so doing—

(a) a child under, or appearing to be under, the age of fourteen years would be removed from his parents; or

(b) a parent would be removed from his children, unless the Administrator has, in writing, authorized the Director so to do.

18. If the Director has reasonable cause to believe that a ward, in respect of whom he has made an order under the last preceding section, is in a conveyance, ship or premises, the Director may enter, or authorize a person on his behalf to enter, that conveyance, ship or premises and take the ward into his custody.

19.—(1) A person who is in a conveyance, ship or premises into which the Director wishes to enter, or into which the Director has authorized a person on his behalf to enter, for the purposes of taking a ward into custody, shall take all reasonable steps to facilitate—

(a) the entry into that conveyance, ship or premises of the Director or the person authorized by the Director;

(b) the removal of the ward by the Director or the person authorized by the Director.

Penalty: One hundred pounds or imprisonment for six months.

(2) This section applies notwithstanding that the Director may, at any time, have placed the ward under the control or management of the person in charge of the conveyance, ship or premises.

20. When the Director has made an order under section seventeen of this Ordinance, a ward shall not—

(a) refuse to be taken into custody by the Director or by a person authorized by the Director to take the ward into custody on behalf of the Director;

(b) refuse to be removed to, or kept within, a reserve or institution;

(c) refuse to be kept within a reserve or institution;

(d) refuse to be removed from one reserve or institution to another reserve or institution; or

(e) leave, or attempt to leave, a reserve or institution except with the permission of the Director.

Penalty: Ten pounds or imprisonment for three months.

21.—(1) The Director or a welfare officer may authorize a person in writing in the prescribed form—

(a) to remove a ward from a reserve, institution or district to another reserve, institution or district; or

(b) to take a ward from a place in the Territory to a place outside the Territory.
(2.) An authority shall not be granted under this section if—
(a) a child who is, or appears to be, under the age of fourteen years would be removed from his parents, against the will of those parents, or either of them; or
(b) a parent would be removed, against his will, from his child who is, or appears to be, under the age of fourteen years, unless the Administrator has, in writing, authorized the granting of the authority.

22.—(1.) The Director or a welfare officer may, before granting an authority under the last preceding section, require the person seeking the authority to enter into a recognizance, in duplicate and in the prescribed form, for such amount and with such surety as the Director or the welfare officer, as the case may be, considers to be sufficient to pay the expenses of the return of the ward to the place from which it is intended to remove the ward.

(2.) When a welfare officer requires a recognizance and surety under the last preceding sub-section, he shall retain one copy of the recognizance and surety and forward the other copy to the Director.

23.—(1.) A person shall not—
(a) remove from, or cause to be removed from, or assist or induce a ward to leave, a reserve, institution or district; or
(b) remove a ward, or cause a ward to be removed, or assist or induce a ward to go, from a place in the Territory to a place outside the Territory, unless he is authorized so to do under the last preceding section or, being an officer or employee of the Commonwealth Department of Health, or an agent or employee of an agent of that Department, he is acting in the course, and for the purposes, of his duty.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

(2.) This section does not apply to the superintendent of an institution who, for the purposes of the institution, removes, or causes to be removed, a ward from that institution to a place in the Territory, unless the Administrator causes notice to be served personally or by post on the superintendent requiring him not to remove, or cause to be removed, a particular ward specified in that notice.

24. The Director is the guardian of all wards for all purposes except the commencement of proceedings by a ward against the Director or against an officer, appointed under any law in force in the Territory, in respect of any act lawfully done by that officer in the course of and for the purposes of his duties under that law.

Division 3.—Duties of Director in Relation to Property of Wards.

25.—(1.) The Director shall undertake the general care and management of the property of a ward and for that purpose may—
(a) take possession of, retain, let, sell, mortgage or dispose of, any of that property whether real or personal;
(b) in the name of the ward, receive or sue for the recovery of money or any other property due or belonging to, or held in trust for the benefit of a ward and sue for damages for the conversion of, or injury to, the property of a ward; and
(c) in the name of, and on behalf of, a ward exercise any power exercisable by a ward and appoint a person to act as attorney or agent for any purpose connected with the property of a ward.

(2.) Where the Director does any of the acts referred to in paragraph (a) of the last preceding sub-section, the Registrar-General for the Territory shall, upon being satisfied—
(a) that a memorandum or instrument relating to a transaction concerning real property of the ward has been signed by the Director as guardian of the ward; and
(b) that the transaction took place during the time that a declaration, under section fourteen of this Ordinance, was in force in relation to the ward; and
(c) that the transaction is authorized by that paragraph, treat the memorandum or instrument as though it had been duly signed by the Director as the properly appointed attorney of the ward.

26. The Director may pay, or cause to be paid, out of the property or the income from the property of a ward—
(a) any debt, judgment or costs, for the payment of which he is satisfied the ward is liable;
(b) such payments and allowances for the support or maintenance of a dependant of the ward as the Director sees fit; and
(c) all costs, charges and expenses incurred, in respect of the ward, by the Director in exercising any of the powers conferred by this Division.

27. The Director shall keep a proper record and account of all the moneys and other property of a ward which come into his hands or are dealt with by him under this Division.
28. Subject to the provisions of this Division, the Director shall preserve and hold in trust all property and the income from the property of a ward for the benefit of the ward and, when he ceases to be a ward, the Director shall restore that property and the accumulated income from it to him, or in the event of his death to his executor, administrator or heirs.

29.—(1.) The Director is not answerable to any person for any property of a ward which has not actually come into his hands by virtue of this Ordinance, nor for any loss or damage to property which does not come into his hands.

(2.) Notwithstanding the provisions of the last preceding sub-section, the Director shall, when a ward ceases to be a ward or when a ward dies, account to him or to his executor, administrator or heirs, as the case may be, in the same manner as though the Director were the trustee of the ward.

Division 4.—Appeals by Wards.

30.—(1.) There shall be a Tribunal, to be known as the Wards Appeal Tribunal, which shall hear and determine appeals by wards for the revocation of declarations made under this Ordinance.

(2.) The Judge of the Northern Territory shall constitute the Tribunal established under this section.

31.—(1.) The Administrator shall appoint a Secretary to the Tribunal.

(2.) The Secretary shall perform such duties as he is directed and as are prescribed.

32.—(1.) A ward may, in the prescribed manner, at any time appeal to the Wards Appeal Tribunal for the revocation of a declaration made under this Ordinance declaring him to be a ward.

(2.) The grounds for an appeal under this section shall be that, having regard to his manner of living, his ability, without assistance, adequately to manage his own affairs, his standard of social habit and behaviour and his personal associations, he does not stand in need of the special care and assistance provided under this Ordinance.

(3.) An appellant shall serve a copy of his appeal on the Secretary to the Wards Appeal Tribunal and on the Administrator.

(4.) At any time within twenty-eight days from and including the date when a declaration is made under section fourteen of this Ordinance, a ward, who has served copies of his appeal in accordance with the last preceding sub-section, may apply to a court of summary jurisdiction, constituted by a stipendiary or special magistrate, for an order suspending the operation of that declaration.

(5.) The court of summary jurisdiction to which an application is made under the last preceding sub-section shall hear the application and, if it thinks proper, may make an order suspending the operation of the declaration until the appeal is determined by the Wards Appeal Tribunal.

(6.) The Clerk of the court of summary jurisdiction shall forthwith forward a copy of an order made under the last preceding sub-section to the Administrator and to the Director.

33. Upon receiving a notice of an appeal by a ward, the Secretary to the Wards Appeal Tribunal shall fix a place, time and date for the hearing of the appeal and notify the ward and the Administrator of that place, time and date.

34.—(1.) On the hearing of an appeal, the Wards Appeal Tribunal shall make a thorough investigation of the matter, without regard to legal forms and solemnities, and shall direct itself by the best evidence which it can procure, or which is laid before it, whether that evidence is such as the law would require or admit in other cases or not.

(2.) The Tribunal may direct that the hearing shall be held in public or in private.

35.—(1.) The Tribunal may—

(a) summon a person to attend and to—

(i) give evidence;
(ii) give evidence and produce a document; or
(iii) produce a document,
by causing notice in writing, signed by the Secretary to the Tribunal, to be served either personally or by post on that person; and

(b) take evidence on oath.

(2.) A person who has been summoned to appear as a witness before the Tribunal, shall not, without reasonable excuse, and after tender of his reasonable expenses, fail to answer to the summons.

Penalty: Fifty pounds.

(3.) A person who appears before the Tribunal as a witness in answer to a summons shall not, without reasonable excuse, refuse to be sworn.

Penalty: Fifty pounds.

(4.) A person who appears before the Tribunal as a witness, otherwise than in answer to a summons, may be requested by the Tribunal to give evidence on oath and if he declines to be sworn his evidence shall not be received.

(5.) A person who has been sworn as a witness before the Tribunal shall not, without reasonable excuse, refuse to produce documents or to answer truthfully questions he is required to answer.

Penalty: Fifty pounds.
(8.) Whenever a witness to be examined by the Tribunal conscientiously objects to take an oath, he may, instead of taking an oath, make an affirmation that he conscientiously objects to take the oath and that he will state the truth, the whole truth, and nothing but the truth to all questions asked of him, and an affirmation so made shall be of the same force and effect and shall entail the same liabilities as an oath.

(7.) In this section, "reasonable excuse" means, in relation to an act or omission, an excuse that would excuse an act or omission of a similar nature by a witness or a person summoned as a witness before a court of law.

36.—(1.) If the Tribunal, having heard the evidence concerning an appeal, is satisfied that the appellant does not stand in need of such special care or assistance as is provided under this Ordinance, it may make an order revoking the declaration by which the appellant was declared to be a ward.

(2.) The Tribunal may, whether it makes an order under the last preceding sub-section or not, make such order as to the costs of the appeal as it thinks proper.

(3.) The Secretary to the Tribunal shall forthwith forward a copy of any order made by the Tribunal to the Administrator and to the Director.

(4.) The Administrator shall forthwith cause a copy of an order made under sub-section (1.) of this section to be published in the Gazette.

(5.) The Director shall forthwith cause particulars of an order made under sub-section (1.) of this section to be entered in the Register.

37. An order made under the last preceding section takes effect immediately upon the making of the order and from and including the date of that order the appellant is no longer a ward.

Div. 5.—Revocation of Declarations Otherwise than by Appeal.

38. When, with the consent of the Director, the marriage of a person who is not a ward is celebrated with a person who is a ward, the ward ceases to be a ward from and including the date of the marriage.

39. Notwithstanding the provisions of sub-section (2.) of section fourteen of this Ordinance, the power conferred upon the Administrator under that section is not affected—

(a) by the fact that a declaration in respect of a particular person has been revoked by an order made by the Wards Appeal Tribunal;

(b) by the fact that a declaration previously made by the Administrator has been revoked by the Administrator;

(c) by the fact that a declaration previously made in respect of a person has been affected by virtue of the provisions of the last preceding section.

PART IV.—RESERVES, INSTITUTIONS, CAMPING GROUNDS AND PROHIBITED AREAS.

Division 1.—Reserves and Institutions.

40. The Administrator may, subject to such conditions as he thinks fit and as are prescribed, approve a mission station, reformatory, orphanage, school, home or other establishment, whether within the Territory or otherwise, as an institution for the purposes of this Ordinance.

41.—(1.) The Administrator may grant a lease of any unleased lands of the Crown in the Territory, including land reserved or dedicated for the use or benefit of wards but not including lands reserved or dedicated for any other purpose, to an institution for a term not exceeding twenty-one years.

(2.) A lease granted under the last preceding sub-section may provide for the renewal of the lease for a further term of twenty-one years following upon the expiration of the lease, subject to the lessee having complied with the terms and conditions of the lease and subject to the Administrator being satisfied that the land comprised in the lease is required for, and applied to, the use and benefit of wards.

42. A lease granted under the last preceding section shall contain—

(a) conditions as to the minimum developmental work to be done and the minimum improvements to be made during the term of the lease;

(b) a condition providing for the cancellation of the lease by the Administrator in the event of the lessee failing to comply with a term or condition of the lease; and

(c) such other conditions as the Administrator thinks fit and as are prescribed.

43. Notwithstanding the repeal effected by section four of this Ordinance, a lease granted to an institution under the repealed Ordinances shall continue as though the repealed Ordinances had not been repealed.

44. The Administrator, the Director, a welfare officer and the superintendent may—

(a) enter and remain on a reserve; and

(b) authorize a person to enter or remain on a reserve.
45. A person shall not enter or remain on a reserve unless—
(a) he is a ward who resides on the reserve or a relation of that ward;
(b) he is an officer or employee of the Commonwealth Department of Health, or an agent or employee of an agent of that Department, acting in the course, and for the purposes, of his duties;
(c) he is authorized to enter or remain on the reserve under the last preceding section; or
(d) his action is necessary for the protection of life or property.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both; and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

46. The Administrator, the Director, a welfare officer or the superintendent may—
(a) enter or remain on land included in a lease granted to an institution under this Ordinance;
(b) enter or remain on land reserved for the purposes of an institution established by the Commonwealth; and
(c) authorize a person to enter or remain on that land.

47. A person shall not enter or remain on land included in a lease granted to an institution or reserved for the purposes of an institution established by the Commonwealth unless—
(a) he is a ward, who has been directed to be kept in that institution or a relation of that ward;
(b) he is an officer or employee of the Commonwealth Department of Health, or an agent or an employee of an agent of that Department, acting in the course, and for the purposes, of his duty;
(c) he is authorized to enter or remain on that land under the last preceding section; or
(d) his action is necessary for the protection of life or property.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both; and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

48. Notwithstanding the provisions of section forty-four, forty-five, forty-six or section forty-seven of this Ordinance, the Administrator may cause notice in writing to be served personally or by post on a person ordering that person—
(a) not to enter or remain on a reserve or on the land included in a lease granted to an institution under this Ordinance or on the land reserved for the purposes of an institution established by the Commonwealth; or
(b) not to authorize any person or a person specified in that notice, to enter or remain on a reserve or on the land included in a lease granted to an institution under this Ordinance or on the land reserved for the purposes of an institution established by the Commonwealth.

49. A person upon whom a notice is served under the last preceding section shall not—
(a) enter or remain on a reserve;
(b) authorize any person or a person specified in the notice, as the case may be, to enter or remain on a reserve;
(c) enter or remain on land—
(i) included in a lease granted to an institution under this Ordinance; or
(ii) reserved for the purposes of an institution established by the Commonwealth; or
(d) authorize any person or a person specified in that notice, as the case may be, to enter or remain on that land.

Penalty:
In the case of a ward—Twenty pounds or imprisonment for six months, or both;
In the case of any other person—for a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both; and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.
Administrator, etc., may enter and authorize entry on camping ground.

Division 3.—Camping Grounds.

50. The Administrator, the Director, a welfare officer or a superintendent may—

(a) enter or remain upon a camping ground;

(b) be or remain within five chains of a place, not being a camping ground, where wards are camped; and

(c) authorize a person—

(i) to enter or remain on a camping ground; or

(ii) to be or remain within five chains of a place, not being a camping ground, where a ward is camped.

Person not to enter camping ground without authority.

51. A person shall not—

(a) enter or remain on a camping ground; or

(b) be or remain within five chains of a place, not being a camping ground, where a ward is camped unless—

(c) he is a ward;

(d) he is a relation of a ward;

(e) he is an officer or employee of the Commonwealth Department of Health, or an agent or an employee of an agent of that Department, acting in the course, and for the purposes, of his duty;

(f) he is authorized to be or to remain there under the last preceding section; or

(g) his action is necessary for the protection of life or property.

Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;

For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months.

In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

52. Notwithstanding the provisions of the last two preceding sections, the Administrator, the Director or a welfare officer may cause notice in writing to be served personally or by post on a person ordering him—

(a) not to enter or remain on a camping ground specified in that notice;

(b) not to be or remain within five chains of the place specified in that notice, not being a camping ground, where a ward is camped; or

(c) not to authorize any person or the person specified in that notice—

(i) to enter or remain on a camping ground; or

(ii) to be or remain within five chains of a place, not being a camping ground, where a ward is camped.

53. A person upon whom a notice is served under the last preceding section shall not—

(a) enter or remain on the camping ground specified in that notice;

(b) be or remain within five chains of the place specified in that notice, not being a camping ground, where a ward is camped; or

(c) authorize any person or the person specified in that notice, as the case may be—

(i) to enter or remain on a camping ground; or

(ii) to be or remain within five chains of a place, not being a camping ground, where a ward is camped.

Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;

For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months.

In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

54. For the purposes of this Division, a ward is deemed to be camped in the place which, for the time being, is, or has been, his sleeping place.

Meaning of "camped in the place which, for the time being, is, or has been, his sleeping place.

Division 3.—Prohibited Areas.

55. The Administrator, the Director or a welfare officer may—

(a) take a ward;

(b) authorize in writing a ward to go;

(c) authorize in writing a person to take a ward into a prohibited area.

56. A ward shall not enter or remain in a prohibited area except in pursuance of the last preceding section.

Penalty: Ten pounds or imprisonment for three months.
57. A person shall not, without the authority of the Administrator, the Director or a welfare officer—
(a) take a ward into a prohibited area;
(b) induce a ward to enter a prohibited area; or
(c) suffer a ward to be in a conveyance in his charge or on premises occupied by him, within a prohibited area.
Penalty: Fifty pounds or imprisonment for three months.

58. A person shall not conceal or harbour a ward who is within a prohibited area in contravention of the provisions of this Ordinance.
Penalty: Fifty pounds or imprisonment for three months.

59. The Director, a welfare officer or a police officer may at any time remove from a prohibited area a ward who is within that area in contravention of the provisions of this Ordinance.

60. Notwithstanding the repeal effected by section four of this Ordinance, a place which, immediately before the date when this Ordinance comes into operation, was a prohibited area under the repealed Ordinances is a prohibited area for the purposes of this Ordinance as though declared to be a prohibited area under this Ordinance.

PART V.—OFFENCES BY AND AGAINST WARDS.

61. A person shall not habitually live with a ward unless he is a ward or a relation of the ward.
Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

62. Notwithstanding the provisions of the last preceding section, the Director may cause notice in writing to be served on a ward ordering the ward not to do any of the acts or things mentioned in paragraph (a), (b), (c), (d) or (e) of the last preceding section with relation to a ward specified in that notice.

63. A person upon whom a notice is served under the last preceding section shall not, in contravention of the order contained in that notice, live with the ward specified in that notice or with any ward.
Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;

64. A male person, other than a ward, shall not—
(a) habitually live with a female ward to whom he is not married;
(b) habitually consort, keep company or associate, with a female ward to whom he is not married;
(c) between the hours of sunset and sunrise, be in the company of a female ward to whom he is not married, except with lawful excuse;
(d) cohabit with, have or attempt to have sexual intercourse with, a ward to whom he is not married; or
(e) invite, persuade, or attempt to persuade a ward to whom he is not married to have sexual intercourse with him.
Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

65. Notwithstanding the repeal effected by section four of this Ordinance, a place which, immediately before the date when this Ordinance comes into operation, was a prohibited area under the repealed Ordinances is a prohibited area for the purposes of this Ordinance as though declared to be a prohibited area under this Ordinance.

66. A ward, upon whom a notice is served in pursuance of the provisions of the last preceding section, shall not, in contravention of the order contained in that notice, do any of the acts referred to in paragraph (a), (b), (c), (d) or (e) of section sixty-four of this Ordinance.
Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

Certain males not to live, &c., with female wards.
67.—(1.) A person shall not celebrate a marriage of a ward to another person unless—
   (a) he is authorized to celebrate marriage in accordance with the provisions of the Registration of Births, Deaths and Marriages Ordinance 1941-1952; and
   (b) the Director has given his consent in writing to the marriage of that ward to the other person.

(2.) A person shall not marry a ward without the consent of the Director.
Penalty: One hundred pounds or imprisonment for six months, or both.

68. A female ward who is the object of, or a party to, an act done in contravention of the provisions of sections sixty-one, sixty-three, sixty-four, sixty-six or sixty-seven of this Ordinance shall not be prosecuted for aiding, abetting, counselling, procuring or by act or omission being directly knowingly concerned in, or a party to, the commission of that offence.

69. A female ward shall not in any place solicit for the purpose of prostitution.
Penalty:
For a first offence—Ten pounds or imprisonment for three months, or both;
For a second offence—not more than Twenty pounds or imprisonment for six months, or both, and not less than Ten pounds or imprisonment for three months;
In other cases—not more than Forty pounds or imprisonment for twelve months, or both, and not less than Twenty pounds or imprisonment for six months.

70.—(1.) A person shall not—
   (a) sell to or purchase from a ward any goods, articles or services of a value greater than Ten pounds;
   (b) sell any goods or services on behalf of a ward of a value greater than Ten pounds;
   (c) supply goods or services on credit to a ward to a value greater than Ten pounds;
   (d) lend money to, or borrow money from, a ward in excess of the sum of Ten pounds; or
   (e) enter into any contract with a ward if the consideration for that contract is in excess of the value of Ten pounds,
without the written consent of the Director or a welfare officer.
Penalty: One hundred pounds or imprisonment for six months.

(2.) The provisions of the last preceding sub-section do not apply to a contract of employment made in accordance with any Ordinance relating to the employment of wards.

71.—(1.) A person who has the control or management of a ward shall not ill-treat a ward by failing to provide the ward with reasonable food, shelter, clothing, and facilities for hygiene.
Penalty: Five hundred pounds or imprisonment for two years, or both.

(2.) The Director, a welfare officer or police officer who has reasonable grounds to believe that a person who has the control or management of a ward has ill-treated the ward may remove the ward from the control or management of that person.

(3.) When a welfare officer or police officer removes a ward from the control or management of a person under the last preceding sub-section, he shall forthwith—
   (a) serve notice in writing, either personally or by post, on the person from whose control or management he removes the ward; and
   (b) report the matter to the Director, stating with particulars the grounds for his belief that the person has ill-treated the ward.

(4.) The Director may, if he thinks fit, direct the welfare officer or police officer to return the ward to the person from whose control or management the ward was removed.

PART VI.—MISCELLANEOUS.

72. A person shall not—
   (a) obstruct or hinder the Administrator, the Director, a welfare officer, a superintendent or any other person exercising a power or duty under this Ordinance;
   (b) refuse to render assistance, when called upon to assist by the Director, welfare officer, a superintendent or other person exercising a power or duty under this Ordinance.
Penalty: One hundred pounds or imprisonment for six months.

73. Subject to the provisions of section sixty-eight of this Ordinance, a person who aids, abets, counsels or procures, or by act or omission is directly or indirectly knowingly concerned in, or is a party to, the commission of an offence against this Ordinance is deemed to have committed that offence and is punishable accordingly.
74.—(1.) In any prosecution for a contravention of, or failure to comply with, any provision of this Ordinance, the averment of the prosecutor made in writing and served on the defendant in accordance with the provisions of this section shall be prima facie evidence of the matter so averred.

(2.) The last preceding sub-section applies to a matter averred although—

(a) evidence in support or rebuttal of the matter averred or of any other matter is given; or

(b) the matter averred is a mixed question of law and fact, but in that case the averment is prima facie evidence of the fact only.

(3.) Evidence given in support or rebuttal of a matter so averred shall be considered on its merits and the credibility and probative value of the evidence shall be neither increased nor diminished by reason of this section.

(4.) This section applies only to an averment that a place, named or described in the averment, is—

(a) within a reserve;

(b) on land included in a lease granted to an institution under this Ordinance;

(c) on land reserved for the purposes of an institution established by the Commonwealth;

(d) within a camping ground;

(e) within a prohibited area; or

(f) within a district.

(5.) An averment shall not be made under this section unless the Crown Law Officer, being satisfied that the averment is reasonably necessary for the due administration of justice and will not impose hardship upon or occasion injustice to the defendant, certifies in writing to that effect on the paper containing the averment.

(6.) An averment shall not be evidence for the purposes of this section unless a copy of the paper containing the averment has been served on the defendant in the same manner as the process requiring his attendance before the court.

(7.) Service of a copy of the paper containing the averment may be proved in the same manner as service of the process requiring the defendant's attendance before the court may be proved.

(8.) Upon the hearing of proceedings in respect of a contravention, or failure to comply with, any provision of this Ordinance, the court may, if the amendments can be made without hardship or injustice to the defendant, allow such amendments to be made in the writing containing an averment as appear to it to be desirable or to be necessary to enable the real question in dispute to be determined.

75. A prosecution for an offence against the provisions of sections fifty-one, fifty-six, or fifty-seven of this Ordinance shall not be commenced without the authority in writing of the Director.

76. Proceedings for the contravention of, or failure to comply with, a provision of this Ordinance may be instituted in a court of summary jurisdiction.

77. In any proceedings alleging an offence under section forty-five, forty-nine, fifty-one or fifty-three of this Ordinance, it shall be a defence for the person charged to show that he did not commit the offence knowingly.

78. When a person, who is not a ward, is convicted of an offence against any law of the Territory or of the Commonwealth, other than an indictable offence, the court before which the person is convicted may, instead of or in addition to imposing a penalty in respect of that offence, commit that person to the care of the Director for a period not exceeding one year.

79. A person who is committed to the care of the Director under the last preceding section shall not refuse or neglect to obey the reasonable directions given to him by the Director.

Penalty: One hundred pounds or imprisonment for six months, or both.

80.—(1.) A person who, with the consent of the Director, celebrates the marriage of a ward to another person who is not a ward shall forthwith send a notice by post to the Administrator and to the Director setting forth particulars of the date of the marriage and of the names of the parties.

Penalty: Fifty pounds.

(2.) The Administrator shall forthwith cause a notice to be published in the Gazette stating that the person, who prior to the marriage was a ward, is no longer a ward.

(3.) The Director shall forthwith cause particulars of the marriage to be entered in the Register.
Arrest without warrant.

81. Subject to the provisions of section seventy-five of this Ordinance, a police officer may, without a warrant, arrest a person—

(a) who, in his sight, commits an offence against this Ordinance; or

(b) whom he has reasonable cause to suspect of having committed, or of being about to commit, an offence against this Ordinance.

Trial of a ward.

82. On the trial of a ward for an alleged offence against this Ordinance or any other law of the Territory—

(a) the court shall permit counsel, the Director or a welfare officer to appear on behalf of the ward;

(b) the ward shall not be permitted to admit his guilt or a fact sought to be proved against him unless upon the advice of his counsel, the Director or the welfare officer appearing for him;

(c) a statement or admission alleged to have been made by the ward is not admissible in evidence unless it is shown that the statement was made in the presence, and with the consent, of his counsel, the Director or a welfare officer;

(d) the husband or wife of the ward or, if the ward is married by tribal custom, the man or woman with whom the ward was living, at the time of the alleged commission of the offence, is competent but not compellable to give evidence.

Regulations.

83. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out, or giving effect to, this Ordinance, and in particular—

(a) for prescribing the duties and regulating the exercise and discharge of all or any of the powers or functions of the Director and other officers appointed or employed under this Ordinance;

(b) for prescribing the particulars to be recorded in the Register;

(c) for prescribing the information to be supplied concerning wards;

(d) providing for the education of wards and for the compulsory attendance of wards at prescribed schools in prescribed areas or districts;

(e) providing for the maintenance of discipline and good order on reserves and in institutions;

(f) for prescribing offences in relation to the disposal or possession of articles issued or given to a person under this Ordinance;

(g) providing for the control of money received under this Ordinance, the keeping of accounts and records and the expenditure of that money;

(h) for prescribing penalties not exceeding One hundred pounds or imprisonment for a term not exceeding six months for offences against the regulations.

THE SCHEDULES.

FIRST SCHEDULE.

Section 4.

Aboriginals Ordinance 1918.
Aboriginals Ordinance 1923.
Aboriginals Ordinance 1924.
Aboriginals Ordinance (No. 2) 1924.
Aboriginals Ordinance 1925.
Aboriginals Ordinance 1927.
Aboriginals Ordinance 1928.
Aboriginals Ordinance (No. 2) 1928.
Aboriginals Ordinance 1930.
Aboriginals Ordinance 1933.
Aboriginals Ordinance 1936.
Aboriginals Ordinance 1937.
Aboriginals Ordinance (No. 2) 1937.
Aboriginals Ordinance 1939.
Aboriginals Ordinance 1941.
Aboriginals Ordinance 1943.
Aboriginals Ordinance 1947.
Aboriginals Ordinance 1953.
Aboriginals Ordinance (No. 2) 1953.

SECOND SCHEDULE.

Native Administration Act, 1905-1947 of the State of Western Australia.
Aboriginals Act, 1934-1939 of the State of South Australia.

THE NORTHERN TERRITORY OF AUSTRALIA.

WELFARE ORDINANCE 1953-1960.*

An Ordinance to Provide for the Care and Assistance of Certain Persons.

Be it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1952, as follows:

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Welfare Ordinance 1953-1960.*

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.†

3. This Ordinance is divided into Parts, as follows:

   Part I.—Preliminary.
   Part II.—Administration.
   Part III.—Wards.
     Division 1.—Declaration of Wards.
     Division 2.—Powers in Relation to Wards.
     Division 3.—Duties of Director in Relation to Property of Wards.
     Division 4.—Appeals by Wards.
     Division 5.—Revocation of Declarations Otherwise than by Appeal.

* The Welfare Ordinance 1953-1960 comprises the Welfare Ordinance 1953 as amended. Particulars of the Principal Ordinance and of the amending Ordinances are set out in the following table:

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Number and Year</th>
<th>Date of notification of Governor-General's Assent in Northern Territory Government Gazette</th>
<th>Date of Assent by Administrator</th>
<th>Date of Commencement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welfare Ordinance 1953</td>
<td>No. 16, 1953</td>
<td>15th July, 1953</td>
<td>..</td>
<td>13th May, 1957</td>
</tr>
<tr>
<td>Welfare Ordinance 1957</td>
<td>No. 29, 1957</td>
<td>4th September, 1957</td>
<td>..</td>
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<tr>
<td>Welfare Ordinance (No. 2) 1957</td>
<td>No. 42, 1957</td>
<td>18th December, 1957</td>
<td>..</td>
<td>18th December, 1957</td>
</tr>
<tr>
<td>Administrator's Council Ordinance 1959</td>
<td>No. 22, 1959</td>
<td>..</td>
<td>7th July, 1959</td>
<td>28th April, 1960</td>
</tr>
<tr>
<td>Welfare Ordinance 1959</td>
<td>No. 27, 1959</td>
<td>9th December, 1959</td>
<td>..</td>
<td>9th December, 1959</td>
</tr>
</tbody>
</table>

† The date fixed was 13th May, 1957—see table above.

4010/63.—Price 1s. 3d.

Part IV.—Reserves, Institutions, Camping Grounds and Prohibited Areas.
Division 1.—Reserves and Institutions.
Division 2.—Camping Grounds.
Division 3.—Prohibited Areas.
Part V.—Offences by and against Wards.
Part Va.—Offences in Relation to Works of Painting or Drawing done by Wards.
Part VI.—Miscellaneous.

4. The Ordinances specified in the First Schedule to this Ordinance are repealed.

5. Notwithstanding the repeal effected by the last preceding section—
   (a) a reserve which was set apart as a reserve within the meaning of the repealed Ordinances and which existed as a reserve, immediately before the date when this Ordinance comes into operation, shall be deemed to be a reserve for the purposes of this Ordinance until that reserve is altered or revoked; and
   (b) a recognizance entered into under the repealed Ordinances shall continue in effect and be enforceable as though those Ordinances had not been repealed.

6. In this Ordinance, unless the contrary intention appears—
   “prohibited area” means a place, area or part of the Territory declared, under this Ordinance, to be a prohibited area for wards;
   “relation” includes a relation whether by blood, marriage or custom;
   “reserve” means land which, in accordance with the provisions of a law of the Territory, is declared to be a reserve for wards;
   “superintendent” means a person appointed to the position of superintendent of a reserve or institution;
   “the Director” means the Director of Welfare appointed under this Ordinance and includes an Acting Director so appointed;
   “the Register” means the Register of Wards referred to in section sixteen of this Ordinance;
   “this Ordinance” includes the Regulations;
   “ward” means a person in respect of whom a declaration, made under section fourteen of this Ordinance, is in operation;
   “welfare officer” means a person appointed under this Ordinance to be a welfare officer.

PART II.—ADMINISTRATION.

7.—(1) The Minister shall appoint a Director of Welfare who, under the Administrator, is responsible for the administration of this Ordinance.
   (2) In the event of—
      (a) the illness of the Director;
      (b) the temporary inability of the Director to perform the duties of his office; or
      (c) the absence of the Director from the Territory, the Minister may appoint a person to be the Acting Director of Welfare during the illness, temporary inability, or absence of the Director.
   (3) An Acting Director has all the powers and may perform all the functions of the Director.

8. It is the duty of the Director—
   (a) in relation to wards, to take steps—
      (i) to promote their social, economic and political advancement for the purpose of assisting them and their descendants to take their place as members of the community of the Commonwealth;
(ii) to arrange as far as is practicable for the education of wards, including their vocational training, by collaboration with, and assistance to, the education authority and educational institutions and in other appropriate ways;

(iii) to promote their physical well being, to inculcate proper habits of hygiene and sanitation and to improve their standards of nutrition and housing;

(iv) to detect, prevent and cure disease and for that purpose to establish and maintain a liaison with the Commonwealth Department of Health;

(v) to arrange for their vocational training and to obtain suitable employment for them in industrial and other enterprises and for this purpose to establish and maintain a liaison with appropriate organizations;

(vi) to provide such relief and assistance as is necessary or appropriate; and

(vii) to exercise a general supervision and care over matters affecting their welfare;

(b) subject to direction by the Administrator, to apply and apportion moneys made available for the purposes of this Ordinance in such manner as he considers proper;

(c) to supervise and regulate the use and management of institutions, other than institutions established by the Commonwealth;

(d) to control the management of institutions established by the Commonwealth;

(e) to supervise and regulate the use and management of reserves;

(f) in relation to persons other than wards, upon such conditions as the Administrator approves, and in relation to persons who are in indigent circumstances, upon such conditions as the Director sees fit—

(i) to arrange for those persons to be accommodated in institutions where such treatment, care or attention can be provided for those persons as they require;
13. The Administrator in Council may, by notice in the Gazette,

(a) declare a part of the Territory to be a district for the purpose of this Ordinance and assign a name to that district;

(b) declare a place, area of land, or a part of the Territory to be a camping ground for wards; and

(c) declare a place, area of land, or a part of the Territory to be a prohibited area for wards.

PART III.—WARDS.

Division 1.—Declaration of Wards.

14.—(1.) Subject to the provisions of this section, the Administrator in Council may, by notice in the Gazette, declare a person to be a ward if that person, by reason of—

(a) his manner of living;

(b) his inability, without assistance, adequately to manage his own affairs;

(c) his standard of social habit and behaviour; and

(d) his personal associations, stands in need of such special care or assistance as is provided for by this Ordinance.

(2.) A person shall not be declared to be a ward if that person is—

(a) a person who, under Part V. of the Northern Territory Electoral Regulations—

(i) is entitled to enrolment, subject to the provisions of Part VI. of those regulations and to vote at an election of a member of the House of Representatives for the Northern Territory;

(ii) would, but for his being under twenty-one years of age, be entitled to enrolment, subject to the provisions of Part VI. of those regulations and to vote at such an election; or

(iii) would, but for his not having resided in Australia for six months continuously, be entitled to enrolment, subject to the provisions of Part VI. of those regulations and to vote at such an election; or

(b) a person who holds a certificate of exemption issued, and in force, under section four of the Immigration Act 1901-1949.

(c) a person who is lawfully married to any person referred to in paragraphs (a) and (b) of subsection (2.) of this section.

(3.) The provisions of the last preceding sub-section shall not apply in the case of a person who requests the Administrator to declare him to be a ward.

15. A person who is legally in the care, custody or control, or under the guardianship of a person or authority under the provisions of any of the State Acts specified in the Second Schedule to this Ordinance, or of any of those State Acts as amended from time to time, shall, if he enters the Northern Territory, and while he remains in the Northern Territory, be deemed to be a ward for the purposes of this Ordinance.

16.—(1.) The Director shall keep a Register of Wards in which he shall enter the names of persons who, under section fourteen of this Ordinance, are declared to be wards, together with such other matters and particulars as are prescribed.

(2.) The Register is prima facie evidence of all matters required by this Ordinance to be entered in the Register.

(3.) The Director or a person authorized by the Director
to do so may certify, by writing under his hand, that a person named or described in the certificate—

(a) is or is not a ward; or

(b) at a time specified in the certificate, was or was not a ward.

(4.) A certificate signed, or purporting to be signed, by the Director or a person so authorized is—

(a) admissible in evidence in all courts and proceedings without proof or production of the Register; and

(b) is prima facie evidence of the facts stated in the certificate.

Division 2.—Powers in Relation to Wards.

17.—(1.) Where the Director considers that it is in the best interests of a ward, he may—

(a) take the ward into his custody;

(b) authorize a person to take the ward into custody on behalf of the Director;

(c) order that the ward be removed to, and kept within, a reserve or institution;

(d) order that the ward be kept within a reserve or institution; and
(e) order that the ward be removed from one reserve or institution to another reserve or institution.

(2.) The Director shall not exercise a power under the last preceding sub-section if by so doing—
(a) a child under, or appearing to be under, the age of fourteen years would be removed from his parents; or
(b) a parent would be removed from his children, unless the Administrator has, in writing, authorized the Director so to do.

18. If the Director has reasonable cause to believe that a ward, in respect of whom he has made an order under the last preceding section, is in a conveyance, ship or premises, the Director may enter, or authorize a person on his behalf to enter, that conveyance, ship or premises and take the ward into his custody.

19.—(1.) A person who is in a conveyance, ship or premises into which the Director wishes to enter, or into which the Director has authorized a person on his behalf to enter, for the purpose of taking a ward into custody, shall take all reasonable steps to facilitate—
(a) the entry into that conveyance, ship or premises of the Director or the person authorized by the Director;
(b) the removal of the ward by the Director or the person authorized by the Director.

Penalty: One hundred pounds or imprisonment for six months.

(2.) This section applies notwithstanding that the Director may, at any time, have placed the ward under the control or management of the person in charge of the conveyance, ship or premises.

20. When the Director has made an order under section seventeen of this Ordinance, a ward shall not—
(a) refuse to be taken into custody by the Director or by a person authorized by the Director to take the ward into custody on behalf of the Director;
(b) refuse to be removed to, or kept within, a reserve or institution;
(c) refuse to be kept within a reserve or institution;
(d) refuse to be removed from one reserve or institution to another reserve or institution; or

(1.) The Director or a welfare officer may authorize a person in writing in the prescribed form—
(a) to remove a ward from a reserve, institution or district to another reserve, institution or district; or
(b) to take a ward from a place in the Territory to a place outside the Territory.

(2.) An authority shall not be granted under this section if—
(a) a child who is, or appears to be, under the age of fourteen years would be removed from his parents, against the will of those parents, or either of them; or
(b) a parent would be removed, against his will, from his child who is, or appears to be, under the age of fourteen years, unless the Administrator has, in writing, authorized the granting of the authority.

22.—(1.) The Director or a welfare officer may, before granting an authority under the last preceding section, require the person seeking the authority to enter into a recognizance, in duplicate and in the prescribed form, for such amount and with such surety as the Director or the welfare officer, as the case may be, considers to be sufficient to pay the expenses of the return of the ward to the place from which it is intended to remove the ward.

(2.) When a welfare officer requires a recognizance and surety under the last preceding sub-section, he shall retain one copy of the recognizance and surety and forward the other copy to the Director.
Director is guardian of wards. Substituted by No. 42, 1957, s. 4.


Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

(2.) This section does not apply to the superintendent of an institution who, for the purposes of the institution, removes, or causes to be removed, a ward from that institution to a place in the Territory, unless the Administrator causes notice to be served personally or by post on the superintendent requiring him not to remove, or cause to be removed, a particular ward specified in that notice.

24.—(1.) Subject to this Ordinance, the Director is the guardian of the person and the estate of a ward as if that ward were an infant and the Director were the guardian of that infant for all purposes except—

(a) the commencement of proceedings by a ward against—

(i) the Director; or
(ii) a person other than the Director, in respect of an act which, in the opinion of the Director, was lawfully done by that person in the course of and for the purpose of his duties under a law of the Territory;

(b) the commencement or defence of proceedings by or against a ward certified in writing by the Director to be, in the opinion of the Director, capable of commencing or defending the proceedings, as the case requires;

(c) the commencement of proceedings by a ward against another ward; and

(d) the defence by a ward of proceedings commenced against him by another ward.

(2.) Where—

(a) a ward proposes to commence proceedings against another ward; and

3. Where a ward transfers or agrees to transfer goods or articles which are in the ward's actual possession and are of a value not greater than Ten pounds, the provisions of sub-sections (1) and (1A) of this section shall be deemed not to apply to those goods or articles and the transfer or agreement to transfer is as effective to pass the property in the goods or articles or to create an obligation as if the transfer or agreement had been made by the Director.

4. Except as provided in the last preceding sub-section, a transfer, purported transfer or agreement to transfer, made by a ward with respect to property of the ward held by the Director as trustee for the ward, has no effect to transfer the property or create an obligation in relation to the property.

26. The Director may pay, or cause to be paid, out of the property or the income from the property of a ward—

(a) any debt, judgment or costs, for the payment of which he is satisfied the ward is liable;

(b) such payments and allowances for the support or maintenance of a dependent of the ward as the Director sees fit; and

(c) all costs, charges and expenses incurred, in respect of the ward, by the Director in exercising any of the powers conferred by this Division.

27. The Director shall keep a proper record and account of all the moneys and other property of a ward which come into his hands or are dealt with by him under this Division.

28. Subject to the provisions of this Division, the Director shall preserve and hold in trust all property and the income from the property of a ward for the benefit of the ward and, when he ceases to be a ward, the Director shall restore that property and the accumulated income from it to him, or in the event of his death to his executor, administrator or heirs.

29.—(1.) The Director is not answerable to any person for any property of a ward which has not actually come into his hands by virtue of this Ordinance, nor for any loss or damage to property which does not come into his hands.

(2.) Notwithstanding the provisions of the last preceding sub-section, the Director shall, when a ward ceases to be a ward or when a ward dies, account to him or to his executor, administrator or heirs, as the case may be, in the same manner as though the Director were the trustee of the ward.

30.—(1.) There shall be a Tribunal, to be known as the Wards Appeal Tribunal, which shall hear and determine appeals by wards for the revocation of declarations made under this Ordinance.

(2.) The Judge of the Northern Territory shall constitute the Tribunal established under this section.

31.—(1.) The Administrator shall appoint a Secretary to the Tribunal.

(2.) The Secretary shall perform such duties as he is directed and as are prescribed.

32.—(1.) A ward may, in the prescribed manner, at any time appeal to the Wards Appeal Tribunal for the revocation of a declaration made under this Ordinance declaring him to be a ward.

(2.) The grounds for an appeal under this section shall be that, having regard to his manner of living, his ability, without assistance, adequately to manage his own affairs, his standard of social habit and behaviour and his personal associations, he does not stand in need of the special care and assistance provided under this Ordinance.

(3.) An appellant shall serve a copy of his appeal on the Secretary to the Wards Appeal Tribunal and on the Administrator.

(4.) At any time within twenty-eight days from and including the date when a declaration is made under section fourteen of this Ordinance, a ward, who has served copies of his appeal in accordance with the last preceding sub-section, may apply to a court of summary jurisdiction, constituted by a stipendiary or special magistrate, for an order suspending the operation of that declaration.

(5.) The court of summary jurisdiction to which an application is made under the last preceding sub-section shall hear the application and, if it thinks proper, may make an order suspending the operation of the declaration until the appeal is determined by the Wards Appeal Tribunal.

(6.) The Clerk of the court of summary jurisdiction shall forthwith forward a copy of an order made under the last preceding sub-section to the Administrator and to the Director.

33. Upon receiving a notice of an appeal by a ward, the Secretary to the Wards Appeal Tribunal shall fix a place, time and date for the hearing of the appeal and notify the ward and the Administrator of that place, time and date.
34.—(1.) On the hearing of an appeal, the Wards Appeal Tribunal shall make a thorough investigation of the matter, without regard to legal forms and solemnities, and shall direct itself by the best evidence which it can procure, or which is laid before it, whether that evidence is such as the law would require or admit in other cases or not.

(2.) The Tribunal may direct that the hearing shall be held in public or in private.

35.—(1.) The Tribunal may—

(a) summon a person to attend and to—
(i) give evidence;
(ii) give evidence and produce a document;
or
(iii) produce a document,
by causing notice in writing, signed by the Secretary to the Tribunal, to be served either personally or by post on that person; and

(b) take evidence on oath.

(2.) A person who has been summoned to appear as a witness before the Tribunal, shall not, without reasonable excuse, and after tender of his reasonable expenses, fail to answer to the summons.

Penalty: Fifty pounds.

(3.) A person who appears before the Tribunal as a witness in answer to a summons shall not, without reasonable excuse, refuse to be sworn.

Penalty: Fifty pounds.

(4.) A person who appears before the Tribunal as a witness, otherwise than in answer to a summons, may be requested by the Tribunal to give evidence on oath and if he declines to be sworn his evidence shall not be received.

(5.) A person who has been sworn as a witness before the Tribunal shall not, without reasonable excuse, refuse to produce documents or to answer truthfully questions he is required to answer.

Penalty: Fifty pounds.

(6.) Whenever a witness to be examined by the Tribunal conscientiously objects to take an oath, he may, instead of taking an oath, make an affirmation that he conscientiously objects to take the oath and that he will state the truth, the whole truth, and nothing but the truth to all questions asked of him, and an affirmation so made shall be of the same force and effect and shall entail the same liabilities as an oath.

36.—(1.) If the Tribunal, having heard the evidence concerning an appeal, is satisfied that the appellant does not stand in need of such special care or assistance as is provided under this Ordinance, it may make an order revoking the declaration by which the appellant was declared to be a ward.

(2.) The Tribunal may, whether it makes an order under the last preceding sub-section or not, make such order as to the costs of the appeal as it thinks proper.

(3.) The Secretary to the Tribunal shall forthwith forward a copy of any order made by the Tribunal to the Administrator and to the Director.

(4.) The Administrator shall forthwith cause a copy of an order made under sub-section (1.) of this section to be published in the Gazette.

(5.) The Director shall forthwith cause particulars of an order made under sub-section (1.) of this section to be entered in the Register.

37. An order made under the last preceding section takes effect immediately upon the making of the order and from and including the date of that order the appellant is no longer a ward.

Division 5.—Revocation of Declarations Otherwise than by Appeal.

38. When, with the consent of the Director, the marriage of a person who is not a ward is celebrated with a person who is a ward, the ward ceases to be a ward from and including the date of the marriage.

39. Notwithstanding the provisions of sub-section (2.) of section fourteen of this Ordinance, the power conferred upon the Administrator under that section is not affected—

(a) by the fact that a declaration in respect of a particular person has been revoked by an order made by the Wards Appeal Tribunal;

(b) by the fact that a declaration previously made by the Administrator has been revoked by the Administrator; or

* * * * * * * *
PART IV.—RESERVES, INSTITUTIONS, CAMPING GROUNDS AND PROHIBITED AREAS.

Division 1.—Reserves and Institutions.

40. The Administrator in Council may, subject to such conditions as are prescribed and to such further conditions as the Administrator in Council thinks fit, approve a mission station, reformatory, orphanage, school, home or other establishment, whether within the Territory or otherwise, as an institution for the purposes of this Ordinance.

41.—(1.) The Administrator may grant a lease of any unleased lands of the Crown in the Territory, including land reserved or dedicated for the use or benefit of wards but not including lands reserved or dedicated for any other purpose, to an institution for a term not exceeding twenty-one years.

(2.) A lease granted under the last preceding sub-section may provide for the renewal of the lease for a further term of twenty-one years following upon the expiration of the lease, subject to the lessee having complied with the terms and conditions of the lease and subject to the Administrator being satisfied that the land comprised in the lease is required for, and applied to, the use and benefit of wards.

42. A lease granted under the last preceding section shall contain—

(a) conditions as to the minimum developmental work to be done and the minimum improvements to be made during the term of the lease;

(b) a condition providing for the cancellation of the lease by the Administrator in the event of the lessee failing to comply with a term or condition of the lease; and

(c) such other conditions as the Administrator thinks fit and as are prescribed.

43. Notwithstanding the repeal effected by section four of this Ordinance, a lease granted to an institution under the repealed Ordinances shall continue as though the repealed Ordinances had not been repealed.

44. The Administrator, the Director, a welfare officer and the superintendent may—

(a) enter and remain on a reserve; and

(b) authorize a person to enter or remain on a reserve.

45. A person shall not enter or remain on a reserve unless—

(a) he is a ward who resides on the reserve or a relation of that ward;

(b) he is an officer or employee of the Commonwealth Department of Health, or an agent or employee of an agent of that Department, acting in the course, and for the purposes, of his duties;

(c) he is authorized to enter or remain on the reserve under the last preceding section; or

(d) his action is necessary for the protection of life or property.

Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;

For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both; and not less than Fifty pounds or imprisonment for three months;

In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

46. The Administrator, the Director, a welfare officer or the superintendent may—

(a) enter or remain on land included in a lease granted to an institution under this Ordinance;

(b) enter or remain on land reserved for the purposes of an institution established by the Commonwealth; and

(c) authorize a person to enter or remain on that land.

47. A person shall not enter or remain on land included in a lease granted to an institution or reserved for the purposes of an institution established by the Commonwealth unless—

(a) he is a ward, who has been directed to be kept in that institution or a relation of that ward;

(b) he is an officer or employee of the Commonwealth Department of Health, or an agent or an employee of an agent of that Department, acting in the course, and for the purposes, of his duties;

(c) he is authorized to enter or remain on that land under the last preceding section; or

(d) his action is necessary for the protection of life or property.

Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

48. Notwithstanding the provisions of section forty-four, forty-five, forty-six or section forty-seven of this Ordinance, the Administrator may cause notice in writing to be served personally or by post on a person ordering that person—
(a) not to enter or remain on a reserve or on the land included in a lease granted to an institution under this Ordinance or on the land reserved for the purposes of an institution established by the Commonwealth; or
(b) not to authorize any person or a person specified in that notice, to enter or remain on a reserve or on the land included in a lease granted to an institution under this Ordinance or on the land reserved for the purposes of an institution established by the Commonwealth.

49. A person upon whom a notice is served under the last preceding section shall not—
(a) enter or remain on a reserve;
(b) authorize any person or a person specified in the notice, as the case may be, to enter or remain on a reserve;
(c) enter or remain on land—
(i) included in a lease granted to an institution under this Ordinance; or
(ii) reserved for the purposes of an institution established by the Commonwealth; or
(d) authorize any person or a person specified in that notice, as the case may be, to enter or remain on that land.

Penalty:
In the case of a ward—Twenty pounds or imprisonment for six months, or both;
In the case of any other person—for a first offence—One hundred pounds or imprisonment for six months, or both;

Penalty:
In the case of a ward—Twenty pounds or imprisonment for six months, or both;
In the case of any other person—for a first offence—One hundred pounds or imprisonment for six months, or both;
52. Notwithstanding the provisions of the last two preceding sections, the Administrator, the Director or a welfare officer may cause notice in writing to be served personally or by post on a person ordering him—

(a) not to enter or remain on a camping ground specified in that notice;
(b) not to be or remain within five chains of the place specified in that notice, not being a camping ground, where a ward is camped; or
(c) not to authorize any person or the person specified in that notice—
   (i) to enter or remain on a camping ground; or
   (ii) to be or remain within five chains of a place, not being a camping ground, where a ward is camped.

53. A person upon whom a notice is served under the last preceding section shall not—

(a) enter or remain on the camping ground specified in that notice;
(b) be or remain within five chains of the place specified in that notice, not being a camping ground, where a ward is camped; or
(c) authorize any person or the person specified in that notice, as the case may be—
   (i) to enter or remain on a camping ground; or
   (ii) to be or remain within five chains of a place, not being a camping ground, where a ward is camped.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months.
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

54. For the purposes of this Division, a ward is deemed to be camped in the place which, for the time being, is, or has been, his sleeping place.

For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

62. Notwithstanding the provisions of the last preceding section, the Director may cause notice in writing to be served personally or by post on a ward, or a relation of a ward, ordering him, either for a time specified in that notice or permanently not to live with a ward specified in that notice or with any ward.

63. A person upon whom a notice is served under the last preceding section shall not, in contravention of the order contained in that notice, live with the ward specified in that notice or with any ward.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds, or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

64. A male person, other than a ward, shall not—
(a) habitually live with a female ward to whom he is not married;
(b) habitually consort, keep company or associate, with a female ward to whom he is not married;
(c) between the hours of sunset and sunrise, be in the company of a female ward to whom he is not married, except with lawful excuse;
(d) cohabit with, have or attempt to have sexual intercourse with, a ward to whom he is not married; or
(e) invite, persuade, or attempt to persuade a ward to whom he is not married to have sexual intercourse with him.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

65. Notwithstanding the provisions of the last preceding section, the Director may cause notice in writing to be served on a ward ordering the ward not to do any of the acts or things mentioned in paragraphs (a), (b), (c), (d) or (e) of the last preceding section with relation to a ward specified in that notice.

66. A ward, upon whom a notice is served in pursuance of the provisions of the last preceding section, shall not, in contravention of the order contained in that notice, do any of the acts referred to in paragraphs (a), (b), (c), (d) or (e) of section sixty-four of this Ordinance.

Penalty:
For a first offence—One hundred pounds or imprisonment for six months, or both;
For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;
In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.

67.—(1.) A person shall not celebrate a marriage of a ward to another person not being a ward unless—
(a) he is authorized to celebrate marriage in accordance with the provisions of the Registration of Births, Deaths and Marriages Ordinance 1941-1954; and
(b) the Director has given his consent in writing to the marriage of that ward to the other person; or
(c) the Director having refused his consent, a Magistrate has granted consent to the marriage in accordance with the provisions of sub-section (2.) of this section.

(2.) Where the Director refuses to give his consent under this section to a proposed marriage, or after a period of one month has expired after application has been made to him

for such consent he has failed to give his consent, either party to the proposed marriage may apply to a Stipendiary Magistrate for his consent to the marriage.

(3.) An application under the last preceding sub-section may be made in the manner prescribed by regulations made under the Justices Ordinance 1928-1957.

(4.) A person not being a ward shall not contract a marriage with a ward without the consent of the Director or a Magistrate.

Penalty: One hundred pounds or imprisonment for six months or both.

68. A female ward who is the object of, or a party to, an act done in contravention of the provisions of sections sixty-one, sixty-three, sixty-four, sixty-six or sixty-seven of this Ordinance shall not be prosecuted for aiding, abetting, counselling, procuring or by act or omission being directly knowingly concerned in, or a party to, the commission of that offence.

69. A female ward shall not in any place solicit for the purpose of prostitution.

Penalty:

For a first offence—Ten pounds or imprisonment for three months, or both;
For a second offence—not more than Twenty pounds or imprisonment for six months, or both, and not less than Ten pounds or imprisonment for three months;
In other cases—not more than Forty pounds or imprisonment for twelve months, or both, and not less than Twenty pounds or imprisonment for six months.

70.—(1.) Subject to section seventy-one b of this Ordinance, a person shall not—

(a) sell to or purchase from a ward any goods, articles or services of a value greater than Ten pounds;
(b) sell any goods or services on behalf of a ward of a value greater than Ten pounds;
(c) supply goods or services on credit to a ward to a value greater than Ten pounds;
(d) lend money to, or borrow money from, a ward in excess of the sum of Ten pounds; or
(e) enter into any contract with a ward if the consideration for that contract is in excess of the value of Ten pounds,

without the written consent of the Director or a welfare officer.

Penalty: One hundred pounds or imprisonment for six months.


(2.) The provisions of the last preceding sub-section do not apply to a contract of employment made in accordance with any Ordinance relating to the employment of wards.

(3.) The Director may, in writing, exempt an institution from the provisions of this section, either wholly or in part, upon such conditions as he sees fit, for a specified period and may renew that exemption for a specified period, alter the conditions upon which that exemption is granted or cancel that exemption.

71.—(1.) A person who has the control or management of a ward shall not ill-treat a ward by failing to provide the ward with reasonable food, shelter, clothing, and facilities for hygiene.

Penalty: Five hundred pounds or imprisonment for two years, or both.

(2.) The Director, a welfare officer or police officer who has reasonable grounds to believe that a person who has the control or management of a ward has ill-treated the ward may remove the ward from the control or management of that person.

(3.) When a welfare officer or police officer removes a ward from the control or management of a person under the last preceding sub-section, he shall forthwith—

(a) serve notice in writing, either personally or by post, on the person from whose control or management he removes the ward; and
(b) report the matter to the Director, stating with particulars the grounds for his belief that the person has ill-treated the ward.

(4.) The Director may, if he thinks fit, direct the welfare officer or police officer to return the ward to the person from whose control or management the ward was removed.

Part Va.—Offences in Relation to Works of Painting or Drawing Done by Wards.

71A. In this Part, unless the contrary intention appears—

"approved institution" means an institution approved by the Administrator for the purposes of this Part by notice in the Gazette;

"work of painting or drawing" does not include the copyright in that work.
Offences in connection with purchase &c., of works of painting or drawing.

Inserted by No. 29, 1957, s. 5.


71b.—(1.) A person shall not, except through an approved institution or with the written consent of the Director or a welfare officer—

(a) purchase from a ward a work of painting or drawing done by a ward; or

(b) enter into an agreement with a ward under which the ward agrees to do a work of painting or drawing or sell a work of painting or drawing done by the ward.

(2.) A person shall not—

(a) sell or make a purported sale of a work of painting or drawing done by a ward unless—
   (i) the work of painting or drawing was purchased or obtained by way of gift or exchange by the person or his predecessor in title from the ward before the commencement of this section;
   (ii) the work of painting or drawing was purchased by the person or his predecessor in title from the ward through an approved institution or with the written consent of the Director or a welfare officer;
   (iii) the person has paid to the ward the difference between the amount received by the ward for the work of painting or drawing and the amount stated in writing on behalf of an approved institution to be the amount which the ward would have received for the work of painting or drawing if it had been purchased through that approved institution at the time of the transfer or purported transfer by the ward of his property in the work of painting or drawing; or
   (iv) the Director or a welfare officer has given his written consent to the transaction; or

(b) purchase or make a purported purchase of a work of painting or drawing the sale or purported sale of which is prohibited under this section.

Penalty: One hundred pounds or imprisonment for a period not exceeding six months.

71c. A person shall not take or send out of the Northern Territory a work of painting or drawing done by a ward unless—

(a) the work of painting or drawing was purchased or obtained by way of gift or exchange by the person or his predecessor in title from the ward before the commencement of this section;

(b) the work of painting or drawing was purchased by the person or his predecessor in title from the ward through an approved institution or with the written consent of the Director or a welfare officer;

(c) the person has paid to the ward the difference between the amount received by the ward for the work of painting or drawing and the amount stated in writing on behalf of an approved institution to be the amount which the ward would have received for the work of painting or drawing if it had been purchased through that approved institution at the time of the transfer or purported transfer by the ward of his property in the work of painting or drawing; or

(d) the Director or a welfare officer has given his written consent to the taking or sending.

Validity of title.

Inserted by No. 29, 1957, s. 5.

71d. A person who—

(a) has paid to a ward the difference specified in sub-paragraph (iii) of paragraph (a) of sub-section (2.) of section seventy-one b of this Ordinance; or

(b) has obtained the written consent of the Director or a welfare officer to the sale or purported sale of a work of drawing or painting done by a ward or the taking or sending of such a work of painting or drawing out of the Northern Territory,

has a valid title to the work of painting or drawing in respect of which the difference has been paid or the consent obtained.
PART VI.—MISCELLANEOUS.

72. A person shall not—
   (a) obstruct or hinder the Administrator, the Director, a welfare officer, a superintendent or any other person exercising a power or duty under this Ordinance;
   (b) refuse to render assistance, when called upon to assist by the Director, welfare officer, a superintendent or other person exercising a power or duty under this Ordinance.

Penalty: One hundred pounds or imprisonment for six months.

73. Subject to the provisions of section sixty-eight of this Ordinance, a person who aids, abets, counsels or procures, or by act or omission is directly or indirectly knowingly concerned in, or is a party to, the commission of an offence against this Ordinance is deemed to have committed that offence and is punishable accordingly.

74.—(1.) In any prosecution for a contravention of, or failure to comply with, any provision of this Ordinance or any other law of the Territory, an averment of the prosecutor contained in the information or complaint—
   (a) as to a matter specified in sub-section (4.) of this section;
   (b) made in writing; and
   (c) served on the defendant in accordance with the provisions of this section,

is evidence of the matter averred.

(2.) The last preceding sub-section applies to a matter averred although—
   (a) evidence in support or rebuttal of the matter averred or of any other matter is given; or
   (b) the matter averred is a mixed question of law and fact, but in that case the averment is prima facie evidence of the fact only.

(3.) Evidence given in support or rebuttal of a matter so averred shall be considered on its merits and the credibility and probative value of the evidence shall be neither increased nor diminished by reason of this section.

(4.) This section applies only to an averment that—
   (a) a person named or described in the averment is or is not a ward or at a specified time was or was not a ward; or

(b) a place named or described in the averment is, or at a specified time was—
   (i) within a reserve;
   (ii) on land included in a lease granted to an institution under this Ordinance;
   (iii) on land reserved for the purposes of an institution established by the Commonwealth;
   (iv) within a camping ground;
   (v) within a prohibited area; or
   (vi) within a district.

(5.) An averment shall not be made under this section unless the Crown Law Officer, being satisfied that the averment is reasonably necessary for the due administration of justice and will not impose hardship upon or occasion injustice to the defendant, certifies in writing to that effect on the paper containing the averment.

(6.) An averment shall not be evidence for the purposes of this section unless a copy of the paper containing the averment has been served on the defendant in the same manner as the process requiring his attendance before the court.

(7.) Service of a copy of the paper containing the averment may be proved in the same manner as service of the process requiring the defendant's attendance before the court may be proved.

(8.) Upon the hearing of proceedings in respect of a contravention, or failure to comply with, any provision of this Ordinance, the court may, if the amendments can be made without hardship or injustice to the defendant, allow such amendments to be made in the writing containing an averment as appear to it to be desirable or to be necessary to enable the real question in dispute to be determined.

(9.) If the court considers the defendant has been misled by the form of the averment, it may refuse to allow the amendments, adjourn the hearing of the case for such period as it thinks fit and may make such order as to the costs of the adjournment as it thinks proper.

75. A prosecution for an offence against the provisions of sections fifty-one, fifty-six, or fifty-seven of this Ordinance shall not be commenced without the authority in writing of the Director.

76. Proceedings for the contravention of, or failure to comply with, a provision of this Ordinance may be instituted in a court of summary jurisdiction.
77. In any proceedings alleging an offence under section forty-five, forty-seven, forty-nine, fifty-one or fifty-three of this Ordinance, it shall be a defence for the person charged to show that he did not commit the offence knowingly.

78. When a person, who is not a ward, is convicted of an offence against any law of the Territory or of the Commonwealth, the court before which the person is convicted or the court hearing an appeal against such a conviction or against a sentence for such a conviction may, instead of imposing a penalty in respect of that offence, commit that person to the care of the Director for a period not exceeding one year.

79. A person who is committed to the care of the Director under the last preceding section shall not refuse or neglect to obey the reasonable directions given to him by the Director.

Penalty: One hundred pounds or imprisonment for six months, or both.

80.—(1.) A person who, with the consent of the Director, celebrates the marriage of a ward to another person who is not a ward shall forthwith send a notice by post to the Administrator and to the Director setting forth particulars of the date of the marriage and of the names of the parties.

Penalty: Fifty pounds.

(2.) The Administrator shall forthwith cause a notice to be published in the Gazette stating that the person, who prior to the marriage was a ward, is no longer a ward.

(3.) The Director shall forthwith cause particulars of the marriage to be entered in the Register.

81. Subject to the provisions of section seventy-five of this Ordinance, a police officer may, without a warrant, arrest a person—

(a) who, in his sight, commits an offence against this Ordinance; or

(b) whom he has reasonable cause to suspect of having committed, or of being about to commit, an offence against this Ordinance.

82.—(1.) Where a person is charged with an offence against this Ordinance or any other law of the Territory, before a plea is taken the court before which the person is charged may, in its discretion, require the production of a certificate under section sixteen of this Ordinance as to whether the person is or is not a ward or at a specified time was or was not a ward.

(2.) If the certificate is not produced, the court may adjourn the matter from time to time for such period as the court thinks fit.

(3.) The production of a telegram purporting to be signed by the Director and purporting to certify that a person named in the telegram is or is not a ward or at a specified time was or was not a ward is admissible in evidence in the matter and is evidence that the person so named is or is not a ward or at a specified time was or was not a ward, as the case may be.

(4.) If the court is satisfied, from a certificate or telegram produced, or otherwise, that the person charged is a ward or at the time of the alleged offence was a ward—

(a) the court shall permit counsel, the Director or a welfare officer to appear on behalf of the person;

(b) the person shall not be permitted to admit his guilt or a fact sought to be proved against him unless upon the advice of his counsel, the Director or the welfare officer appearing for him;

(c) a statement or admission alleged to have been made by the person is not admissible in evidence unless it is shown that the statement was made at a time when the person was not a ward or was made in the presence, and with the consent, of his counsel, the Director or a welfare officer; and

(d) the husband or wife of the person or, if the person is married by tribal custom, the man or woman with whom the person was living at the time of the alleged commission of the offence, is competent but not compellable to give evidence.

83. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out, or giving effect to, this Ordinance, and in particular—

(a) for prescribing the duties and regulating the exercise and discharge of all or any of the powers or functions of the Director and other officers appointed or employed under this Ordinance;

(b) for prescribing the particulars to be recorded in the Register;

(c) for prescribing the information to be supplied concerning wards;
(d) providing for the education of wards and for the compulsory attendance of wards at prescribed schools in prescribed areas or districts;
(e) providing for the maintenance of discipline and good order on reserves and in institutions;
(f) for prescribing offences in relation to the disposal or possession of articles issued or given to a person under this Ordinance;
(g) providing for the control of money received under this Ordinance, the keeping of accounts and records and the expenditure of that money;
(h) for prescribing penalties not exceeding One hundred pounds or imprisonment for a term not exceeding six months for offences against the regulations.

THE SCHEDULES.

FIRST SCHEDULE.

Section 4.
Aboriginals Ordinance 1918.
Aboriginals Ordinance 1923.
Aboriginals Ordinance 1924.
Aboriginals Ordinance (No. 2) 1924.
Aboriginals Ordinance 1925.
Aboriginals Ordinance 1927.
Aboriginals Ordinance 1928.
Aboriginals Ordinance (No. 2) 1928.
Aboriginals Ordinance 1930.
Aboriginals Ordinance 1933.
Aboriginals Ordinance 1936.
Aboriginals Ordinance 1937.
Aboriginals Ordinance (No. 2) 1937.
Aboriginals Ordinance 1939.
Aboriginals Ordinance 1941.
Aboriginals Ordinance 1943.
Aboriginals Ordinance 1947.
Aboriginals Ordinance 1953.
Aboriginals Ordinance (No. 2) 1953.

SECOND SCHEDULE.

Section 15.
Native Administration Act, 1905-1947 of the State of Western Australia.
Aboriginals Act, 1934-1939 of the State of South Australia.

THE NORTHERN TERRITORY OF AUSTRALIA.

No. 12 of 1962.

AN ORDINANCE

To amend the Welfare Ordinance 1953-1960.

[Reserved 16th April, 1962.]
[Assented to 3rd May, 1962.]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1961, as follows:—

1.—(1.) This Ordinance may be cited as the Welfare Ordinance 1961.

(2.) The Welfare Ordinance 1953-1960 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Welfare Ordinance 1953-1961.

2. Section six of the Principal Ordinance is amended—

(a) by inserting after the word “appears” the following definition:—

“‘approved person’ means a person appointed as an approved person under this Ordinance;”;

(b) by inserting after the definition of “this Ordinance” the following definition:—

“‘vesting order’ means an order made under section twenty-six of this Ordinance, vesting the property of a ward in the Director;”;

(c) by adding at the end of the definition of “ward” the words “and includes a person for the time being deemed to be a ward by virtue of section fifteen of this Ordinance”.

3. Section eight of the Principal Ordinance is amended by adding at the end of sub-paragraph (iv) of paragraph (f) the words “including the provision of legal assistance”.


11578/61.—Price 1s.
4. After section eleven of the Principal Ordinance the following section is inserted:

"11A.—(1.) The Administrator may by notice published in the Gazette appoint such persons as he considers necessary to be approved persons for the purposes of this Ordinance.

(2.) An approved person has, in respect of such parts of the Territory as are specified in the notice by which he is appointed, such of the powers conferred on a welfare officer by this Ordinance as are specified in that notice."

5. Section fourteen of the Principal Ordinance is amended by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-section:

"(2.) Where the Administrator in Council declares a person to be a ward he may include in the declaration particulars relating to the identity of the person.".

6. Section fifteen of the Principal Ordinance is repealed and the following section inserted in its stead:

"15.—(1.) A person who is subject to any restriction or control under the provisions of any of the State Acts specified in the Second Schedule to this Ordinance or any of those Acts as amended from time to time shall, if he enters the Territory, be deemed to be a ward until he departs from the Territory or a period of three months commencing on the date of his entry into the Territory expires, whichever first occurs.

(2.) The last preceding sub-section does not apply to a person who re-enters the Territory after departing from the Territory unless he was a ward at the date when he last departed from the Territory."

7. Section sixteen of the Principal Ordinance is amended—
(a) by omitting from sub-section (1.) all the words after the word "wards" (second occurring);
(b) by inserting after sub-section (2.) the following sub-section:

"(2A.) When the Director enters the name of a person in the Register of Wards he shall enter such particulars as are contained in the declaration made under section fourteen of this Ordinance and may from time to time enter such further or other particulars relating to the identity of the person as he thinks fit."; and

8. Section seventeen of the Principal Ordinance is repealed and the following sections are inserted in its stead:

"17.—(1.) Where the Director or a welfare officer considers it in the interest of a particular ward or in the interest of wards in a particular place or in the public interest, he may apply to a court of summary jurisdiction for an order under this section in respect of the ward.

(2.) Under this section a court of summary jurisdiction may order that a ward be taken into the custody of the Director and—

(a) that the ward be removed to a reserve or institution named in the order and there detained for the period specified in the order; and

(b) if the court thinks fit, that the ward be removed from a place in the Territory to a place outside the Territory.

(3.) An application under the last preceding sub-section shall be made by the delivery to the ward at least three days before the date when the application is to be made of a notice under the hand of the Director or to a welfare officer named in the order and by filing of a copy of that notice in the court.

(4.) A person delivering a notice referred to in sub-section (2.) to a ward shall explain to the ward the effect of the notice.

(5.) The court to which an application is made under this section may, if it is satisfied that it is in the interest of the ward or of wards in a particular place or is in the public interest, make the order applied for and issue its warrant directed to the Director or to a welfare officer named in the warrant.

(6.) An order under this section shall not be made unless the court is satisfied by affidavit in or to the effect of Form 4 in the Third Schedule to this Ordinance or otherwise that notice of the application has been served on the ward and its effect explained to the ward but if the court is so satisfied it may make an order whether or not the ward is present in court.

(7.) Where a warrant issued under this section is directed to the Director it may be directed also to all welfare officers and members of the Police Force.
(8.) The court to which an application is made under this section shall not make an order if, by so doing—
(a) a child under, or appearing to be under, the age of fourteen years would be separated from his parents; or
(b) a parent would be separated from his child, being a child under, or appearing to be under, the age of fifteen years,
unless the court is satisfied—
(c) that the circumstances of the case are such as to make that course necessary; and
(d) that adequate arrangements have been made for the maintenance, education and care of the child.

(9.) A warrant granted by the court under this section authorizes the person to whom it is directed to enter, for the purpose of taking the ward into custody, if necessary by force, any conveyance, ship or premises where the ward is or is reasonably suspected to be.

(10.) Upon the application of the Director or of the ward, a court of summary jurisdiction, whether it is the court which made the order or not, may alter, amend or rescind the order.

(11.) A ward who has been placed in a reserve or institution under the authority of a warrant issued under this section shall not leave that reserve or institution during the period during which the order is in force.

Penalty: Imprisonment for six months.

(12.) A welfare officer or a member of the Police Force may prevent, by force if necessary, a ward from leaving a reserve or institution in which he is detained under the authority of a warrant issued under this section.

(13.) Where a ward is detained in an institution under a warrant issued under this section he shall be in the custody and under the control of the superintendent of the institution and shall obey all lawful orders and instructions given to him by the superintendent.

Penalty: Imprisonment for three months.

(14.) Nothing in this section authorizes the imprisonment of a person in a place that is not a prison under the laws of the Territory.

17A.—(1.) Where a welfare officer is of the opinion that it is desirable to apply for an order under section seventeen of this Ordinance with respect to a ward but that by reason of the distance from the place where the ward is to the nearest place at which a court of summary jurisdiction is regularly held it is impracticable or unlikely to be effective to proceed by the means specified in sub-sections (2.) and (4.) of that section, the welfare officer may arrest the ward.

(2.) Where a welfare officer arrests a ward under the last preceding sub-section he shall bring the ward as soon as is practicable, but in no event later than five days after the arrest, before a court of summary jurisdiction to which he shall forthwith apply for an order under section seventeen of this Ordinance.

(3.) An application for an order under section seventeen made after arrest need not comply with the provisions of subsection (2.) of section seventeen of this Ordinance but may be made to the court orally.

9. Section eighteen of the Principal Ordinance is repealed and the following section is inserted in its stead:

18.—(1.) Where the Director has reason to believe that a ward has a cause of action against any person, not being a cause of action relating to or arising out of property vested in the Director by virtue of a vesting order, he may apply to a court, having jurisdiction to hear and determine any such action, for leave of the court to sue in that court on behalf of the ward to enforce that cause of action.

(2.) Where proceedings are brought against a ward in any court and the Director is satisfied that the ward has a defence to the proceedings he may apply to the court for leave to come in and defend the proceedings on behalf of the ward.

(3.) A court to which an application is made by the Director under this section may, in its discretion, grant leave to the Director to sue or defend in the suit on behalf of the ward.

(4.) Where leave is granted to sue or defend, the Director may do all such things in relation to the suit as the ward might have done and may appear in person or engage or instruct counsel to conduct the case on behalf of the ward.

(5.) Where an order for costs is made in favour of a ward in a suit in which leave has been given to the Director to sue or defend, the amount of the costs shall be paid to the Director who shall apply it firstly to payment of any expenses which he has incurred in the action and secondly to payment of any balance to the ward.

(6.) Where an order for costs is made against a ward in any suit in which leave has been given to the Director to sue or defend, the Director shall not be liable to pay the costs unless the court so orders and in that case he shall be liable to pay costs only to the extent to which the court orders.”. 
10. Sections nineteen to twenty-one (inclusive) of the Principal Ordinance are repealed and the following section is inserted in their stead:—

“21.—(1.) The Director or a welfare officer may authorize a person in writing to take a ward from a place in the Territory to a place outside the Territory.

(2.) An authority shall not be granted under this section if—

(a) a child under, or appearing to be under, the age of fourteen years would be removed from one of his parents against the will of that parent; or

(b) a parent would be removed, against his will, from his child being a child under, or appearing to be under, the age of fifteen years, unless the Administrator has, in writing, authorized the granting of the authority.

(3.) An authority shall not be granted under this section in respect of a ward in respect of whom an order has been made under section seventeen of this Ordinance and is in force.”.

11. Section twenty-three of the Principal Ordinance is repealed and the following section inserted in its stead:—

“23. A person shall not—

(a) where a ward is detained in a reserve or institution under the authority of a warrant issued under section seventeen of this Ordinance, remove the ward from, or assist or induce the ward to leave, the reserve or institution; or

(b) remove a ward, or cause a ward to be removed, or assist or induce a ward to go, from a place in the Territory to a place outside the Territory, unless he is acting in accordance with an order under section seventeen of this Ordinance, or is authorized to do so under section twenty-one of this Ordinance, or, being an officer or employee of the Commonwealth Department of Health, or an agent, or an employee of an agent, of that Department, he is acting in the course, and for the purposes, of his duty.

Penalty:

For a first offence—One hundred pounds or imprisonment for six months, or both;

For a second offence—not more than Two hundred pounds or imprisonment for twelve months, or both, and not less than Fifty pounds or imprisonment for three months;

In other cases—not more than Five hundred pounds or imprisonment for two years, or both, and not less than One hundred pounds or imprisonment for six months.”.

12. Section twenty-four of the Principal Ordinance is repealed.

13. Division 3 of Part III. of the Principal Ordinance is repealed and the following Division is inserted in its stead:—

“DIVISION 3.—VESTING ORDERS.

“25. Subject to this Division the making of a declaration under section fourteen of this Ordinance does not affect the right, title or interest in property, whether real or personal, of any person the subject of the declaration and such a person is able to deal with his property in all respects as though no declaration had been made.

“26.—(1.) Where the Director considers it expedient so to do he may apply to a court of summary jurisdiction for a vesting order under this section vesting in him the property of a ward.

(2.) Where the Director makes an application under the last preceding sub-section the court may make a vesting order if it is satisfied that the property of the ward is such as to require management or investment unless the ward establishes to the satisfaction of the court that he is able to use and manage the property to good advantage.

(3.) Subject to sub-sections (4.) and (5.) of this section, a vesting order operates to vest in the Director all property to which the ward in respect of whose property it is made is entitled at the date of the order and all property acquired by the ward after that date and while the order is in force, including property which accumulates during that period by way of interest, accretion, natural increase or otherwise.

(4.) A vesting order does not operate to vest in the Director property of a ward being—

(a) personal chattels used by the ward for the maintenance of himself or his family or for the purpose of enabling him to pursue any occupation, trade or calling; or

(b) goods and articles which are in the ward’s actual possession and are of a total value not greater than Ten pounds.
(5.) A vesting order may relate to all or to a specified part of the property of the ward in respect of whose property it is made.

(6.) A vesting order may be expressed to operate for a specified period only but if not so expressed shall continue in force until rescinded or until the ward in respect of whose property it is made ceases to be a ward or dies as the case may be.

(7.) An order made under this section may be altered, amended, varied or rescinded on the application of the Director or of the ward in respect of whose property it is made.

(8.) Where a vesting order has been made by a court the Director shall cause a notice to be published in the Gazette and in a newspaper circulating in the district where the ward resides at the time the order is made setting out—
   (a) the name of the ward in respect of whose property it is made;
   (b) whether the order relates to all or to a part of the property of the ward;
   (c) if the order applies to a part only of the property of the ward, to what part of the property it applies;
   (d) whether or not the order is for a specified time and, if for a specified time, what that specified time is; and
   (e) a statement drawing attention to the provisions of the next succeeding section.

(9.) Whenever an order is amended, varied, altered or rescinded the Director shall publish in the Gazette and in a newspaper circulating in the district where the ward resides at the time the order is made a notice stating in what respect the order has been varied or altered or that it has been rescinded, as the case may be.

(10.) An application and an order made under this section may be in or to the effect of the appropriate form in the Third Schedule to this Ordinance.

27.—(1.) Where a vesting order has been made by a court of summary jurisdiction vesting the property of a ward in the Director, a person shall not—
   (a) sell to or purchase from the ward any goods, articles or services of a value which, during any month, is in the aggregate greater than Ten pounds;
   (b) sell or purchase any goods or services on behalf of the ward of a value which, during any month, is in the aggregate greater than Ten pounds;
   (c) supply goods or services on credit to the ward to a value which, during any month, is in the aggregate greater than Ten pounds;
   (d) lend money to, or borrow money from, the ward which at any time is in the aggregate a greater sum than Ten pounds; or
   (e) enter into any contract with the ward if the consideration for that contract is of a value greater than Ten pounds,
without the written consent of the Director or a welfare officer.

Penalty: One hundred pounds or imprisonment for six months.

(2.) The provisions of the last preceding sub-section do not apply to a contract of employment.

(3.) The Director may, from time to time, in writing, exempt an institution for a specified period from the provisions of this section, either wholly or in part, upon such conditions as he sees fit.

(4.) It is a defence in any proceedings for an offence against this section if the defendant proves that he had no reason to believe and did not believe that the person with whom he entered into the transaction, the subject of the proceedings, was a ward in respect of whose property a vesting order had been made.

28.—(1.) Where a vesting order is made with respect to the property of a ward, the Director may—
   (a) take possession of, retain, let, sell, mortgage or dispose of any of the property of the ward, whether real or personal, which is the subject of the order;
   (b) in the name of the ward, receive or sue for the recovery of money or any other property due or belonging to, or held in trust for the benefit of the ward and sue for damages for the conversion of, or injury to, the property of the ward; and
   (c) in the name of, and on behalf of the ward, exercise any power exercisable by the ward and appoint a person to act as attorney or agent for any purpose connected with the property of the ward.
(2.) Where the Director does any of the acts referred to in paragraph (a) of the last preceding sub-section, the Registrar-General for the Territory shall, upon being satisfied—

(a) that a memorandum or instrument relating to a transaction concerning real or leasehold property of the ward has been signed by the Director under the authority of a vesting order; and

(b) that the transaction took place during the time that a vesting order was in force in relation to the ward,

treat the memorandum or instrument as though it had been duly signed by the Director as the properly appointed attorney of the ward.

29. Where property of a ward is the subject of a vesting order, the Director may pay, or cause to be paid, out of the property or the income from the property—

(a) any debt, judgment or costs, for the payment of which he is satisfied the ward is liable;

(b) such payments and allowances for the support or maintenance of the ward or a dependant of the ward as the Director sees fit; and

(c) all costs, charges and expenses incurred by the Director in the care, control or management of the property.

29A. Where property of a ward is the subject of a vesting order, the Director shall keep a proper record and account of all the moneys and other property coming into his hand or dealt with by him under and by virtue of the vesting order.

29B. Subject to the provisions of this Division, where property of a ward is subject to a vesting order, the Director shall preserve and hold in trust the property and the income from the property for the benefit of the ward and, when he ceases to be a ward or the vesting order expires or is rescinded, the Director shall restore to the ward or, in the event of the ward's death, to his executor, administrator or the persons entitled by law to his property, all property held by the Director under or in pursuance of the vesting order.

29C.—(1.) Where a vesting order is made it is the duty of the Director to take possession of and get in the property of the ward.

(2.) The Director is not answerable for or in respect of any property of a ward which has not actually come into his hands under a vesting order.

“(3.) When a vesting order expires or is rescinded or the ward in respect of whose property it is made ceases to be a ward or dies, the Director shall account to the ward or to his executor or administrator or the persons entitled by law to his property for all property which has come into the Director's hands under the vesting order.

“(4.) While a vesting order remains in force, the ward, in respect of whose property it was made, may apply to a court of summary jurisdiction for an order requiring the Director to file an account of his dealings with the property under the vesting order.

“(5.) Where a vesting order expires or is rescinded, or where a ward ceases to be a ward, the ward in respect of whose property it was made, may apply to a court of summary jurisdiction for an order requiring the Director to file an account of his dealings with the property under the vesting order.

“(6.) Where a ward whose property is the subject of a vesting order has died his executor or administrator, or any of the persons entitled by law to his property, may make an application under the last preceding sub-section.

“(7.) Where an application is made under sub-sections (4.) and (5.) of this section the court may, if it appears to it to be necessary or desirable, make the order applied for.

“(8.) The Director shall comply with an order made under the last preceding sub-section.”.

14. Section thirty-six of the Principal Ordinance is amended by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“(1.) If the tribunal, having heard the evidence adduced on the appeal, is not satisfied that the appellant, by reason of—

(a) his manner of living;

(b) his inability without assistance adequately to manage his own affairs;

(c) his standard of social habit and behaviour; and

(d) his personal associations,

stands in need of such special care or assistance as is provided for under this Ordinance, it may make an order revoking the declaration by which the appellant was declared to be a ward.”.

15. Section thirty-eight of the Principal Ordinance is amended by omitting the words “, with the consent of the Director.”.

16. Section thirty-nine of the Principal Ordinance is repealed.
Repeal of sections 41 and 42.

17. Sections forty-one and forty-two of the Principal Ordinance are repealed.

Saving.

18. Notwithstanding the repeal of sections forty-one and forty-two of the Principal Ordinance a lease granted to an institution under the repealed sections shall continue as though those sections had not been repealed.

Persons not to enter reserves without authority.

19. Section forty-five of the Principal Ordinance is amended—

(a) by inserting in paragraph (b) after the word "officer" the words "officer, non-commissioned officer or constable of police or an officer";
(b) by omitting from paragraph (e) the word "or" (second occurring); and
(c) by adding at the end of paragraph (d) the following word and paragraph:

"; or (e) he is the holder of a permit issued—

(i) under the Mining Ordinance 1939-1960 permitting him to enter or to carry on mining on the reserve; or
(ii) under the Petroleum (Prospecting and Mining) Ordinance 1954-1960 permitting him to enter upon the reserve for the purpose of searching for petroleum or for carrying on mining operations or to search for petroleum or to carry on mining operations on the reserve."

20. Section forty-six of the Principal Ordinance is amended by adding at the end of paragraph (a) the words "or under any other Ordinance where the purpose for which the lease is expressed to be granted relates to the care, protection, maintenance or education of wards ".

Administrators, &c., may enter and authorize entry on land leased to institution.

21. Section forty-seven of the Principal Ordinance is amended—

(a) by inserting in paragraph (b) after the word "officer" the words "officer, non-commissioned officer or constable of police or an officer";

(b) by omitting from paragraph (e) the word "or" (second occurring); and

(c) by adding at the end of paragraph (d) the following word and paragraph:

"; or (e) he is the holder of a permit issued—

(i) under the Mining Ordinance 1939-1960 permitting him to enter or to carry on mining on the reserve; or
(ii) under the Petroleum (Prospecting and Mining) Ordinance 1954-1960 permitting him to enter upon the reserve for the purpose of searching for petroleum or for carrying on mining operations or to search for petroleum or to carry on mining operations on the reserve."

22. Sections sixty-one to seventy (inclusive) of the Principal Ordinance are repealed and the following section is inserted in their stead:

"61.—(1.) The superintendent of a reserve or an institution, or, in the absence of the superintendent, a welfare officer, may, for the purpose of controlling the management of or maintaining order on the reserve or institution, give orders and directions to a ward who is on the reserve or institution.

"(2.) A ward to whom an order or direction is given under the last preceding sub-section shall comply with that order or direction.

Penalty: Imprisonment for three months.

"(3.) A welfare officer or the superintendent of the reserve may arrest without warrant a ward whom he believes on reasonable grounds to have committed an offence against the last preceding sub-section."
23. Section seventy-one of the Principal Ordinance is amended by inserting after sub-section (1.) the following sub-section:

"(1A.) It shall be a defence to a charge under the last preceding sub-section if the defendant proves, to the satisfaction of the court hearing the charge, that he has taken all practicable steps to provide the ward with reasonable food, shelter, clothing and facilities for hygiene."

24. Section seventy-three of the Principal Ordinance is repealed.

25. Section seventy-five of the Principal Ordinance is repealed.

26. Sections eighty and eighty-one of the Principal Ordinance are repealed.

27. Section eighty-two of the Principal Ordinance is amended by omitting paragraphs (b) and (c) of sub-section (4.).

28. After the Second Schedule to the Principal Ordinance the following Schedule is added:

"THIRD SCHEDULE.

Section 17.

THE NORTHERN TERRITORY OF AUSTRALIA.


IN THE COURT OF SUMMARY JURISDICTION AT

Re


Whereas on the day of , 19 ,

* the Director of Welfare appointed under the above-mentioned Ordinance applied in accordance with that Ordinance for an order under section 17 of that Ordinance with respect to the abovenamed ward under and for the purposes of that Ordinance and the said application having duly been heard by the Court on in the absence of the said ward and it appearing to the Court to be in the interest of the said ward to make the order applied for.

It is ordered that the said be taken into custody and removed to the an institution for the purposes of that Ordinance.

Dated this day of , 19 .

To

* Strike whichever is inappropriate.

† Here insert the name of the ward.

* Strike out whichever is inappropriate.

† Here insert the name of the ward.

† Here insert name of the ward.

† Insert name of the ward.

† Here insert name of the ward.

† Insert name of the ward.
You are therefore hereby commanded to take the said into your custody and to remove the said by force, if necessary, to the reserve above-mentioned and of the Superintendent of the said institution to be detained in such custody and control until the day of And for so doing this shall be your sufficient warrant.

Dated the day of

*Strike out whichever is inappropriate.

Here insert the name of the ward.

Section 17.

THE NORTHERN TERRITORY OF AUSTRALIA.


IN THE COURT OF JURISDICTION AT

Re

In the matter of an application under section 17 of Welfare Ordinance 1953-1961.

The Director of Welfare appointed under the Welfare Ordinance 1953-1961 applied to this Court for an order under section 26 of that Ordinance with respect to the property of the said .

Whereas on the day of , 19 , the Director of Welfare appointed under the Welfare Ordinance 1953-1961 applied to this Court for an order under section 26 of that Ordinance with respect to the property of the said .

And the Court being satisfied that the property of the said is such as to require management and the said not having established to the satisfaction of the Court that he is able to use and manage the property to good advantage it is ordered that such of the property of the said as is specified below do vest in the said Director of Welfare for such period as is specified below.

Property specified-

Period specified-

Dated this day of , 19 .

*Strike out whichever is inappropriate.

* Here insert the name of the ward.


11578/61.—2
THE NORTHERN TERRITORY OF AUSTRALIA.

Regulations 1957. No. 9.*

Regulations under the Welfare Ordinance 1953-1955.

PAUL HASLUCK, the Minister of State for Territories, hereby make the following regulations under the Welfare Ordinance 1953-1955.

Dated this 13th day of May, 1957.

PAUL HASLUCK
Minister of State for Territories.

WELFARE REGULATIONS.

1. These Regulations may be cited as the Welfare Regulations.

2. In these Regulations, "the Ordinance" means the Welfare Ordinance 1953-1955.

3. For the purpose of section 16 of the Ordinance, the following are prescribed matters and particulars:

   (a) the European name of the ward;
   (b) the tribal personal name of the ward;
   (c) the group name of the ward and of his father, mother, consort and children;
   (d) the name of the ward's tribal or linguistic group;
   (e) the sex of the ward;
   (f) the date on which the ward was born, if the date is known;
   (g) the date on which the ward was declared to be a ward;
   (h) particulars of any marks, scars or other characteristics which serve to identify the ward;
   (i) the date of death of the ward;
   (j) the cause of death of the ward; and
   (k) the name of the place at which the ward is interred.

4.—(1.) The Superintendent of a reserve or institution shall, within ten days after the end of each quarter, furnish to the welfare officer appointed to the district in which the reserve or institution is situated or, if a welfare officer is not appointed to that district, to the Director a return in accordance with Form 1 setting out particulars concerning wards—

   (a) who commenced to reside on the reserve or in the institution during that quarter; and
   (b) who ceased to reside on the reserve or in the institution during that quarter.

* Notified in the Commonwealth Gazette on 13th May, 1957.

3514/57.—Price 5d.
(f) a condition that the lessee may surrender the whole or any part of the land held under the lease;

(g) a condition that the profits derived from the land held under the lease shall not, without the consent in writing of the Administrator, be expended except on matters directly connected with—

(i) the welfare of wards; or

(ii) the purposes for which the lease has been granted;

(h) a condition that the lessee shall comply with the provisions of the Ordinance, these Regulations and any other law in force from time to time in the Territory relating to wards;

(i) a condition that the Administrator may, after having given six months' notice of his intention so to do, resume the whole or any part of the land held under the lease; and

(j) a condition that, if the whole or any part of the land held under the lease is resumed or surrendered, the lessee shall have the right to retain or dispose of any improvements on, or goods on, the land so resumed or surrendered, other than improvements or goods purchased with moneys made available under the Ordinance or otherwise by the Commonwealth.

9.—(1.) Where a ward who resides on a reserve or in an institution is injured or becomes ill or infected with a disease, the Superintendent of the reserve or institution shall immediately notify the nearest medical officer of the nature of the injury, illness or disease, as the case may be, and, if so required by the medical officer, arrange for the ward to be transported immediately to a place specified by the medical officer.

(2.) The Director may approve of the payment to the Superintendent of such amount as the Director considers to be the reasonable costs of transporting a ward under the last preceding sub-regulation.

10.—(1.) Where the person or organization which controls an institution makes application to the Director for the grant by the Director, under paragraph (b) of section 8 of the Ordinance, of financial assistance out of the moneys made available for the purposes of the Ordinance, the Director may, by notice in writing require the person or organization to furnish to him such documents and information relating to such matters, as the Director specifies in the notice.

(2.) Where financial assistance is so granted to a person or organization, the Director may, by notice in writing, require the person or a specified officer of the organization to furnish to him within such time as is specified in the notice such documents, and information relating to such matters, as the Director specifies in the notice.

11.—(1.) The Director may approve of the payment of allowances, at such rate as the Administrator determines, to a person who, being the holder of a licence granted, or deemed to have been granted, under Part IV. of the Wards Employment Ordinance 1953 to employ wards, maintains wards who are unemployed.

(2.) Payment of allowances under the last preceding sub-regulation shall not be made unless an application is made by the person who has maintained wards who are unemployed by furnishing to the Director a return in accordance with Form 5 in the Schedule to these Regulations within three months after the end of a quarter during which wards, were so maintained.
15. A ward or person in indigent circumstances to whom an article has been issued or given under the Ordinance shall not sell or otherwise dispose of the article unless the Director has given his approval in writing to the sale or other disposition of the article.

16.—(1.) A ward shall not—
(a) use profane, indecent, obscene, abusive or threatening language on a reserve or in an institution;
(b) fight or behave in a riotous, disorderly or indecent manner on a reserve or in an institution; or
(c) bring into a reserve or institution, or consume on a reserve or in an institution, any alcoholic liquor.

(2.) A ward who is found drunk on a reserve or in an institution is guilty of an offence against these Regulations.

17.—(1.) A ward who contravenes or fails to comply with a provision of these Regulations which is applicable to him is guilty of an offence against these Regulations.

(2.) A ward who is guilty of an offence against these Regulations is liable, on conviction, to a penalty not exceeding Ten pounds or imprisonment for a term not exceeding one month.

(3.) A person, other than a ward, who—
(a) contravenes or fails to comply with a provision of these Regulations which is applicable to him; or
(b) fails to comply with the terms of a notice given to him under these Regulations
is guilty of an offence against these Regulations.

(4.) A person, other than a ward, who is guilty of an offence against these Regulations is liable, on conviction to a penalty not exceeding One hundred pounds or imprisonment for a term not exceeding six months.

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**FORM I.**

**Regulation 4 (1).**

**THE NORTHERN TERRITORY OF AUSTRALIA.**

**Welfare Ordinance 1953-1955.**

**QUARTERLY RETURN UNDER REGULATION 4 (1.) OF THE WELFARE REGULATIONS.**

To: The Director of Welfare,

The District Welfare Officer,

I furnish, in respect of the known as Reserve

the following return of the wards who commenced to reside, and those who ceased to reside during the quarter which ended on

<table>
<thead>
<tr>
<th>Wards who Commenced to Reside During Quarter.</th>
<th>Wards who Ceased to Reside During Quarter.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Names.</td>
<td>Names.</td>
</tr>
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</table>

Superintendent.

/ / 19
FORM 3.  
REGULATION 5.

THE NORTHERN TERRITORY OF AUSTRALIA.


AUTHORITY TO TRANSFER WARD.

In pursuance of the powers conferred upon me by section twenty-one of the Welfare Ordinance 1953-55, I hereby authorize A.B. of

to—

remove C.D., a ward, from

Reserve
Institution
District

to

Reserve
Institution
District

or

take C.D., a ward from

, a place in the Northern Territory, to

a place outside the Northern Territory.

Dated at this day of , 19 .

Director of Welfare or Welfare Officer.

FORM 4.  
REGULATION 6.

THE NORTHERN TERRITORY OF AUSTRALIA.


RECOGNIZANCE.

Be it remembered that on the day of , 19 , A.B. of personally came before the undersigned Welfare Officer in the District of and acknowledged to owe to our Sovereign Lady the Queen the sum of pounds sterling, to be made and levied on his goods and chattels, lands, and tenements respectively to the use of our Lady the Queen, her heirs and successors, if he the said shall fail in the condition as hereunder set out.

The condition of the above-written recognizance is that if the said shall return the ward to the place designated [Name of Ward.]

by the said Welfare Officer within twelve months from the date of these presents, then the said recognizance to be void or else to stand in full force and virtue.

Taken and acknowledged the date and year first above-mentioned at before me.

Signature

Person entering into Recognizance.

Signature

Welfare Officer.
### FORM 5.

**The Northern Territory of Australia.**


RETURN OF UNEMPLOYED WARDS.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of Ward (as Appearing in the Register of Wards)</th>
<th>Sex</th>
<th>Date of Birth</th>
<th>Provision of Rations for each Week of the Quarterly Period</th>
<th>Clothing Issues for the Quarter</th>
<th>Total Weeks Maintained</th>
<th>Weekly Rate of Maintenance</th>
<th>Total Amount £ s. d.</th>
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</tbody>
</table>

I, the abovenamed licensee hereby certify that the information contained in this statement is true and correct.

Licensee.
THE NORTHERN TERRITORY OF AUSTRALIA.
No. 24 of 1953.

AN ORDINANCE
To provide for the training and employment of wards.

[Reserved 9th November, 1953.]*
[Assented to 22nd December, 1953.][†]

Be it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1952, as follows:—

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the Wards' Employment Ordinance 1953.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. This Ordinance is divided into Parts, as follows:—

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4. In this Ordinance, unless the contrary intention appears—

“apprenticeship” means apprenticeship in accordance with the provisions of the Apprentices Ordinance 1948-1952;

“approved employer” means a person approved under Division 2 of Part III. of this Ordinance as an employer for the purposes of that Division;

“award” means an award made under the Conciliation and Arbitration Act 1904-1952 in its application to the Northern Territory;

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* Reservation notified in the Government Gazette of the Northern Territory dated 25th November, 1953.
† Assent notified in the Government Gazette of the Northern Territory dated 20th January, 1954.
“industrial agreement” means an industrial agreement made in pursuance of the Conciliation and Arbitration Act 1904-1952 in its application to the Northern Territory;
“licence” means a licence to employ wards granted, or deemed to have been granted, under Part IV. of this Ordinance;
“licensee” means the holder of a licence;
“police officer” means a member of the Northern Territory Police Force;
“relation” includes a relation whether by blood, marriage or custom;
“the Board” means the Employment Advisory Board established under this Ordinance;
“the Director” has the same meaning as in the Welfare Ordinance 1953;
“training agreement” means an agreement entered into between an employer and a ward-in-training under Division 2 of Part III of this Ordinance;
“ward” has the same meaning as in the Welfare Ordinance 1953;
“ward-in-training” means a ward declared to be a ward-in-training under this Ordinance;
“Welfare officer” has the same meaning as in the Welfare Ordinance 1953.

5.—(1.) The Director may, in relation to any particular matter or class of matters, or to any particular part of the Northern Territory, by writing under his hand, delegate all or any of his powers and functions under this Ordinance (except this power of delegation) so that the delegated powers and functions may be exercised by the delegate with respect to the matter or class of matters, or to the part of the Northern Territory specified in the instrument of delegation.

(2.) A delegation under this section is revocable at will and does not prevent the exercise of a power or function by the Director.

PART II.—EMPLOYMENT ADVISORY BOARD.

6.—(1.) For the purposes of this Ordinance there shall be a board to be known as the Employment Advisory Board.
(2.) The Board shall consist of the Director and—
(a) a welfare officer;
(b) an aboriginal native of Australia, other than a ward, who is a resident of the Northern Territory;
(c) two persons representing employers of wards in the pastoral industry in the Northern Territory;
(d) two persons representing other employers of wards;
(e) two persons representing organizations of employees in the Northern Territory; and
(f) two persons representing the interests of the Christian Missions in the Northern Territory.

7.—(1.) The members of the Board other than the Director shall be appointed by the Administrator by notice in the Gazette.
(2.) A member shall hold office until—
(a) his office is vacated in accordance with section nine of this Ordinance; or
(b) the Administrator, by notice in the Gazette, terminates his appointment.

8. The members of the Board, other than the Director and the welfare officer, shall be paid such remuneration and allowances as are prescribed.

9. The office of a member of the Board shall become vacant—
(a) if he resigns his office by writing under his hand addressed to the Administrator and the resignation is accepted;
(b) if he is absent, except on leave granted by the Administrator, from three successive meetings of the Board;
(c) if he becomes permanently incapable of performing his duties.

10. The Administrator may grant leave of absence to a member of the Board.

11.—(1.) The Director shall be the Chairman of the Board and shall preside at all meetings of the Board at which he is present.
(2.) In the absence of the Director from a meeting of the Board, the welfare officer shall preside at that meeting.

12.—(1.) The Board shall hold meetings at such times and places as the Chairman determines.
(2.) The Administrator may at any time convene a meeting of the Board.
(3.) At a meeting of the Board, five members shall constitute a quorum.
(4.) A question arising at a meeting of the Board shall be determined by a majority of the votes of the members present.
(5.) The person presiding at a meeting of the Board is entitled to a deliberative vote and, in the event of an equality of votes, also has a casting vote.
13. The Board shall from time to time as the Administrator
requires or as the Board deems necessary or advisable advise the
Administrator on all matters relating to the training and employ-
ment of wards and, in particular, on matters relating to—
(a) the vocational training of wards;
(b) the placing of wards in employment;
(c) the apprenticeship and training under agreement of
wards;
(d) the promotion and development of industries and
activities that will afford employment opportunities for
wards; and
(e) the regulation of conditions of employment of wards.

14. The Administrator shall appoint a Secretary of the Board
who shall carry out such duties as the Board directs.

PART III.—TRAINING OF WARDS.

Division 1.—Wards-in-training.

15. The Director may declare a ward, who, in the opinion of the
Director—
(a) appears to be over the age of fourteen years;
(b) has not already been a ward-in-training for more than
an aggregate of six years; and
(c) appears to be a person who may successfully complete
a course of vocational training,
and is proved by medical examination to be physically capable of
undergoing the training, to be a ward-in-training.

16. The Director may provide, or make arrangements for the
provision of, vocational training for wards-in-training for the
purposes of enabling wards-in-training to enter into professions or
trades or into such other callings as, in the opinion of the Director,
wards-in-training should, after training, be able to follow.

17. Without limiting the generality of the last preceding
section, the Director may provide, or make arrangements, for the
training of wards-in-training—
(a) under apprenticeship training in pursuance of the
Apprentices Ordinance 1948-1952 and the regulations
under that Ordinance;
(b) under training in accordance with Division 2 of this
Part; and
(c) to qualify them for competency in a calling included
in the list of callings kept under the next succeeding
section.

18. The Director shall keep a list of callings in which there
shall be set out opposite to each calling details of the course of
training necessary to qualify a ward-in-training for that calling.

19. Where the Director is of opinion that a ward-in-training is
likely to be able to complete a course of apprenticeship training
but is not sufficiently qualified to enter immediately into that
course of training, he may provide for the ward-in-training a
course of preparatory training for a period not exceeding two
years to enable him to qualify for entry into that course of
training.

20. The Director may establish and maintain such training
centres for wards-in-training as he considers necessary.

21. The regulations may provide for the payment, subject to
specified conditions, of allowances to wards-in-training while under-
going training and of wages to wards-in-training while undergoing
training under a training agreement.

22. Where the Director approves or arranges training for a
ward-in-training at an establishment where charges are made for
tuition and board, the Administrator may approve the payment of
those charges by the Director and the payment of any other
fees which he considers properly associated with the training of
the ward at that establishment.

23. A ward shall not be a ward-in-training for more than an
aggregate of six years except with the approval of the Adminis-
trator.

24.—(1) Upon the successful completion by a ward-in-training
of a course of training specified in the list referred to in section
eighteen of this Ordinance, the Director shall issue to him a certifi-
cate of competency in which there shall be set out the details of
the training he has undergone and the calling for which he has
been trained.

(2) The Director shall not issue a certificate of competency to a
ward-in-training until he has gained a knowledge of English
and hygiene deemed by the Director to be appropriate to the
calling for which he has been trained.

Division 2.—Training under Agreement.

25. The Director may approve of a ward-in-training under train-
ing with an approved employer.

26.—(1) A person who is the holder of a licence and is approved
to undertake the training of a ward-in-training under this
Division may be approved by the Director as an approved employer
for the purposes of this Division.
(2.) The Director shall not approve a person as an approved employer for the purposes of this Division unless he is satisfied that—

(a) the person has adequate facilities available for training the ward-in-training; and

(b) the proposed training, in itself or in conjunction with such other training as the Director may provide or require, is suitable to qualify the ward-in-training for the calling for which he is being trained.

Training agreements.

27.—(1.) An approved employer may, with the consent of the Director, enter into an agreement for the training of a ward-in-training.

(2.) A training agreement shall be—

(a) in the prescribed form; and

(b) for a period not exceeding five years.

(3.) A training agreement shall be executed in duplicate by the parties to the agreement.

(4.) The Director shall endorse his consent to the agreement on both copies of the agreement and shall deliver one copy so endorsed to the employer.

(5.) The Director shall retain the other copy of the agreement.

28. The form of training agreement prescribed for the purposes of the last preceding section shall include a provision that any question or difference arising between an employer and a ward-in-training as to the construction of the agreement or a clause in the agreement, or as to any matter in any way connected with or arising out of the agreement as to the rights, duties or liabilities of the employer or the ward-in-training in connexion with, or arising under, the agreement shall be inquired into and determined by the Director.

29. An employer who is a party to a training agreement shall at the end of each period of twelve months during which the agreement is in force and at the termination of the agreement, furnish to the Director a report in the prescribed form as to the conduct and progress of the ward-in-training in the calling in which he is being trained.

30.—(1.) Where the Director inquires into a question or difference arising between an employer and a ward-in-training in accordance with the provision contained in a training agreement by virtue of section twenty-eight of this Ordinance, the Director may make such determination as he considers just in the circumstances and may determine that the agreement be cancelled from a date specified in the determination.

(2.) Where the Director determines that a training agreement be cancelled by reason of a breach of its provisions by an approved employer, he may cancel the approval of the employer under this Division.

31. Where both an employer and a ward-in-training wish to terminate a training agreement, the Director may approve of the termination of the agreement.

PART IV.—EMPLOYMENT OF WARDS.

32.—(1.) A person shall not employ—

(a) a male ward unless he is the holder of a licence to employ male wards which is in force; or

(b) a female ward unless he is the holder of a licence to employ female wards which is in force.

Penalty: One hundred pounds or imprisonment for six months.

(2.) A licence granted under the Aboriginals Ordinance 1918-1953 and in force immediately before the repeal of that Ordinance shall be deemed to be a licence granted under this Part and may be cancelled or revoked under this Part.

33.—(1.) An application for a licence shall be made to a welfare officer in the prescribed form.

(2.) A licence shall not be granted to employ wards on any premises in respect of which a licence granted under the Licensing Ordinance 1939-1953 is in force, except in such callings as the Administrator approves and under such special conditions as he determines in each case.

(3.) If the welfare officer to whom an application is made under this section is satisfied that the applicant is a fit person to be a licensee, he may, subject to the last preceding sub-section and upon payment of the prescribed fee, grant to the applicant a licence in the prescribed form—

(a) to employ male wards only;

(b) to employ female wards only; or

(c) to employ both male and female wards.

(4.) If a welfare officer refuses to grant the licence applied for by an applicant, the applicant may apply to the Director for the grant of the licence.

(5.) If the Director is satisfied that the applicant is a fit person to be a licensee, he may, subject to sub-section (2.) of this section, and upon payment of the prescribed fee, grant to the applicant a licence in the prescribed form—

(a) to employ male wards only;

(b) to employ female wards only; or

(c) to employ both male and female wards.
34.—(1.) A licence shall contain such terms and conditions as are prescribed and, subject to this section, shall remain in force until the thirtieth day of June next following the grant of the licence.

(2.) A welfare officer may, at any time, cancel a licence if he is satisfied that the licensee is or has become a person who is not fit to employ wards or has failed to comply with a provision of this Ordinance or with a term or condition of the licence.

(3.) A licence may be cancelled by serving on the licensee a notice in writing canceling the licence.

(4.) A person whose licence has been cancelled by a welfare officer may, within one month of the date of cancellation, request the Director in writing to review the cancellation.

(5.) The Director may remove the cancellation, direct the issue to the applicant of a new licence or confirm the cancellation of the licence.

35.—(1.) The holder of a licence which has been cancelled shall, within fourteen days after notice of the cancellation of the licence is served on him, deliver up the licence to a welfare officer or police officer.

(2.) A person shall not knowingly make use of or act upon a cancelled licence as if it were in force or knowingly represent a cancelled licence to be in force.

Penalty: Fifty pounds.

36. A licensee or a person who held a licence shall, within three months after the end of each period of six months of the term for which the licence was granted, furnish to the Director a return in the prescribed form of the wards employed by him.

Penalty: Fifty pounds.

37.—(1.) A welfare officer or police officer may require a licensee to produce his licence at a time and place specified by the officer.

(2.) A person shall not refuse or fail to comply with a requirement made under the last preceding sub-section.

Penalty: Fifty pounds.

38. A licensee shall not employ a ward except in accordance with the prescribed conditions of employment and at not less than the prescribed minimum wages.

Penalty: One hundred pounds.

39. The last preceding section shall not operate so as to prevent a ward, the Director or a welfare officer from procuring, or procuring on behalf of the ward, employment in accordance with the terms and conditions contained in an award or industrial agreement applicable in respect of the calling in which the ward is employed.

40. In this Part, unless the contrary intention appears—
(a) "ward" includes a ward-in-training who is being trained under a training agreement; and
(b) such a ward-in-training shall be deemed to be a ward employed by the person with whom the training agreement has been entered into.

41.—(1.) The Director may direct an employer to pay to him or to an authorized welfare officer such portion as may be determined, from time to time, by the Director of the wages of any ward employed by the employer.

(2.) An employer shall comply with a direction given by the Director under the last preceding sub-section.

Penalty: Fifty pounds.

(3.) Subject to the next succeeding sub-section, the Director or an authorized welfare officer shall pay into a trust account to be opened by him in his name at the nearest branch of the Commonwealth Savings Bank any moneys received by him under this section.

(4.) When the total of the sums of money received by the Director or authorized welfare officer in respect of a ward, after deduction of all moneys lawfully expended on behalf of, or for the benefit of, that ward, exceeds Fifty pounds or in any other case in which the Director or authorized welfare officer thinks fit, the Director or authorized welfare officer shall pay the amount to the credit of a trust account opened at the nearest branch of the Commonwealth Savings Bank in the name of the ward and there after pay all amounts received in respect of that ward to that account.

(5.) Interest payable in respect of moneys paid into the trust account referred to in sub-section (3.) of this section shall be allocated to the benefit of the wards on whose behalf the moneys were received in such amounts as the Director thinks reasonable.

(6.) Moneys paid into a trust account in pursuance of this section shall be deemed to be the property of the ward and shall, subject to the next succeeding sub-section, be held and dealt with in accordance with Division 3 of Part III. of the Welfare Ordinance 1953.

(7.) Moneys paid into a trust account in pursuance of this section may be expended by the ward in respect of whom they were paid if the Director or an authorized welfare officer approves of the expenditure.

(8.) Where, immediately before the repeal of the Aboriginals Ordinance 1918-1953, moneys which had been received on behalf of an aboriginal as defined by that Ordinance were held in a trust
account referred to in sub-section (2.) or (4.) of section twenty-nine A of that Ordinance, those moneys and the interest payable on those moneys shall be deemed to be moneys received by the Director or an authorized welfare officer under this section and shall be dealt with in accordance with this section.

(9.) Where any moneys referred to in the last preceding sub-section are moneys received under the Aboriginals Ordinance 1918-1953 on behalf of an aboriginal as defined by that Ordinance and that aboriginal is not a ward, the moneys shall be dealt with by the Director under section twenty-eight of the Welfare Ordinance 1953 as if that aboriginal had ceased to be a ward.

(10.) In this section the expression "authorized welfare officer" means a welfare officer authorized in writing by the Director for the purposes of this section.

42.—(1.) If a ward who is employed dies or leaves his employment all wages due to him up to the time of his death or of leaving his employment shall be paid to the Director.

(2.) Any moneys received by the Director under the last preceding sub-section shall be dealt with in accordance with section twenty-eight of the Welfare Ordinance 1953.

43.—(1.) Where a medical practitioner is satisfied that a ward is not medically fit for the particular employment in which he is engaged, he shall forthwith notify the Director in writing of the fact.

(2.) Upon receipt of the notification, the Director shall forthwith terminate the employment by notice in writing to the employer.

44. An employer shall not, after being notified of the termination of employment in pursuance of the last preceding section, continue to employ the ward in the employment for which the ward has been found to be medically unfit.

Penalty: Fifty pounds.

45.—(1.) A welfare officer, an officer of the Department of Health or a police officer may require an employer—

(a) to give him access at all reasonable times to a ward employed by the employer; and

(b) to allow him at all reasonable times to enter any place, premises or vessel where the ward is or is employed, for the purpose of inspection or inquiry.

(2.) An employer shall not refuse or fail to comply with a requirement made in pursuance of the last preceding sub-section.

Penalty: One hundred pounds or imprisonment for six months.

46. A person shall not entice or persuade a ward to leave his lawful employment.

Penalty: Fifty pounds.

47.—(1.) Where a ward ceases to be employed, the Director may—

(a) require the employer to convey the ward in respect of whom a training agreement was made or whose employment was arranged to the place where the agreement or arrangement for employment was entered into; or

(b) whether or not a requirement has been made under the last preceding paragraph, cause such a ward to be conveyed to that place at the expense of the employer.

(2.) Where the Director causes a ward to be conveyed under paragraph (b) of the last preceding sub-section, the cost of the conveyance of the ward may be recovered from the employer as a debt due and payable to the Director.

48.—(1.) A person shall not employ a female ward on or about a vessel or, except with the written consent of the Director, permit a female ward to be or remain upon a vessel.

Penalty: Fifty pounds.

(2.) A person shall not, except with the written consent of the Director, employ a female ward on or about a vessel trading with, or voyaging to, a place outside the Northern Territory.

Penalty: Fifty pounds.

(3.) The last preceding sub-section does not apply where the vessel on which a ward is employed is a vessel which is for the time being in the use of the Government of the United Kingdom, the Commonwealth or a State.

49.—(1.) Where a ward who is a ward-in-training or is employed otherwise than in accordance with the terms and conditions contained in an award or industrial agreement applicable in respect of the calling in which the ward is employed, sustains an injury—

(a) arising out of or in the course of his employment; or

(b) as the result of—

(i) any defect or want of repair in the ways, works, machinery or plant connected with, or used in, the business of his employer which was known to, or could by the exercise of reasonable care have been discovered by, the employer;

(ii) the failure of his employer to take reasonable precautions for the safety of the ward, or to
comply with any duty imposed upon him by any law of the Northern Territory; or

(iii) the negligence of his employer or of any person in the service of the employer whilst that person is exercising any superintendence over the work of the ward, or over any plant or machinery, or the negligence of any person under whose orders or directions the ward was working at the time of the injury,

and the injury is of such a nature as to cause the death of the ward or to cause the ward, or be likely to cause him, loss or diminution of the capacity to earn wages in the employment in which he was, at the time of the injury, engaged or being trained, the ward, or, in the case of death so caused, his relations shall, subject to this section, be entitled to receive compensation from the employer in accordance with this section.

(2.) The compensation payable shall be assessed by a Court subject to and in accordance with the regulations.

(3.) Where the injury has not caused death, the ward shall be entitled to receive from the employer on such conditions as the Court so orders, any surgical appliance which the Court, on the recommendation of a medical officer, orders the employer to provide.

(4.) Contributory negligence by the ward shall not be a defence to a claim for compensation under this section, but in assessing the amount of compensation, regard shall be had to the contributory negligence.

(5.) Where it is proved that an injury to a ward was caused by, or was attributable to, his serious or wilful misconduct, compensation is not payable in respect of that injury, except where the injury results in his death.

(6.) The voluntary acceptance by the ward of the risk or danger which gave rise to the injury shall not be a defence to a claim for compensation under this section.

(7.) The Court awarding the compensation under this section may, if it thinks fit, order the compensation to be paid into court, and may give directions for its application for the benefit of the ward or his relations by instalments or otherwise in such manner as the Court considers expedient.

(8.) In the application of this section to and in relation to a ward, any reference to personal injury by accident arising out of or in the course of the ward's employment shall be read as including a reference to a disease due to the nature of the employment in which the ward was employed.

(9.) For the purposes of the payment of compensation under this section, the Director shall be deemed to be the employer of all wards-in-training.

(10.) In this section "Court" means a Local Court of Full Jurisdiction established under the Local Courts Ordinance 1941-1952.

50. If a ward who is a ward referred to in the last preceding section suffers injury (other than an injury of such a trivial nature as to require no medical attention by a medical practitioner) arising out of or in the course of, or at the place of, his employment, the employer shall, as soon as practicable, give notice in writing in the prescribed form to a welfare officer who shall—

(a) require a medical officer to examine the ward and to report upon the injury; and

(b) in a proper case, take all necessary steps on behalf of the ward to claim and to commence and maintain proceedings for the assessment of compensation in accordance with that section.

PART VI.—ASSISTANCE TO WARDS.

51. (1.) A ward may apply to the Director for assistance to enable him to engage in or carry on and develop a trade, business or other undertaking.

(2.) The Administrator, on the recommendation of the Director, may approve of assistance being granted to a ward under this Part.

(3.) The Director shall not recommend that an application under this section be granted if he is of opinion—

(a) that the ward is not likely to be able successfully to engage in or carry on and develop the trade, business or other undertaking in relation to which he has applied for assistance; or

(b) that the ward is not deserving of assistance under this Part.

(4.) Except with the approval of the Minister, the amount of assistance granted under this Part to a ward shall not exceed One thousand pounds.

52. (1.) Where the Administrator approves of assistance being granted to a ward under this Part, the Director shall exercise the powers conferred on him by Division 3 of Part III. of the Welfare Ordinance 1953 and in particular shall assume the management and administration of the trade, business or other undertaking of the ward.

(2.) Subject to the management and administration conducted by the Director, the ward shall continue to carry on his trade, business or other undertaking.
53.—(1) The Director may, with the approval of the Administrator, out of moneys lawfully available for the purpose, expend such sums of money as he deems necessary for giving assistance to a ward in accordance with this Part and in particular for—
(a) the hire or purchase of machinery, plant or other equipment;
(b) the purchase of live-stock and the carrying out of permanent improvements on land; and
(c) any other purpose necessary or convenient for the engaging in, carrying on or developing of the ward's trade, business or other undertaking and for his affairs.

54. The Director shall, out of moneys received by him on behalf of the ward, in addition to the payments authorized to be made under section twenty-six of the Welfare Ordinance 1953, make repayment to the Administrator of the sums of money expended for the assistance of the ward under this Part.

55.—(1) The Director shall, for the purposes of section twenty-seven of the Welfare Ordinance 1953, keep records of the amount of assistance granted to a ward, of the property made available to the ward under this Part and of the repayments made to the Administrator.

(2) The Director shall make the records kept under this section available for inspection at any time by the Administrator or a person authorized by the Administrator for that purpose.

56. A ward shall not—
(a) sell or otherwise alienate, misapply or fail to keep in reasonable repair and condition any property or other assets made available out of sums of money expended by the Director for his assistance under this Part; or
(b) without the consent of the Director, dispose of or alienate any property acquired by him by reason of engaging in, carrying on or developing his trade, business or undertaking.

Penalty: Twenty pounds or imprisonment for six months or both.

57. A sum of money expended for the assistance of a ward under section fifty-three of this Ordinance shall be a debt due by the ward to the Administrator and, until the debt is repaid, all the property and assets of the ward shall be subject to a charge in favour of the Administrator and shall not be capable of being alienated or charged, or seized or taken under process of law or otherwise, except to or by the Administrator or with the consent of the Administrator.

58.—(1) Where a person who has received assistance under this Part ceases to be a ward and at that time that person is indebted to the Administrator for an amount in respect of assistance granted to him under this Part, the amount of the indebtedness shall be—
(a) set off against any accumulated income from property;
(b) secure, with preference over all other claims and debts, against the property,
to be restored to that person under section twenty-eight of the Welfare Ordinance 1953.

(2) So much of a person's indebtedness to the Administrator as is not satisfied or secured under the last preceding sub-section, remains an ordinary debt due by that person to the Administrator.

59. Where the amount of indebtedness due under this Part has been repaid in full to the Administrator, the property made available under this Part shall become the property of the ward to be held by the Director in accordance with section twenty-eight of the Welfare Ordinance 1953.

PART VII.—MISCELLANEOUS.

60. The Director may establish, or authorize the establishment of, trading posts on mission leases or elsewhere for the purpose of enabling wards to buy, sell or barter articles.

61. The Director shall keep such accounts and records of trading at trading posts established under the last preceding section as may be prescribed and as the Administrator may direct.

62. Where a person convicted of an offence against this Ordinance is a body corporate, every person who, at the time of the commission of the offence, was a director, officer or servant of the body corporate shall be deemed to be guilty of the offence, unless he proves that the offence was committed without his knowledge or that he used all due diligence to prevent the commission of the offence.

63. A person shall not obstruct or hinder a welfare officer or other person in the lawful exercise or execution of any power or duty under this Ordinance.

Penalty: One hundred pounds or imprisonment for six months.

64. A person shall not in an application made, or a return furnished, under this Ordinance make a statement which is false or misleading in a particular.

Penalty: One hundred pounds or imprisonment for six months.
65. A matter or thing done or performed by the Director or a welfare officer or other person appointed or employed by the Director or a welfare officer, if done in good faith in the exercise of his powers or the performance of his duties under this Ordinance, shall not subject the Director, welfare officer or other person to any personal liability.

66. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters and things which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance.
BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1959, as follows:

1.—(1.) This Ordinance may be cited as the Wards' Employment Ordinance 1960.

(2.) The Wards' Employment Ordinance 1953-1959 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the Wards' Employment Ordinance 1953-1960.

2. Sections thirty-two, thirty-three, thirty-four, thirty-five, thirty-six and thirty-seven of the Principal Ordinance are repealed and the following sections are inserted in their stead:

"32.—(1.) Subject to this section, where a person employs a ward after the commencement of this section, he shall, within twenty-eight days after the commencement of the employment, give notice to the Director of the fact that he has employed a ward, of the name of the ward and of the date on which the employment commenced.

Penalty: One hundred pounds or imprisonment for six months or both.

(2.) Notice need not be given under the last preceding sub-section in respect of the employment of any ward if the person employing the ward has already given notice under that sub-section in respect of the employment of any other ward, or is lawfully employing a ward at the time of commencement of this section.

(3.) It is a defence to a charge under the last preceding sub-section if the person charged satisfies the Court that he posted or caused to be sent to the Director a notice containing the information required to be provided under that sub-section.


3239/60.—Price 3d.
(4.) Where a person is convicted of an offence under subsection (1.) of this section, unless the Court is satisfied that the person has, for the work done, paid in full to the ward in respect of whom the charge is brought wages calculated at the rate of the minimum wage under the provisions of any law in force in the Territory for or in relation to the determination of minimum rates of wages for that work, the Court may make an order that the person pay to the Director for the use of the ward the amount of wages so calculated, less any amount already paid by the person to the ward for the work done by the ward.

33.—(1.) The Director may by notice in writing direct a person not to employ any ward or a ward specified in the notice on the ground that the person is not a fit and proper person to employ a ward, having regard to previous conduct of that person in relation to a ward.

(2.) A person who is served with a notice under the last preceding section shall comply with the direction given according to the terms of the notice.

Penalty; One hundred pounds or imprisonment for six months or both.

34.—(1.) A person who is aggrieved by a direction given to him by the Director under the last preceding section may appeal against the direction to a Court of Summary Jurisdiction constituted by a Stipendiary Magistrate or a Special Magistrate.

(2.) An appeal under this section shall be instituted—

(a) within fourteen days after service upon him of a notice containing the direction by which he is aggrieved; and

(b) by serving notice in writing on the Director and filing a copy of the notice in the Court to which the appeal is made.

(3.) The Director shall be the respondent in the appeal.

(4.) The Court to which an appeal under this section is made shall hear and determine the appeal and may—

(a) dismiss the appeal; or

(b) allow the appeal and order that the direction given by the Director shall be withdrawn, and may make such order as to costs as it thinks just.

(5.) There shall be no appeal from the decision of the Court to which an appeal is made under this section.

35.—(1.) A person who employs a ward during any period of six months ending on the thirtieth day of June or the thirty-first day of December in any year shall furnish to the Director a return in the prescribed form of all wards so employed by him.

(2.) The return shall be furnished not later than three months after the end of the period to which it relates.

36. No person shall employ a ward on any premises in respect of which a licence, granted under the Licensing Ordinance 1939-1960, is in force, except in such callings as the Administrator approves and under such special conditions as he determines in each case.

Penalty: One hundred pounds or imprisonment for six months.

3. Section thirty-eight of the Principal Ordinance is amended by omitting the word "licensee" and inserting in its stead the word "person".

4. Section sixty-six of the Principal Ordinance is repealed and the following section inserted in its stead:—

66. The Administrator in Council may make regulations, not inconsistent with this Ordinance, prescribing all matters and things which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance."
AN ORDINANCE

To amend the Wards Employment Ordinance 1953-1960.

[Reserved 17th October, 1962.]
[Assented to 22nd January, 1963.]*

Be it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1961, as follows:

1.—(1.) This Ordinance may be cited as the Wards Employment Ordinance 1962.

(2.) The Wards Employment Ordinance 1953-1960 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Wards Employment Ordinance 1953-1962.

2. Section forty of the Principal Ordinance is amended by inserting in paragraph (a) after the definition of "ward" the following definition:

"Court" means a Local Court of Full Jurisdiction established under the Local Courts Ordinance 1941-1957.

3. Section forty-nine of the Principal Ordinance is amended—

(a) by omitting from sub-section (2.) the word "Where" and inserting in its stead the words "Subject to section fifty D of this Ordinance where"; and

(b) by omitting sub-section (10.).

4. After section fifty c of the Principal Ordinance the following section is inserted:

"50p..—(1.) Subject to this section, where a ward who is a ward referred to in sub-section (1.) of section forty-nine of this Ordinance and an employer of the ward agree as to an amount of compensation to be paid under this Ordinance or the regulations in respect of an injury referred to in that section, the employer may pay the agreed amount to the ward."
"(2.) Subject to the next succeeding sub-section, the pay­ment of an agreed amount under the last preceding sub-section discharges the employer from liability to pay compensation under this Ordinance or the regulations according to the tenor of the agreement.

"(3.) A payment made under sub-section (1.) of this section does not operate under the last preceding sub-section to discharge an employer from any liability unless—

(a) the agreement has been made in writing;
(b) the Director has noted on the agreement that he approves the agreement;
(c) the agreement has been submitted to the Court for its consideration and the Court has noted on the agreement that it consents to the registration of the agreement; and
(d) the agreement has been registered by the Court."

THE NORTHERN TERRITORY OF AUSTRALIA.

No. 18 of 1963.

AN ORDINANCE

To amend the Wards' Employment Ordinance 1953-1960.

[Reserved 19th January, 1962.]
[Assented to 15th February, 1963.]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1961, as follows:—

1.—(1.) This Ordinance may be cited as the Wards' Employment Ordinance 1961.

(2.) The Wards' Employment Ordinance 1953-1960 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the Wards' Employment Ordinance 1953-1961.

2. After section two of the Principal Ordinance the following section is inserted:—

"2A. This Ordinance binds the Crown."

THE NORTHERN TERRITORY OF AUSTRALIA.

Regulations 1959. No. 4.*

Regulations under the Wards' Employment Ordinance 1953-1959.

I PAUL MEERNAA CAEDWALLA HASLUCK, Minister of State for Territories, hereby make the following Regulations under the Wards' Employment Ordinance 1953-1959.

Dated this thirty-first day of August, 1959.

PAUL HASLUCK
Minister of State for Territories.

WARDS' EMPLOYMENT REGULATIONS.

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Wards' Employment Regulations.

2. These Regulations are divided into parts, as follows:

Part I.—Preliminary (Regulations 1-4).
Part II.—Remuneration and Allowances of Members of the Board (Regulation 5).
Part III.—Grant of Licences (Regulation 6).
Part IV.—Prescribed Conditions of Employment (Regulations 7-29).
Part V.—Special Conditions Applicable in the Pastoral Industry (Regulations 30-35).
Part VI.—Special Conditions Applicable in the Marine Industries (Regulation 36).
Part VII.—Special Conditions Applicable in the Buffalo Shooting Industry (Regulations 37-38).
Part VIII.—Special Condition Applicable for Persons Employed in the Collection and Disposal of Garbage (Regulation 39).
Part IX.—Wards-in-training (Regulations 40-47).
Part X.—Compensation for Death or Injury (Regulations 48-53).
Part XI.—Miscellaneous (Regulations 54-55).

* Notified in the Gazette of the Northern Territory on 16th September, 1959.
9349/63.—PRICE 1S. 3D
PART I.—DEFINITIONS.

3. In these Regulations, unless the contrary intention appears—
   "cost", in relation to goods, means the net cost of landing the goods at the place at which the goods are supplied to a ward plus ten per centum of that cost;
   "district" means a district declared to be a district for the purposes of the Wards' Employment Ordinance 1953-1959;
   "the Ordinance" means the Wards' Employment Ordinance 1953-1959.

Delegation.

4.—(1.) The Director may, in relation to any particular matter or class of matters, or to any particular part of the Territory, by writing under his hand, delegate all or any of his powers and functions under these Regulations (except this power of delegation).
   (2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.
   (3.) A delegation under this Regulation is revocable at will and does not prevent the exercise of a power or the performance of a function by the Director.

PART II.—RENUMERATION AND ALLOWANCES OF MEMBERS OF THE BOARD.

5.—(1.) For the purposes of section 8 of the Ordinance, the prescribed remuneration payable to a member of the Board, other than the Director or the welfare officer, is a fee of Five pounds five shillings for—
   (a) each day on which the member attends a meeting of the Board or is otherwise engaged, at the direction of the Board, on the business of the Board; or
   (b) each day on which the member is necessarily absent from his home for the purpose of attending, or as a result of having attended, a meeting of the Board, not being a day on which the member leaves his home after twelve noon or returns to his home before twelve noon.
   (2.) For the purposes of section 8 of the Ordinance, the prescribed allowances payable to a member of the Board, other than the Director or the welfare officer are, subject to the succeeding provisions of this regulation—
   (a) a travelling allowance of Three pounds three shillings for each day or part of a day on which the member is absent from his home overnight for the purpose of attending, or as a result of having attended, a meeting of the Board or for the purpose of attending, at the direction of the Board, to other business of the Board, or as a result of having attended to other business of the Board when so directed by the Board; and
   (b) an allowance equal to the actual expenses incurred by the member in travelling from his home to the place at which a meeting of the Board is held or the place at which he is otherwise engaged, at the direction of the Board, on the business of the Board and in travelling from such a place to his home.

PART III.—GRANT OF LICENCES.

6.—(1.) An application, under section 33 of the Ordinance, for a licence to employ a ward shall be in accordance with Form 1 in the First Schedule to these Regulations.
   (2.) A licence granted under section 33 of the Ordinance shall be in accordance with Form 2 in the First Schedule to these Regulations and shall contain the following conditions:—
   (a) a condition that the licensee shall not employ, or continue to employ, a ward in a district or in an industry other than the district or industry specified in the licence;
   (b) a condition that the licensee shall not, except with the approval of the Director, employ a ward who has not attained the age of fourteen years;
   (c) a condition that, if the licence is a licence to employ both male and female wards, a licensee who is—
      (i) unmarried;
      (ii) a widower; or
      (iii) living separately from his wife, shall not, except with the written authority of the Director, employ a married female ward unless he also employs her husband;
   (d) a condition that, if the licence is a licence to employ female wards in the buffalo shooting industry or to employ both male and female wards in that industry, the licensee shall not, except with the written consent of the Director and subject to such conditions as the Director may determine, employ a female ward in, or in connexion with, the salting or handling of buffalo hides; and
   (e) a condition that the licensee shall, in the employment of wards in pursuance of the licence, comply with the provisions of the Ordinance, these Regulations and any other law in force in the Territory relating to wards.

7. The conditions specified in this Part are the prescribed conditions of employment of a ward other than a ward employed, by virtue of section 39 of the Ordinance, in accordance with the terms and conditions contained in an award or industrial agreement applicable in respect of the calling in which the ward is employed.
8.—(1.) A licensee shall, subject to a direction given to him under section 41 of the Ordinance, pay to a ward employed by him in an industry other than the pastoral industry the wages and other moneys payable to the ward at the same times and in the same manner as the times and the manner specified in an award or industrial agreement applicable in respect of the calling in which the ward is employed or in respect of the industry in which the ward is employed.

(2.) Where a licensee employs a ward in the pastoral industry, the licensee shall—
(a) keep a record of the moneys earned by, paid to, or expended for and on behalf of, the ward and shall, on demand by a welfare officer, produce that record to the welfare officer for his inspection; and
(b) pay out or expend such of the moneys earned by the ward in such manner and in such amounts as a welfare officer, by writing under his hand, directs, and shall not, without such a written direction, pay out or expend the whole or any part of any such moneys.

9. A licensee shall not deduct from the wages payable to a ward or reduce the issue of food, clothing, tobacco or other articles which the licensee is required to make under these Regulations because of time lost as a result of wet weather or time off duty granted to a ward to suit the convenience of the licensee.

10.—(1.) Where a ward employed by a licensee is injured or becomes ill or infected with a disease, the licensee shall immediately notify the nearest medical officer of the nature of the injury, illness or disease, as the case may be, and, if so required by the medical officer, arrange for the ward to be transported immediately to a place specified by the medical officer.

(2.) The Director may approve the payment to the licensee of such amounts as the Director considers to be the reasonable costs of transporting a ward under the last preceding sub-regulation.

11.—(1.) A licensee shall not terminate the employment of a ward for reasons other than misconduct of the ward—
(a) unless he has given to that ward at least one week's notice of his intention so to do; or
(b) unless he pays to the ward one week's wages and the clothing allowance of Fifteen shillings referred to in regulation 24 of these Regulations and—
(i) supplies to the ward the food, tobacco and other articles which, if the employment had not been terminated, he would have been required to issue to the ward and to the wife and child of the ward; or
(ii) pays to the ward the cost of the food, tobacco and other articles.

(2.) The last preceding sub-regulation does not apply where a ward is employed under a recognizance or an agreement that provides for the conditions under which the services of a ward may be terminated.

12.—(1.) A ward shall not terminate his employment with a licensee unless he has given at least one week's notice of his intention so to do.

(2.) Where a ward terminates his employment without giving notice in accordance with the last preceding sub-regulation, the licensee shall, as soon as practicable, pay to the Director all moneys due to the ward up to the time of the termination.

(3.) On application by the licensee, the Director may pay to the licensee, from moneys received by the Director under the last preceding sub-regulation, such amounts as the Director may, in his discretion, determine to compensate the licensee for the failure of the ward to give the notice referred to in sub-regulation (1.) of this regulation and to reimburse the licensee for any food, tobacco and other articles supplied to the ward and for any costs incurred by him in conveying the ward to his place of employment.

13.—(1.) Where by reason of his employment with a licensee, a ward is required to work at a place away from the place of engagement, the licensee shall—
(a) convey the ward to the place where the ward is required to live;
(b) pay the cost of conveying the ward to that place.

(2.) Subject to the next succeeding sub-regulation, a licensee shall, on the termination of the employment of a ward—
(a) convey the ward back to the place of engagement; or
(b) pay the cost of conveying the ward to that place.

(3.) A welfare officer may, in his discretion, exempt a licensee from the obligations imposed under the last preceding sub-regulation where a ward terminates his employment without notice or before the expiration of the period during which the ward has agreed to be employed.

(4.) A licensee shall provide a ward with sustenance or pay him a sustenance allowance at the rate of Ten shillings per day during the period during which he is being conveyed to or from his place of employment.

14.—(1.) Where there is an award or industrial agreement providing for the ordinary working hours of persons employed in an industry, the provisions of that award or industrial agreement relating to ordinary working hours apply to wards employed in that industry.

(2.) Where there is no award or industrial agreement providing for the ordinary working hours of persons employed in an industry, the Director may, having regard to the ordinary working hours of persons employed in that industry, determine the ordinary working hours of wards employed in that industry.

15.—(1.) Where there is an award or industrial agreement providing for the working of overtime by persons employed in an industry, the Director
Wards Employment Regulations.

16.—(1.) A licensee who employs wards outside the boundaries of a town area shall keep, in respect of each ward employed by him, a personal record in accordance with Form 3 in the First Schedule to these Regulations.

(2.) The licensee shall retain the record so kept by him for a period of twelve months and shall upon demand by a welfare officer produce the record for inspection by the welfare officer.

17.—(1.) Where a ward uses, in pursuance of a requirement by the licensee by whom he is employed, plant, a motor or other vehicle, a horse, a saddle, tools or equipment that is not provided by the licensee, the licensee shall—

(a) where the ward uses plant or a motor vehicle—pay for and provide all petrol and oil used by the plant or vehicle while engaged on the work of the licensee and shall pay to the ward for its use a hiring charge to be agreed upon between the licensee and a welfare officer;

(b) where the ward uses tools, equipment or a vehicle other than a motor vehicle—pay to the ward for its use a hiring charge to be agreed upon between the licensee and a welfare officer;

(c) where the ward uses a horse—pay to the ward an allowance of Four shillings per week; and

(d) where the ward uses a saddle—pay to the ward an allowance of Two shillings per week.

(2.) Where the licensee and a welfare officer are unable to agree upon the amount of a hiring charge referred to in the last preceding sub-regulation, the Director shall determine the hiring charge.

18.—(1.) A licensee shall—

(a) grant to each ward employed by him leave of absence for recreation for a period of two weeks in respect of each completed period of twelve months' continuous employment of the ward by the licensee; and

(b) pay to the ward one week's wages in respect of each week during which the ward is absent on leave so granted.

(2.) Where a ward has been employed by a licensee for a continuous period of not less than six months and—

(a) the ward terminates his employment with the licensee in accordance with sub-regulation (1.) of regulation 12 of these Regulations; or

(b) the licensee terminates the employment of the ward for a reason other than the misconduct of the ward, the licensee shall pay to the ward one-sixth of a week's wages in respect of each completed month of continuous employment of the ward by the licensee, not being a month included in a period in respect of which he has been granted leave of absence under the last preceding sub-regulation.

(3.) For the purposes of this regulation—

(a) any period during which a ward has been granted leave of absence by his employer;

(b) any period (not exceeding a period of two weeks in any period of twelve months) during which a ward is absent from his employment through illness; and

(c) any period (not exceeding a period of four months in any period of twelve months) during which a ward is absent from his employment through an injury of a kind referred to in section 49 of the Ordinance, shall be deemed to be a period during which the ward was employed by the licensee.

(4.) For the purposes of this regulation, the continuity of the employment of a ward by a licensee shall be deemed not to be broken by—

(a) any interruption to, or termination of, the employment of the ward, if the interruption or termination was caused or effected by the licensee solely for the purpose of affecting the right of the ward to the grant of leave or any payment under this regulation;

(b) any absence from employment by the ward on leave without pay (not exceeding a period of two months) granted by the employer on the application of the ward;

(c) any absence from employment by the ward through illness, if the ward has complied with sub-regulation (1.) of regulation 19 of these Regulations; or

(d) any absence from employment by the ward (not exceeding a period of four months in any period of twelve months) through an injury of a kind referred to in section 49 of the Ordinance, but, except as provided by the last preceding sub-regulation, any period of absence referred to in this sub-regulation shall not be deemed to be a period during which the ward was employed by the licensee.

(5.) Where a ward is employed by a person at the commencement of these Regulations, the employment of the ward by that person shall, for the purposes of this regulation, be deemed to have commenced on the date from which the ward has been continuously employed by him or a date being twelve months before the commencement of these Regulations, whichever is the later.

(6.) In this regulation, "week's wages" means the sum of—

(a) an amount ascertained by dividing the total amount of wages payable to the ward before the making of any deductions authorized by a law in force in the Territory during the period in respect of which the leave of absence is granted or the payment made by the number of weeks in that period; and

(b) an amount equal to the sum of the amount of Fifteen shillings and the cost of the food, tobacco and other articles that a licensee is required by these Regulations to supply to a ward and to the wife and child of the ward in a week.

19.—(1.) A ward employed by a licensee who is absent from his employment through illness shall, as soon as practicable, inform the licensee—

(a) of his inability to attend for duty; and
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(b) of the nature of his illness and the probable duration of his absence.

(2.) The ward shall give to the licensee such evidence as the licensee may reasonably require of his inability to attend for duty through illness on the days on which he claims to be entitled to payment of wages under this regulation.

(3.) Subject to the next succeeding sub-regulation, a ward who is absent for a period exceeding one week in any twelve months of continuous employment with the one licensee is entitled to payment of wages in respect of a period of absence through illness of one week.

(4.) Where a ward would, if he were employed under the conditions contained in an award or industrial agreement applicable in the industry or calling in which the ward is employed, be entitled by reason of his continuous employment with the one employer to payment of wages in respect of a longer period of absence through illness, he is entitled to payment of wages in respect of that longer period.

(5.) Where a ward is employed by a person at the commencement of these Regulations, the employment of the ward by that person shall, for the purpose of calculating the period for which the ward is entitled to payment of wages under this regulation, be deemed to have commenced on the date from which the ward has been continuously employed by him or a date being twelve months before the commencement of these Regulations, whichever is the later.

(6.) A ward is not entitled to payment of wages under this regulation for any period in respect of which he is entitled to receive compensation under Part X. of these Regulations.

20.—(1.) Subject to the next succeeding sub-regulation, a licensee who employs a ward may, on the application of the ward, grant to the ward leave of absence without wages.

(2.) Nothing in the last preceding sub-regulation requires a licensee to grant leave of absence without wages to a ward for a period exceeding two months in any period of fourteen months.

21. A licensee shall maintain for the use of wards residing on his property or employed by him a medical chest containing the first-aid requisites specified in the Second Schedule to these Regulations in quantities not less than the quantities specified in that Schedule opposite to each of the requisites so specified.

22.—(1.) A licensee shall provide facilities by which a ward employed by him may purchase provisions, tobacco, clothing and other articles reasonably needed by the ward or his family.

(2.) A licensee shall not sell goods to a ward at a price which exceeds the cost to the licensee of the goods.

23. A licensee who employs a ward within the boundaries of a town area shall not permit a ward employed by him to reside on the land or premises of the licensee unless a welfare officer has, by writing in accordance with Form 4 in the First Schedule to these Regulations, authorized the ward to reside on the land or premises.

24.—(1.) A licensee shall pay to each ward employed by him a clothing allowance of Fifteen shillings per week.

(2.) Subject to the succeeding provisions of this regulation, a licensee shall supply, without charge—

(a) to each ward employed by him, in respect of each completed week of employment—food, tobacco and other articles; and

(b) to the wife, not being a ward employed by him, and a child of each ward employed by him, if they reside with the ward on the property of the licensee—clothing and, in respect of each completed week of employment of the ward, food, tobacco and other articles, in accordance with the several scales contained in the Second Schedule to these Regulations.

(3.) The last preceding sub-regulation does not require a licensee to supply food, clothing, tobacco and other articles to more than one wife or one child of a ward.

(4.) Sub-regulation (2.) of this regulation does not require a licensee to furnish an initial supply of clothing and other articles specified in Part II. of the Second Schedule to these Regulations to the wife or child of a ward who is employed by the licensee at the commencement of these Regulations.

(5.) The food, clothing, tobacco and other articles supplied in accordance with sub-regulation (2.) of this regulation shall be new and of good quality.

(6.) Where the Director is satisfied that special circumstances exist, he may, by writing under his hand and subject to such conditions as he may determine—

(a) exempt a licensee from the whole or part of the provisions of this regulation; or

(b) authorize a licensee to supply, instead of the food, clothing, tobacco or other articles specified in the several scales contained in the Second Schedule to these Regulations, such other food, clothing, tobacco or other articles as the Director specifies.

(7.) A licensee may debit a ward employed by him with the amount of the cost of such of the clothing and other articles specified in Part II. of the Second Schedule to these Regulations as the licensee has supplied to the wife and child of the ward.

(8.) Where a licensee commences to employ a ward after the commencement of these Regulations, the licensee shall, upon the expiration of each week of employment of the ward, credit the ward with one fifty-second part of the amount of the cost of such of the clothing and other articles specified in Part II. of the Second Schedule to these Regulations as the ward is entitled to require the licensee to supply initially to the wife and child of the ward.

(9.) After the expiration of each period of twelve months' employment of a ward by a licensee after the commencement of these Regulations, the licensee shall, upon the expiration of each week of employment of the ward, credit the ward with one fifty-second part of the amount of the cost of such of the clothing and other articles specified in Part II.
of the Second Schedule to these Regulations as the ward is entitled to require the licensee to supply to the wife and child of the ward before the expiration of each such period of twelve months.

(10.) After the expiration of each period of three months' employment of a ward by a licensee after the commencement of these Regulations, the licensee shall, upon the expiration of each week of employment of the ward, credit the ward with one thirteenth part of the amount of the cost of such of the clothing and other articles specified in Part II. of the Second Schedule to these Regulations as the ward is entitled to require the licensee to supply to the wife of the ward before the expiration of each such period of three months.

(11.) Upon the expiration of each period of twelve months' employment of a ward by a licensee and upon the termination of the employment of a ward—

(a) if the amount debited to the ward under sub-regulation (7.) of this regulation exceeds the amount credited to the ward under sub-regulations (8.), (9.) and (10.) of this regulation, the ward shall pay to the licensee the amount of the excess; and

(b) if the amount credited to the ward under sub-regulations (8.), (9.) and (10.) of this regulation exceeds the amount debited to the ward under sub-regulation (7.) of this regulation, the licensee shall pay to the ward the amount of the excess.

25.—(1.) Subject to the next succeeding sub-regulation, a licensee shall, within twelve months after the commencement of these Regulations or within such further time as the Director, upon the application of the licensee, allows, provide buildings and facilities in accordance with sub-regulations (3.) to (6.) inclusive of this regulation for the use of wards who are employed by him and reside on the property of the licensee.

(2.) Where buildings and facilities provided before the commencement of these Regulations by a person to whom a licence is granted or deemed to be granted under Part IV. of the Ordinance are, in the opinion of the Director, substantially in accordance with the next four succeeding sub-regulations, those buildings and facilities shall be deemed to be in accordance with those sub-regulations.

(3.) An individual housing unit that conforms with the specifications contained in Part I. of the Fourth Schedule to these Regulations and is equipped in the manner specified in that Part shall be provided by the licensee for use by a married male ward and his family if his family reside with him on the property of the licensee.

(4.) A barrack type building that conforms with the specifications contained in Part II. of the Fourth Schedule to these Regulations and is equipped in the manner specified in that Part, a building for messing that conforms with the specifications contained in Part III. of that Schedule and is equipped in the manner specified in that Part, and a kitchen that conforms with the specifications contained in Part IV. of that Schedule and is equipped in the manner specified in that Part shall be provided by the licensee for use by wards employed by him other than a married male ward whose family reside with him on the property of the licensee.

(5.) An ablution building equipped in accordance with Part V. of the Fourth Schedule to these Regulations, a lavatory building equipped in accordance with Part VI. of that Schedule and a laundry building equipped in accordance with Part VII. of that Schedule shall be provided by the licensee for use by wards employed by him.

(6.) Where both male and female wards reside on the property of a licensee—

(a) separate barrack type buildings, one for use by male wards and one for female wards;

(b) separate ablution buildings, one for use by male wards and one for female wards; and

(c) separate lavatory buildings, one for use by male wards and one for female wards,

shall be provided by the licensee.

26.—(1.) A building to be used as a housing unit, barrack-type building, a building for messing or a kitchen shall not be erected by a licensee within a distance of—

(a) thirty yards from a building which is used for the carrying out of an industry; or

(b) one hundred yards from a goat yard, killing pen, stock yard or enclosure of a similar kind.

(2.) A lavatory building shall not be erected within twenty-five yards of any other building.

27.—(1.) A licensee shall provide an adequate supply of potable water, water supply, which shall be reticulated—

(a) to a point within one hundred feet of each housing unit and each barrack type building;

(b) to each building for messing;

(c) to each kitchen;

(d) to each laundry building;

(e) to each ablution building; and

(f) to a point adjacent to each lavatory building.

(2.) All pipes used in the reticulation of water shall be made of impervious material and shall be securely jointed to prevent leakage and pollution.

(3.) Each tank and other vessel used for storing or transporting water shall be constructed of impervious material and shall be so covered or screened as to prevent the pollution or contamination of water.

(4.) A tank or other container in which water is stored shall be so constructed that the water may only be drawn for use by means of taps.

28.—(1.) A licensee shall provide, for use by wards who reside on his property, adequate supplies of firewood.

(2.) A licensee shall not permit firewood to be stacked in or against, or to remain stacked in or against, a kitchen, a housing unit or barrack type building.

29.—(1.) A licensee shall provide, for use by wards who reside on his property, adequate garbage tins fitted with close fitting lids.
Wards' Employment Regulations.

(2.) A licensee shall take such action as is necessary to ensure that garbage tins are emptied and cleaned once in every twenty-four hours.

(3.) A licensee shall take such action as is necessary to ensure that all garbage and refuse is burnt or buried beneath not less than three feet of earth once in every twenty-four hours.

PART V.—SPECIAL CONDITIONS APPLICABLE IN THE PASTORAL INDUSTRY.

30. A licensee who employs wards in the pastoral industry shall set aside such area of his property as the Director approves for use as a living area by those wards and relations of those wards.

31. A licensee shall erect the buildings that the licensee is required to provide by these Regulations in the area so set apart as a living area.

32. A person other than—
(a) the licensee;
(b) a person authorized by the licensee; or
(c) a person who resides in the living area,
shall not, except with the written permission of the welfare officer, enter or remain on an area set apart as a living area under regulation 30 of these Regulations.

Penalty: One hundred pounds or imprisonment for six months, or both.

33.—(1.) Subject to the next succeeding regulation, a licensee shall not, without the written permission of the Director, employ a ward on droving operations unless the licensee has entered into a recognizance in a form approved by the Director in such sum, not being a sum less than Twenty-five pounds, as a welfare officer determines.

(2.) A recognizance shall contain such conditions as to the manner in which, and the times at which, the wages of the ward are to be paid as a welfare officer thinks fit.

(3.) The liability of a licensee under a recognizance entered into under this regulation may, with the approval of a welfare officer, be discharged at any time at the request of either the ward or the licensee or both the ward and the licensee.

(4.) Where the liability of a licensee under a recognizance entered into under this regulation is discharged under the last preceding sub-regulation, the licensee shall forward all moneys due to the ward named in the recognizance to the welfare officer from whom the recognizance was signed.

34.—(1.) The last preceding regulation does not apply where a ward is employed on droving operations—
(a) if the ward is normally employed by the licensee in a stock camp; or
(b) if the droving operations are not to extend outside the limits of the property of the licensee.

(2.) A licensee who employs a ward in droving operations of a kind referred to in the last preceding sub-regulation shall ensure that the dependents of the ward are adequately maintained during the absence of the ward.

Wards' Employment Regulations.

35. A licensee who employs a ward in a mustering camp, in a droving camp or on droving operations shall provide, for use by the ward while he is absent from the place where he normally resides, food and camping equipment of the same standard and in the same quantities as a person bound by the Cattle Station Industry (Northern Territory) Award is required to provide for persons employed in similar circumstances under that Award.

PART VI.—SPECIAL CONDITIONS APPLICABLE IN THE MARINE INDUSTRY.

36.—(1.) Where a licence is granted to a licensee to employ wards in a marine industry, the Director may, by notice annexed to the licence, require that the licensee is not required to comply with any of the obligations which, but for this regulation, would be imposed on him by Regulation 24 or 25 of these Regulations and may, in such a notice, specify alternative requirements to be complied with by the licensee.

(2.) A licensee to whom a notice under the last preceding sub-regulation is applicable shall comply with the requirements contained in the notice.

PART VII.—SPECIAL CONDITIONS APPLICABLE IN THE BUFFALO SHOOTING INDUSTRY.

37.—(1.) Where a licensee employs wards in the buffalo shooting industry, the licensee shall establish for the benefit of those wards and any relations of those wards accompanying those wards a main camp in which he shall provide without charge such housing accommodation and ablution, messing and sanitary facilities as the Director, by notice in writing given to the licensee, requires to be provided.

(2.) The provisions of regulation 25 of these Regulations do not apply in relation to a licensee who employs wards in the buffalo shooting industry.

38. Where in the course of his employment in the buffalo shooting industry a ward is required by a licensee to camp away from the main camp established in pursuance of the last preceding regulation, the licensee shall provide, for the use of the ward, food and camping equipment of the same standard and in the same quantities as a person bound by the Cattle Station Industry (Northern Territory) Award is required to provide for persons employed under that Award who are required to camp out.

PART VIII.—SPECIAL CONDITION APPLICABLE FOR PERSONS EMPLOYED IN THE COLLECTION AND DISPOSAL OF GARBAGE.

39. Where a person is granted a licence to employ wards in the collection and disposal of garbage or night soil, the licensee shall provide, without charge, for the use of the wards so employed such protective clothing as the Director by notice in writing annexed to the licence requires to be provided.

PART IX.—WARDS-IN-TRAINING.

40.—(1.) A training agreement shall, for the purposes of section 27 of the Ordinance, be in accordance with Form 5 in the First Schedule to these Regulations.

(2.) The Director may, with the agreement of an approved employer, omit from the training agreement to be entered into on behalf of a ward-in-training any of the conditions and provisions contained in the prescribed form of agreement.
Wards' Employment Regulations.

41. Wards-in-training, while undergoing training under a training agreement, shall be paid wages in accordance with the terms of the agreement.

42. Wards-in-training, whilst undergoing training otherwise than under a training agreement, shall be paid such allowances as the Director determines.

43. An approved employer who has entered into a training agreement for the training of a ward-in-training shall not employ the ward-in-training in any calling or in a district other than the calling or the district specified in the agreement.

44. Form 6 in the First Schedule to these Regulations is the prescribed form for the purposes of section 29 of the Ordinance.

45. The Director shall, in respect of each period of twelve months during which a ward-in-training undergoes training, issue to the ward-in-training a certificate stating particulars of the progress he has made, the standard of proficiency he has reached and such other particulars as the Director considers appropriate.

46. A certificate of competency issued to a ward-in-training under section 24 of the Ordinance shall be in accordance with Form 7 in the First Schedule to these Regulations.

47. Where a ward-in-training has completed the period of training specified in the agreement under which he was trained but has failed to reach the necessary standard of proficiency for the calling in which he has been trained, the Director may, subject to section 23 of the Ordinance, arrange for the ward-in-training to undergo such additional training as he considers necessary to enable the ward-in-training to attain that standard of proficiency.

PART X.—COMPENSATION FOR DEATH OR INJURY.

48. In this Part, unless the contrary intention appears—

"employer", in relation to a ward, means—

(a) in the case of a ward-in-training who is neither employed nor deemed to be employed by any other person— the Director; and

(b) in the case of any other ward—the licensee who employed or was deemed to have employed the ward at the time of the injury sustained by the ward;

"injury" means an injury in respect of which compensation is payable under section 49 of the Ordinance;

"ward" means a ward who is a ward-in-training or is employed otherwise than in accordance with the terms and conditions contained in an award or industrial agreement applicable in respect of the calling in which the ward is employed.

49.—(1.) Where the death of a ward results from an injury, the compensation payable is—

(a) if there are any relations of that ward who were wholly dependent for their support upon the earnings of the ward at the date of the injury—an amount of One thousand and fifty-eight pounds and, in addition, an amount of Forty-five pounds in respect of each child of the ward who had not attained the age of sixteen years at the date of either the injury or the death of the ward and was at the date of the injury wholly dependent for his support upon the earnings of the ward;

(b) if there are no relations of the ward who were wholly dependent for their support upon the earnings of the ward at the date of the injury but there are relations of the ward who were partly dependent for their support upon the earnings of the ward at that date—such amount, not exceeding an amount of One thousand and fifty-eight pounds, as the Court considers reasonable; and

(c) in any case—such amount, not exceeding an amount of Twenty-seven pounds, on account of the expenses of the funeral of the ward, as the Court considers reasonable.

(2.) Compensation payable under this regulation is in addition to any other payments of compensation under this Part made to, or for the benefit of, the ward before his death.

50.—(1.) Subject to this regulation, where a ward sustains any of the injuries specified in the first column of the Fifth Schedule to these Regulations, the compensation payable is the amount specified in the second column of that Schedule opposite to the injury specified in the first column.

(2.) Where a ward habitually uses his left hand and arm to perform work usually performed by a person with his right hand and arm, the compensation payable to, or for the benefit of, the ward under this regulation is—

(a) for the loss of his left arm or any part of that arm—the amount that would have been payable to a ward for a similar loss in respect of his right arm or the corresponding part of that arm; and

(b) for the loss of his right arm or any part of that arm—the amount that would have been payable to a ward for a similar loss in respect of his left arm or the corresponding part of that arm.

(3.) Where a ward sustains an injury that causes the loss of the sight of both eyes or of an only useful eye, any compensation previously paid under this regulation in respect of loss of sight shall be deducted from the compensation payable under this regulation.

(4.) Where a ward sustains an injury that causes partial and permanent loss of the sight of one eye, there is payable an amount of compensation equivalent to such percentage of the amount of compensation payable under this regulation in respect of the loss of the sight of one eye as is equal to the percentage of the diminution of sight.

(5.) Where a ward sustains an injury that causes partial and permanent loss of the efficient use of a part of the body specified in the Fifth Schedule to these Regulations in and for the purposes of his employment at the date of the injury, there is payable an amount of compensation equivalent to such percentage of the amount of compensation payable under this regulation in respect of the loss of that part as is equal to the percentage of the diminution of the efficient use of that part.
Wards' Employment Regulations.

(6.) For the purposes of this regulation and of the Fifth Schedule to these Regulations, the loss of a specified part of the body shall be deemed to include—

(a) the permanent loss of the use of that part; and
(b) the permanent loss of the efficient use of that part in and for the purposes of the employment of the ward at the date of the injury.

Incapacitated for work, the compensation payable to, or for the benefit of, the ward is a weekly payment, during the incapacity, consisting of—

(a) a permanent loss of the scale of food for one such child in the scale of food for an infirm ward specified in Part I. of the Second Schedule to these Regulations plus an amount of Seven shillings and sixpence.

(b) where the ward is married—a sum amounting to the cost of the food comprised in the scale of food for a non-working female ward specified in Part I. of the Second Schedule to these Regulations plus an amount of Five shillings; and

(c) where the ward has a child who has not attained the age of sixteen years and is wholly dependent on his support upon the earnings of the ward—a sum amounting to the cost of the food comprised in the scale of food for one such child specified in Part I. of the Second Schedule to these Regulations plus an amount of Two shillings and sixpence.

Maximum compensation.

51.—(1.) Where, as a result of an injury, a ward is totally or partially incapacitated for work, the compensation payable to, or for the benefit of, the ward is a weekly payment, during the incapacity, consisting of—

(a) a sum amounting to the cost of the food comprised in the scale of food for an infirm ward specified in Part I. of the Second Schedule to these Regulations plus an amount of Seven shillings and sixpence.

(2.) Where an employer has made weekly payments of compensation to or for the benefit of a ward under the last preceding sub-regulation for a period of not less than six months, he may, with the consent of the Director, or of a welfare officer authorized in writing under the hand of the Director to give such a consent, apply to the Court for the redemption of his liability to make further weekly payments of compensation by the payment of a lump sum of an amount to be determined by the Court.

(3.) In determining the amount of a lump sum payment under the last preceding sub-regulation, the Court shall have regard to any other payments of compensation that the licensee is required to make to the ward by virtue of this Part.

52.—(1.) Notwithstanding anything contained in this Part, the amount of compensation payable in respect of an injury or injuries caused by any one accident shall not, except as provided by this regulation, exceed One thousand and fifty-eight pounds.

(2.) Where an injury results in the death or the total and permanent incapacity of a ward for work, the last preceding sub-regulation does not apply to limit the total amount of compensation payable under regulation 49 of these Regulations or under the last preceding regulation.

(3.) In the application of sub-regulation (1.) of this regulation in relation to the total amount of compensation payable to a ward under regulation 50 of these Regulations, the total amount of any compensation paid to the ward under the last preceding regulation before payment to him of the amount specified in the Fifth Schedule to these Regulations shall be disregarded.

(4.) In the application of sub-regulation (1.) of this regulation, any amount paid to, or in respect of, the ward under section 50A of the Ordinance shall be disregarded.

53. Form 8 in the First Schedule to these Regulations is the prescribed form for the purposes of section 50 of the Ordinance.

PART XI.—MISCELLANEOUS.

54. Form 9 in the First Schedule to these Regulations is the prescribed form for the purposes of section 36 of the Ordinance.

55.—(1.) A ward for whose use a building or facilities are provided in accordance with these Regulations shall to the best of his ability keep the building and facilities clean and tidy.

(2.) A ward shall not wilfully damage a building or facilities provided by a licensee in accordance with these Regulations.

(3.) A welfare officer may, upon being satisfied that—

(a) a ward has not, to the best of his ability, kept the building and facilities provided for his use clean and tidy; or

(b) a ward has wilfully damaged a building or facility provided by a licensee in accordance with these Regulations,

authorize the licensee who employs the ward to deduct from any moneys payable, or that may become payable, to the ward, the cost of cleaning, or making good the damage done to the accommodation.

THE SCHEDULES.

FIRST SCHEDULE.

To the Welfare Officer at

I, (full name) , of (place of residence) , (occupation) hereby apply for a licence under section 33 of the Wards' Employment Ordinance 1953-1959 to employ male wards or female wards in the industry in the district of

The names of the wards whom I propose to employ and the previous experience (if any) of those wards in the above-mentioned industry are set out in the Schedule to this application.

I am aware of the obligations imposed on a person to whom a licence is granted under the Wards’ Employment Ordinance 1953-1959 and undertake, if a licence is granted to me, to comply with the provisions of that Ordinance and the Regulations made under that Ordinance.

Dated this day of 19 .

(Signature.)
**Wards' Employment Regulations.**

**THE SCHEDULE.**

<table>
<thead>
<tr>
<th>Name</th>
<th>Sex</th>
<th>Previous Experience in the above-mentioned Industry</th>
</tr>
</thead>
<tbody>
<tr>
<td>European</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aboriginal Personal</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**FORM 2.**

Regulation 6 (2).

THE NORTHERN TERRITORY OF AUSTRALIA.

**Wards' Employment Ordinance 1953-1959.**

**LICENCE TO EMPLOY WARDS.**

Licence No.

A licence is hereby granted to of ,

To employ male wards (or both male and female wards) in the
town of

This licence is granted subject to the following terms and conditions:—

Subject to section 34 of the **Wards' Employment Ordinance 1953-1959**, this licence remains in force until the thirtieth day of June next succeeding the date specified below.

Dated this day of , 19

(Welfare Officer.)

---

**FORM 3.**

Regulation 16.

(Front of Form.)

THE NORTHERN TERRITORY OF AUSTRALIA.

**Wards' Employment Ordinance 1953-1959.**

**PERSONAL RECORD OF AN EMPLOYED WARD.**

Ward's Name: Specimen Signature

(European Name) or Thumbprint

(Native Name)

Employer’s Name and Address:

<table>
<thead>
<tr>
<th>Commencement of Employment</th>
<th>Termination of Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>Nature of Work</td>
</tr>
</tbody>
</table>

---

**Wards' Employment Regulations.**

**DEPENDANTS.**

<table>
<thead>
<tr>
<th>Wives’ Names</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Sex</td>
</tr>
</tbody>
</table>

---

**ANNUAL LEAVE, SICK LEAVE, LEAVE WITHOUT PAY.**

<table>
<thead>
<tr>
<th>Nature of Leave</th>
<th>To</th>
<th>From</th>
<th>Nature of Leave</th>
<th>To</th>
<th>From</th>
</tr>
</thead>
</table>
### Form 3.

(Back of Form.)

**RECORD OF CLOTHING ISSUES TO THE WIFE AND ONE CHILD OF AN EMPLOYED WARD.**

<table>
<thead>
<tr>
<th>Item</th>
<th>First Year 19</th>
<th></th>
<th>Second Year 19</th>
<th></th>
<th>Third Year 19</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. to be</td>
<td>Date. No.</td>
<td>Date. No.</td>
<td>Date. No.</td>
<td>No. to be</td>
<td>Date. No.</td>
</tr>
<tr>
<td></td>
<td>Issued.</td>
<td></td>
<td>Date. No.</td>
<td>Date. No.</td>
<td>Issued.</td>
<td></td>
</tr>
<tr>
<td><strong>ADULT FEMALE.</strong></td>
<td></td>
<td></td>
<td>Date. No.</td>
<td>Date. No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dresses</td>
<td>6</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Pants</td>
<td>6</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Undershirts</td>
<td>6</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Handkerchiefs</td>
<td>6</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Towels</td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Calico-yards</td>
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<td></td>
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<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Sweaters</td>
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<td>2</td>
<td></td>
<td>2</td>
<td></td>
</tr>
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<td>Combs</td>
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<td></td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Needles</td>
<td>6</td>
<td></td>
<td>6</td>
<td></td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Thread (reels)</td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Mosquito nets</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Blankets</td>
<td>3</td>
<td></td>
<td>3</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td><strong>FEMALE CHILD.</strong></td>
<td></td>
<td></td>
<td>Date. No.</td>
<td>Date. No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dresses</td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Pants</td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Sweaters</td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Towels</td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Handkerchiefs</td>
<td>6</td>
<td></td>
<td>6</td>
<td></td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Blankets</td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Sandshoes</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

Certified Correct
Checked: (Initials) (Date)

Employer.

Certified Correct
Checked: (Initials) (Date)

Employer.

Certified Correct
Checked: (Initials) (Date)

Employer.
**Wards' Employment Regulations.**

**FORM 4.**

**THE NORTHERN TERRITORY OF AUSTRALIA.**

*Wards' Employment Ordinance 1953-1959.*

**PERMISSION TO WARD.**

Permission is hereby granted to the ward—

<table>
<thead>
<tr>
<th>to reside on premises of his employer,</th>
<th>in the Town of</th>
</tr>
</thead>
</table>

Dated this day of , 19 .

(Welfare Officer.)

---

**FORM 5.**

**THE NORTHERN TERRITORY OF AUSTRALIA.**

*Wards' Employment Ordinance 1953-1959.*

**FORM OF TRAINING AGREEMENT FOR A WARD-IN-TRAINING.**

This agreement made, with the consent of the Director of Welfare this ________ day of , 19 , between—

<table>
<thead>
<tr>
<th>(hereinafter called the ward-in-training) of the first part and</th>
<th>(hereinafter called the employer) of the other part,</th>
</tr>
</thead>
</table>

witnesseth as follows:—

1. The ward-in-training agrees, of his own free will, to serve, subject to clause 2 of this agreement, the employer as a ward-in-training in the calling of ________ in the industry for the period of ________ years commencing on the day of , 19 .

2. If, at the expiration of a period of three months, the Director of Welfare is of opinion that—

(a) the ward-in-training is unsuited for the calling in which he is being trained; or

(b) the ward-in-training is unlikely to complete successfully the training which he is undergoing,

he may, by notice in writing under his hand to the ward-in-training and the employer, terminate this agreement.

3. The ward-in-training agrees that, during the said period—

(a) he will faithfully serve the employer;

(b) he will diligently attend to the work on which he is employed during his training; and

(c) he will not absent himself from the service of the employer without good cause or without the approval of the employer.

4. The employer will, during the said period, instruct the ward-in-training, or cause him to receive instruction, in the calling specified in clause 1 of this agreement.

5. The employer will provide without charge for the use of the ward-in-training all tools, plant, equipment, instruments, books and other things that are required by the ward-in-training to enable him to complete his training.

6. The employer will pay to the ward-in-training wages and allowances as follows:—

7. The employer will not employ the ward-in-training in any other calling or industry other than that specified in clause 1 of this agreement.

---

**Wards' Employment Regulations.**

8. The employer will provide for the use of the ward-in-training—

(a) food, clothing, tobacco and other articles; and

(b) facilities for accommodation and other purposes,

in accordance with those provisions of the Wards' Employment Regulations that require a licensee, as defined by those Regulations, to provide those matters for a ward.

9. The employer may, if any articles provided for the use of a ward-in-training under clause 5 of this agreement are wilfully or negligently lost, damaged or destroyed by the ward-in-training, deduct from the money due to the ward-in-training the cost of replacing those articles.

10. Any question or difference arising between the employer and the ward-in-training as to the construction of this agreement or a clause in this agreement, or as to any matter in any way connected with, or arising out of, this agreement as to the rights, duties or liabilities of the employer or the ward-in-training in connection with, or arising under, this agreement shall be inquired into and determined by the Director of Welfare.

Signed by the ward-in-training in the presence of ___________________________.

Signed by the employer in the presence of ___________________________.

I hereby consent to the above agreement.

Dated this day of , 19 .

Director of Welfare.

---

**FORM 6.**

**THE NORTHERN TERRITORY OF AUSTRALIA.**

*Wards' Employment Ordinance 1953-1959.*

**FORM OF ANNUAL REPORT ON A WARD-IN-TRAINING.**

*Wards' Employment Regulations.*

**Name of ward-in-training.**

**Date of commencement of training with present employer**

**Period covered by this report**

**Calling in which ward-in-training is being trained**

**Conduct**

**Diligence**

**Progress made, including details of training undertaken during the period**

---

**Other Comments**

(Signature of Employer.)
Wards' Employment Regulations.

FORM 7.  Regulation 46.

THE NORTHERN TERRITORY OF AUSTRALIA.

Wards' Employment Ordinance 1953-1959.

CERTIFICATE OF COMPETENCY.

I hereby certify, in pursuance of section 24 of the Wards' Employment Ordinance 1953-1959, that has successfully completed a course of training in the calling of , details of the course of training being as follows:—

I also certify that the said has gained a knowledge of English and hygiene which I consider appropriate to the calling for which he has been trained.

Dated this day of , 19 .

Director of Welfare.

FORM 8.  Regulation 53.

THE NORTHERN TERRITORY OF AUSTRALIA.

Wards' Employment Ordinance 1953-1959.

NOTIFICATION OF INJURY.

To the Welfare Officer at

I, (full name) , of (place of residence) , (occupation) the employer of a ward (full English and native names of ward), hereby notify you, in pursuance of section 50 of the Wards' Employment Ordinance 1953-1959, that the at the place of said ward suffered an injury arising out of his employment on the in the course of day of 19 .

The nature of the injury was as follows:—

Dated this day of , 19 .

(Signature of Licensee.)
Wards' Employment Regulations.

SECOND SCHEDULE.

<table>
<thead>
<tr>
<th>Food to be Supplied</th>
<th>Weekly Quantity for Wards over 10 Years of Age</th>
<th>Weekly Quantity for Wards under 10 Years of Age</th>
<th>Weekly Quantity for Non-working Females and Aged and Infirm Wards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meat</td>
<td>7 lb. exclusive of weight of bone</td>
<td>5 lb. exclusive of weight of bone</td>
<td>5 lb. exclusive of weight of bone</td>
</tr>
<tr>
<td>Flour</td>
<td>5 lb.</td>
<td>3 lb.</td>
<td>4 lb.</td>
</tr>
<tr>
<td>Potatoes or rice</td>
<td>2 lb.</td>
<td>2 lb.</td>
<td>2 lb.</td>
</tr>
<tr>
<td>Sugar</td>
<td>1 lb.</td>
<td>4 lb.</td>
<td>1 lb.</td>
</tr>
<tr>
<td>Peas, dried</td>
<td>1 lb. or dried fruit</td>
<td>1 lb. or dried fruit</td>
<td>1 lb. or dried fruit</td>
</tr>
<tr>
<td>Fruit or vegetables</td>
<td>2 lb. or dried fresh</td>
<td>1 lb. or dried fresh</td>
<td>2 lb. or dried fresh</td>
</tr>
<tr>
<td>†Margarine — Vitamin A fortified</td>
<td>½ lb.</td>
<td>½ lb.</td>
<td>6 oz.</td>
</tr>
<tr>
<td>Dried whole or skim milk, vitamin A fortified, or cheese</td>
<td>6 oz. for adults</td>
<td>21 oz.</td>
<td>6 oz.</td>
</tr>
<tr>
<td>Golden Syrup, jam or treacle</td>
<td>1 lb.</td>
<td>½ lb.</td>
<td>1 lb.</td>
</tr>
<tr>
<td>Tea</td>
<td>3 oz.</td>
<td>3 oz.</td>
<td>Nil</td>
</tr>
<tr>
<td>‡Tinined orange juice</td>
<td>12 oz. for children</td>
<td>12 oz. for children</td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>and pregnant and lactating women only</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* At least half of which should be yellow (excluding peaches).
† Where this is not supplied, an additional 1 lb. of yellow fruit or vegetables (excluding peaches) or 12 oz. of orange juice should be supplied for adults; appropriate proportions should be supplied to children and non-workers.
‡ Substitutions may be made on the following scales:
- Lemon, grapefruit or fresh raw cabbage
- Pineapple, mangos or fresh tomatoes
- Tinined pineapple juice or tomato juice

PART II.—SCALE OF CLOTHING AND OTHER ARTICLES TO BE SUPPLIED TO A WARD IN RESPECT OF HIS WIFE, NOT BEING A WARD EMPLOYED BY THE LICENSEE, AND CHILD.

Wife of Ward.

Initial supply.—Such of the following items as the husband of the ward requires to be supplied:—3 dresses; 3 pairs of pants; 3 underslips; 3 handkerchiefs; 1 towel; 1 pair of sandals; 6 yards of calico; 2 sweaters; 4 combs; 2 mirrors; 1 pair of scissors; a reasonable number of crewel needles and a reasonable quantity of cotton thread; 1 mosquito net; and 3 blankets.

Before the expiration of each period of three months—

Such of the following items as the husband of the ward requires to be supplied:—1 dress; 1 pair of pants; 1 under-slip; 1 handkerchief; 1 towel; and 1 pair of sandals.

Before the expiration of each period of twelve months—

Such of the following items as the husband of the ward requires to be supplied:—6 yards of calico; 2 sweaters; 4 combs; 2 mirrors; 1 pair of scissors; a reasonable number of crewel needles and a reasonable quantity of cotton thread; 1 mosquito net; and 3 blankets.

PART III.—SCALE OF TOBACCO AND OTHER ARTICLES TO BE SUPPLIED TO WARDS.

Male Wards.—4 oz. of tobacco, 1 box of matches and 4 oz. of soap, weekly.

Female Wards.—2 oz. of tobacco, 1 box of matches and 4 oz. of soap, weekly.

THIRD SCHEDULE.

FIRST AID REQUISITES.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mist, Tussi (cough mixture)</td>
<td></td>
</tr>
<tr>
<td>Iodine</td>
<td></td>
</tr>
<tr>
<td>Bandage—2-in.</td>
<td></td>
</tr>
<tr>
<td>Bandage—3-in.</td>
<td></td>
</tr>
<tr>
<td>Plaster, adhesive—1-in.</td>
<td></td>
</tr>
<tr>
<td>Cotton wool—1-oz. packet</td>
<td></td>
</tr>
<tr>
<td>Potass, permang. (Condy's crystals)</td>
<td></td>
</tr>
<tr>
<td>Tannafax—4-oz. tube</td>
<td></td>
</tr>
<tr>
<td>Novosol</td>
<td></td>
</tr>
<tr>
<td>Epson salts</td>
<td></td>
</tr>
<tr>
<td>Sulphacetamide eye drops</td>
<td></td>
</tr>
<tr>
<td>Golden eye ointment or sulphacetamide eye ointment</td>
<td></td>
</tr>
<tr>
<td>Eye dropper</td>
<td></td>
</tr>
<tr>
<td>Triangular bandage</td>
<td></td>
</tr>
<tr>
<td>Snake bite outfit</td>
<td></td>
</tr>
<tr>
<td>Tablets—Aspirin</td>
<td></td>
</tr>
<tr>
<td>Liniment</td>
<td></td>
</tr>
<tr>
<td>Healing ointment (Ung. H.A.D.—4-oz. tube)</td>
<td></td>
</tr>
</tbody>
</table>

FOURTH SCHEDULE. Regulation 25.

SPECIFICATIONS OF BUILDINGS AND EQUIPMENT IN BUILDINGS TO BE SUPPLIED FOR THE USE OF WARDS.

PART 1.

Individual housing units—

(1) Floor area (excluding verandah area)—60 square feet for each person to be accommodated plus 60 square feet for the kitchen.

(2) Verandah area—6 feet wide along the front of the building.

(3) Air space in sleeping quarters—540 cubic feet for each person to be accommodated.
Wards' Employment Regulations.

(4) Window space.—An area equal to one-sixth of the total floor area (excluding verandah area).

(5) Windows.—To be of a transparent type that may be opened and closed and so situated as to permit the entry of natural light and ventilation.

(6) Wall height (both internal and external)—9 feet.

(7) Doors.—A hinged door of a height of not less than 6 feet 6 inches and of a width not less than 2 feet 6 inches shall be provided for each room and from each room adjacent to the verandah and shall be fitted with a mortise-lock or a padlock and chain.

(8) Floors (including the floor of the verandah).—To be of concrete, flagstones, well-seasoned flooring boards or other standard building material approved by a welfare officer.

(9) Walls (external) and roofs.—To be constructed of a weather-proof material and to be so constructed as to be weather-proof.

(10) Walls (internal).—To be of wood, fibrous sheeting, masonite or other standard building material approved by a welfare officer.

(11) Beds.—To be of a movable cyclone or wooden platform type, so constructed that the mattress of each bed shall be at least 1 foot 9 inches above the floor.

(12) Clothes hooks.—Six for each person to be fitted to the walls.

(13) Tables, chairs and other furniture.—To be provided if a welfare officer is satisfied that the wards to be accommodated in the housing unit are capable of using them.

Part 2.

Barrack type buildings.—

(1) Floor area (excluding verandah area)—60 square feet for each person to be accommodated in the building.

(2) Verandah area—6 feet wide along the front of the building.

(3) Air space in sleeping quarters—540 cubic feet for each person to be accommodated.

(4) Wall height (both internal and external)—9 feet.

(5) Window space.—An area equal to one-sixth of the total floor area (excluding verandah area).

(6) Windows.—To be of a transparent type that may be opened and closed, situated where they will permit the entry of natural light and ventilation.

(7) Floors (including the floor of the verandah).—To be of cement, flagstones, well-seasoned flooring boards or such other standard building material approved by a welfare officer.

(8) Walls (external) and roofs.—To be constructed of a weather-proof material and to be so constructed as to be weather-proof.

(9) Partitions.—If the accommodation is divided into individual sleeping compartments, the partitions shall be of wood, fibrous sheeting, masonite or other standard building material approved by a welfare officer. The partitions shall be so arranged that there is a door leading from each compartment to the verandah area.

(10) Doors.—A hinged door of a height of not less than 6 feet 6 inches and of a width not less than 2 feet 6 inches shall be provided for each room or compartment and shall be fitted with a mortise-lock or padlock and chain.

(11) Clothes hooks.—Six for each ward to be fitted to walls.

(12) Beds.—To be of a moveable cyclone or wooden platform type, so constructed that the mattress of each bed shall be at least one foot nine inches above the floor.

(13) Tables, chairs and other furniture.—To be provided if a welfare officer is satisfied that a ward to be accommodated is capable of using them.

Wards' Employment Regulations.

Part 3.

Buildings for Messing.—

(1) Floor area.—10 square feet for each person to be accommodated.

(2) Wall height (both internal and external)—9 feet.

(3) Window space.—An area equal to one-sixth of the total floor space.

(4) Windows.—To be of a type that may be opened and closed and so situated as to permit the entry of adequate light and ventilation when open.

(5) Ventilation (uncontrolled and permanent).—1 square foot for each 10 square feet of floor space.

(6) Floors.—To be of concrete with a perimeter wall and a fall to a concrete spoon drain leading to a screened grease trap situated 3 feet from the building.

(7) Walls (external) and roofs.—To be constructed of a weather-proof material and to be so constructed as to be weather-proof.

(8) Painting.—The interior of the building shall be painted throughout with a light coloured paint every three years.

(9) Fly-proofing.—The building shall, so far as is practicable, be made fly-proof.

(10) Tables.—There shall be sufficient tables to provide an area, 2 feet by 1 foot 9 inches, of room for each ward. If both sides of a table are used, the table shall be at least 3 feet 6 inches wide. Each table shall have an even surface, which shall be covered with inlaid linoleum, flat galvanized iron, plastic paint or a similar material that is washable.

(11) Chairs and seating benches.—Chairs or seating benches shall be provided. Where chairs are provided, there shall be one chair for each ward. Where seating benches are provided, there shall be sufficient movable benches which shall be at least 10 inches wide and shall provide 2 feet of seating room for each ward.

(12) Facilities for washing eating utensils.—A container in which clear boiling water for scalding eating utensils before a meal may be placed shall be provided at a convenient distance from the building. A container in which hot soapy water and hot clean water for washing eating utensils after the meal may be placed shall be provided at a convenient distance from the building.

(13) Facilities for disposing of waste food.—An incinerator or sufficient garbage cans for the disposal of waste food shall be provided at a convenient distance from the building.

(14) Eating utensils.—Each ward shall be provided with one plate, one pannikin, one knife, one fork and one spoon.

Part 4.

Kitchen buildings.—

(1) Floor area.—The floor area shall be large enough to contain all the facilities necessary to cater for the number of wards to be accommodated in the building for messing and allow sufficient room to permit the kitchen staff to work.

(2) Wall height (both internal and external)—9 feet.

(3) Window space.—An area equal to one-sixth of the total floor space.

(4) Windows.—To be of a transparent type that may be opened and closed and that will permit the entry of adequate light and ventilation.

(5) Ventilation (uncontrolled and permanent).—1 square foot for each 10 square feet of floor space.

(6) Floors.—To be of concrete with a perimeter wall and a fall to a concrete spoon drain leading to a screened grease trap situated 3 feet from the building.
Wards' Employment Regulations.

(7) Walls (external) and roofs—To be constructed of a weather-proof material and shall be so constructed as to be weather-proof.

(8) Partition—If the kitchen is annexed to the building for messing it shall be separated from that building by a partition.

(9) Painting—The interior of the kitchen shall be painted throughout with a light coloured paint every three years.

(10) Fly-proofing—The kitchen shall, so far as is practicable, be made fly-proof.

(11) Stove or cooking range—The kitchen shall be fitted with a stove or a cooking range, large enough to permit the cooking of sufficient food to cater for every ward at one sitting at each meal.

(12) Cooking utensils—The kitchen shall be equipped with adequate cooking utensils.

(13) Trough for washing cooking utensils—The kitchen shall be equipped with a trough for washing cooking utensils and other articles used in the kitchen and, where possible, water shall be reticulated to that trough.

(14) Tables and benches for preparation of food—The kitchen shall be equipped with adequate table and bench space for the preparation of food.

(15) Food storage—The kitchen shall be equipped with adequate fly and vermin proof facilities for the storage of food.

PART 5.

Ablution buildings shall be fitted with—

(a) adequate ablution facilities; and

(b) a number of showers in the proportion of one shower for twenty or less wards and one shower for each additional thirty wards, or a number of wards less than thirty, after the first twenty wards.

PART 6.

(1) Lavatory buildings shall be fitted with a number of pedestals in the proportion of one pedestal for twenty or less wards and one pedestal for each additional thirty wards, or a number of wards less than thirty, after the first twenty wards.

(2) Lavatory buildings for use by male wards shall, in addition to pedestals, be fitted with one urinal, which shall be drained to an efficient sub-soil absorption pit, for each twenty wards or a number of wards less than twenty.

(3) A pedestal to be provided under this Part shall be of—

(a) the fly-proof pit type;

(b) the septic system type; or

(e) the incinerator type.

(4) If the pedestal provided under this Part is of the fly-proof pit type, it shall be placed over a pit which is at least 12 feet deep and shall be in the form of a fly-proof cabinet equipped with an efficient fly trap exposed to the outer air.

(5) Each pedestal to be provided in accordance with this Part shall be made of a smooth surfaced material and shall be fitted with a fly-proofing and self-closing lid.

PART 7.

Laundry buildings shall be fitted with two wash-troughs and one copper and copper stand for each fifty wards or a number of wards less than fifty.

Wards' Employment Regulations.

FIFTH SCHEDULE.

COMPENSATION FOR SPECIFIED INJURIES.

<table>
<thead>
<tr>
<th>Nature of Injury</th>
<th>Amount Payable</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of both eyes</td>
<td>1,058 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of an only useful eye, the other being blind or absent</td>
<td>1,058 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of one eye, with serious diminution of the sight of the other</td>
<td>793 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of one eye</td>
<td>423 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of hearing</td>
<td>740 0 0</td>
<td></td>
</tr>
<tr>
<td>Complete deafness of one ear</td>
<td>212 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of both hands</td>
<td>1,058 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of right hand, or greater part of right hand</td>
<td>846 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of left hand, or greater part of left hand</td>
<td>761 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of lower part of right hand, right hand or five fingers of right hand</td>
<td>666 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of lower part of left hand, left hand or five fingers of left hand</td>
<td>317 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of right thumb</td>
<td>212 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of left thumb</td>
<td>190 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of right fore finger</td>
<td>169 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of left fore finger</td>
<td>148 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of right middle finger</td>
<td>137 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of left middle finger</td>
<td>127 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of right ring finger</td>
<td>127 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of left ring finger</td>
<td>740 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of right little finger</td>
<td>761 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of left little finger</td>
<td>666 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of total movement of joint of right thumb</td>
<td>317 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of total movement of joint of left thumb</td>
<td>761 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of distal phalanx or joint of right thumb</td>
<td>666 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of distal phalanx or joint of left thumb</td>
<td>317 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of portion of terminal segment of right thumb involving one-third of its flexor surface without loss of distal phalanx or joint</td>
<td>148 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of portion of terminal segment of left thumb involving one-third of its flexor surface without loss of distal phalanx or joint</td>
<td>148 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of two phalanges or joints of right fore finger</td>
<td>116 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of two phalanges or joints of right middle finger</td>
<td>116 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of two phalanges or joints of left fore finger</td>
<td>106 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of two phalanges or joints of right little finger</td>
<td>106 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of two phalanges or joints of left little finger</td>
<td>95 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of distal phalanx or joint of right fore finger</td>
<td>95 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of distal phalanx or joint of left fore finger</td>
<td>95 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of distal phalanx or joint of other finger of right hand</td>
<td>85 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of distal phalanx or joint of other fingers of left hand</td>
<td>76 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of hand and foot</td>
<td>1,058 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of both feet</td>
<td>1,058 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of leg above knee</td>
<td>793 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of leg below knee</td>
<td>687 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of foot</td>
<td>635 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of great toe</td>
<td>212 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of any other toe</td>
<td>85 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of two phalanges or joints of any other toe</td>
<td>68 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of phalanx or joint of great toe</td>
<td>106 0 0</td>
<td></td>
</tr>
<tr>
<td>Loss of phalanx or joint of any other toe</td>
<td>61 0 0</td>
<td></td>
</tr>
</tbody>
</table>

THE NORTHERN TERRITORY OF AUSTRALIA.


Regulations under the Wards' Employment Ordinance 1953-1960.

I, ROGER BEDE NOTT, the Administrator of the Northern Territory of Australia, in pursuance of the powers conferred on me by the Wards' Employment Ordinance 1953-1960, and the Administrator's Council Ordinance 1959, hereby make the following Regulations.

Dated this fourth day of October, 1961.

ROGER NOTT
Administrator.

AMENDMENTS OF THE WARDS' EMPLOYMENT REGULATIONS.†

1. Regulation 2 of the Wards' Employment Regulations is amended by omitting the words—

   "Part X.—Compensation for Death or Injury (Regulations 48-53)."

and inserting in their stead the words—

   "Part X.—Compensation for Death or Injury (Regulations 48-53H)."

2. After Regulation 53 of the Wards' Employment Regulations the following regulations are inserted:—

   "53A.—(1.) An application for compensation—

   (a) may be made by or on behalf of a ward in accordance with these Regulations;

   (b) shall be in accordance with Form 1 in the Sixth Schedule to these Regulation; and

   (c) shall be served on the employer.

   "(2.) Where an application for compensation is signed by means of a mark, the signature shall be attested.

   "53B. Two copies of the application shall be served on the Director and on receipt of the copies the Director shall lodge one copy with the clerk of the Court.

† Regulations 1959, No. 4.
9362/61.—Price 3d.
Wards' Employment Regulations.

“53c.—(1.) Within fourteen days after the service on him of an application for compensation the employer shall file with the Clerk of the Court a notice in accordance with Form 2 in the Sixth Schedule to these Regulations—

(a) admitting liability and agreeing to pay the amount (if any) specified in the application;
(b) admitting liability but disputing the amount (if any) specified in the application;
(c) admitting liability and agreeing to pay such compensation as is assessed by the Court; or
(d) totally denying liability.

(2.) Where the employer does not file a notice within fourteen days in accordance with the last preceding sub-regulation he shall be deemed to have admitted liability and to have agreed to pay the amount (if any) specified in the application and if no amount is so specified, such compensation as is assessed by the Court.

“53d.—(1.) The matter may be set down for hearing—

(a) after a notice under the last preceding sub-regulation has been filed—by or on behalf of the ward or the employer; or
(b) where, within fourteen days after the service on the employer of an application for compensation, the employer has not filed a notice under the last preceding regulation—by or on behalf of the ward.

(2.) Notice that the matter has been set down for hearing shall be served on the employer or the ward, as the case requires.

(3.) Where the party on whom such notice has been served fails to appear at the hearing and it is proved that he was served with such notice the Court may determine the matter in his absence.

“53e. Where an application or notice is required to be served for the purposes of these Regulations, it may be served personally or by delivering it at, or sending it by post in a prepaid registered letter properly addressed to the residence or place of business of the person on whom it is to be served.

“53f. If the Court is satisfied that the employer admits liability and agrees to pay the amount specified in the application, the Court may, without hearing the parties, make an award directing payment as compensation of the amount specified in the application.

“53g. In hearing an application for compensation the Court—

(a) shall not be bound to act in a formal manner and shall not be bound by any rules of evidence but may inform itself on any matter as it thinks just;
(b) shall act according to equity, good conscience and the substantial merits of the case, without regard to technicalities and legal forms;
(c) shall assess the compensation payable subject to the Fifth Schedule to these Regulations; and
(d) may make such order as to costs as it thinks fit.

Wards' Employment Regulations.

“53h. Where good cause is shown that the time for the doing of an act under these Regulations should be extended, the Court may extend the time.”.

3. After the Fifth Schedule to these Regulations the following Schedule is inserted:—

“SIXTH SCHEDULE.
FORM 1.

THE NORTHERN TERRITORY OF AUSTRALIA.
APPLICATION FOR COMPENSATION.

To
(employer's name)

Application is hereby made for compensation payable under the Wards' Employment Ordinance 1953-1960 for the death/injury of
(Name and address of ward)

Statement of injury
Date of injury
Date of death (where applicable)
Names and addresses of dependants
Amount claimed
Signed
(by or on behalf of ward)

* Witness

* The signature of a witness is required only where the application is signed by means of a mark.

“FORM 2.

THE NORTHERN TERRITORY OF AUSTRALIA.
NOTICE ADMITTING OR DENYING LIABILITY.

With respect to my liability to pay compensation under the Wards' Employment Ordinance 1953-1960 to
(Name of ward)

I hereby—
* admit liability and agree to pay the amount specified in the application.
* admit liability but dispute the amount specified in the application.
* admit liability and agree to pay the compensation as assessed by the Court.
* totally deny liability.

Signed
(employer)
Address

* Cross out whatever does not apply.”.

PHOTOGRAPHS OF

ABORIGINAL HOUSING

IN THE

NORTHERN TERRITORY
1. Areyonga Government Settlement
December 1961
Some of the unoccupied Kingstrands at right; some humpies at left.

2. Areyonga Government Settlement
December 1961
Kingstrands in left foreground, native cement houses at left background and humpies at right. Many of the Aboriginal residents have chosen to live in humpies rather than occupy Kingstrands.

3. Amoonguna Government Settlement
October 1961
This Kingstrand is 18 months old; note timber prop supporting roof and undermining of cement base at left.
4. Amoonguna Government Settlement
October 1961
This Kingstrand is 18 months old. Residents usually sleep on veranda; note 'swag' on left.

5. Warrabri Government Settlement
January 1962
Demonstration Kingstrand model showing intended alterations; two sides of the veranda have been enclosed.

6. Warrabri Government Settlement
January 1962
Exhibition Kingstrand unit, unoccupied.
7. Warrabri Government Settlement  
January 1962  
Well-tended native cement house.

8. Amoonguna Government Settlement  
October 1961  
Native cement houses at left, abandoned at different stages of completion in favour of Kingstrand housing at right. Note 'bull dust' in foreground.

9. Snake Bay Government Settlement  
February–March 1962  
New timber cottages.
10. Snake Bay Government Settlement
February-March 1962
Beginning of a new village.

11. Maningrida Government Settlement
August 1962
First of new timber cottages.

12. Yuendumu Government Settlement
October 1961
Part of Aboriginal camp.
13. Yuendumu Government Settlement
October 1961
Humpy and shade area.
(Photograph by Australian News and Information Bureau).

14. Yuendumu Government Settlement
February 1962
Prototype of stone houses, built of locally quarried sandstone and lime. Roof covering is made of spinnifex thatch.
(Photograph by Australian News and Information Bureau).

15. Angurugu Mission, Groote Eylandt
August 1962
Bark house.
16. Angurugu Mission, Groote Eylandt
   August 1962
   Part of main village.

17. Bathurst Island Mission
    March 1962
    Galvanised iron huts, with swamp in
    foreground.

18. Bathurst Island Mission
    March 1962
    One of the Aboriginal suburbs.
19. Santa Teresa Mission
October 1961
Stone house. Electricity is available in the evenings.

20. Santa Teresa Mission
October 1961
Village of stone houses.

21. Santa Teresa Mission
October 1961
Old section of camp consisting of iron huts.
22. Yirrkala Mission  
June-July 1962  
Galvanised iron cottages on beach front.  
Good water supply from creek in foreground.

23. Yirrkala Mission  
June-July 1962  
View of village on beach front.

24. Hermannsburg Mission  
December 1961  
Houses built of flattened petrol drums  
in Mission compound.
25. Hermannsburg Mission
December 1961
Major Aboriginal camping areas in creek bed near the Mission.

26. Elcho Island Mission
June-July 1962
Part of new galvanised iron village.

27. Elcho Island Mission
June-July 1962
Older village, galvanised iron.
Lavatory at right.
28. Elcho Island Mission
June-July 1962
Part of new village. Lavatory at extreme left.

29. Delissaville Government Settlement
May 1962
'Econ' huts (galvanised iron).

30. Delissaville Government Settlement
May 1962
Dilapidated 'econ' hut.
31. Hooker Creek Government Settlement
December 1961
New Kingstrnd at left; army tents at right
used experimentally as temporary accommodation.

32. Hooker Creek Government Settlement
December 1961
Main camp showing humpies built of variety
of materials.

33. Papunya Government Settlement
November 1961
Midwifery humpy.
34. Papunya Government Settlement
November 1961
Typical humpy.

35. Umbakumba Mission, Groote Eylandt
August 1962
Government subsidised housing in centre,
surrounded by general camp.

36. New Tennant Creek Native Village
September 1962.
37. Warrabri Government Settlement
January 1962
Well-tended Kingstrand.

38. Warrabri Government Settlement
January 1962
'Single women's quarters'.
39. Warrabri Government Settlement
January 1962
Part of humpy camp.

40. Warrabri Government Settlement
January 1962
Ablution block (laundry, showers, lavatories)
at left and start of Kingstrand camp at right.
THE COMMONWEALTH OF AUSTRALIA.

COMMONWEALTH ELECTORAL.

No. 31 of 1962.

An Act to give to Aboriginal Natives of Australia the right to Enrol and to Vote as Electors of the Commonwealth, and to provide for certain Offences in relation thereto.

[Assented to 21st May, 1962.] [Date of commencement, 18th June, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the Commonwealth Electoral Act 1962. (2.) The Commonwealth Electoral Act 1918–1961* is in this Act referred to as the Principal Act. (3.) The Principal Act, as amended by this Act, may be cited as the Commonwealth Electoral Act 1918–1962.

2. Section thirty-nine of the Principal Act is amended by omitting sub-section (6.).

3. Section

* Act No. 27, 1918; as amended by No. 31, 1919; No. 14, 1921; No. 14, 1922; No. 10, 1924; No. 20, 1925; No. 17, 1928; No. 2, 1929; No. 9, 1934; No. 19, 1940; No. 42, 1946; No. 17, 1948; Nos. 10 and 47, 1949; No. 106, 1952; No. 79, 1953; and No. 26, 1961.
3. Section forty-two of the Principal Act is amended by adding at the end thereof the following sub-section—

"(5.) This section does not apply to a person who is an aboriginal native of Australia except to the extent that such a person may, if he so chooses, comply with sub-section (1.) of this section."

4. Section one hundred and fifty-six of the Principal Act is amended—

(a) by inserting after paragraph (a) the following paragraph:

"(aa) promises, offers or suggests any valuable consideration, advantage, recompense, reward or benefit for or on account of, or to induce—

(i) any enrolment, or refraining from enrolment, as an elector by an aboriginal native of Australia; or

(ii) any promise of any such enrolment or refraining from any such enrolment;"; and

(b) by omitting from paragraph (b) the words "or opposition" and inserting in their stead the words "opposition, enrolment or refraining from enrolment referred to in either of the last two preceding paragraphs".

5. Section one hundred and fifty-seven of the Principal Act is amended by adding at the end thereof the words "or the supply of meat, drink, entertainment or transport with a view to influencing enrolment, or refraining from enrolment, as an elector by an aboriginal native of Australia".

6. Section one hundred and fifty-eight of the Principal Act is amended—

(a) by omitting from paragraph (a) the word "or" (last occurring); and

(b) by inserting after paragraph (a) the following paragraph:

"(aa) threatens, offers or suggests any violence, injury, punishment, damage, loss or disadvantage for or on account of, or to induce—

(i) any enrolment, or refraining from enrolment, as an elector by an aboriginal native of Australia; or

(ii) any

FRANCHISE FOR ABORIGINES

PREPARED FOR THE
COMMONWEALTH
ELECTORAL OFFICE

Produced by
THE DEPARTMENT OF
AUDIO VISUAL AIDS
University of Melbourne
ELECTORAL ROLL

CERTIFIED LIST OF VOTERS

OFFICE

OFFICE

ELECTORAL ROLL
VOTING IS COMPULSORY

PROHIBITION of CANYASSING

WILFULLY MISINFORMING ELECTOR REGARDING HIS ENROLMENT

Any Elector who is in doubt as to his entitlement or not his name is
Enrolment shall appeal to the Returning Officer at the Polling Booth.
THE NORTHERN TERRITORY OF AUSTRALIA.

A BILL

for

AN ORDINANCE

To Provide for the Care and Assistance of Certain Persons.

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1962, as follows:--

PART I. - PRELIMINARY.

1. This Ordinance may be cited as the Social Welfare Ordinance 1964.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

3. This Ordinance is divided into Parts, as follows:

   Part I. - Preliminary (Sections 1-7).
   Part II. - Administration (Sections 8-11).
   Part III. - Assistance to certain persons (Sections 12-16).
   Part IV. - Miscellaneous (Sections 17-21).

4. The Ordinances specified in the Schedule to this Ordinance are repealed.

5. - (1.) Notwithstanding the repeal effected by the last preceding section, a recognizance entered into under the Welfare Ordinance 1953 or that Ordinance as amended from time to time before the commencement of this Ordinance shall continue in force and be enforceable as if the Ordinances specified in the Schedule to this Ordinance were not repealed.

   (2.) An authorization that was, immediately before the commencement of this Ordinance, in force under section forty-four of the Welfare Ordinance 1953 or that Ordinance as amended from time to time before the commencement of this Ordinance shall, for the purposes of this Ordinance, be deemed to be an authorization made under section seventeen of this Ordinance.

6. - (1.) Where land was, at any time prior to the commencement of this Ordinance, proclaimed or declared under a law in force at that time in the Territory -

   (a) to be reserved for the use and benefit of the aboriginal inhabitants of the Territory;
   (b) to be reserved for the use and benefit of the aboriginal native inhabitants of the Territory;
   (c) to be a reserve for aboriginals; or
   (d) to be reserved for the use and benefit of wards,

that land is a reserve for the purposes of this Ordinance unless it has ceased to be so reserved or to be such a reserve by virtue of a later proclamation or declaration made under a law in force in the Territory when the later proclamation or declaration was made.

Bill No. 8/64
Social Welfare

Savings.

Repeal.

Reserves.
2.

(2.) The last preceding sub-section applies whether or not the law under which the land was proclaimed or declared to be reserved or to be a reserve was repealed or had expired before the commencement of this Ordinance, unless that law was repealed by an Ordinance which expressly repealed or revoked the reservation of that land.

7. In this Ordinance, unless the contrary intention appears -

"reserve" means land which, in accordance with the provisions of a law of the Territory is proclaimed to be a reserve for the purposes of this Ordinance and includes land declared by section six of this Ordinance to be a reserve for the purposes of this Ordinance and any land within the boundaries of a reserve which is leased to a person;

"the Director" means the Director of Social Welfare appointed under this Ordinance and includes an Acting Director;

"welfare officer" means the Director of Social Welfare or a person appointed under this Ordinance to be a welfare officer.

PART II. - ADMINISTRATION.

8. - (1.) The Minister shall appoint a Director of Social Welfare, who, subject to the directions of the Administrator, shall be responsible for the administration of this Ordinance.

(2.) In the event of -

(a) the illness of the Director;

(b) the temporary inability of the Director to perform the duties of his office; or

(c) the absence of the Director from the Territory,

the Minister may appoint a person to be the Acting Director of Social Welfare during the illness, temporary inability, or absence of the Director.

(3.) An Acting Director while acting in the office of Director has all the powers and shall perform all the duties and functions of the Director.

9. - (1.) The Director may, either generally or in relation to a matter or class of matters and either in relation to the whole or a part of the Territory, by writing under his hand, delegate all or any of his powers and functions under this Ordinance or the regulations, except this power of delegation.

(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.
(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Director.

10. It is the duty of the Director -
   (a) in relation to persons who in the opinion of the Director are socially or economically in need of assistance, to provide, upon such conditions as he thinks fit, such relief from poverty or hunger or both, and such other assistance, including legal assistance, as may in the opinion of the Director be necessary or appropriate and, in particular -
      (i) to arrange as far as practicable for their education, including vocational training;
      (ii) to promote their physical well-being;
      (iii) to inculcate in them proper habits of hygiene and sanitation;
      (iv) to improve their standards of nutrition and housing;
      (v) to assist them to obtain suitable employment;
      (vi) to exercise a general care in matters affecting their welfare; and
      (vii) to take (where possible, in collaboration with the Commonwealth Department of Health) such steps as in the opinion of the Director are necessary or appropriate to ensure the establishment on reserves of facilities and staff for safeguarding and improving the health of any such persons who are living on reserves; and
   (b) to supervise and regulate the use and management of reserves.

11. - (1.) The Administrator may appoint such welfare officers as he considers necessary for the purposes of this Ordinance.
   (2.) A welfare officer shall exercise such powers and perform such duties and functions as he is directed by the Administrator to exercise or perform or as are prescribed.

PART III. - ASSISTANCE TO CERTAIN PERSONS.

12. - (1.) Subject to this Ordinance and subject to the directions of the Administrator, the Director may apply any moneys made available for the purposes of this Ordinance for the benefit of a person to whom he owes a duty under this Ordinance.
(2.) Without limiting the generality of the last preceding sub-section the Director may, in relation to persons to whom he owes a duty under this Ordinance, apply any such moneys for any or all of the following purposes:

(a) to provide food or clothing, medicine, medical requisites or surgical appliances;
(b) to pay for fees for medical attention, hospitalization or legal assistance;
(c) to provide furniture;
(d) to pay for rents or charges for accommodation;
(e) to provide tools of trade or machinery, plant, equipment, materials or livestock for the purpose of carrying on any trade, business, calling, profession or undertaking;
(f) to pay to a person a sum of money;
(g) to pay for fees and allowances for the education, training or maintenance of a person;
(h) to effect a purpose ancillary to any of the above purposes.

13. - (1.) Where the Director provides a person with any article (not being an article supplied for consumption) the article does not become the property of that person but remains the property of the Commonwealth until that person has paid to the Commonwealth the cost or value of the article, whichever is the less.

(2.) A person shall not without the consent of the Director sell or dispose of any article that remains the property of the Commonwealth by virtue of the last preceding sub-section.

Penalty: One hundred pounds or imprisonment for six months.

14. Where the Director provides a person with an article in pursuance of this Ordinance the cost of the article shall, unless the Director otherwise specifies, be a debt due to the Commonwealth by that person and recoverable in any court of competent jurisdiction.

15. Where a person to whom the Director owes a duty under this Ordinance is provided with an article or advanced a sum of money by the Director, the Director may take such security as he thinks fit for the payment to the Commonwealth of the cost of the article or for the repayment to the Commonwealth of the money.

16. Except with the approval of the Minister, the Director shall not provide a person with any articles or pay any sums of money to or for the benefit of a person to a total value in excess of One thousand pounds.
PART IV. - MISCELLANEOUS.

17. - (1.) The Administrator, the Director and a welfare officer may enter and remain on a reserve and may authorize a person, subject to such conditions, if any, as are specified in the authorization, to enter and remain on a reserve.

(2.) Where land included in a reserve is held under a lease, a right conferred by or under this section to enter and remain on the reserve does not authorize a person to enter or remain without the consent of the lessee on a portion of the reserve that is included in the lease.

(3.) A person shall not enter or remain on a reserve unless -

(a) he is an aboriginal native of Australia;
(b) he is a member of the police force;
(c) he is acting in the course of his duty as an officer of the Commonwealth Public Service;
(d) he enters and remains on the reserve in accordance with an authorization under sub-section (1.) of this section;
(e) his entry is necessary for the protection of life or property;
(f) he is the member, or a candidate for election as the member, of the Legislative Council for the Northern Territory elected for the electorate in which the reserve or a part of the reserve is situated;
(g) he is a member, or a candidate for election as a member, of the Parliament of the Commonwealth of Australia elected for the Northern Territory; or
(h) he is authorized by a law of the Territory to enter and remain on the reserve.

Penalty: For a first offence - One hundred pounds or imprisonment for six months or both. For a second or subsequent offence - Five hundred pounds or imprisonment for two years.

(4.) The Administrator may, by writing under his hand, authorize a welfare officer to suspend the right of a person to enter and remain on a reserve.

(5.) Where a welfare officer who is so authorized is satisfied that the behaviour of a person who has such a right and is on a reserve is such that it is desirable that the person should not remain on the reserve or a part of the reserve, he may declare to the person that the person's right to enter or remain on the reserve, or on such part of the reserve as the welfare officer specifies, is suspended for such period not exceeding thirty days as the welfare officer specifies.
(6.) Upon the application of the Director, a court of summary jurisdiction may, if it is satisfied that it is desirable to do so to maintain order on a reserve, order that the right of a person to enter or remain on a reserve or part of a reserve shall be, for the period specified in the order, suspended.

(7.) A person whose right to enter or remain on a reserve or a specified part of a reserve has been suspended under sub-section (5.) or (6.) of this section shall not enter or remain on the reserve or the specified part of the reserve during the period of the suspension.

Penalty: For a first offence - One hundred pounds or imprisonment for six months or both.
For a second or subsequent offence - Five hundred pounds or imprisonment for two years.

(8.) A power under this section to authorize a person to enter and remain on a reserve or to declare or order that the right of a person to enter or remain on a reserve or part of a reserve is or shall be suspended includes a power to revoke the authorization, declaration or order.

(9.) An authorization under sub-section (1.) of this section and a declaration under sub-section (5.) of this section may be given or made orally or in writing.

(10.) A person who is on a reserve otherwise than in accordance with a right conferred by this section to enter and remain on the reserve may be removed from the reserve by any welfare officer.

18. The production of a certificate under the hand of the Director certifying that land described in the certificate is, or is part of, a reserve shall in the absence of evidence to the contrary be evidence that that land is, or is part of, a reserve, as the case may be.

19. Proceedings for the contravention of, or failure to comply with, a provision of this Ordinance or the regulations may be instituted in a court of summary jurisdiction.

20. Where a person is charged with an offence against a law of the Territory, if the court before which he is charged is satisfied that the person charged is a person to whom the Director owes a duty under this Ordinance, the Court may permit the Director or a welfare officer to appear on behalf of the person.

21. The Administrator in Council may make regulations, not inconsistent with this Ordinance, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out, or giving effect to, this Ordinance, and in particular -

(a) prescribing the duties and regulating the exercise and discharge of all or any of the powers or functions of
7.

the Director and other officers appointed or employed under this Ordinance;

(b) providing for the control and management of reserves and the maintenance of discipline and good order on reserves;

(c) prescribing offences in relation to the disposal or possession or articles with which a person is provided under this Ordinance; and

(d) prescribing penalties not exceeding One hundred pounds or imprisonment for a term not exceeding six months for offences against the regulations.

THE SCHEDULE

Welfare Ordinance 1953.
Welfare Ordinance 1955.
Welfare Ordinance 1957.
Welfare Ordinance (No. 2) 1957.
Welfare Ordinance 1959.
THE NORTHERN TERRITORY OF AUSTRALIA.

A BILL
for
AN ORDINANCE

To amend the Licensing Ordinance 1939-1963.

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1962, as follows :-

1. - (1.) This Ordinance may be cited as the Licensing Ordinance 1964.

(2.) The Licensing Ordinance 1939-1963 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Licensing Ordinance 1939-1964.

2. Section one hundred and forty C of the Principal Ordinance is repealed and the following section inserted in its stead :-

"140C. - (1.) Subject to this Ordinance a person who is found drinking liquor in a public place within the boundaries of a municipality, town or reserve shall be guilty of an offence.

Penalty: Five pounds.

(2.) In this section -

'public place' means a road, lane, street, thoroughfare or footpath and -

(a) in relation to a place within the boundaries of a municipality or town, includes a place within the boundaries of any land -

(i) on which a public building is situated ; or

(ii) which is reserved for the recreation or amusement of the public and in respect of which the trustees or other authority controlling the land have not given their prior written approval, which is in force, for the consumption of liquor on the occasion on which the person is found drinking liquor ; and

(b) in relation to a place within a reserve, includes a place within a reserve within the meaning of the Social Welfare Ordinance 1964, in respect of which the person in charge of that place has not given his prior written approval, which is in force, for the consumption of liquor ;

'municipality' means a municipality constituted and in existence under the Local Government Ordinance 1954-1963 ;
Prohibition on taking or having possession of liquor on certain reserves.

'town' means a town constituted and defined in accordance with the provisions of the Crown Lands Ordinance 1931-1963 or in accordance with the provisions of any other law in force in the Territory prior to the commencement of the Crown Lands Ordinance 1931."

3. After section one hundred and Forty D of the Principal Ordinance the following section is inserted: -

"140E. - (1.) A person shall not take liquor on to a reserve without the prior approval, which is in force, of the person in charge of the reserve.

(2.) Where the person in charge of a reserve has given his prior approval, which is in force, for the consumption of liquor on a specified part of the reserve but not on any other part of the reserve, a person shall not have liquor in his possession on any other part of the reserve without the prior approval, which is in force, of the person in charge of the reserve for that possession.

Penalty: One hundred pounds or imprisonment for six months.

(3.) Where the person in charge of a reserve has not given his prior approval, which is in force, for the consumption of liquor on any part of a reserve, a person shall not have liquor in his possession on the reserve without the prior approval, which is in force, of the person in charge of the reserve for that possession.

Penalty: One hundred pounds or imprisonment for six months.

(4.) An approval under this section to take liquor on a reserve or to have liquor in possession on a reserve or part of a reserve may be given or made orally or in writing.

(5.) In this section 'reserve' means a reserve within the meaning of the Social Welfare Ordinance 1964."

4. Sections one hundred and forty-one and one hundred and forty-two of the Principal Ordinance are repealed.
Bill No. 17/64
Wards' Employment.

THE NORTHERN TERRITORY OF AUSTRALIA.

A BILL
for
AN ORDINANCE

To amend the Wards' Employment Ordinance 1953-1960, as amended by Ordinances No. 2 of 1963 and No. 18 of 1963, and to amend Ordinance No. 2 of 1963.

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1962, as follows:

1. - (1.) This Ordinance may be cited as the Wards' Employment Ordinance 1964.

(2.) The Wards' Employment Ordinance 1953-1960, as amended by Ordinances No. 2 of 1963 and No. 18 of 1963, is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Wards' Employment Ordinance 1953-1964.

2. - (1.) Sections one and two of this Ordinance shall come into operation on the date on which the Administrator publishes in the Government Gazette a notification that the Governor-General has declared that he has assented to this Ordinance.

(2.) Sections eight and nine of this Ordinance shall be deemed to have come into operation on the twenty-second day of January, One thousand nine hundred and sixty-three.

(3.) The remaining parts of this Ordinance shall come into operation on the date on which the Social Welfare Ordinance 1964 comes into operation.

3. Section three of the Principal Ordinance is amended by omitting the words and figures:

"Part VI. - Assistance to Wards (Sections 51-59).".

4. Section four of the Principal Ordinance is amended -

(a) by omitting from the definition of "the Director" the words "Welfare Ordinance 1953" and inserting in their stead the words "Social Welfare Ordinance 1964";

(b) by omitting the definition of "ward" and inserting in its stead the following definition:

"'ward' means a person who immediately before the commencement of the Social Welfare Ordinance 1964 was a ward by virtue of the Welfare of the Welfare Ordinance 1953-1963"; and

(c) by omitting from the definition of "welfare officer" the words "Welfare Ordinance 1953" and inserting in their stead the words "Social Welfare Ordinance 1964".
2. Licensing.

'town' means a town constituted and defined in accordance with the provisions of the Crown Lands Ordinance 1931-1963 or in accordance with the provisions of any other law in force in the Territory prior to the commencement of the Crown Lands Ordinance 1931."

3. After section one hundred and Forty D of the Principal Ordinance the following section is inserted :-

"140E. (1.) A person shall not take liquor on to a reserve without the prior approval, which is in force, of the person in charge of the reserve.

(2.) Where the person in charge of a reserve has given his prior approval, which is in force, for the consumption of liquor on a specified part of the reserve but not on any other part of the reserve, a person shall not have liquor in his possession on any other part of the reserve without the prior approval, which is in force, of the person in charge of the reserve for that possession.

Penalty : One hundred pounds or imprisonment for six months.

(3.) Where the person in charge of a reserve has not given his prior approval, which is in force, for the consumption of liquor on any part of a reserve, a person shall not have liquor in his possession on the reserve without the prior approval, which is in force, of the person in charge of the reserve for that possession.

Penalty : One hundred pounds or imprisonment for six months.

(4.) An approval under this section to take liquor on a reserve or to have liquor in possession on a reserve or part of a reserve may be given or made orally or in writing.

(5.) In this section 'reserve' means a reserve within the meaning of the Social Welfare Ordinance 1964.".

4. Sections one hundred and forty-one and one hundred and forty-two of the Principal Ordinance are repealed.
Bill No. 17/64
Wards' Employment.

THE NORTHERN TERRITORY OF AUSTRALIA.

A BILL

for

AN ORDINANCE

To amend the Wards' Employment Ordinance 1953-1960, as amended by Ordinances No. 2 of 1963 and No. 18 of 1963, and to amend Ordinance No. 2 of 1963.

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the Northern Territory (Administration) Act 1910-1962, as follows:--

1. (1.) This Ordinance may be cited as the Wards' Employment Ordinance 1964.

   (2.) The Wards' Employment Ordinance 1953-1960, as amended by Ordinances No. 2 of 1963 and No. 18 of 1963, is in this Ordinance referred to as the Principal Ordinance.

   (3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Wards' Employment Ordinance 1953-1964.

2. (1.) Sections one and two of this Ordinance shall come into operation on the date on which the Administrator publishes in the Government Gazette a notification that the Governor-General has declared that he has assented to this Ordinance.

   (2.) Sections eight and nine of this Ordinance shall be deemed to have come into operation on the twenty-second day of January, One thousand nine hundred and sixty-three.

   (3.) The remaining parts of this Ordinance shall come into operation on the date on which the Social Welfare Ordinance 1964 comes into operation.

3. Section three of the Principal Ordinance is amended by omitting the words and figures:--

   "Part VI. - Assistance to Wards (Sections 51-59).".

4. Section four of the Principal Ordinance is amended--

   (a) by omitting from the definition of "the Director" the words "Welfare Ordinance 1953" and inserting in their stead the words "Social Welfare Ordinance 1964";

   (b) by omitting the definition of "ward" and inserting in its stead the following definition:--

   "'ward' means a person who immediately before the commencement of the Social Welfare Ordinance 1964 was a ward by virtue of the Welfare of the Welfare Ordinance 1953-1963"; and

   (c) by omitting from the definition of "welfare officer" the words "Welfare Ordinance 1953" and inserting in their stead the words "Social Welfare Ordinance 1964".

Definitions.
2.

Repeal of sections 41-42.
5. Sections forty-one and forty-two of the Principal Ordinance are repealed.

Repeal of sections 49-50D.
6. Sections forty-nine, fifty, fifty A, fifty B, fifty C and fifty D of the Principal Ordinance are repealed.

Repeal of Part VI.
7. Part VI. of the Principal Ordinance is repealed.

Repeal of title of No. 2 of 1963.
8. The title of Ordinance No. 2 of 1963 is repealed and the following title inserted in its stead:

"AN ORDINANCE
To amend the Wards' Employment Ordinance 1953-1961."

Amendment of No. 2 of 1963, S.1.
9. Section one of Ordinance No. 2 of 1963 is repealed and the following section inserted in its stead:

"1. - (1.) This Ordinance may be cited as the Wards' Employment Ordinance 1962.

(2.) The Wards' Employment Ordinance 1953-1961 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Wards' Employment Ordinance 1953-1962."
Repeal of sections 41-42.

5. Sections forty-one and forty-two of the Principal Ordinance are repealed.

Repeal of sections 49-50D.

6. Sections forty-nine, fifty, fifty A, fifty B, fifty C and fifty D of the Principal Ordinance are repealed.

Repeal of Part VI.

7. Part VI. of the Principal Ordinance is repealed.

Repeal of title of No. 2 of 1963.

8. The title of Ordinance No. 2 of 1963 is repealed and the following title inserted in its stead:--

"AN ORDINANCE
To amend the Wards' Employment Ordinance 1953-1961."

Amendment of No. 2 of 1963, S.1.

9. Section one of Ordinance No. 2 of 1963 is repealed and the following section inserted in its stead:--

"1. - (1.) This Ordinance may be cited as the Wards' Employment Ordinance 1962.

(2.) The Wards' Employment Ordinance 1953-1961 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the Wards' Employment Ordinance 1953-1962."