

**University of Canterbury**

## **A Genocide Denied**

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The 'half-castes' of Australia during the Stolen Generations of 1905-1970  
as genocide

This dissertation is submitted in part fulfilment of the requirements for the degree of BA Honours in History at the University of Canterbury. This dissertation is the result of my own work. Material from the published or unpublished work of other historians used in the dissertation is credited to the author in the footnote references. The dissertation is approximately 9568 words in length.

Category One Dissertation

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**Please note: Aboriginal and Torres Strait Islander people should be aware that this research contains names of deceased persons in writings or poems.**

## Abstract

In the early 1990s the Wilson-Dodson enquiry was commissioned by the then Labour Government to investigate the issue of Aboriginal children being forcibly removed from their homes between 1900 and 1970. The children removed became known as the Stolen Generations. In 1997 the Wilson-Dodson enquiry published the findings in the *Bringing Them Home Report* which sparked intense public and academic debate around the issue of the forced removal of Aboriginal children, particularly whether it constituted genocide. In the wake of the report scholars investigated how the actions of the federal and state governments and their agencies relates to the 1949 United Nations definition of genocide. But this scholarship has not engaged specifically with the genocide of the ‘half-caste’ population. Apprehension around part-Aboriginal individuals arose in the late nineteenth and early twentieth century when many white Australians feared a growing ‘coloured’ population. This dissertation addresses this gap in the literature by exploring the removal of the ‘half-caste’ children in the states of Western Australia and New South Wales. Laws enacted by both state legislatures clearly reveals genocidal intent. The effects of the policy can be seen through victim’s testimonies, which show the long term consequences of being removed, and highlight other aspects of genocide. This research also aims to examine other aspects of genocide in relation to the part-Aboriginal population, including severe mental and physical harm, conditions of life that were calculated to bring about its destruction, and the imposition of measures intended to prevent births within the group. I argue that these actions can be considered as genocide in accordance to the United Nations definition these actions can be considered as genocide.

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# **Abbreviations**

**APB – Aboriginal Protection Board**

**AWC - Aboriginal Welfare Conference. Initial conference of Commonwealth and State  
Aboriginal Authorities 1937**

**BTH – Bringing Them Home Report**

**GCA – Genocide Convention Act 1949**

# Introduction

*'How do you know china doll, that you did survive?*

*I cut myself every week to feel if I'm alive'*

*You're much too broke for me to fix, little china doll;*

*Your mind is strong but your heart so very cold.*

*'Just throw me back on the heap, they have since I was ten years old' <sup>1</sup>*

In the poem 'Little China Doll' by Jeannie Hayes we see an emotional struggle that many Aboriginal and part-Aboriginal children went through as they entered adulthood. The term 'Stolen Generations' is used in Australia to represent the thousands of Aboriginal and mixed-descent children who were forcibly removed from their families between 1910 and 1970. Emotional and physical abuse are common themes in their shared experience. As early as 1819 there were reports of Aboriginal children being removed from their communities.<sup>2</sup> Laws from 1905 to the 1970s formalised the removal of children from Aboriginal parents into the care of white Australians or into institutions where they were to be 'trained'. An accurate number of the numbers of children will never be known due to lack of documentation, but historian Robert Manne places the number removed between 20,000 and 25,000 between 1910 and 1970. Manne's estimate is the overall accepted number of children removed.<sup>3</sup>

## Defining Genocide

Defining genocide is critical to the wider debate. In this dissertation I have employed the original UN definition as it fits with the time and has been accepted by the Australian government. In an 'Act to approve of Ratification by Australia of the Convention on the Prevention and Punishment of the Crime of Genocide, and for other purposes' (Genocide Convention Act 1949) there is an outline and definition of what genocide is. In section three, article two, in accordance with the Genocide Convention Act 1949, ratified by the Australian

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<sup>1</sup> J. Hayes, 'Little China Doll', in *Us Taken Away Kids*, Human Rights and Equal Opportunity Commission, C. Kenny (ed.), 2007, p. 49.

<sup>2</sup> K. Anderson, *Race and the Crisis of Humanism*, New York, Routledge, 2007, p. 97.

<sup>3</sup> R. Manne, *In Denial: The Stolen Generations and the Right*, Melbourne, Quarterly Essay, 2001, p. 27. Other estimates come from Peter Read's *A Rape of the Soul so Profound*, (Sydney, Allen & Unwin, 1999, p. 27.) in which he estimates 50,000 children removed. Keith Windschuttle believes that just over 8,000 children were removed. (*The Fabrication of Aboriginal History*, Volume Three: The Stolen Generations 1881-2008, Sydney, Macleay Press, 2009, p. 26.)

government, genocide means any of the following acts that were ‘committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group’:<sup>4</sup>

- A) Killing members of the group;
- B) Causing serious bodily or mental harm to members of the group;
- C) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- D) Imposing measures intended to prevent births within the group;
- E) Forcibly transferring children of the group to another group.

This definition is often misinterpreted. Due to the events of the Second World War, genocide has been closely associated with the destruction of the Jews in Nazi Germany and it has therefore been considered as targeted mass death. However, genocide can occur without killing members of the group, as seen in the GCA.<sup>5</sup> Within this definition we must highlight key words: ‘genocide means any of the following’, *not* all five acts. In Australia during the period under consideration part-Aboriginal children were transferred from one group to another, where conditions of life were put upon them with the ultimate goal to cease the continuation of mixed descent children; measures were put in place to prevent and control births within the group, including separation from ‘full-blood’ Aboriginals and conditioning children during their time institutionalised to avoid ‘full-blood’ Aboriginals. This was done intentionally, with the goal of ‘breeding out the black’ and creating a growing white population rather than a growing ‘coloured’ population.

Killing is therefore not the only way to commit genocide. What accompanies genocide is a particular ideology in the dominant group that demonises a target group and demands its removal or eradication.<sup>6</sup> At the beginning of the twentieth century, Australia had a belief that Aboriginals would die out and that their part-Aboriginal children would be a growing problem for White Australia. Towards the 1920s there was more focus on the ‘half-caste’ problem. When eugenics reached Australia in the early 1920s it played into these biological fears. To white Australians it introduced ‘practical reforms for achieving what the converts believed would be the betterment of the race’.<sup>7</sup> A. O. Neville, the Western Australia Chief Protector of

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<sup>4</sup> *Genocide Convention Act 1949*, Article 2, (Australia), p. 5.

<sup>5</sup> *Genocide Convention Act*, Article 2, p. 5.

<sup>6</sup> P. Bartrop, *Genocide: The Basics*, New York, Routledge, 2015, p. 4.

<sup>7</sup> H. Reynolds, *Nowhere People. How international race thinking shaped Australia’s identity*, Camberwell, Penguin, 2005, p. 58.

Aborigines (1915-1940), belief that the destiny of the half-castes ‘lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end.’<sup>8</sup> Horowitz states that genocide must be conducted with the ‘approval of, if not direct intervention by, the state apparatus.’<sup>9</sup> This is supported by Leo Kuper who states that for the majority of cases genocide is a ‘crime of governments.’<sup>10</sup> There is clear intent, notably in the 1920s and 1930s, to put into practice policies that would lead to the eventual disappearance of half-castes.

### Historiography

In 1997 the *Bringing Them Home Report* (BTH) was published. In this report the suffering of Aboriginal and part-Aboriginal children was brought to light to the wider public. When the BTH was presented to the Commonwealth parliament, Kim Beazley, the former leader of the Opposition, wept.<sup>11</sup> Since its publication it has led to intense political and ethical debates within Australia. Historical revisionists, like Windschuttle, believe that the type of history published by the Human Rights and Equal Opportunity Commission’s inquiry romanticises the ‘noble savage’, blackens the ‘national reputation’ and encourages the ‘the break-up of Australia’.<sup>12</sup> However, those such as Robert Manne described the Stolen Generations as a ‘eugenics program of constructive miscegenation’ to breed out ‘the colour of the mixed-descent population’ done to solve the so called ‘Aboriginal problem’.<sup>13</sup>

Despite the evidence provided by the BTH, the acts of cruelty it reveals have been contested within and beyond academia. During the 1980s and early 1990s a particular form of nationalism emerged and was focused around securing white Australia’s past. When claims of genocide first appeared, notably after Aboriginal Land rights came into play, they were rebutted by right-wing commentators such as writers for the journal *Quadrant*. Anthony McAdam, for example, denounced the ‘now fashionable charge’ of genocide, claiming it to be an ‘exercise in national denigration’ that questioned the nation’s identity and honour.<sup>14</sup>

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<sup>8</sup> A.O. Neville, *Australia’s Coloured Minority. Its place in the community*, Sydney, Currawong Publishing, 1947, p. 27.

<sup>9</sup> I. L. Horowitz, *Genocide: State Power and Mass Murder*, New Brunswick, Transaction Books, 1976, p. 16.

<sup>10</sup> L. Kuper, ‘International Action Against Genocide’, *Minority Rights Group*, Report 53, 1982, p. 3.

<sup>11</sup> S. Macintyre and A. Clark, *The History Wars*, Melbourne, Melbourne University Press, 2003, p.154.

<sup>12</sup> Macintyre and Clark, *The History Wars*, p. 45.

<sup>13</sup> Macintyre and Clark, p. 145.

<sup>14</sup> Macintyre and Clark, p. 143.

Both sides of the debate skirt around the term ‘genocide’. Many in support of the BTH may refer to ‘cultural genocide’ or go as far as ‘ethnocide’, but few commentators commit fully to the notion of genocide. In my view the actions of the state governments aimed towards mixed-descent peoples, or the so called ‘half-castes’, were clearly genocidal. I agree here with Ronald Wilson, the president of the Human Rights and Equal Opportunity Commission as well as the co-author of the BTH.<sup>15</sup> During the Australian Reconciliation Convention 1997 Wilson presented material from the 1937 Aboriginal Welfare conference, including the intention of multiple state governments to break up and destroy the Aboriginal and part-Aboriginal groups completely, to which Wilson responded ‘that, ladies and gentlemen, is genocide’<sup>16</sup> There is relatively little research on the genocide aimed towards ‘half-castes’; the notion of different treatment and targeting of part-Aboriginal children during the period of the Stolen Generations has been left untouched.

Until the late 1980s and the 1990s the Stolen Generations was barely considered by academics. But this changed with the outbreak of the ‘History Wars’. Hostilities intensified in 1996 when the then Prime Minister, John Howard, attacked developments in Australia’s political life which he claimed were attempting to ‘rewrite Australian history’.<sup>17</sup> The *Bringing Them Home* report was published in 1997 which sparked heated debates on the forced removal of Aboriginal children and notions of genocide in Australian history. Historian and writer Keith Windschuttle was at the forefront of these controversies. Along with other supporters, he claimed that much Aboriginal history romanticised the ‘noble savage’ and ‘blackening the national reputation’.<sup>18</sup> Windschuttle believed that there was no Australian genocide and that child removals were done for the benefit of the children. He also accused historians such as Henry Reynolds of creating myths of genocide and fabricating or misusing evidence.<sup>19</sup> The work of left-leaning historians on the less savoury aspects of the nation’s past was dismissed by John Howard as the ‘black armband view of Australian history’.<sup>20</sup> Despite these critiques, new and exciting research emerged on Aboriginal history. There was also a large growth in public histories such as those by the Stolen Generation Testimonies Foundation in 2007, which aimed to record or film personal testimonies of the survivors and share them online. Museums

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<sup>15</sup> R. Wilson, ‘Human Rights and Indigenous Australians’, address to the *Australian Reconciliation Convention 1997*, <http://www.austlii.edu.au/au/other/IndigLRes/car/1997/4/wilson.html>.

<sup>16</sup> Wilson, address to the *Australian Reconciliation Convention 1997*.

<sup>17</sup> Macintyre and Clark, p. 1

<sup>18</sup> Macintyre and Clark, p. 45.

<sup>19</sup> Macintyre and Clark, p. 162.

<sup>20</sup> Macintyre and Clark, p. 137.

began to re-work exhibitions in way that shared authority with indigenous communities, as with the Australian Museum in Sydney which now features stories of the Stolen Generations.

Examining the genocide of the ‘half-castes’ of Australia is a new topic. Henry Reynolds *Nowhere People* shows an examination of the treatment of ‘half-castes’. Anna Haebich’s work *For Their Own Good: Aborigines and Government in the Southwest of Western Australia, 1900-1940*, explores the institutionalisation and exclusion from wider communities that Aboriginals suffered during this period. Scholars focus on Aborigines as a whole and vaguely use the term ‘genocide’. A recent article by Philip Dwyer and Lyndall Ryan reflects on genocide and frontier violence. This essay is significant in relevance to this research as it states that within Australia there are two uses of the concept of genocide. The first term relates to frontier violence and the killing of Aborigines during the eighteenth and nineteenth century; the second relates to assimilation and the removal of Aboriginal children in the twentieth century.<sup>21</sup> Both of these uses have only come into debate from the 1980s onwards. The second use of the concept of genocide is relevant in this research.

### Methodology

Testimonies are one of the key sources in gathering evidence of genocide being committed. There is a flaw in these testimonies however: no testimonies were generally recorded until the 1990s and early 2000s. This means that there is a thirty year gap, 1910-1930, of Stolen Generation victims who cannot share their testimonies. Testimonies alone can be problematic as evidence, as issues surrounding memory and personal prejudice, but combined with other testimonies and other evidence such as legal documents a clear image can emerge. Legal acts and Commission reports will be another source of evidence in this research. These laws and official documents show the political motives and ideals of the time, and show the connection between laws and genocidal intentions.

In the late nineteenth and early twentieth century white Australia had accepted the belief that the Aborigines were a ‘dying race’ and that they would eventually die off. However the part-Aborigines, or half-castes, posed a new threat. Half-castes did not fit into white Australia’s

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<sup>21</sup> P. Dwyer and L. Ryan, ‘Reflections on genocide and settler-colonial violence’, *History Australia*, Vol 13, No 3, 2016, p. 337.

racial and cultural groups and posed white Australia with a political and social problem. It was in the 1920s and 1930s that Australia was faced with a rapidly growing half-caste population.<sup>22</sup> A. O. Neville stated that the destiny of their race ‘lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end.’<sup>23</sup> This idea was common throughout Australia. Western Australia and New South Wales have been chosen for examination due to their geographical location. These states have also been given individual interest by other scholars providing accessible information. Examination of Western Australia’s and New South Wales’s legal policies between 1905 and 1970, evidence of genocide will surface.

This research focuses on legislation and government policies that created a policy of genocide, which has been left relatively unexplored. There has been a notable gap in research around the part-Aboriginal children and state attempts at their destruction. ‘Half-caste’ genocide will be explored within Western Australia and New South Wales, using the legal acts to show the intentions of government officials. Personal testimonies given by survivors show the mental, emotional, and physical consequences of these states’ policies. Chapter one will examine laws beginning in 1905 and how they developed in each state. It will also explore the leaders involved with child removal policies and their intentions. Chapter two will deal with personal testimonies and how they reveal the genocidal intent of the state governments.

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<sup>22</sup> H. Reynolds, *An Indelible Stain?* Ringwood, Penguin Books Australia, 2001, p. 148.

<sup>23</sup> Neville, *Australia’s Coloured minority*, p. 27

# Chapter One: The Government Knows Best

Raphael Lemkin stated in 1944 that the agent of annihilation was state power, and that the formulation of intent was in coordinated plans.<sup>24</sup> Intent can be seen in the coordinated plans of state power, therefore legislation can show genocidal intent and action. Taking this position, it is clear that genocide can be identified in Australian state policies and legislative act between the years 1905 and 1970 which involve Aboriginal matters. In this chapter focus will be on two key states, exploring the various laws enacted by Western Australia and New South Wales. Since the creation of Western Australia's Aborigines Act 1905 and New South Wales' Aborigines Protection Act 1909, attempts have been made to destroy 'half-castes' or lighter-skinned Aboriginal children. This chapter will explore the laws enacted by Western Australia and New South Wales, and the genocidal intent shown through various conferences and conventions.

## Western Australia

The Aborigines Protection Act 1905, which purported to made provisions for the better protection and care of the Aboriginal inhabitants of Western Australia, sowed the seeds of genocide and genocidal intent. Section 6, for example, states the duties of the Aborigines Department: including distributing blanket and clothes, medical and food rations, and to exercise general 'supervision and care over all matters affecting the interests and welfare of aborigines'.<sup>25</sup> Many half-caste children were taken due to 'neglect', but, in accordance with the 1905 act, the department was responsible for the welfare of Aboriginal and half-caste peoples. The Aborigines Department held Aboriginal parents responsible for something the parents had no control over, and created an environment from which half-caste children could be taken from by slowly creating laws that allowed government officials to become the legal guardians of Aboriginal and half-caste children.<sup>26</sup>

Section 37 of the Aborigines Protection Act 1905 stated that if a protector, who is an individual appointed to protect Aboriginals and their interest, thought it was necessary, he may cause any Aboriginal or half-caste people who are camped near the limits of any town to

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<sup>24</sup> S. Straus, 'Contested meanings and conflicting imperatives: A conceptual analysis of genocide,' *Journal of Genocide Research*, Vol 3, No 3, 2001, p. 350.

<sup>25</sup> Aborigines Protection Act 1905, (WA), p. 3.

<sup>26</sup> Aborigines Protection Act 1905, p. 3.

be removed from the camp at such a distance from the town as he saw fit.<sup>27</sup> Aboriginals and half-castes were now involved in racial isolation, or segregation. This was caused by white Australians' fears of Aboriginal proximity as they 'seemed to threaten' them, leading to White ideas of Aboriginal child removal.<sup>28</sup> The availability of food, water, and medical sources was limited by forcing them to move and then the chances for employment would have dropped the further they got away from towns.

When placed next to the Genocide Convention Act 1949 it is clear that this section of the 1905 act meets a particular aspect of the GCA, by deliberately 'inflicting upon the group conditions of life calculated to bring about its physical destruction' in whole *or in part*, by separating them from communities that had supplies and employment.<sup>29</sup> The consequences could be devastating. When twenty two Aboriginal people went to Carrolup under pressure from state officials from areas such as Wickepin in 1915 for example, only nine were still remaining within a few months due to the conditions placed upon them at Carrolup.

According to Anna Haebich, once Aboriginals arrived at settlements such as Carrolup, they were 'virtually prisoners' as they could not leave without the Minister's permission.<sup>30</sup> In an attempt to prevent them from moving back, A. O. Neville ordered the immediate closure of the town ration station.<sup>31</sup> This was an action made to deliberately inflict on the group conditions that were calculated to bring about its eventual physical destruction. Controlling where the Aboriginal groups were, it was easier for them to be monitored and their children taken. In the Busselton camp during the 1910s, those who remained were 'rounded up' and put on the train to take them to Mogumber.<sup>32</sup> There are many cases that show the aim to control the location, and eventually the lives, of Aboriginal people.

Section 42 of the 1905 act states that no marriage between any Aboriginal women with any other person other than an Aboriginal man shall be celebrated without the permission of the Chief Protector.<sup>33</sup> While this did not completely stop interracial marriage, it certainly restricted it greatly. Thus, Aboriginal people were not able to marry without the involvement

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<sup>27</sup> Aborigines Protection Act 1905, p. 10.

<sup>28</sup> R. Evans, 1901, *Our Future's Past: Documenting Australia's Federation*, Sydney, Pan Macmillan Australia, 1997, p. 59.

<sup>29</sup> *Genocide Convention Act*, Article 2, p. 5.

<sup>30</sup> A. Haebich, *For Their Own Good. Aborigines and Government in the southwest of Western Australia, 1900-1940*, Nedlands, University of Western Australia, 1988, pp. 172-173.

<sup>31</sup> Haebich, *For Their Own Good*, p. 173.

<sup>32</sup> Haebich, p. 174.

<sup>33</sup> Aborigines Protection Act 1905, p. 11.

of the state government. Marriage was controlled, with the consequence that the births of half-caste and part-Aboriginal children were limited and monitored. A. O. Neville, acting *ultra vires*, insisted on ruling on the suitability of couples to marry.<sup>34</sup> He continued to do this throughout his time as Chief Protector. Biological engineering played a large part in controlled marriages. Neville and others believed that racial characteristics could be bred out through controlled marriage, making them 'lighter' and eventually white over the course of several generations.<sup>35</sup>

The Aborigines Protection Act 1905 indicates the beginnings of genocide. It confirms that there were measures intended to prevent births of half-castes within the group. It also shows intent to control Aboriginals and part-Aboriginals to the extent of causing serious bodily and mental harm. The act demonstrates that the government had the right to remove children from their families, forcibly transferring children of the group to another group. The act reveals that the government failed to provide for the Aboriginal and half-caste children. It set in motion the key actions of removing children from their communities as it made the Chief Protector the legal guardian of all half-caste children, removing the rights of mothers. This act was not repealed until the Native Welfare Act 1963. The Chief Protector had been the legal guardian of all half-caste children for 52 years.

In 1906 the Beagle Bay mission home, located in the north of Western Australia, requested that the police 'round up the Indigenous children' and send them to live at the mission.<sup>36</sup> James Isdell, an Aboriginal Protector, stated that 'I would not hesitate for one moment to separate any half-caste from its aboriginal mother'.<sup>37</sup> A lack of empathy was clear among both the local population and 'protectors' in Western Australia. Early Western Australian politics set up the necessary bureaucratic and legal 'mechanisms to control all their contacts with the wider community, to enforce the assimilation of their children and to determine the most personal aspects of their lives'.<sup>38</sup> The control exerted by the government and specific individuals such as the Chief Protectors and Aboriginal Protection Board enabled the state to put conditions upon part-Aboriginals that would lead to their eventual 'assimilation' and destruction of their group.

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<sup>34</sup> Haebich, pp. 182-183.

<sup>35</sup> Haebich, pp. 316-317.

<sup>36</sup> *Bringing Them Home Report*, p. 104.

<sup>37</sup> James Isdell quoted in *Bringing Them Home Report*, p. 104.

<sup>38</sup> Haebich, *For Their Own Good*, p. 83.

In the Report of the Chief Protector of Aborigines, 30 June 1910, there is a clear concern about the numbers of half-castes. The report states that in the eastern states, notably Queensland and New South Wales, there was an experience of a boom in half-caste population and that it was expected, according to the Chief Protector, that this boom would be anticipated in Western Australia. The Aborigines Protection Amending Act 1915 gave the Aboriginal Protection Board total power to separate Aboriginal children, half-caste or not, from their families without having to prove that they were neglected or take them to court.

Western Australia's Aborigines Act Amendment Act 1911 constituted a turning point in child removal policies. It saw the introduction of the Chief Protector becoming the legal guardian of all 'half-caste' children, and could exclude the rights of the mother.<sup>39</sup> Aboriginal institutions could now, under this act, exercise the same powers as state institutions in respect to state children.<sup>40</sup> This meant that now that the Chief Protector had increased legal power over children, notably the 'half-caste' children, and that local Aboriginal institutions could now have the same power as state-run institutions, expanding the area of power the child removal policies could reach.

The Native Administration Act 1936 changed the title of 'Chief Protector' to 'Commissioner of Native Affairs'.<sup>41</sup> The Native Administration Act showed the desired end result that the government wanted in its assimilation process. It referred to 'quadroons', who were excluded from the title of 'Native'.<sup>42</sup> 'Quadroons' were no longer considered a native of Australia and had succeeded in become part of 'white' Australia. A quadroon would be third or fourth generation removed from a 'full-blooded' Aboriginal, as Neville stated after a few generations the half-caste would be assimilated into white communities.<sup>43</sup> The Native Administration Act 1936 also increased the age to which the Commissioner of Native Affairs was made the legal guardian of all 'native' children.<sup>44</sup> By having longer control over the lives of these children, the Commissioner of Native Affairs had lasting influence over their lives, who they interacted with, where they lived, and where they were sent to work. Social

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<sup>39</sup> Aborigines Act Amendment Act 1911, (WA), p. 1.

<sup>40</sup> Aborigines Act Amendment Act 1911, p. 3.

<sup>41</sup> Also known as the Aborigines Act Amendment Act 1936.

<sup>42</sup> Native Administration Act 1936, (WA), p. 3.

<sup>43</sup> *Bringing Them Home Report*, p. 108.

<sup>44</sup> Native Administration Act 1936.

Darwinism promoted measures to ‘improve’ the population by ‘influencing the breeding rates of different sections of the population’.<sup>45</sup> This emerging idea of Social Darwinism is clearly reflected in this act.

A subsequent law, the Native Administration Amendment Act 1941, restricted the rights of Aboriginal people to move from the south of Western Australia to the north of the state. This was a controlling action made to further control and monitor the lifestyle of Aboriginal people with a secondary aim of limiting the amount of half-caste children. In the early 1930s when Sister Kate’s Home, an Aboriginal institute in Queens Park, Western Australia, was being set up, it based its selection of children on the lightness of colour of the children’s skin.<sup>46</sup> Once Sister Kate’s was fully operational, children of lighter skin from Moore River settlement, at Mogumber in Western Australia, were transferred there. ‘Quarter-castes’ and light skinned children from the camps were to be sent there automatically.<sup>47</sup> The direct targeting of light skinned Aboriginal children shows the clear intention of destroying this group. Rather than quick solutions, the government implemented long-term plans that would eradicate the ‘half-castes’ from existence, such as the removal of children from their homes into areas where interaction with ‘full-blood’ Aborigines would be limited.

### New South Wales

Much like Western Australia, New South Wales had their own child removal and assimilation policies. New South Wales’s policies tended to come later compared to Western Australia but conveyed the same ideas, such as segregation and targeting part-Aboriginal children. In New South Wales the Aborigines Protection Act 1909 allowed duties and powers to be put in the police force. The Protection of Aborigines Board (APB) also gave duties to police to carry out. According to Matthew Foley, between the years 1914 and 1934, police were given instructions as to how to deal with Aboriginal people such as:

- Issuing rations to aid Aboriginal people
- Force children to attend school by withholding rations if they do not comply

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<sup>45</sup> Q. Beresford, *Our State Of Mind: Racial Planning and the Stolen Generations*, Freemantle, Freemantle Arts Centre Press, 1998, p. 33.

<sup>46</sup> Haebich, *For Their Own Good*, p. 318.

<sup>47</sup> Haebich, p. 318.

- Refuse rations to Aboriginal people in order to get them to move to another reserve
- Decide whether or not an Aboriginal person was sick enough to see a doctor
- Remove children from their parents and send them to a ‘training’ home, on the grounds they were neglected or were over the age of fourteen
- Expel lighter coloured Aboriginals from reserves and stop them from returning to their families.<sup>48</sup>

The police had now become a key part in the routine actions of child removal and segregation in the state. By deciding who got rations, or giving out rations under threat or simply refusing to provide rations so people would have to move elsewhere, the police put Aboriginal people under living conditions that were calculated to bring about its physical destruction in part. This was, by the understanding of the GCA, an act of genocide. Children and adults who were dependent on rations had little choice in their lives. If they resisted police power they would starve. Expelling lighter-coloured Aboriginal people from reserves and stopping them to return to the camps or towns show targeting of part-Aboriginal people. Lighter coloured Aboriginal people and half-castes were at the heart of the genocide. It was in the Aborigines Protection Act 1909 that the targeting of ‘half-caste’ Aborigines became apparent. The act states that the APB may cause any ‘Aborigines, or any persons apparently having an admixture of aboriginal blood in their veins’ to move away from camps, reserves, or towns.<sup>49</sup>

For those such as A. O. Neville and Cecil Bryan, the only future for the half-castes was for ‘the black to go white.’<sup>50</sup> Cecil Bryan made a statement to the Moseley Royal Commission in 1934 where he asked for ‘steps to be taken to breed out the half-caste, not in a moment, but in a few generations, and not by force, but by science.’<sup>51</sup> He thought that long term assimilation through extreme control and biological engineering was the answer. Australia’s long term plans to physically destroy a group are clear. The statement ‘not by force, but by science’, removes the humanity from the ‘half-castes’. They are not humans, but mere subjects to be manipulated by science. Neville states that the ‘end in view will justify the

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<sup>48</sup> M. Foley, Aborigines and the police, in P. Hanks (ed.), Bryan Keon-Cohen (ed.), *Aborigines and the Law*, Sydney, George Allen & Unwin, 1984, p. 163.

<sup>49</sup> Aborigines Protection Act 1909, (NSW), p. 4.

<sup>50</sup> A. Haebich, *For Their own Good*, p. 317.

<sup>51</sup> C. Bryan quoted in, Haebich, *For their own good*, p. 320.

means employed.’<sup>52</sup> Both Neville and Bryan had shown little compassion in their attitudes towards Aboriginals. Anna Haebich looks at the words of the 1928 Aboriginal spokesman, William Harris, who described Neville as one of the ‘worst enemies of Aborigines’.<sup>53</sup> The hatred and fear of Neville and Bryan showed them to be putting the welfare of Aboriginals second to white Australians.

New South Wales’ Aborigines Protection Amending Act 1915 removed the requirement that an Aboriginal child had to be ‘neglected’ before the APB could remove them.<sup>54</sup> The APB could assume full control and custody of the child of any Aboriginal, ‘full’ or ‘half-caste’ in blood, if they believed it to be in the best interest of the child. In New South Wales, this act also introduced the notion that if a child refused to go with the person the APB had ‘apprenticed’ them to, the child would be sent to a home or institution as the APB saw fit. This act ensured that the APB and state officials could now remove any child, and in this case they targeted ‘half-caste’ children, without the process of finding them to be ‘neglected.’<sup>55</sup>

The Child Welfare Act 1923 meant that the Court was given similar powers to the APB in terms of dealing with ‘neglected’ or ‘uncontrollable’ children.<sup>56</sup> Institutionalised children were now under the control of the superintendent of the institution until they reached the age of eighteen or they were released, removed or ‘apprenticed’ out of the institution.<sup>57</sup> Parental control or involvement in their children’s lives now became non-existent. If a child was found to be ‘neglected’ they were taken from the family with no consultation or evidence of neglect. Often the child’s name would be replaced with an English name and the child would be moved far away from their family into an institution.<sup>58</sup> The chances of reuniting families that had had their children removed was slim. Both local and state government officials had the power to remove children, often targeting ‘half-caste’ children, without the consent or understanding of the parent. These policies and acts were done to smooth the process of genocide. Without legal hindrance, the goal to ‘breed out the black’ in these children could be achieved faster and more efficiently. This was further emphasised in the Aborigines Protection (Amendment) Act 1936, where the court could order the removal of a person

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<sup>52</sup> A. O. Neville quoted in, Haebich, p. 156.

<sup>53</sup> Haebich, *For their own good*, pp. 156-157.

<sup>54</sup> Aborigines Protection Amending Act 1915, (NSW).

<sup>55</sup> Aborigines Protection Amending Act 1915.

<sup>56</sup> Child Welfare Act 1923, (NSW).

<sup>57</sup> Child Welfare Act 1923.

<sup>58</sup> D. Johnson, *Stolen Generations*, Australian Film Finance Corporation, ACT, 2000.

who was living in ‘insanitary or undesirable conditions’ to a reserve or into a place controlled by the APB or to state institutions.<sup>59</sup> The process of removal was now opened more broadly than that of ‘neglect’. To remove a child one could state that they were living in undesirable conditions, and that child would now, most likely, be put into an institution.

In New South Wales legal struggles with the ‘half-caste problem’ continued into the Second World War and beyond. The Aborigines Protection (Amendment) Act 1940 increased the age that the APB could control a child from eighteen to twenty-one.<sup>60</sup> Longer influence often meant that relationships between people were more closely watched and influenced. In addition, any children that women had were instantly taken and put into the system. A 1943 amendment act made only minimal policy changes in the state government’s attitude towards the ‘half-caste problem’ and no changes in child removal policies. It was not until 1963 that legislation was introduced that slowly repealed aspects of previous ‘protection’ acts.

### Intention and Leaders

Intention is one of the key components of genocide, and it is not always easy to find. Governments and state powers will not openly state they intend to destroy, in part or in whole, a specific group. However, in the case of Australia intention can be found in laws, actions and public statements of government officials and agencies. In 1913 W. M. Hughes, the Federal Attorney-General stated that ‘we were destined to have our own way from the beginning and America – two nations that have always had their way. For they killed everybody else to get it.’<sup>61</sup> The ‘it’ that Hughes is referring to is the control of the country, and refers to both killing Native Americans and Aborigines to achieve it. The idea of what he is saying is not only cruel, but shows the little empathy he had for both Australian Aborigines and Native Americans. Robert T. Donaldson, Inspector of Aborigines in the 1910s in New South Wales, grew obsessed with half-caste children. He was known as the ‘Kids Collector’ by many Aboriginal communities and he was feared and hated by them.<sup>62</sup> He believed that the purpose for the Aboriginal Protection Board was for the Aboriginal

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<sup>59</sup> Aborigines Protection (Amendment) Act 1936, (NSW).

<sup>60</sup> Aborigines Protection (Amendment) Act 1940, (NSW).

<sup>61</sup> W.M. Huges in ‘Honouring the States’, *Sydney Morning Herald*, 13 March 1913, p. 10. Available from Trove (accessed 4 May 2016).

<sup>62</sup> H. Goodall, *Invasion to Embassy. Land in Aboriginal Politics in New South Wales, 1770-1972*, Sydney, Allen & Unwin, 1996, p. 123.

camps being 'depleted of their population' and the closure of all camps and reserves.<sup>63</sup> Donaldson was eager for the assimilation and the eventual disappearance of half-castes, and even the disappearance of 'full-blooded' Aboriginals. He seems to have shared the view that eventually they would simply 'die out'. Intention came quite often through the form of continuous control and separation applied by the Aboriginal Protection Board. In 1921, the APB believed that the policy of 'disassociating the children from camp life must eventually solve the Aboriginal problem.'<sup>64</sup>

In the 1937 Aboriginal Welfare Conference was arranged for Chief Protectors and Boards controlling Aborigines in the States of Australia to discuss legislation and future plans for the Aboriginals. There are clear signs to destroy, in part and in whole, the half-castes of Australia in the 1937 conference. At one point Queensland representatives stated that the 'wholesale herding of tribes... cannot be done without hardship.'<sup>65</sup> This type of belief appeared to be shared by the other states, and reflected their views on how to deal with the 'half-caste issue'. The 1937 Aboriginal Welfare Conference shows several signs of intention to destroy the half-castes of Australia. The Conference believed that the destiny of the 'natives of aboriginal origin, but not of full blood, lies in their ultimate absorption by the people of the Commonwealth.'<sup>66</sup> There was clear intention to 'absorb' the Aboriginals that were not of 'full blood' into the white community, destroying this group. The conference also supported the idea of controlled marriage. The conference states that no half-caste should be allowed to marry a full-blooded Aboriginal if it is possible to avoid it.<sup>67</sup> The conference decided that while individual states should have their own legislation, there should be uniformity of legislation throughout the states.<sup>68</sup> The conference pushed the question of whether they have a population of 'blacks' or if they will merge them into the white community and 'eventually forget that there ever were any aborigines in Australia?'<sup>69</sup> This conference showed intention to destroy the half-castes of Australia by biological absorption and controlled marriages as well as believing that the 'full-blooded' Aboriginal would die out.

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<sup>63</sup> Goodall, *Invasion to Embassy*, p. 121.

<sup>64</sup> Aborigines Report of Board for the Protection of, for the period 1<sup>st</sup> July 1920 to 30<sup>th</sup> June 1921, (NSW), p. 5.

<sup>65</sup> Aboriginal Welfare Conference. Initial conference of Commonwealth and State Aboriginal Authorities, 1937, (ACT), p. 7.

<sup>66</sup> Aboriginal Welfare Conference 1937, p. 3.

<sup>67</sup> Aboriginal Welfare Conference 1937, p. 10.

<sup>68</sup> Aboriginal Welfare Conference 1937, p. 3.

<sup>69</sup> Aboriginal Welfare Conference 1937, p. 10.

In a letter to political officials in the early 1930s, A. O. Neville stated that when he was at Moore River he saw a number of children who he wanted to transfer to another institution ‘because they are so very white and should have the benefit of the doubt.’<sup>70</sup> Neville was quoted in *The Daily News* in 1933 saying that the ‘black will have to go white. It is exemplified in the quarter-caste, and by the gradual absorption of the native Australian black race by the white.’<sup>71</sup> Neville had clear and public intentions to ‘absorb’ lighter coloured Aboriginal children into the white community. Neville stated the long term plans that would result in the ‘ultimate disappearance ... of the coloured people.’<sup>72</sup> Political figures such as G.B. Wood, a Western Australian politician, stated that the long distance view was to ‘breed these people right out’, which aligned with Neville’s view of biological assimilation.<sup>73</sup> Neville’s key issue was skin colour: he believed that after two or three generations the process would be complete and the settlements could be closed.<sup>74</sup>

Robert T. Donaldson, a New South Wales politician, stated that a purpose of the ABP was having the Aboriginal camps ‘being depleted of their population...closing the camps and reserves altogether’.<sup>75</sup> The APB had also frequently stated in its reports that it intended to reduce the birth rate of the Aboriginal population by removing the adolescent girls from Aboriginal communities.<sup>76</sup> When compared to article 2 of the GCA, it is clear that there were measures imposed on the group to prevent and control births.

### The ‘half-caste problem’

The legislation in both Western Australia and New South Wales reflects the intent to remove ‘half-castes’ by merging, or ‘breeding’, them into the white community, eventually removing all traces that they ever existed. Robert Manne believes that the ‘policy of child removal was concerned not with full-blood Aborigines but with Aborigines of mixed descent’.<sup>77</sup> The examination of the legislation in Western Australia and in New South Wales and the statements of political leaders supports Manne’s belief. It appears that during the twentieth

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<sup>70</sup> A.O. Neville quoted in P. Jacobs, *Mister Neville: A biography*, Freemantle, Free Mantle Arts Centre, 1990, p. 219.

<sup>71</sup> A.O. Neville quoted in, ‘It is good to mate half-castes with white’, *The Daily News*, Thursday 8 June 1933, p. 1.

<sup>72</sup> A.O. Neville, ‘The half-caste in Australia’, *Mankind*, Vol 4, No. 7, 1951, p. 286.

<sup>73</sup> G.B. Wood quoted in, H. Reynolds, *Nowhere People*, p. 178.

<sup>74</sup> *Bringing Them Home Report*, p. 108.

<sup>75</sup> Goodall, *Invasion to Embassy*, p. 121.

<sup>76</sup> Goodall, *Invasion to Embassy*, p. 120.

<sup>77</sup> R. Manne, ‘The Stolen Generations’, *Quadrant*, Vol 42, No 1-2, 1998, p. 62.

century, two interpretations of 'assimilation' emerged. The first to emerge was assimilation of good intentions, simply hoping that Indigenous people could live and support themselves as white people. The second to emerge was focused on biological absorption, hoping that the physical characteristics of Aborigines would be lost through interracial relationships.<sup>78</sup> The second interpretation was the one that can be found in the legislation of Western Australia and New South Wales. It can also be found in the actions of those such as A. O. Neville, who controlled marriages throughout his time as Chief Protector.

Western Australia's Aborigines Act 1905 and New South Wales's Aborigines Protection Act 1909 indicated the start of child removal policies with intentions of controlling the lives of these children with the end result of marriage and sexual relations with white or 'quadroon' individuals, essentially removing any sort of colour from part-Aboriginals. For part-Aboriginal Australians, this was genocide. According to the GCA, which Australia agreed to in 1949, the forcible removal and transferring of children from one group to another group, imposing measures intended to prevent births within the group, deliberately inflicting on the group conditions of life that would bring about its physical destruction in whole or in part, and causing serious bodily or mental harm to member of the group, were all present in the legislation of Western Australia and New South Wales as well as in the words of government officials. While New South Wales's legislation took longer to come into place, it still held the same beliefs that Western Australia had at the time.

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<sup>78</sup> K. Ellinghaus, 'Absorbing the 'Aboriginal problem': Controlling interracial marriage in Australia in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries', *Aboriginal History*, Vol 27, 2003, p. 183.

## Chapter Two: Reclaiming Stolen Voices

Personal testimonies have been used by historians to emphasise and explain the events that took place due to the child removal policies from 1905 to 1970. In a documentary made by the Australian Human Rights Commission in 1997 to make the BTH report more accessible it was stated that there was not one Aboriginal family or community within Australia today that has not been affected by the child removal policies made during the twentieth century.<sup>79</sup>

Personal narratives showcased by the Stolen Generations Testimony website gives an insight into the everyday lives of ‘inmates’ in various institutions and reveals how their experiences correspond with the legislation and governmental intent to destroy ‘half-castes’, both physically and mentally.

Most importantly, these survivors’ testimonies prove both the governments’ intentions and show genocidal actions. Some scholars, such as Windschuttle, argue that the removal of these children was for the benefit of the child.<sup>80</sup> However true this statement may be, the suffering that was endured by Aboriginal and ‘half-caste’ children during their time in institutions was unique and cruel. It was done intentionally, with the purposes of controlling the lives of these children and inflicting upon them conditions of life that would eventually bring about their destruction. It also imposed upon indigenous women measures intended to prevent and control births within the group of ‘half-castes’.

The side effects of this treatment are serious and last long into the lives of the victims. According to the Australian Bureau of Statistics, Indigenous people were around twice as likely to suffer from high psychological distress.<sup>81</sup> In another chart, the Australian Bureau of Statistics shows that Indigenous females had an exceedingly high rate of high or very high psychological distress in comparison to non-Indigenous females.<sup>82</sup> For both females and

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<sup>79</sup> Australian Human Rights Commission, *Bringing Them Home: Separation of Aboriginal and Torres Strait Islander children from their families*, Available from youtube.com, published June 11 2014, originally produced in 1997, quote from 10:56 – 11:00.

<sup>80</sup> K. Windschuttle, *The Fabrication of Aboriginal History*, pp. 124-125.

<sup>81</sup> Australian Bureau of Statistics, ‘4727.0.55.001 - Australian Aboriginal and Torres Strait Islander Health Survey: First Results, Australia, 2012-13’, Psychological Distress, <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/9F3C9BDE98B3C5F1CA257C2F00145721?opendocument>, Accessed 12 September 2016.

<sup>82</sup> Australian Bureau of Statistics.

males, the age range of 45-54 shows an incredibly high percent of psychological distress.<sup>83</sup> The ages of these individuals would have been born in the late 1950 and early 1960s, and they would have been vulnerable to child removal policies, impacting their mental health severely. If institutional abuse was normal even in non-Indigenous institutions, then there lies a question of why these numbers are so high. It will be argued that the abuse these people suffered as children was unique, because it was done with genocidal intention. The abuse that was done to these children constituted as severe physical and mental abuse and is shown through these testimonies.

### Mental Abuse

Under the GCA causing serious mental harm to individuals of the targeted groups constitutes as an act of genocide. One of the reoccurring events throughout personal testimonies is the abuse, both mentally and physically, that ‘half-caste’ children suffered during the time they were institutionalised. Mental abuse is extremely dangerous. Researchers have shown that it can lead to long lasting psychological effects, including depression, anxiety and other mental issues. The BTH report showed some of the effects of removal and abuse. Michael Constable, a community health nurse in Ballarat, stated that on reaching adulthood most stolen children were ‘chronically depressed’.<sup>84</sup>

Case studies provide clear support for this view. For Rita Wenberg mental abuse was a common occurrence during her childhood. Rita was born in 1940 on Cabbage Tree Island and removed in 1944.<sup>85</sup> She was put into Cootamundra girl’s Home, where she suffered under extreme conditions and mental abuse. Rita recalls how the staff at the institution would train her to become a ‘proper European’, saying that they had been ‘brought up as Europeans. Dress yourself as a European, to talk as a European’.<sup>86</sup> Rita summarises her experience of growing up in Cootamundra by stating that ‘they really brainwashed you, at that very young age’.<sup>87</sup> The mental abuse that Rita suffered continued into her adulthood. Rita recalls how she felt a sense of loss because even though they were brought up to be European, they didn’t feel

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<sup>83</sup> For male Statistics see Appendix A, and for females see Appendix B.

<sup>84</sup> *Bringing Them Home Report*, p. 196.

<sup>85</sup> Rita Wenberg, *Stolen Generations Testimonies*, <http://stolengenerations testimonies.com/index.php/testimonies/993.html>, accessed 3 May 2016.

<sup>86</sup> Rita Wenberg.

<sup>87</sup> Rita Wenberg.

like that, and Rita says that the white community didn't treat them that way. She felt a sense of loss because, as many other survivors do, their identity had been stolen and had no sense of who they were: 'we haven't got no identity'.<sup>88</sup>

Rita talks about the difficulty of recalling what happened, stating that her connection to her children is a challenge because she still has not told her daughter what happened to her and that her time institutionalised still affects her in this way. She also speaks of the challenges of being a mother: 'and I tried to be a good mother, but I wasn't a good mother because I couldn't even handle myself. Cause I was, I was sort of, my mind inside was not right, you know... something was stopping me from trying to bring the kids up properly'.<sup>89</sup> Rita's experience has similarities to the outlines of genocide in the GCA. Rita, at the age of three, was removed from her family to another one. She was seriously mentally and physically harmed in the institutions, often in the forms of brainwashing by being told she was white, and whippings.

Marjorie Woodrow was removed and sent to Cootamundra Girls' Home in 1936, ten years prior to Rita Wenberg. During Marjorie's time in the institution she, too, suffered greatly. Marjorie recalls that if any of the girls go into any trouble they would often lock them in 'the room'. At the time Marjorie was unsure what 'the room' was, all she knew is that it was the punishment room. It was not until later that Marjorie found out that the room she and countless other girls were locked in for long periods of time was a morgue.<sup>90</sup> The psychological damage of this alone is disturbing. Marjorie recalls they were frequently told to 'pray that we never turned black' and that some of the women that worked in the institution told them to 'stay white'.<sup>91</sup> A similar mental abuse happened at Kinchela Boys' Home, where Cecil Bowden stated: 'we were constantly told that we weren't Aborigines in the home. When we got out, never marry an Aboriginal. You're not aboriginal. And I mean to say, it stuck with a lot of them'.<sup>92</sup>

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<sup>88</sup> Rita Wenberg.

<sup>89</sup> Rita Wenberg.

<sup>90</sup> Marjorie Woodrow, Stolen Generations' Testimonies, <http://stolengenerationstestimonies.com/index.php/testimonies/988.html>, accessed, 15 March 2016

<sup>91</sup> Marjorie, Stolen Generations' Testimonies.

<sup>92</sup> Cecil Bowden, Stolen Generations' Testimonies, [http://stolengenerationstestimonies.com/index.php/testimonies/cecil\\_bowden.html](http://stolengenerationstestimonies.com/index.php/testimonies/cecil_bowden.html), accessed, 10 March 2016.

At Carrolup Institution and Moore River in Western Australia the staff had issues controlling the children. During a visit to Carrolup in 1918 A. O. Neville, the Chief Protector in Western Australia, suggested creating a place of ‘confinement’ for the punishment of children. One reason for imprisonment was absconding and insubordination, with an example of one man who was kept in the so called ‘Boob’ for eight days on a ‘reduced diet’ for insulting the staff.<sup>93</sup> At Moore River they too had a ‘Boob’ confinement room. The room was described as a small wooden room that was covered in corrugated iron.<sup>94</sup> At Moore River children were kept trapped inside for up to a fortnight at a time, often in complete isolation, resulting in severe psychological damage.<sup>95</sup>

Frequent sexual abuse lead to severe mental distress. Marjorie was moved to Parramatta Girls’ Home, where she describes that the girls were molested by male members of staff. Looking into the testimonies given in the Stolen Generations Testimony website and the BTH report, it is clear that sexual abuse was a common occurrence. Marjorie states that she would put pillows under her sheets and hide in a cupboard to try and trick the men who came into the rooms at Parramatta that she was asleep.<sup>96</sup> Marjorie states that she was ‘lucky in some nights, like to get away from that’. She could only talk to the girls about it because she could not trust any of the staff there.<sup>97</sup> Due to the conditions that were endured by the girls at Parramatta Girls’ Home, when girls were put into their rooms staff had made sure that there was nothing they could hang themselves with.<sup>98</sup>

At Sister Kate’s Home there was the case of Millicent D, who was born in Western Australia during 1945. Millicent recalls how she was raped when she was put out to work as a domestic servant.<sup>99</sup> Millicent returned to Sister Kate’s and told the Matron what had occurred. The Matron responded by washing the girls mouth out with soap and boxed her ears in and ‘told me that awful things would happen to me if I told any of the other kids’.<sup>100</sup> When Millicent was raped again she went to the same Matron, who washed her mouth out again, belted her with a ‘wet ironing cord’ and locked her in a small room by herself.<sup>101</sup> Due to the abuse she

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<sup>93</sup> Haebich, *For Their Own Good*, p. 182.

<sup>94</sup> Haebich, p. 211.

<sup>95</sup> Haebich, p. 211.

<sup>96</sup> Marjorie Woodrow, Stolen Generations’ Testimonies.

<sup>97</sup> Marjorie Woodrow.

<sup>98</sup> Marjorie Woodrow.

<sup>99</sup> *Bringing Them Home Report*, p. 117.

<sup>100</sup> *Bringing Them Home Report*, p. 117.

<sup>101</sup> *Bringing Them Home Report*, p. 117.

received when she asked for help, Millicent's mental health declined rapidly. Millicent recalls that she was showed no comfort and she tried to distance herself from everyone. She ate rat poison in an attempt to kill herself, and when her attempt failed she received another beating.<sup>102</sup>

Val Linnow had similar experiences. She was raped and abused at the institution and then during her time as a domestic servant. When Val was an adult, she saw a psychiatrist and was put into a mental institution because she was severely depressed and suicidal.<sup>103</sup> Val says that she 'just didn't want to live anymore. Because I thought I was in the wrong, all the time I was blaming myself, I was in the wrong. Now I'm on blooming anti-depressants from now until I die'.<sup>104</sup> As shown in the graphs provided by the Australian Bureau of Statistics psychological distress was extremely high for Aboriginal people and from these testimonies it appears that the cause was the abuse they suffered during their time in the institutions.

The mental abuse suffered by these children lasted long into their adult lives. Quentin Beresford and Paul Omaji argue that the 'regimented, doctrinaire, and harsh routine adopted by missions were calculated to ensure that some of their objectives were achieved'.<sup>105</sup> Alicia Adams, who was taken to a church home, shows how badly affected children were by mental abuse. Alicia explains how she was confused with herself: 'I looked at my skin, and I thought, 'I look brown like them too', but I said, 'oh no, I'm white' . . . and I was real hurt because I didn't want to be brown you know, I wanted to be white'.<sup>106</sup> Peter Read has argued that understanding the psychological issues that were caused by institutionalism and the abuse suffered during the time is a complex issue. In accordance to the GCA in 1949 causing serious bodily *or* mental harm to members of the group constitutes an act of genocide.<sup>107</sup>

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<sup>102</sup> *Bringing Them Home Report*, p. 117.

<sup>103</sup> Val Linnow, *Stolen Generations' Testimonies*, <http://stolengenerationstestimonies.com/index.php/testimonies/997.html>, accessed 5/05/2016.

<sup>104</sup> Val Linnow, *Stolen Generations' Testimonies*.

<sup>105</sup> Beresford and Omaji, *Our State Of Mind*, p. 202.

<sup>106</sup> Alicia Adams quoted in P. Read, *A Rape of the Soul So Profound*, Sydney, Allen & Unwin, 1999, p. 35.

<sup>107</sup> *Genocide Convention Act*, Article 2, p. 5.

### Physical Abuse

Kinchela Boys' Home had a notorious record for physical abuse. Cecil Bowden, born in 1939 and removed in 1941 while his father was fighting in the war, says that he did not understand his treatment by the staff: 'I don't know whether he was racist or he was a sadist, you know, because he treated us terrible'.<sup>108</sup> The boys at Kinchela were subjected to harsh physical punishment. Cecil recalls that when one boy got in trouble, all the children at the institution were forced to line up and the boy in trouble had to walk down the line where 'every kid had to punch that kid hard enough to satisfy those people. Because if they didn't they were threatened they would go down the line after him'.<sup>109</sup> Bill Simon, who was removed in 1957 to Kinchela Boys' Home, recalls the same treatment. Bill remembered the after effects of the so called 'Line' punishment: 'By the time you got to the end of the line there'd be blood everywhere and they'd put you in a little toilet, a storeroom and fed you on bread and water for three days'.<sup>110</sup> In one case, a boy at Kinchela had been tied to an iron frame and flogged after he tried to run away from the institution.<sup>111</sup> Kinchela was one of the worst homes when it came to physical abuse, but many of the punishments suffered at Kinchela were also endured at other Aboriginal institutions around the country.

John T. Brodie, the Superintendent in charge of Moore River in the mid-1920s, was known to allow harsh punishments to happen to children. During this time the children were beaten with sticks, belted with a cat-o'-nine-tails, or had their heads shaved and hit.<sup>112</sup> One teenage boy was punished by being tarred and feathered in front of the settlement staff and other children. Some statements recall how the female staff assisted in the abuse and that they were laughing as they threw feathers over the boy.<sup>113</sup> This punishment was extremely severe and according to the GCA this type of targeted and intentional abuse was an act of genocide.<sup>114</sup>

Marjorie Woodrow recalls some of the more damaging physical abuse when she was moved to Parramatta Girls' Home. She states that when she was young and in the kitchen cooking, she met an eleven-year-old pregnant girl.<sup>115</sup> Marjorie decided to give the pregnant girl an

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<sup>108</sup> Cecil Bowden, *Stolen Generations' Testimonies*.

<sup>109</sup> Cecil Bowden.

<sup>110</sup> Bill Simon, *Stolen Generations' Testimonies*, <http://stolengenerationstestimonies.com/index.php/testimonies/1021.html>, accessed 20/03/2016.

<sup>111</sup> Read, *A Rape of the soul so profound*, p. 35.

<sup>112</sup> Haebich, *For Their Own Good*, p. 204.

<sup>113</sup> Haebich, p. 204.

<sup>114</sup> *Genocide Convention Act*, Article 2, p. 5.

<sup>115</sup> Marjorie Woodrow.

extra biscuit, but when a member of staff was notified of this Marjorie was punished for her act of kindness. A staff member gave her a beating that led to her nose being broken: 'there's still a mark on my nose, that's from the – broke my nose, I nearly bled to death in there'.<sup>116</sup> Marjorie compares the two homes, saying that in comparison Cootamundra was 'not too bad' but when she was moved to Parramatta it was 'just pure jail'.<sup>117</sup> She recalls how they were forced to scrub the floors every day and that everything had to be spotless. Marjorie states that if they did not scrub the floors or clean they were locked into a room for seven days with nothing but bread and water for that time.<sup>118</sup>

#### Deliberate conditions and preventing births

Article 2 of the GCA states that 'deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part' constitutes genocide.<sup>119</sup> Being taken from their homes and placed in institutions it put upon them conditions that separated them from contact and limited their chances of contact with 'full-blooded' Aboriginals. The mental abuse suffered in the institutions also led to the children being told to avoid contact with Aboriginals and mingle only within themselves and white communities. In her testimony Rita Wenberg states that 'any dark, on the other side, black, they weren't allowed. Cause we'd been brought up as Europeans. Dress yourself as a European, to talk as a European. You know, they trained you that, they train ... they really brainwashed you, at that very young age.' As stated in the previous testimonies children taken to institutions were encouraged to avoid Aboriginal people at all cost and to not interact with them.

Article 2 of the GCA part *C* (deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part) and *D* (imposing measures intended to prevent births within the group) almost overlap when it comes to the 'half-castes' during the Stolen Generations period. Separating half-caste children from Aboriginal communities they inflicted on the group conditions calculated to bring about the end of future half-castes, which also coincides with preventing births within the group. Neville believed that the half-castes should be separated and brought into close proximity with quadron and

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<sup>116</sup> Marjorie Woodrow.

<sup>117</sup> Marjorie Woodrow.

<sup>118</sup> Marjorie Woodrow.

<sup>119</sup> *Genocide Convention Act*, Article 2, p. 5.

octoroons of the opposite sex. Essentially, Neville and the various 'Protectors' would 'act as cupid'.<sup>120</sup> This was continued throughout Neville's time as Chief Protector and was an idea shared by others in various states. The Bishop of Carpentaria, Dr S.H. Davies, also believed that 'inter-marriage with whites would mean that in two generations none would be able to detect the presence of black blood'.<sup>121</sup> The idea of controlling half-castes took practical form in controlling where they grew up, how they viewed the world, who they would come in contact with and consequently, who they would most likely have children with.

The 1921 Report of the Board stated that this type of policy of 'dissociating the children from camp life must eventually solve the Aboriginal problem'.<sup>122</sup> The APB clearly knew that by removing half-caste children it would have lifelong consequences. Considering that the 'Aboriginal problem' was the growing number of half-castes, they believed that by separating them and putting them in environments near half-castes and quadroons would limit interaction with 'full-blooded' Aboriginals. For those such as A. O. Neville it was the part-Aboriginal girls that were critical for their ideas of assimilation and biological absorption.<sup>123</sup> This was shown in his views on pregnant girls in institutions: 'our rule is to keep her for two years. The child is then taken away from the mother and sometimes never sees her again. Thus these children grow up as whites, knowing nothing of their environment'.<sup>124</sup> There became a process of separation within institutions, which led to new types of prevention and abuse to deal with pregnancy.

Ann Curthoys and John Docker argue that genocide also involves issues of 'health, food, and nourishment'.<sup>125</sup> They argue it can lead to a lowering in birth rates and the lowering of the survival of the children.<sup>126</sup> At Moore River Settlement, notably in the 1920s, nourishment was a major issue. Fred Aldrich, the Deputy Chief Protector in Western Australia, discouraged play activities and made no effort to improve the food served to the children.<sup>127</sup>

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<sup>120</sup> P. Jacobs, *Mister Neville*, p. 238.

<sup>121</sup> 'The Half-caste', *Manilla Express*, 9 November 1937, p. 2.

<sup>122</sup> Read, *A Rape of the Soul so profound*, p. 50.

<sup>123</sup> Reynolds, *Nowhere People*, p. 185.

<sup>124</sup> A.O. Neville cited in H. Reynolds, *Nowhere People*, p. 185.

<sup>125</sup> A. Curthoys and J. Docker, 'Genocide: Definitions, questions, settler-colonies', *Aboriginal History*, Vol 25, 2001, p. 7

<sup>126</sup> Curthoys and Docker, *Aboriginal History*, p. 7

<sup>127</sup> Haebich, *For their own good*, p. 210.

The food that was served to the children was far below daily nutritional needs.<sup>128</sup> Breakfast consisted of small portions of porridge, an apple was occasionally provided as a snack; lunch was a soup that had no vegetables, and dinner was a bread with jam.<sup>129</sup> Malnutrition would have been a common consequence of such food. The lack of food, and the quality of it, would have had long term consequences on these children. As Curthoys and Docker argued it may have led to difficulties in conceiving a child and the health of the children born to malnourished parents.

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<sup>128</sup> Haebich, p. 210

<sup>129</sup> Haebich, p. 210

## Conclusion

The word ‘assimilation’ was used extensively to justify establishment and continuation of child removal policies in Australia throughout the period under consideration. A.O. Neville neatly captured this rationale behind the treatment of ‘half-caste’ when he stated ‘here is a people to be adapted physically and mentally to our way of life’.<sup>130</sup> Yet, according to the Australian government in the 1960s, the word assimilation, was a word that was often misunderstood. It did not mean forced marriage with the objective of breeding out a specific group.<sup>131</sup> Nonetheless, the surviving evidence shows that assimilation became biological absorption in practice. The Western Australian and New South Wales state governments aimed to decrease the ‘half-caste’ population to a point where it was non-existent. They aimed to do this through policies targeting lighter-skinned children, removing them to institutions where they could learn and interact with other fair-skinned children. For Australia’s white population, ‘half-castes’ were a problem because they were simply ‘not white’. Russell McGregor states that part-Aboriginals posed a threat to the ‘ideal of a White Australia’.<sup>132</sup> Biological absorption offered a solution to this problem.

The legislation and political intentions of both state governments show clear signs of measures intended to destroy the part-Aboriginal population. When looking at the definition of genocide, multiple actions have been revealed in the laws and testimonies given in this research. Out of the five acts provided in the GCA, four are present: causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births within the group, and forcibly transferring children of the group to another group.<sup>133</sup>

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<sup>130</sup> A. O. Neville, ‘The half-caste in Australia’, *Mankind*, Vol 4, No 7, 1951, p. 278.

<sup>131</sup> Australia Dept. of Territories, *The Australian Aborigines*, Canberra, Australia Department of Territories, 1967, p. 39.

<sup>132</sup> R. McGregor, *Imagined Destinies: Aboriginal Australians and the Doomed Race Theory, 1880-1939*, Melbourne, Melbourne University Press, 1997, p. 136.

<sup>133</sup> *Genocide Convention Act*, Article 2, p. 5.

The policies followed in Western Australia and in New South Wales are strikingly similar. The Aborigines Protection Act 1905 and Aborigines Protection Act 1909 show that both states had a goal to control the lives of Aboriginals, particularly part-Aboriginals. Looking at legislation enacted in both states reveals a nationwide concern surrounding the ‘half-caste problem’, which they aimed to ‘solve’. Examination of laws and statements from political leaders demonstrates an intent to destroy the part-Aboriginal population. The 1937 Aboriginal Welfare Conference displayed a nationwide desire to destroy the part-Aboriginal population. This can be seen in the section of the conference titled ‘the destiny of the race’, where it is stated that the future of those of ‘aboriginal origin, but not of the full blood, lies in their ultimate absorption by the people of the Commonwealth’.<sup>134</sup>

The testimonies given by victims reveal other aspects of genocide. Victims reveal the severe physical and mental abuse that they suffered due to the policies implemented by state governments. Testimonies show the consequences of legislation. From the testimonies, four of the possible five actions of genocide are visible. How the part-Aboriginal children were treated during their time in the institutions reflect state-wide feelings towards part-Aboriginals. Testimonies convey the actions of leaders such as A. O. Neville, who acted beyond his legal power in order to encourage marriages, and how the aims of states, agencies and individuals played out in daily life. Testimonies highlight the conditions that the group experienced, and how they suffered due to these conditions.

Recent attempts to deny the Stolen Generations and to lessen the cruelty experienced by those taken, such as former Prime Minister John Howard, fall short due to the evidence that leans towards genocide. This is shown both through statements such as ‘the black will have to go white. It is exemplified in the quarter-caste, and by the gradual absorption of the native Australian black race by the white,’<sup>135</sup> and through policies surrounding the removal of children based purely on whether or not one individual thought they were ‘neglected’. It is clear that a policy of destruction had been set in place.

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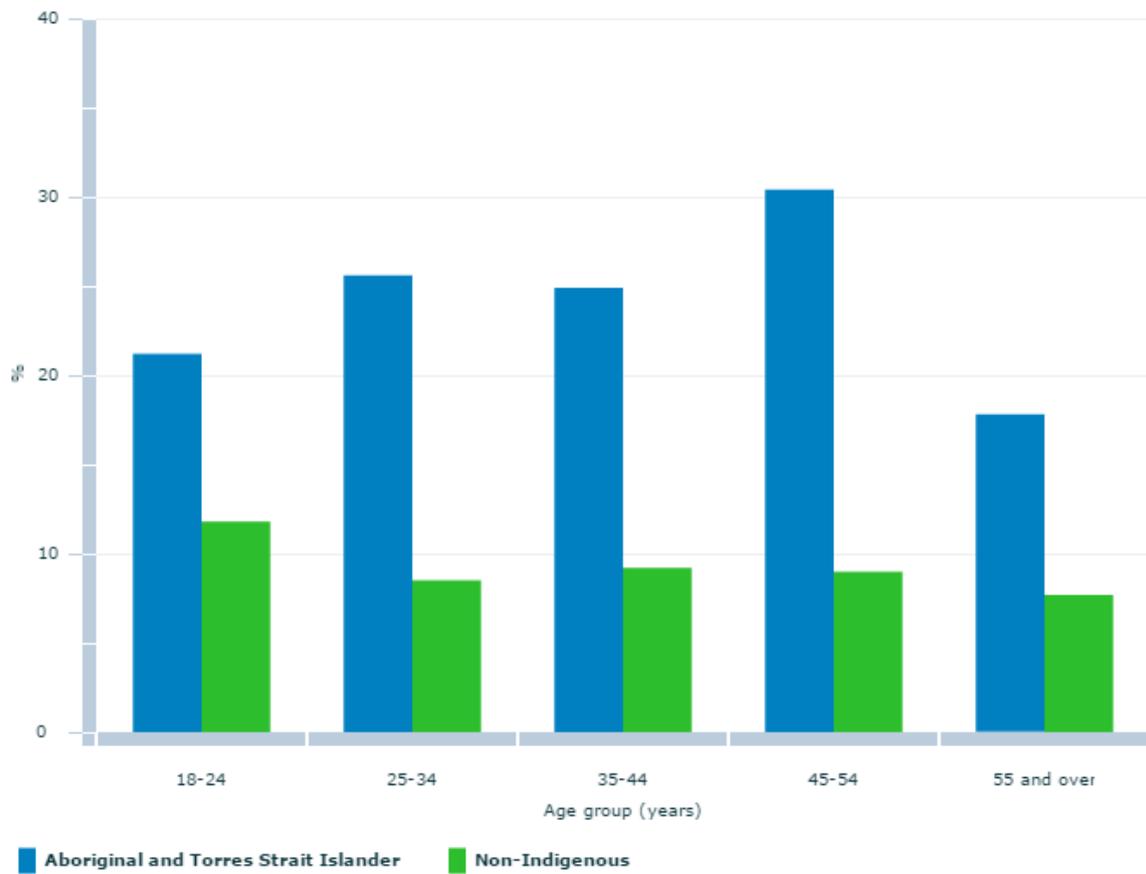
<sup>134</sup> Aboriginal Welfare Conference 1937, p. 2.

<sup>135</sup> A.O. Neville quoted in, ‘It is good to mate half-castes with white’, *The Daily News*, Thursday 8 June 1933, p. 1.

There is room for further scholarship on this topic. Further study of other states in Australia could offer valuable insight into how the part-Aboriginal population was viewed by state governments. Studies looking at the change during each decade would also be valuable in seeing the progression of legislation. Further research into part-Aboriginal history, including further work on Henry Reynolds' *Nowhere People*, would also be valuable to understand the creation and development of the prejudice against the part-Aboriginal population.

## Appendix A

Males with high or very high psychological distress, by Indigenous status & age

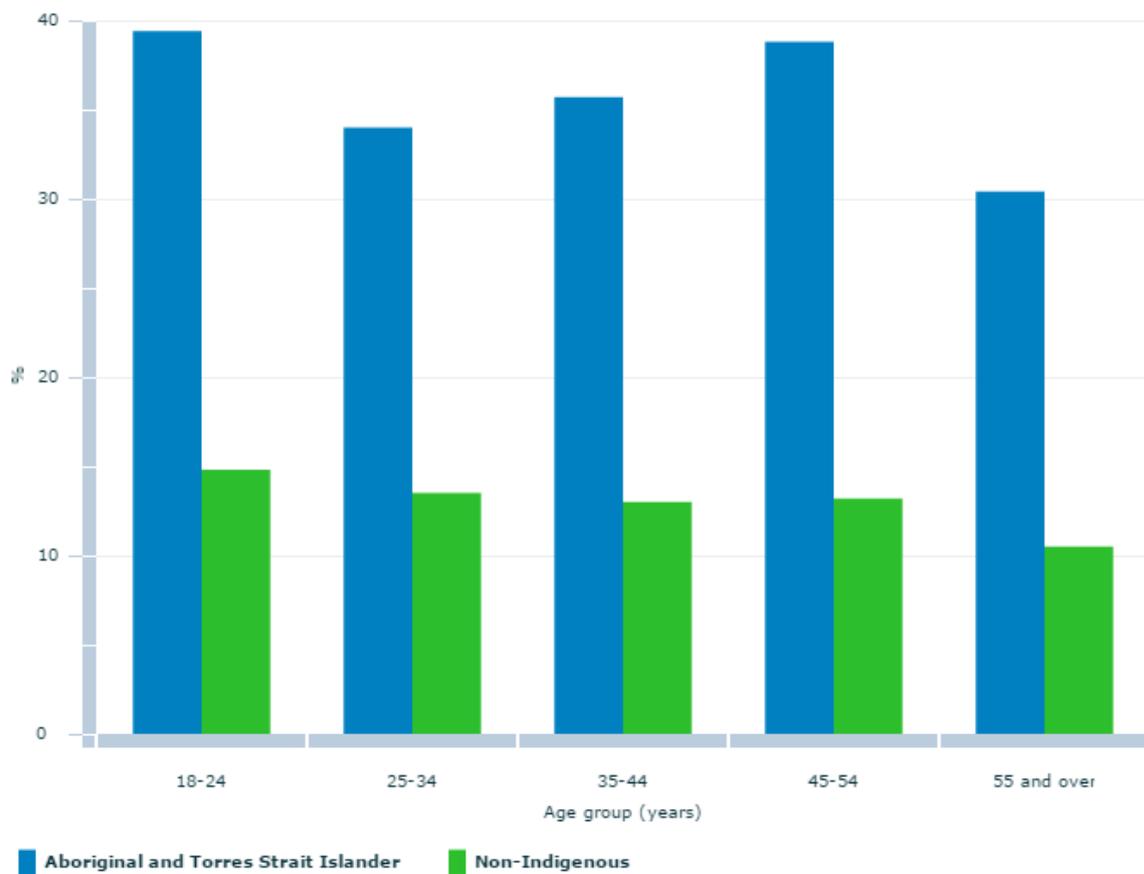


Courtesy of Australian Bureau of Statistics,

<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/9F3C9BDE98B3C5F1CA257C2F00145721?opendocument>

## Appendix B

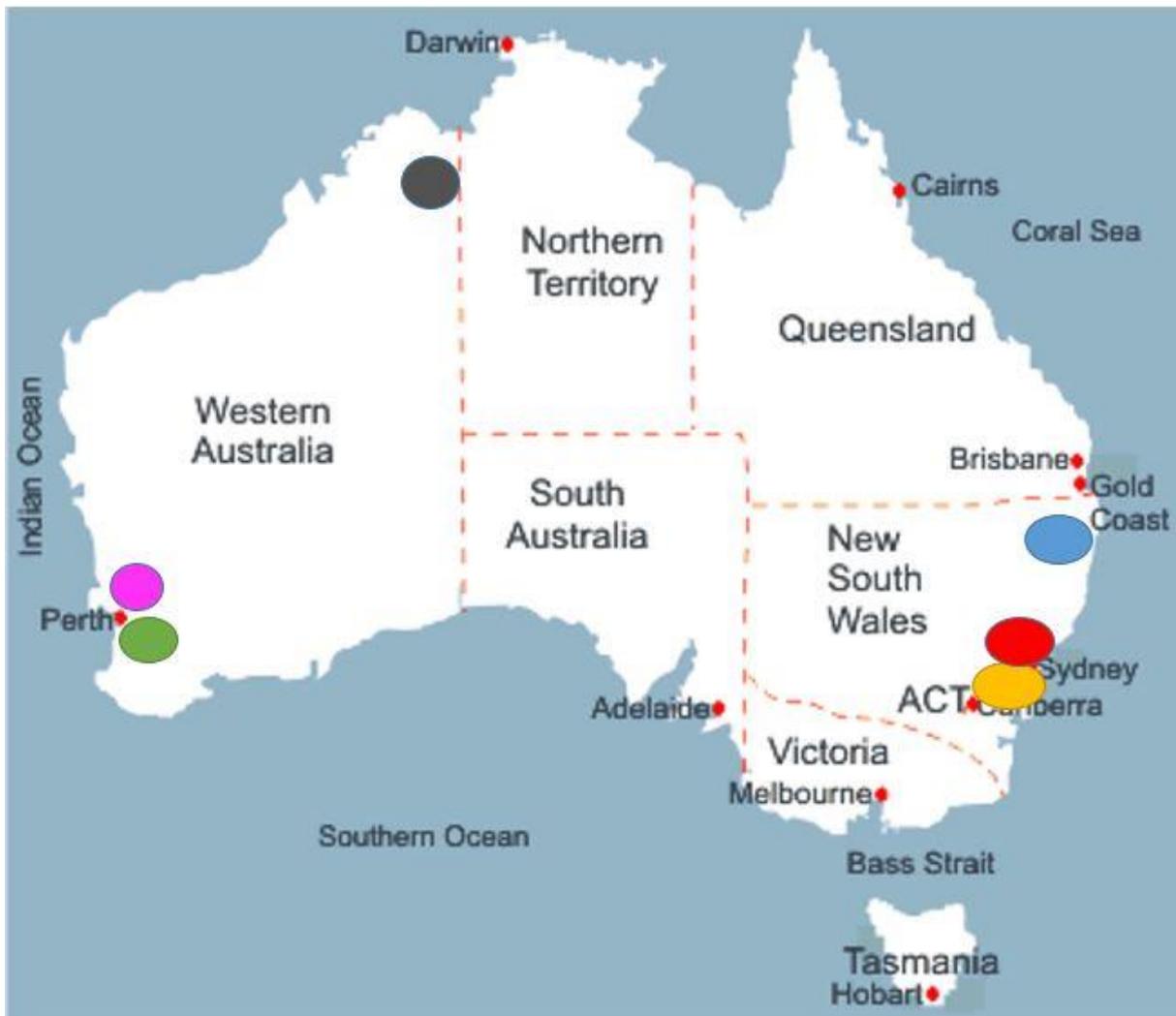
Females with high or very high psychological distress, by Indigenous status & age



Courtesy of Australian Bureau of Statistics,

<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/9F3C9BDE98B3C5F1CA257C2F00145721?opendocument>

# Map of Institutions



Moola Bulla Station

Moore River Settlement

Sister Kates' Home

Kinchela Boy's Home

Parramatta Girls' Home

Cootamundra Girls' Home

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