

Aboriginal Protection in Western Australia

c. 1832 – c. 1972

Other Names:

- Native Welfare
- Protection

Details

Aboriginal Protection is a term that was commonly used in the nineteenth and twentieth centuries to describe the policies and laws that regulated the lives of Aboriginal people. From the 1880s Aboriginal people in Western Australia, including children, were controlled by specific Protection Acts. From the 1930s, the central aim of these Acts was to assimilate Aboriginal people into the white population, mainly by removing children from their families and placing them in Homes. These powers were reduced in 1963, and repealed in 1972.

Aboriginal protection from the nineteenth century aimed to both 'civilise' Aboriginal people through contact and integration with white society, and also to segregate them on specially created reserves or missions. Humanitarians mostly argued for the protection of Aboriginal people through separation: reserves and missions served both as asylums where traditional culture would disappear, and as reforming institutions where Aborigines could be converted to Christianity, and trained to become productive workers. Some Aboriginal people supported the reserve system, with the hope it might allow them opportunities to sustain family links, cultural connections, and to create some economic freedom.

Between the late nineteenth century and the 1930s, specific 'protection' laws were introduced giving governments increasing powers that could determine where Aboriginal people could live, work, learn, as well as the custody of Aboriginal children. These laws, which placed increasing emphasis on assimilation of Aboriginal people into the white population, were repealed from the 1960s.

In Western Australia, the government protection of Aboriginal people began in 1832, with the establishment of the role of Superintendent of Natives. This official role was known by various titles throughout the nineteenth and twentieth centuries:

- Superintendent of Natives (1832-1838)
- Protector of Aborigines (1839-1849)
- Guardian of Aborigines (1849-1857)
- Guardian of Aborigines and Protector of Settlers (1857-1887)
- Aborigines Protection Board (1887-1897)
- Chief Protector of Aborigines (1897-1936)
- Commissioner for Native Affairs (1936-1954)
- Commissioner of Native Welfare (1954-1972)

Captain Ellis served as Superintendent of Natives in the Crown Colony of Western Australia from 1833 until he was killed in the 'Battle of Pinjarra' in 1834. Francis Armstrong, who replaced Ellis, held the role until 1838.

Charles Symmons and Peter Burrows took up the role of Protector of Aborigines from 1840,. While Burrows left Western Australia only a year later, Symmons continued as Protector until 1873. During his service, Symmons' title varied: from 1840 he was variously the Protector of Aborigines and the Protector of Natives (both terms were used in Symmons' 1848 annual report); from 1849 he was the Guardian of Aborigines; and, from 1857 (in a shift tellingly reflective of Aboriginal resistance) Symmons was the Guardian of Aborigines and Protector of Settlers.

In 1883 an Inquiry was held into the treatment of Aboriginal Native Prisoners of the Crown (also known as the Rottne Commission). The Inquiry also advised on missions, including the care of Aboriginal children, with a view that Aboriginal people were unable to look after their own families 'properly'.

Following the Inquiry, the Aborigines Protection Act 1886 created the Aborigines Protection Board, which could apprentice any 'Aboriginal' or 'half-caste' child. These powers over Aboriginal children were increased significantly by the Aborigines Act 1905, which made the Chief Protector of Aborigines the legal guardian of all Aboriginal children. He had the power to remove Aboriginal children up to 16 years of age from their families and 'confine' them, and place them in Homes, or in 'service' (work).

The Native Administration Act 1936 increased these powers further, allowing the Commissioner for Native Affairs (as the Chief Protector was now called) to remove any Aboriginal child in Western Australia under 21 'notwithstanding that the child has a parent'. The Commissioner, Auber Octavius Neville (who had been Chief Protector since 1915) was clear in his ambition: to 'eliminate' the Aboriginal 'race' through assimilation into the white population, principally through the removal of Aboriginal children from their families and their placement in Homes.

Historian Warwick Anderson explains how Neville considered Aboriginal families generally 'incompetent' in raising their own children, and the reserves "dreadful". Neville thought the government should treat these children as if they were orphans, and, without sentimentality, remove them even as 'infants' in order that they become modern citizens in a white society.

On the issue of 'protection', the Bringing Them Home report (1997) stated that:

There was a significant divergence between the imported British notions of fairness and liberty and the treatment of Indigenous peoples in Australia. The major components of forcible removal were:

- 1. deprivation of liberty by detaining children and confining them in institutions;
- 2. abolition of parental rights by taking the children and by making children wards of the Chief Protector or Aborigines Protection Board or by assuming custody and control;
- 3. abuses of power in the removal process; and
- 4. breach of guardianship obligations on the part of Protectors, Protection Boards and other 'carers'.

(p.218)

Under the Native Welfare Act 1963, the Commissioner ceased to be the guardian of Aboriginal children. The duties of the Department of Native Welfare included providing for 'the custody, maintenance and education of the children of natives'.

The Aboriginal Affairs Planning Authority Act 1972 abolished the Department of Native Welfare. Its remaining child welfare responsibilities were transferred to the newly-created Department of Community Welfare.

The key government organisation responsible for Aboriginal matters in Western Australia from 1972 to 1994 was the Aboriginal Affairs Planning Authority, which from 1 November 1994, AAPA continued as the Aboriginal Affairs Department.

More info

Related Entries

Related Events

- [Royal Commission to Investigate, Report and Advise upon Matters in Relation to the Condition and Treatment of Aborigines 1935, State of Western Australia \(1934? - 1935\)](#)
The Moseley Royal Commission strengthened the 'protection' role in relation to Aboriginal people in WA.
Date: 1935 -
- [Survey of Native Affairs, State of Western Australia \(1947 - June 1948\)](#)
- [Inquiry into the treatment of Aboriginal Native Prisoners of the Crown, Crown Colony of Western Australia \(1883\)](#)
Date: 1883 -
- [Royal Commission to Enquire into and Report Upon \[inter alia\] the Administration of the Aborigines Department and the Condition of the Natives, State of Western Australia \(1904? - 1905\)](#)
Date: 1905 -

Related Glossary Terms

- [Commissioner for Native Affairs \(WA\) \(1936 - 1954\)](#)
- [Commissioner of Native Welfare \(WA\) \(1954 - 1972\)](#)

Related Organisations

- [Beagle Bay Mission \(1895 - 1976\)](#)
- [Department of Native Welfare, State of Western Australia \(1955 - 1972\)](#)
- [Aborigines Protection Board, Colony of Western Australia \(1890 - 1898\)](#)
- [Department of Native Affairs, State of Western Australia \(1936 - 1954\)](#)
- [Colonial Secretary's Office, Crown Colony of Western Australia \(30 December 1828 - 1890\)](#)
- [La Grange Bay Relief Station \(1912 - 1918\)](#)
- [La Grange Bay Feeding Depot \(1918 - 1949\)](#)
- [La Grange Bay Ration Depot \(1950 - 1954\)](#)
- [Aborigines Department, State of Western Australia \(1 April 1898 - 31 December 1908\)](#)
- [Fisheries Department, State of Western Australia \(1920 - 1964\)](#)
Date: 1920 - 1922
- [Aborigines Protection Board, Crown Colony of Western Australia \(January 1887 - 1890\)](#)
Date: 1887 - 1897
- [Department of the North West, State of Western Australia \(1 January 1920 - 1 January 1926\)](#)
- [Aborigines Department, State of Western Australia \(1926 - 1936\)](#)
- [Department for Community Welfare, State of Western Australia \(1972 - 1985\)](#)

Related Legislation

- [Aborigines Act 1897, Western Australia \(1898 - 1906\)](#)
- [Aborigines Act 1905, Western Australia \(1906 - 1964\)](#)
- [Aboriginal Girls Protection 1844, Western Australia \(1844 - 1906\)](#)
- [Aborigines Protection Act 1886, Western Australia \(1887 - 1906\)](#)
- [Aborigines Act Amendment Act 1936, Western Australia \(1936 - 1964\)](#)
- [Native \(Citizenship Rights\) Act 1944, Western Australia \(1944 - 1971\)](#)
- [Native Welfare Act 1954, Western Australia \(1955 - 1964\)](#)
- [Native Welfare Act 1963, Western Australia \(1963 - 1972\)](#)
- [Aboriginal Affairs Planning Authority Act 1972, Western Australia \(1972 - current\)](#)

Resources

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