PROTECTING THE INNOCENT: TASMANIA'S NEGLECTED CHILDREN, THEIR PARENTS AND STATE CARE, 1890-1918

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Caroline Evans
For my daughters, Freya and Leah Sant
and my mother, Cleone Evans
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ABSTRACT

PROTECTING THE INNOCENT: TASMANIA'S NEGLECTED CHILDREN, THEIR PARENTS AND STATE CARE, 1890-1918

In turn of the century Tasmania (as in most of the western world), middle-class representations of childhood meant that, increasingly, children were seen, not as a source of labour for their parents, but as dependents; innocent, vulnerable creatures who required protection, guidance and nurture. Neglect was a failure of these conditions caused by the actual or moral absence of parents. This thesis traces changes in understandings of childhood neglect between 1890 and 1918, through a history of Tasmania's Neglected Children's Department. It was set up in 1896 by the Neglected Children and Youthful Offenders Act and abolished in 1918 by the Children's Charter which established the Children of the State Department. The thesis asks why, given the apparently good intentions behind the legislation, the Neglected Children's Department had difficulties enforcing adequate psychological and physical protection of its wards. Most of the primary material was taken from the case files of the Department. They provide a rich source of the experiences and attitudes of state children, their natural parents, state appointed carers and officials of the Department.

Representations of childhood neglect, once translated into legislation, had benefits for some poor children, especially if they were orphaned or deserted by their parents. However, the emphasis on children's innocence and need for protection could deny them the tools of self-protection; a firm sense of self, public visibility, the right to be heard, to live with their families, to earn a living and to some legal safeguards; for example, habeas corpus. The situation was exacerbated because, like any category of people which lack socio-economic and political status, children could be perceived as a threat to society, so that their control was also an important issue. Since child welfare policy was framed to protect society against children, as well as to offer children protection, their best interests were not always considered. Moreover, there was an emphasis on control that could lead to physical or sexual abuse from unscrupulous or incompetent guardians. A further conundrum was that then, as now, children, especially young ones, genuinely needed protection and guidance; untrammelled self-determination could undermine their protection too.
This tension between adult protection of children and their right to self-determination can be negotiated differently depending on the cultural, social and economic contexts of the historical moment. In 1890s Tasmania, the proposed enfranchisement of women and the working class, as well as an economic depression, which resulted in social instability, created anxiety amongst the elites about the future locus of power. The presence of numerous children in the streets - mischievous, cheeky, hungry and grubby - embodied this concern. The children's moral vulnerability, especially that of the girls, as well as their capacity to create public disorder, led to a campaign for legislation that would offer them more protection from the state, and society protection from them, at the expense of their rights to self-determination. It resulted in the Neglected Children and Youthful Offenders Act which empowered the state to remove children, designated as neglected, from their homes. and place them with carers of its own choosing for moral training. The way in which neglect was construed meant that some children, who would have been better off with their parents, were removed, while others, who needed state intervention, were not.

Although the Neglected Children and Youthful Offenders Act was only supposed to remove children from parents who were considered morally unfit, the usual reason for child neglect was poverty, the result of the conditions of male and female casual employment. This was a factor which Departmental officials were forced to acknowledge and it led to attempts to commit financially impoverished children as uncontrollable, since that was a category of neglect. Although parents often acquiesced in these arrangements, because they had no other way of providing for their children, they still resented the state's interference in their lives, and many tried to find ways of maintaining contact. Most children remained interested in their parents and expressed a desire to be with them, an indictment of the belief, held by social reformers and public servants, that they were better off without them.

Although the Neglected Children and Youthful Offenders Act intruded on the rights of poor children, it offered them possibilities too. Since it could intervene between parents and children, the rights of children who were mistreated were potentially strengthened. However, few children were committed for abuse because, since it was not a category of neglect, the Department focused less on it, so that an opportunity to provide protection to children, who might have welcomed it, was lost. This can be linked to the
widespread concern that poor children be controlled and the commonly held belief that this entailed beatings, even though, accidentally or not, they sometimes resulted in physical injuries.

Despite the constraints on them, state wards exercised some agency over their lives. A number survived by becoming polite, co-operative and hard working. Others protested, consciously or not, by telling lies, stealing, breaking crockery, doing their chores slowly, absconding, giving cheek, being “troublesome and bad tempered”, or if girls, seeing boys without permission, thus endangering the Department’s aim of producing respectful, industrious, abstemious and sexually modest adults. While such protest might be stress related, it was often strategic, and children sometimes gained concessions. Verbal or physical abuse by carers was the cause of many children’s protest but Departmental officials’ construction of it as disobedience, meant that punishment, rather than removal from the home, often followed. However, by 1918, there was a growing realisation, partly as a result of their protests, that state wards were mistreated, and some measures in the *Children’s Charter* were designed to prevent it.

In particular, the legislators placed greater restrictions on the carers of state wards and made provisions for more frequent inspections. Under the *Children’s Charter*, violence to children became a category of neglect and the tone of the legislation suggested that their control should become more subtle. However, even though concessions were made to children’s rights to be heard, protection by adults remained the dominant mode, despite some dangers. The new Act could not legislate for kindly treatment especially since, even with its language of nurture and gentle guidance, it was still predominantly concerned with control, which entailed risks to state children. Their rights to public visibility, to be with their families, or maintain contact with them, and so retain something of their original identities, were not restored.
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Pseudonyms
To preserve their anonymity, the names of children, their parents and carers have been changed. The only exception is Mrs. Greeney, who fostered Germaine Greer's father. There seemed little point in concealing her name since it has been well-publicised in *Daddy, I Hardly Knew You*. Italics are used to indicate changes. Where people recur in the text they have retained the same pseudonym. The names of public servants, including inspectors, politicians and social reformers have not been altered.

Abbreviations
s - shillings
d - pence
INTRODUCTION

In May 1911, Gertie, George and Joseph, ages nine, four and two, were surrendered to the Neglected Children's Department by their mother, Gertie Whelan, a widow with five children in all. A one-year-old girl, Rose, was sent to live with her grandmother and the oldest child, Harold, age ten, was adopted, probably into a household where he could earn his keep. Since her husband's death, Mrs. Whelan had been visited by the Salvation Army, the Benevolent Society and the City Mission; the Benevolent Society provided food rations and the City Mission, a rent subsidy, to supplement her small income from charring and laundering. She was probably advised to work diligently, budget carefully, and avoid sex work to make a living, thus setting her children an example of fortitude and moral purpose. The charitable assistance was dependent on the acceptance of this advice.

Despite the financial aid there was not enough money to support the children and they often went to bed hungry. As a result, Mrs. Whelan supplemented her funds through sex work, and, since the house was usually full of visitors, may have been running a brothel. This worried the charitable organisations. Thomas Mather of the Benevolent Society saw the issue not in economic terms, but as a moral aberration, caused by the loss of the husband's restraining influence. He told the Neglected Children's Department that Mrs. Whelan was "going from bad to worse & has now taken to drink & encouraging similar people of both sexes at her home, making it most unfit for those children". Mather thought that the sex work meant that Mrs. Whelan would not "trouble" about her children and that they should be removed and boarded-out with foster mothers. It is almost certain that the Benevolent Society withdrew its assistance, probably followed by the City Mission.

Its missioner, William Lake, had visited Mrs. Whelan's mother and been given similar information; one of the children had seen two men sleep in their mother's bed with another woman. Lake reported that he went:

1The term 'sex work' has been used in preference to 'prostitution' because it articulates the women's purposes more accurately. While 'prostitution' implies a moral decision, 'sex work' suggests the more accurate, economic motivation. This outweighs the advantage of using the contemporary, and so more historically accurate term, 'prostitution'.
2This story is from the files of the Neglected Children's Department. SWD 1/15/955-7; SWD 1/19/1079-82.
straightaway to Mrs Whelan’s house knocked several times, when a male voice from the bedroom informed me that Mrs. Whelan was next door; I asked if the person speaking to me was a man, that I knew could not be there, and at the same time stepped towards the bedroom door to get a view of the speaker, whom I did not recognise; at the same time I saw Alice Williams sitting on the foot of the bed.

According to a police report Alice Williams did sex work.

A mother’s reputation for sex work was enough reason for her children to be committed to the Neglected Children’s Department by a magistrate’s court, but first the police had to visit, report and charge the children with neglect. In Mrs. Whelan’s case, a police constable called and reported that:

the woman is in poor circumstances and has been receiving government aid: but instead of endeavouring to do something for her own and children’s welfare she is drifting to the bad ... I have also seen her ... frequently in Lower MacQuarie St. where women of ill fame congregate. She is constantly out about the streets of a night leaving the little children to take care of themselves.

The Neglected Children’s Department’s inspecting nurse found that the “house is in a filthy condition & the mother & children very dirty & untidy”. Even so, the children were not charged with neglect, but surrendered by their mother. Most probably, the loss of charitable assistance, the moral pressure of the charities, inspecting nurse, police and Mrs. Whelan’s own mother persuaded her to do this. From the Department’s perspective, surrender was better because it meant that Mrs. Whelan had to pay 2s 6d a week in maintenance for each child, which saved the state money and, in theory, reminded the mother of her duty to support her children.

Mrs. Whelan remained concerned about her children, managing to see them on their way to and from school, although the secretary of the Department warned her that doing so without permission was punishable by a prison sentence of up to fourteen days. In July 1911, she remarried, perhaps in order to reclaim them, and in August, asked for their return. They were released in October 1912, but surrendered again in November, this time with the baby, Rose, too. No reason is given, although the Benevolent Society encouraged the move and perhaps pressured her again. The new husband may have found the children more troublesome than he expected, or been unable, or unwilling, to support them. Between their
committal and first discharge, the children had two foster homes and during much of that time Gertie was separated from her brothers. When they were committed again, the children went to different foster mothers and Gertie was sent to the Girls Industrial School. Such instability happened to many children, despite departmental attempts to avoid it, usually because of a shortage of homes.

Little is recorded about Rose, and it is not clear what happened to Gertie after the recommittal, although she was placed in a rescue home in 1920 for, allegedly, “running after men” working on a building site. In the home she gave birth to a baby boy who was placed with her mother, the former Mrs. Whelan, who asked that Gertie be discharged to find work. There were four more children from the new marriage and even though the couple had some means, their budget was tight. Remarriage had transformed the former Mrs. Whelan’s morality in the view of departmental officials; her character was now described as “good”.

Both George and Joseph were placed in adoptive homes by the Department’s secretary. Adoption, on an informal basis, was widely practised amongst the poor as a way of easing the costs of child rearing. Prospective homes were found amongst relatives, friends or neighbours, and sometimes by advertising in the paper. Babies were often adopted by childless women, married or not, whereas older children were wanted for their labour. Thus in allowing state wards to be adopted, departmental officials were following a common social practice, which saved money, since, unlike foster mothers, adoptive parents were not paid an allowance. Although adopting parents were required to sign an agreement to support the child, the secretary remained the guardian and children were often returned to the Department if the arrangement went wrong. Children’s adoption was not legally recognised until the Adoption of Children Act was passed in 1920. 4

3Rescue homes were designed to reform young women who were in ‘moral danger’. In Hobart, the well established ones were the Roman Catholic Magdalen Home, the Anglican Home of Mercy, the Salvation Army’s Elim and the non-denominational Anchorage Cottage. In Launceston, the Salvation Army ran Apsley Home. Launceston’s Hope Cottage was established by the Woman’s Christian Temperance Union’s president, Grace Soltau. Joan Brown, “Poverty is not a Crime”, Social Services in Tasmania 1803-1900, Hobart, 1972, pp. 121-3, 168-9; Alison Alexander, “The Public Role of Women in Tasmania, 1803-1914”, unpublished PhD Thesis, University of Tasmania, 1989, p. 250; Launceston Telegraph, 19 August 1896.

4Adoption of Children Act (1920) 11 George V No. 5.
The Department retained the right to inspect the adoptive homes of its wards. However, since it usually placed young children in rural areas, away from easy access, there were more dangers to their well-being than in the urban, carefully inspected, foster homes. A particular concern was that the children's labour would be exploited, which the secretary tried to prevent by requesting the police to visit, as well as stipulating that children attend school and Sunday school regularly. After 1915, when a rural inspector was appointed, occasional, unannounced inspections could be made.

Harold, the boys' older brother, lived in Staverton, which prompted a resident, Emma Ritchie, to write to the Department in 1917 to see if she could adopt his brother, George. George was apparently content after he was placed with the Ritchies. In 1918, an inspector wrote:

The boy seems to be quite happy & very much attached to Mrs Ritchie...1 subsequently saw Mr Ritchie, who evidently is very proud of the boy & as much concerned about him as if he were his own son. The boy has a very good home.

It was Department policy to apprentice children when they reached school leaving age, usually as domestic servants, if they were girls, or if boys, as farm hands.5 If children had been adopted, they were apprenticed to their adoptive parent. The employer was supposed to provide food, lodging, clothing and a small wage, half of which was banked as savings by the Department, to be claimed when the child was twenty-one. George was apprenticed to the Ritchies when he was fourteen, which evidently worked so well that when he was eighteen, and allowed to choose where to work, he decided to stay. Mrs. Ritchie told him that if he remained permanently, he would inherit her property, but George planned to leave when he was twenty-one.

At nineteen, George was accused of setting fire to a brush fence and according to Mrs. Ritchie had become difficult to manage. She said that:

I am sorry to say he is past my controle the way he is acting and speaking to me: I cannot put up with him any longer he is still getting into mischief People dread to see him about there place.

5The school leaving age was raised from thirteen to fourteen in 1912. Education Amendment Act (1912) 3 George V No. 14.
He would not stay home at night and when Mrs. Ritchie spoke to him about it he threatened to hit her, then pedalled away on his bike and did not return. The secretary replied:

Unfortunately the lad does not appear to appreciate his position, and has determined to follow a course which will sooner or later lead him into serious trouble, but as he is now old enough to know right from wrong and apparently prefers to do wrong, I cannot see that you can do more for him than you have done in the past.

Mrs. Ritchie later wrote to say that George was now working for another farmer in Staverton and that “we parted good friends”. The reason for his behaviour is unclear as he seemed to like the Ritchies. No more is recorded of George’s history.

Joseph was adopted in 1918, by Wallace Jones, also of Staverton, who probably wanted help on his farm because his two sons were at the front. Four years later neighbours complained to the Department that Joseph was badly treated. An inspector visited and was told that Jones had a bad temper, was likely to overwork the boy, and that his own sons had left home as soon as they could. However, the only evidence of ill-treatment was poor school attendance, which might explain why no action was taken; in most cases, there would have been further inquiries and even the child’s removal.

At fourteen, Joseph was apprenticed to Jones, who seldom paid his wages, commonly an indication of other forms of mistreatment. Although the Department was usually insistent over wage payments, nothing was done. Towards the end of his apprenticeship, Joseph absconded, but returned after a few days, saying he had visited George. Four months later, he absconded again, first to a local farmer and then on to the Ritchies. Jones blamed George’s influence and the Department decided to send Joseph to the Boys Training School, a reformatory, for discipline. The Staverton police agreed because they thought that he was consistently disobedient. However, Joseph complained that he had been beaten:

just a few lines to let you know that I have left Mr Jones for he has been knocking me about someing fearfull he was going to knock my head off and was swering and going off at some rate so I could not stand and I left.

Mrs Ritchie, having lost George, wanted to keep Joseph as he was “a real good kind boy and a truthfull and honest and a good worker and never has
to be told what to do". She thought that Joseph was overworked and poorly paid because he had been seen stacking railway sleepers that an adult man could hardly lift and his few clothes were bought with money earned from selling rabbit skins. In addition, Jones was "not very good in the head about 25 years ago he was right out of his mind". Since neighbours sometimes tried to steal each others' apprentices, the Department was unsure whether to believe her, and sent Joseph for a short stint in the Boys Training School, as punishment, after which he was sent to a farm in another area.

Throughout his time as a state ward, Joseph maintained some contact with his mother and asked his new employer if he could visit her. The request was refused because the employer thought that Joseph's mother was pressuring him to withdraw his savings from the Department:

as his people are very poor & he appears to think a lot of his mother she write to him very frequent & is always wanting him to go home this seems to cause him to get a craving to go to see her for a few days then it will wear off.

The word, "craving", implied Joseph's helplessness in a filial relationship against which the employer tried to offer protection. Although it was usual for working-class children to contribute to the family income, departmental officials thought that if state children's parents expected it, they were mercenary because they had not contributed to the costs of the child's upbringing. Joseph's request was refused because the secretary thought he would be little use to his employer "once his mother gets him under her influence".6

On 20 May 1929, Joseph, aged twenty, died in the forecastle of the ketch, "Swift", moored at Hobart's Victoria Dock, while cleaning a pea rifle. The bullet which killed him, according to the coroner's findings, had been fired "accidentally not otherwise".7 Yet, as the rifle was within two feet of his chest, suicide seems a possibility. Although a clerk pasted a Hobart Mercury report of the inquest in Joseph's file, no opinion of the verdict is given.8

The Whelans' story is one of over 1500 filed by the Neglected Children's Department between 1896 and 1918. Three hundred were randomly selected for this thesis, with care taken to use a similar number for each year. Every

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6(Words underlined as in the original text). SWD 1/15/955-7; SWD 1/19/1079-82.
7SC 195/ Inquest No. 16115.
8SWD 1/15/955-7; SWD 1/19/1079-82.
story has its own unique characteristics, but since the Department kept the records, its point of view stamps a similar pattern on each. In particular, the files raise issues about the implications of state protection for those who have limited civic rights, in this case poor working-class children and their parents. At the turn of the century, a growing emphasis on the rights of children to care and protection may have improved the well-being of many, especially while they were very young, but this was not always true if it involved removal from the parents.

A difficulty of child-rearing is that children need adult guidance and protection as well as enough self-determination to retain the tools of self-protection; a firm sense of self, public visibility, the right to be heard, to live with their families, to an income, however small, and to legal safeguards of their civil liberties. There is a tension between the adult protection of children and their rights to self-determination, which is negotiated differently depending on the individuals concerned, as well as the cultural, social and economic contexts of their moment in history. In 1890s Tasmania, as in most of the western world, children’s innocence and need for protection was increasingly emphasised, which deprived them of some important rights to self-determination. In addition, like any category of people who lack socio-economic and political status, they could be perceived as a threat to society, so that control was also an important issue. This resulted in child welfare legislation which was designed to protect society against children, as well as offering them protection, so that their best interests were not always uppermost. Moreover, the legislative emphasis on control could lead to physical or sexual abuse from unscrupulous or incompetent guardians and carers. Abuse of state wards, like Joseph Whelan, was fairly common.

At the turn of the century, perceptions about the protection of children, and society’s need for protection from them, can be traced to seventeenth century social contract theory, a key tenet of liberal discourse. In particular, John Locke imagined a state of nature in which security was precarious enough for propertied men to willingly give up some of their freedoms to a government that could protect their “life, liberties and estates”.9 To exercise power, such citizens must have property, and in emerging democratic

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societies, like Australia, this meant, not inherited wealth, but earning a living through paid work. While this requirement reduced the capacity of unemployed, or poorly paid, men to exercise political power, and so protect their civil liberties, for women the problem was even more acute. They were supposed to belong to the domestic sphere and, with limited access to paid work, most became dependent on the generosity of a protector, who spoke for them and could be either kind or abusive. Isolation diminished visibility, voice and a sense of identity, all of which were necessary for self-protection. Dependence on state or voluntary charity was equally problematic. Mrs. Whelan's self-determination was damaged because the charities could withdraw their assistance if she failed to live according to their requirements. This limited her ability to make choices about her children's future. Remarriage did not seem to widen her options.

The situation of children within the family had much in common with women's. Like them they were financially dependent on a protector's (usually a parent's) good will, which, especially as they grew older, could diminish their capacity for self-protection. By the 1890s, there was a growing perception that children, like other members of society, were entitled to state protection from harm, which meant that parents' common law rights to raise them without interference, as long as control was maintained, were breached. With state protection, came attempts at control, of both parents and children. For instance, in trying to implement the dominant moral values of the times, the state, in conjunction with voluntary charities, undermined Mrs. Whelan's ability to look after herself and children. It also impinged on her right to raise them as she thought best, and the children's right to remain with her. Mrs. Whelan was apparently trying to support her children and did not want to surrender them, which was not recognised by voluntary and government agencies because, given their moral beliefs, they could not accept her methods. Yet in the long run her efforts on the family's behalf were acknowledged by Joseph's loyalty to her.


In pre-industrial England the government's role was to maintain public order without encroaching on the individual's freedoms. Accordingly, the control of families and their property was the male head of the household's prerogative. Children were not recognised as individuals with separate rights. I have drawn on Jaggs' discussion of English and Victorian child welfare legislation for these and following comments. Donella Jaggs, “'Neglect to Provide...or Wilfully Expose': Developments in Child Maltreatment Legislation in Victoria” in Diane Kirkby (Editor) Law and History in Australia: Selected Papers from the Fourth and Fifth Law in History Conferences held at La Trobe University 1985 and 1986 , Vol. IV, La Trobe University, 1987, pp. 44-7.
Locke's theory suggests that there must have been an 'other', someone, or group, from which propertied men needed protection. Street children were such a group and, as I have suggested, as well as wanting to protect them, reformers wished to control children for society's protection against them. The children were particularly threatening because they were noisy, disruptive, unpredictable, and visible evidence of capitalism's failure to offer basic financial security to everyone. In addition, they gained some minimal self-protection by earning a living and occupying public spaces, thus apparently assuming some of the rights and responsibilities of adult men. Increasingly, this way of life disrupted the growing belief that childhood should be innocent and carefree, although controlled. Most social reformers of the 1890s and early 1900s would have agreed with Locke, who argued that children's minds were a blank slate upon which a carefully managed environment should write. The right to challenge authority, of parents or government, came only after careful preparation. As a result, reformers preferred to remove street children from public spaces by legislative means, a process which, by diminishing the visibility, voices and other civil rights of these poor working-class children, undermined their traditional sources of protection without necessarily providing a better alternative. Preventing them from working, without offering any other source of income, could reduce the independence and self-respect of older children, as well as vital financial assistance to their families.

The protection of and from children, were the basis of Tasmania's Prevention of Cruelty to and Better Protection of Children Act passed in 1895. It was followed, a year later, by the Neglected Children and Youthful Offenders Act, which established the Neglected Children's Department. The protection of ex-nuptial infant health and lives was attempted by a section of the 1903 Public Health Act and follow up legislation, the 1907 Infant Life Protection Act. Although these measures were specifically designed for Tasmania, their inspiration came from similar Acts which had been passed in many western societies, especially Britain, Canada and other Australian states.


13 For example the English 1894 Children's Charter inspired the Prevention of Cruelty to and Better Protection of Children Act. Other English Children's Charters include those passed in 1889, 1897, 1904 and 1908. Victoria's 1890 Neglected Children's Act inspired the Neglected Children and Youthful Offenders Act. Tasmania was late to introduce an Infant Life Protection Act compared to the rest of Australia. Victoria had similar legislation in 1890 and
prepare them for adult life was also passed in Tasmania between 1890 and 1918.\textsuperscript{14}

By the 1890s, some child welfare legislation was already in place. The 1867 \textit{Industrial Schools Act} aimed, not to intervene in family lives to protect children, but solely to remove them from the streets. Its basis in vagrancy law explains why children were charged with their own neglect in this, and subsequent acts; the culpability of adult vagrants was transferred to them.\textsuperscript{15}

The Act enabled volunteers to found homes for children discovered begging, receiving alms, “found wandering”, or without a home, “proper guardianship” or any visible means of subsistence. Those living with “reputed thieves” or whose sole surviving parent was in gaol were included and “uncontrollable” children could be surrendered by a parent.\textsuperscript{16} In the same year, a \textit{Training Schools Act} was passed to facilitate the establishment of reformatories, again run by volunteers, for children who had broken the criminal law.\textsuperscript{17} A \textit{Public Charities Act} was passed in 1873. It was chiefly designed to establish a Charitable Grants Department, but also allowed for the placement of neglected children in government supervised foster homes, which was referred to as boarding-out.\textsuperscript{18}

The legislation of the 1890s marks a turning point because it involved a change from the view that parents’ rights were paramount to one in which

\begin{itemize}
\item NSW did so by 1892. Although Ontario’s 1893 \textit{Children’s Protection Act} was not instrumental in formulating children’s welfare legislation in Tasmania, Ontario’s child welfare policies were sometimes used, by F. R. Seager, the secretary of the Neglected Children’s Department between 1898 and 1911.
\end{itemize}

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\item The age of consent was increased from fifteen to sixteen in 1910. In 1900, children under thirteen were legally forbidden to smoke in the street and in 1907 this was raised to sixteen. It also became illegal for children to be in possession of tobacco. The age at which liquor could be supplied changed from sixteen to eighteen in 1908. The \textit{Neglected Children and Youthful Offenders Act} fits into this overall pattern because it sought to limit children’s adult activities, paid work, occupation of public spaces and sexual experience. \textit{Juvenile Smoking Suppression Act} (1900) 64 Victoria No. 27; \textit{Smoking by Juveniles Prevention Act} (1907) 7 Edward VIII No. 4; \textit{Licensing Act} (1908) 8 Edward VII No. 39; \textit{Women and Children’s Employment} (1884) Act 48 Victoria No. 20; \textit{Factories Act} (1910) 1 George V No. 57.
\item Jaggs suggests that the Victorian 1857 \textit{Industrial Schools Act}, which had similar definitions of neglect, was derived from legislation to prevent vagrancy. Jaggs, p. 44.
\item \textit{Industrial Schools Act} (1867) 31 Victoria No. 37.
\item \textit{Training Schools Act} (1867) 31 Victoria No. 36.
\item \textit{Public Charities Act} (1873) 37 Victoria No. 15 Clauses 24 and 25.
\end{itemize}
the children and society's needs took precedence. The 1895 *Prevention of Cruelty Act* dealt with children's physical well-being by providing for the punishment of anyone who "wilfully ill-treats, neglects, abandons or exposes such child, or causes or procures such child to be ill-treated, neglected, abandoned, or exposed in a manner likely to cause such child suffering or injury to health". Children mistreated by a guardian could be placed in another home and the hours of street vending were slightly curtailed. Although this Act suggests concern about children's physical protection, street children, their control, and the need to remove them from public spaces, where they were thought to be a nuisance and, at risk, was just as important. Neglect of children meant absence of adult guidance, supervision and control, as much as physical abuse. Moreover, there was a tension between controlling a child and avoiding physical harm, because control was often perceived as meaning physical punishment, so that, unless there was serious injury, charities and the state did not intervene.

Since the *Prevention of Cruelty Act* did not seem to deal thoroughly enough with street children, a Neglected Children's Bill was introduced in 1895 but failed. In 1896, a new bill was introduced, this time successfully, and became known as the *Neglected Children and Youthful Offenders Act*. In seeking to offer children under fifteen-years-old protection, and society, protection from them, it encroached markedly on their rights and those of their parents. It used the definitions of neglect employed by the *Industrial Schools Act* but widened them. The hours of street vending, curtailed by the 1895 legislation, were further restricted. An interest in moral safety resulted in a greater intrusion into private lives so that reputed alcoholics, vagrants and sex workers could now have their children removed and placed in the guardianship of a newly established Neglected Children's Department. Children who were apparently neglected, could be arrested, without warrant, by a member of the public and brought before a magistrate for committal to that Department. State children's rights to habeas corpus were suspended by placing them in the guardianship of the Department's secretary. Most children were to be boarded-out, but some were sent to industrial schools and adolescents were apprenticed. Those who absconded from a placement could be transferred to a training school (thus

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19Jaggs, p. 46.
21I have no evidence that this was ever done. Although Mather and Lake were keen that the Whelan children be committed they did not arrest them.
criminalising children who were, initially, only neglected). Anyone, parents included, who tried to communicate with a state ward without permission could be fined up to £20.\textsuperscript{22} Parents of state wards were expected to pay maintenance for them.

After about 1900, concerns grew about high mortality rates amongst ex-nuptial infants, many of whom were placed with carers, dubbed as baby farmers, by their mothers while they worked. This concern found expression in a section of the 1903 Public Health Act and a 1907 Infant Life Protection Act which provided for the regulation and inspection of infants' foster homes.\textsuperscript{23} Although the legislation assumed that mothers would retain control of their children, its focus on physical protection places it in the tradition of that aspect of the Prevention of Cruelty Act which was concerned with deliberate physical abuse.

To the reformers of the 1890s, state protection of some poor working-class children was more important than their civil rights because it seemed to offer them, and society, better prospects than their parents could do. It was hoped that with training, the children would make future diligent workers, conscientious parents and law abiding citizens. With hindsight, we know that substituting parents by the state or voluntary organisations for this purpose has been problematic. Recent well documented reports and books about Aboriginal children separated from their families, and British child migrants to Australia, demonstrate this starkly.\textsuperscript{24} The fortunes of the Whelan boys, both good and bad, highlight the problems that Tasmania's Neglected Children's Department had enforcing the protection of its wards. They were, despite efforts to mitigate this, mostly dependent on the good will of the families who cared for them.

In the role of parent, the Neglected Children's Department faced difficulties. Since officials had to deal with many children, decisions were not made on an individual basis, but according to a policy that was often rigid, and underpinned by value judgments which compromised empathy. For instance, while departmental officials usually had the child's best interests

\textsuperscript{22}Neglected Children and Youthful Offenders Act (1896) 60 Victoria No. 24.
\textsuperscript{23}Public Health Act (1903) 3 Edward VII No. 37 Part XVI; Infant Life Protection Act (1907) 7 Edward VII No. 51.
\textsuperscript{24}Human Rights and Equal Opportunities Commission; Alan Gill, Orphans of the Empire: The Shocking Story of Child Migration to Australia, Sydney 1997.
in mind, the task of control created a mutual suspicion, which hampered protection. One symptom of this was an official reluctance to believe that children were mistreated and to act on it. The problem was compounded because it was difficult to know what happened in foster homes, even when they were in the city and, if the child was placed in a rural area, the situation was almost impossible to assess. The Department’s scope to make decisions in the child’s best interests was restricted by Tasmania’s poverty which limited the number of financially secure carers. Foster mothers, employers and departmental officials had their own interests to consider, so that the children’s needs were often secondary. Moreover, the Department was perpetually understaffed and underfunded, which further limited its capacity to offer protection to its wards. In short, officials were struggling to deal with a problem for which they did not have funds, human resources or conceptual tools.

Since the legislators assumed that children’s neglect was a moral problem, its fundamental cause, which was poverty, induced by the conditions of male and female casual employment, was not acknowledged in the *Neglected Children and Youthful Offenders Act*. As a result, it dealt with child neglect in ways that were often inappropriate to the children and their parents. A better solution might have been the modern unemployment or parenting benefits, which provide financial assistance on a less judgemental basis, but in the cultural, and financial, contexts of Tasmania at the turn of the century, these could not have been considered.

While the Act intruded on the traditional rights of poor people and their children, it offered them possibilities too. Since it could intervene between parents and children, the rights of children who were mistreated were potentially strengthened, although hardly any were committed for abuse between 1896 and 1918. The Act offered parents an opportunity, usually a painful one, to get their children fed and housed when they were financially unable to do so. For parents, such as unwed mothers, who did not want their children, it provided an escape route, despite departmental attempts to close it. Such uses were not the intention of the framers of the Act, nevertheless, parents contrived to make it serve their needs.

Children also exercised agency, but since age was an indication of social significance, and thus credibility, this was not always obvious. Some children, especially older ones, used official channels to make their needs
known, and were encouraged to do so, but others were prevented by low self-esteem, as a result of disrupted lives, before or after their committals. Fear of authorities, uncertainty about procedure, and how the complaint would be received, often prevented others from complaining. As a result, many expressed views through disobedience like truanting, stealing, telling lies, absconding, and losing their tempers. While this behaviour could be stress related, it sometimes deliberately challenged authority, although children did not have a political perspective of their situation. Departmental officials, foster parents and employers reacted against the behaviour, mostly because it was a nuisance, but also because it suggested that the children would not become full and willing members of society. Strategies for managing children's behaviour make up a significant part of the correspondence in their files. Constructing protest or release of tension as disobedience meant that the problem could be said to lie with the child; an attitude which must have allowed many abuses to continue. While mistreatment does surface in the files, it is likely that much of it went undetected.

In the 1890s, reformers could argue that children needed protection because, increasingly, the press and literature represented them as innocent, helpless and needing preparation for adult life. These depictions of childhood might not reflect children's experiences but they informed public opinion's impression of what childhood should be like. Such representations were originally intended for middle-class children but when social reformers wanted to imagine ideal working-class childhoods, they drew on them, although such children were expected to show more frugality and industry. Poor working-class children who apparently lacked proper adult guidance were seen as neglected and in need of the state's protection. Good guidance could only be given by parents who believed in sexual modesty, a limited (or no) alcohol intake, and hard work. Many of the working class saw ideal childhoods and neglect in a similar way but, despite a developing endorsement of the prevailing child welfare policy amongst some labour sympathisers between 1896 and 1918, most probably preferred to improve children's conditions through an adequate family wage for men.

The ways in which children, parents and families were represented and how this impinged on definitions of neglect are the topic of my first chapter. The thesis then moves on to show how cultural perceptions of neglect, embedded in their social and economic contexts, led to the introduction of
the Neglected Children and Youthful Offenders Act, which was primarily designed to deal with street children. The following chapter, which considers physical, rather than moral neglect, discusses the influence of the national efficiency movement on child welfare policy. Its effects became more obvious after 1900. The central focus is the 1907 Infant Life Protection Act, the movement’s first significant child welfare legislation in Tasmania. Structuring these chapters presented a dilemma of chronology versus themes, since concern about street children continued, albeit at a lower level, after the introduction of the Neglected Children and Youthful Offenders Act, and so was subject to national efficiency influences. However, for thematic consistency, street children and infant life protection have been discussed separately. The final chapter in this section sets out the administrative framework of the Neglected Children’s Department and highlights the concerns of public servants which impinged on child welfare policy. The practical experiences of implementing policy led to further changes in the perception of neglect.

Apart from the concluding chapters, the rest of the thesis is concerned with policy and the experience of it from below. Two points must be made. One is that children cannot be discussed in isolation because perceptions of them and their lives are intrinsic to their relationships with adults. Thus although children’s experiences and actions are a central theme, those of adults are equally important. The other is that the period, 1890 to 1918, was chosen because it encompasses the establishment and life of the Neglected Children’s Department. However, as the Whelan story indicates, since many children’s wardship covers both eras, some liberty with the final date has been necessary in individual stories.

Part Two considers children and their carers under the boarding-out, apprenticeship and adoption systems. Constructing the three chapters in this section necessitated the repetition of some key themes in each. An important one is the way in which departmental officials drew on idealised representations of family life in an attempt to recreate it for state wards. While they understood the dangers of family life, they sometimes downplayed them in order to find placements, putting children at risk. Another theme, children’s reactions to their placements, is central to establishing their agency. Repetition was particularly unavoidable in the chapter on adoption. However, although the number of adoptions were small, this topic could not be omitted because it shows how, as a result of financial
pressure, secretaries were forced to embrace policies which compromised children’s safety.

Part Three considers the children's families of origin and the reasons for committals as well as parents and children's experiences of the process. An important aim is to establish the acceptability of child welfare policy to its recipients. Another is to show that the legislation, by focusing on a particular set of moral criteria as reasons for neglect, left the Department poorly equipped to deal with poverty or children who were physically abused.

The conclusion comprises two chapters. The first discusses the introduction of the *Children's Charter*. This chapter is primarily concerned with the question of who, amongst those involved with the Department, public servants, social reformers, carers, parents and children, had most influence on the legislation, concluding that it was closely linked to power structures in society. The final chapter is concerned with the historiographical background to the thesis. It shows that the child's experience is hidden in most historiography of children's welfare and argues that this results from a reluctance to consider children as historical agents. It draws on recent feminist historiography to explain children's place in society and suggest ways in which their agency can be discussed. The chapter concludes that agency need not depend on an understanding of fundamental rights, derived from an economic role in society, but is also demonstrated in poorly directed, reactive protest, which sometimes instigates changes from above.
PART ONE: REFORMERS, PUBLIC SERVANTS AND CHANGING CONCEPTS OF NEGLECT IN CHILDHOOD
CHAPTER ONE

THE NEGLECTED CHILD

Representations of childhood were fluid, taking a different form depending on the time, and social group, concerned. During the late nineteenth century, amongst sections of the Tasmanian middle class, childhood was increasingly depicted as a period of innocence, nurture and dependence. At the same time, its length was being extended. As male wages improved, this was an image, and policy, which some of the working class adapted. This chapter will describe the 'proper conditions' of childhood in some detail, as their absence constituted 'neglect', which requires careful definition. It will provide a benchmark against which changing concepts of neglect can be compared, especially in the next three chapters. In writing this chapter I have drawn on contemporary children's literature, the Tasmanian press and other relevant sources. Tasmanian attitudes to children developed in tandem with those of the rest of Australia (and the western world), although there were local idiosyncrasies, so that it seems appropriate to draw on Australia-wide cultural material, which was well known in Tasmania, to formulate this discussion.

Representations of children, mothers, fathers and family life, may have had little resemblance to everyday experiences, yet they were still important. They fostered a belief in the merits of family life and provided a benchmark, often impossibly high, against which all parents might compare themselves. Many probably felt that they did not measure up, so that there was a disciplining effect. Professionals who worked with families, police, teachers, nurses, churchmen and employees of the Neglected Children's Department, used the same criteria to measure parents' performance. As the two chapters which follow this one will show, representations of childhood and proper parenting were influential in developing child welfare legislation.

Although many groups and individuals aspired, in varying degrees, to common representations of childhood, they could be used cynically to promote other, more hidden, agendas as well. Images of the suffering or vulnerable child could be employed in a campaign to remove children from the streets where they were a nuisance. Women, who claimed the vote using the ideology of maternalism, needed to portray children as innocent, vulnerable, and in need of a mother's nurture and protection, to justify
their own cause. An emphasis on babies, helpless in the hands of unmotherly ‘baby farmers’, could be used to promote infant health in the interests of building more efficient work and defence forces. Concern about ‘waifs and strays’, as well as the nation’s future, could be exploited by public servants who wanted a larger, more important, Neglected Children’s Department to safeguard their careers. Representations of parents and children might be middle class in origin but they could be used by anyone. The labour movement employed them to curtail child labour which undercut adult male wages. The parents of state wards evoked images of themselves as poor widows, cruelly deserted wives, dutiful fathers and loving parents in order to recommend themselves to the Department. Similarly, employers, foster mothers and prospective adoptive parents depicted themselves as the heads of happy, well organised families.

In representations of them, children were plump, clean, rosy cheeked, cheerful and playful. In England, romanticism created images of childhood as a garden within whose walls life was reminiscent of a golden, pre-industrial age. Such characterisations had echoes in Australia. According to the *Daily Post*, a labour paper, children’s lives:

> should be kept light, bright, buoyant, cheerful, full of sunshine, joy and gladness. They should be encouraged to laugh and to play and to romp to their heart’s content. The serious side of life will come only too quickly, do what we may to prolong childhood.

This joyous existence was linked to the proper development of the child, a natural unfolding which needed nurture, as much as guidance. Later the article explained that play was:

> as necessary to the perfect development of a child as sunshine is to the perfect development of a plant. The childhood that has no budding and flowering, or only a partial unfolding of its petals will have nothing but gnarled and pinched foliage. The necessity for play in the beginning of a child’s development is shown by the fact that the instinct to play is so strong in all young life, including the entire animal kingdom.

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2Although this article was published in 1908, not the 1890s, it seems to express sentiments that were widely held then. *Daily Post* 4 June 1908.
This emphasis on nature, sunshine, wholesomeness and innocence can be linked to wider sentiments concerning the new nation as Australia became a federation. 3

Freedom was seen as a particular advantage of Australian childhoods. Whereas in England, bad weather often forced children inside, where they had to be good or try their mother's patience, Australian children could roam, with less adult supervision, in the sunny outdoors. This made them sturdier, more self-reliant and mischievous than their English counterparts. Ellen Campbell, in her childhood autobiography, portrayed herself as capable and brave, yet thoughtless and often in trouble, even though her parents could never sustain their annoyance. 4

Despite these celebrations of Australian children's freedom and self-reliance, the maintenance of innocence, with its connotations of protection, restrictions and control, assumed the greater importance. Although the focus was more usually on girls, the innocence of boys was important too. A letter to Launceston's Daily Telegraph argued that parents should be responsible for "the well-being, the moral purity" of their sons as much as their daughters. 5 For protection from a dangerous world, children were supposed to be kept to the private sphere, unless they were old enough to attend school and even these were carefully monitored by adults. In the streets, activity was meant to be purposeful, running errands, or going to school. 6 Within the home, according to Lynette Finch, children's innocence was supposed to protect them from sexual predation by adults, yet, as Jan Kociumbas points out, there was a danger that the emphasis on purity made them more tempting to unscrupulous men. 7

An innocent childhood was important preparation for adult life because it imparted a world view in which sexual propriety was the norm. Childish innocence, however, was not just a lack of sexual awareness. It was a

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4 Ellen Campbell, An Australian Childhood, London, 1892; see also Brenda Niall, Australia Through the Looking Glass: Children's Fiction 1830-1980, Melbourne, 1984, p. 73.
5 Daily Telegraph, 14 September 1895.
6 A Tasmanian News reporter was concerned to see children "dawdling about without any parcel in their hands to show that they had been out shopping". Tasmanian News, 2 September 1895.
nostalgic creation of adults, a site unencumbered with politics, work, duties and anxiety, which parents (and other adults) could re-enter through their offspring. A youthful period of carefree happiness was essential for competent adulthood. According to the *Tasmanian News*, a paper with liberal and evangelical sympathies, without the “naivette and charm” of childhood, adults were: “incompetent to face the struggles of the world; they have not arrived at the age of maturity. Their framework has not settled, their minds are not under self-control sufficient to meet and resist temptation”.

This hints at the darker side of childhood, to which evangelical and utilitarian thought made a contribution. The presence of original sin, which had to be weeded out, was a persistent concern to those imbued with evangelicalism, while utilitarians focused on the need to make children useful, clean, sober, hard working and respectful of their betters. The type of usefulness that children should show was defined by their class and gender. The tendency of some working-class children, under the influence of their parents, to evade the objectives of these ideologies, and how to prevent it, preoccupied social reformers of the nineteenth century. Both evangelicalism and utilitarianism contributed to the perception that children lacked a firm self-identity which could facilitate self-government so that, if unsupervised in public, they might act as an irrational mob. That is why many people feared the influence of “bad companions” on their otherwise apparently well behaved children. Romanticism’s emphasis on nature also posed problems. If innocence was natural, so too, was sexual awareness and other undesirable qualities. Mothers, the children’s natural protectors, must therefore, be vigilant over their moral training.

Views about childhood can be linked to those concerning Australia in the approach to nationhood. The mischievous child was like the mildly rebellious young nation which, after federation, would develop a sense of sturdy responsibility, while retaining its youth and vigour. Ethel Turner, the

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8The *Tasmanian News* recommended: “Separate the wheat from the chaff; keep the bad girls by themselves; do not let them by their evil tongue, and more evil actions, contaminate their innocent acquaintances”. *Tasmanian News*, 2 September 1895.
children's novelist, believed this as the following well known passage from *Seven Little Australians* shows:

In England, and America, and Africa, and Asia, the little folks may be paragons of virtue, I know little about them.

But in Australia a model child is - I say it not without thankfulness - an unknown quantity.

It may be that the miasmas of naughtiness develop best in the sunny brilliancy of our atmosphere. It may be that the land and the people are young-hearted together, and the children's spirits not crushed and saddened by the shadow of long years' sorrowful history.

There is a lurking sparkle of joyousness and rebellion and mischief in nature here, and therefore in children.

Often the light grows dull and the bright colouring fades to neutral tints in the dust and heat of the day. But when it survives play days and school days, circumstances alone determine whether the electric sparkle shall go to play will-o'-the-wisp with the larrikin type, or warm the breasts of the spirited, single-hearted, loyal ones who alone can 'advance Australia.'

Turner liked Australian children, but she also had fears about their freedoms and how these would affect the nation's future. Through less indulgent English eyes, they might seem spoiled rather than amusingly cheeky. In a letter to Hobart's *Mercury* an "Englishman" found that: "Life out here is freer, quicker, and socially less restrictive than in the old country and although this freedom may have its recommendations it is certainly abused by the rising generation". Since nations were formed from nurseries, he feared for Australia's future, suggesting that its children needed "good home influences", to be "schooled in truth and thrift", "taught strict obedience to parents" and "respect" to superiors and the elderly. Comments like these quickened Australian fears about the ultimate survival of British cultural norms in the Antipodes. A concern to develop a superior national type concealed an underlying anxiety that the new nation

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12 *Mercury*, 22 October 1895.
might not measure up against the old, giving an added impetus to the
efforts of child welfare reformers.

Representations of happy, wholesome childhoods depended on particular
assumptions about family life. M. Ella Chaffey’s Olsens, and their six
children at Murray Home, are a good example. They had plenty of food,
fresh air, sunshine and freedom with ample opportunities to play, become
self-reliant and develop initiative. Mr. Olsen, their father was “generally
most grave and dignified”.13 Although stern, he was fair and often kindly
too. Mrs. Olsen was wise and instinctively knew when her children were up
to mischief or sad. She never raised her voice, but always spoke to them in a
quiet and gentle way, listening carefully to what they said. In one incident,
the younger son, Bertram, stole some of his brother, Hub’s, chocolate and
came to his mother to confess. According to Chaffey:

[She] knew at a glance that something was wrong, from his downcast eyes and
uneasy demeanour. There were also unmistakable traces of chocolate on the little
fellow’s mouth and fingers, and they supplied a clue to the trouble; so to make
the task of confession easier, she asked cheerfully, ‘Where did my little boy get
the chocolate?’

She let him sob out his fear that Hub would send for the trooper and then
she explained that taking things was stealing and that God would know.
Later she put Bertram onto her lap and “began to talk to him in the sweet,
grave way the children were accustomed to”.14

The centre of the adult Olsens’ lives was their family, as it was supposed to
be, for middle-class husbands and wives.15 As the head of the household,
men were meant to have a distinct moral role, leading family prayers and
having the final say over discipline.16 Fatherhood necessitated male purity,
anything else risked sullying the home. Whereas the mother was supposed

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13M. Ella Chaffey, The Youngsters of Murray Home, London, 1896, p.20. Chaffey was a
Canadian living in Renmark, SA where her husband managed his brother’s property. Her
stories about Australian domestic life were written there. Stella Lees and Pam MacIntyre,
Oxford Companion to Australian Children’s Literature, Melbourne, 1993, p. 89.
14M. Ella Chaffey, pp. 41-2.
15Leonore Davidoff and Catherine Hall’s analysis of the English middle class in Family
Fortunes has been used to construct this discussion. While both place and time are somewhat
remote, it still seems relevant. Leonore Davidoff and Catherine Hall, Family Fortunes: Men
16Some did as the cultural norms suggested. For instance, William Tarleton, a police
magistrate and leading advocate of the boarding-out system, was, according to the Anglican
Church News, “punctilious in conducting family prayer, a religious observance by no means so
carefully observed as it ought to be”. Church News, 1 August 1895.
to awaken affection in the children, the father conveyed a sense of duty to them. It was that sense of duty which encouraged such men to undertake good works. Increasingly middle-class men and women saw their model of family life, with modifications, as appropriate for all society. This involved them in charitable work and political campaigns designed to promote their domestic ideals.

The role of women was to ensure the effective, smooth management of the household, to nurture and provide moral training to the children. Moral training included the management of emotions and development of character as well as the Victorian values of industry, honesty, thrift, moderation with alcohol, and chastity outside marriage. Mothers led by example so that effective mothering required an impeccable character; modest, honest, emotionally generous, calm, yet firm and selfless. Discipline should be gently imposed. In Tasmania, during the 1890's, the Woman's Christian Temperance Union was prominent in promoting this type of motherhood.

Since parents were their children's source of nurture, guidance and protection, there was considerable cultural anxiety about those who had lost them. Children who were literally lost in the bush sometimes featured in stories and art. Marcus Clarke's "Pretty Dick" is one example.17 Another is Sophia Tandy's, *The Children in the Scrub: a Story of Tasmania*, published in 1878, and based on three children, who were lost in Victoria's Horsham area. The real children were Victorian and rescued by Aboriginal trackers but Tandy portrays them as Tasmanian and found by their brother. This converted their parents to religion.18 Francis McCubbin painted two pictures of children crying because they were lost in the bush. Although such themes were based on European images, McCubbin, for instance, had seen *Babes in the Wood*, these works perhaps reflect an underlying anxiety about the British race's ability to survive in Australia.19 If so, it was apparently not felt by Ethel Pedley, whose *Dot* was rescued by a kangaroo.20

Other children were orphans rather than physically lost. However, like lost children they had to take responsibility for themselves when they were too

18Sophia Tandy, *Children in the Scrub: a Story of Tasmania*, London, 1878; see also Lees and McIntyre, p. 265.
20Ethel Pedley, *Dot and the Kangaroo*, Sydney, 1899.
young to have the physical and moral capacity for it. The *Tasmanian News* published a poem full of pathos about the fate of such children:

Like a rudderless barque on the ocean of life
She drifts with the outgoing tide
And the winds and the waves in their cruel sport
Her frail little craft deride.

At the helm she stands with straining eyes,
Striving to pierce the gloom.
For Daddy's ship or a beacon light
The dense darkness to illume.

No "ship ahoy" can the orphan hear,
No beacon can she see,
At the helm she stands in the darksome night,
Alone on a shoreless sea.

There are ships that pass the tiny craft
With a silence cruel and sad;
They heed not the little outstretched hands,
Or the pitiful cries of Dad.²¹

This poem places an emphasis on the father as protector but the loss of a mother, from a moral point of view, was usually considered more serious, and was, perhaps, the most common reason for middle-class parental neglect, even if the child did not feel bereft. Ethel Turner's "little larrikin", Lol, aged six, revelled in his motherlessness: "No other boy in Balcombe

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²¹*Tasmanian News*, 5 January 1906.
Street had such liberty as he; no other the capacity for filling every moment with such bliss”. Even so, Turner expressed concern over his plight.22

More vulnerable were her Seven Little Australians. Their mother died while the youngest was a toddler and they had a twenty-year-old stepmother, Esther. When six-year-old Bunty, who was overweight and prone to lying, accidentally lamed his father’s favourite horse with a cricket ball, Turner mused that:

If ever a little lad was in need of a wise, loving, motherly mother it was this same dirty-faced, heavy-hearted one who sat with his small rough head against a cobwebby beam and muttered dejectedly, “Twasn’t my fault. ‘Twas the horse”.23

Part of the problem was that Esther lacked maturity; mothers were supposed to grow wiser through experience. When the eldest child, sixteen-year-old Meg, wore corsets out of vanity, and fainted, the doctor thought that Esther should have noticed. This led the children’s father, Jack Woolcot to wonder, “in a dull mechanical kind of way if his little dead wife thought he had been too quick in appointing Esther to her kingdom”. Esther’s “heart told her these children were not receiving a mother’s care at her hands”. Later she sobbed to their father “‘I’m only twenty, Jack; don’t be too hard on me! ... I can’t be all to them that she was, can I?’” Although he reassured her he had misgivings.24 Woolcot, too, managed the children’s training badly. Once he attended to Bunty’s morals by cross questioning him over his week’s wrongdoings and then beating him with Esther’s riding crop.25 Motherhood was a natural phenomenon, so that part of Esther’s problem was that she was unrelated to the children. Step-mothers often had a poor public image, and more importantly, in the context of this thesis, so did foster mothers.

At the turn of the century there was a generalised fear about the quality of mothers, which focused most on the working class. Many middle-class children probably led unhappy lives due to the absence, apathy or unkindness of their parents, but they did not fit representations of ‘neglected’ children because there was sufficient income to disguise it. It was neglect amongst working class children that concerned middle-class

23Ethel S. Turner, Seven Little Australians, pp.111-114.  
25Ethel S. Turner, Seven Little Australians, p. 144.
reformers. As with Turners’ little Australians, it was usually caused by the loss of a parent with an additional problem of poverty. Its effects, grubbiness, malnutrition and poor health, were often confused with deliberate parental neglect.

The Sankey children, described by Chaffey in the *Youngsters of Murray Home*, are one example of the ways that poor families were represented:

Jim Sankey was a rabbiter, whose wife and large family lived in a wretched shanty on the bank of the river. He was nearly always away from home, and he spent most of the money he earned killing rabbits, on drink. The woman was a poor, shiftless creature, whose hard life and many troubles had long ago broken what little spirit she once had. She received the many kindnesses shown by the Olsen family without any sign of gratitude, and she showed no interest in any person or anything, not even excepting her own children.26

In this case the children might as well have been orphans as their father was always away, or drinking, and their mother was too listless to look after them. Chaffey seems to blame the parents for the situation.

Yet she has some empathy for the mother. Later, the baby, a sickly and fretful child, died. Ollie, the eldest Olsen child, thought Mrs. Sankey’s apathetic response to the death was unkind and asked her mother: “‘Do you think Mrs. Sankey has any heart at all? She never seemed to trouble a bit about the baby, and she seemed almost glad to have it dead, though it is dreadful to say so!’” Mrs. Olsen explained that Mrs. Sankey should not be judged harshly because she had “such a hard life”. Moreover, while no one could explain why there was so much suffering in the world, there was a reason, and faith must be placed in God. Fortunate people, like Ollie, should take their good fortune, enjoy it, and share it, so that “your blessings will be multiplied and will give joy to many, like the miraculous loaves and fishes”.27 Such words suggest the rightness of the order of things and help explain the common acceptance of other people’s suffering, while at the same time, offering sympathy, and the possibility of change.

Children like those in the Sankey family were similar to the lost sheep of the New Testament over whom God rejoiced when one was found. Mission hymns link the lost soul to the wanderer in the desert so that being lost in

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26 M. Ella Chaffey, p. 238.
27 M. Ella Chaffey, p. 291.
the bush had a moral and spiritual resonance as well as a physical one. For example:

I wander'd sore distress'd,
All weary and forlorn;
I had no place to rest,
Of all my pleasures shorn-
My thirsting spirit sigh'd,
And in the desert cried. 28

Evangelical Christians were entrusted with a special task of rescuing lost souls. The Salvation Army often played “Rescue the Perishing”:

Rescue the perishing:
Duty demands it;
Strength for thy labour the Lord will provide:
Back to the narrow way
Patiently win them;
Tell the poor wand'rer a Saviour has died. 29

According to the New Testament, Christ told his followers that helping a child was analogous to helping him. In addition, he said that adults were children in God’s eyes and that unless people became like “little children” they would not go to heaven. It followed that if adults showed no mercy to real children, they could not expect it from God. Such analogies were sometimes used by social reformers. In 1906, a letter to the Mercury entitled “The Infant’s Wail” from Harry Benjafield, a Hobart doctor, urged the “hard fisted, moneyed men” to contribute to the saving of infant life from summer gastro-enteritis by saying: “One whom I know you hold in great reverence took such little ones in His arms. If He came to Hobart you would like to entertain Him, but He is saying to you: Receive these, and you entertain Me”. If his plea was ignored, according to Benjafield, the “wail of 200 infants will presently go up to heaven”. 30

29 Tasmanian News, 31 August 1895; Hymns Ancient and Modern, p. 226.
30 Mercury, 10 August 1906.
Social reformers increasingly believed that poor 'lost' children were entitled to happier childhoods. Street children, aged upwards of four or five years old, thin, unwashed, ill disciplined and unpredictable, particularly lacked the ideal characteristics of childhood. Some, the ‘waifs’ and ‘mites’, who seemed barely capable of surviving, aroused pity amongst people who hated to think of a suffering child. For instance, the Tasmanian News described a “little girl mite”, seven to eight years old, sleeping on the steps of a coffee palace:

People passed in and out of the building but took no more notice of the small bundle of humanity than they would a dog. The night was a raw one and the look of the cold step flagging was enough to chill one to the bone.31

Other poor children were thought to need better control. Those who fared better than the ‘mites’, the noisy, “swarming” ‘urchins’, ‘Arabs’ and ‘larrikins’, with their quick intelligence and its potential for social discord caused the most concern. It was these children’s lack of street decorum that worried the press. According to the Tasmanian News, they made “the night hideous with their yells, while they were dashing to and fro in Elizabeth Street greatly to the discomfort of pedestrians”.32 Many of the children were contributing to family incomes by street vending, paper selling, shoe shining, singing, dancing, begging and if the Tasmanian News, is right, soliciting.33 By the 1890s, paid work was becoming inappropriate even for working-class children. There was a middle-class belief, increasingly shared by the trade union movement, that family prosperity was best achieved through one, properly paid, male breadwinner instead of entire families working for low wages. Children were supposed to go to school which was reflected by increased school leaving ages. There was some recognition of the necessity for working-class children to earn a living but it had to be done in a methodical, regular and efficient way. If children had to work in the

31Tasmanian News, 23 June 1896.
32Tasmanian News, 26 August 1895.
33Tasmanian News, 30 August 1895; 31 August 1895; 2 September 1895; 4 September 1895; 13 September 1895. Kerry Wimshurst argues, in the South Australian context, that although street children were depicted as idle and disorderly by social reformers, they were really engaged in casual labour. As a result of working class parents’ representations school attendance laws were designed to allow for this so that most children complied with the minimum requirements. A Tasmanian News article which said that there were more street children during the tourist season, when the opportunities for making money were best, supports Wimshurst’s argument that children were in the streets to earn a living. Kerry Wimshurst, “Child Labour and School Attendance in South Australia 1890-1915”, Australian Historical Studies, Vol. 19, 1981, pp. 388-411; Tasmanian News, 1 June 1895.
streets, perhaps as paper sellers or shoe shiners, they were expected to be respectful and diligent.

Reformers felt able to do something about neglected children because they believed in children's malleability. Even so, in Tasmania, the idea that children were shaped by heredity, rather than the environment, had some currency. In the 1890s, the *Mercury* occasionally aired Douglas Galton's ideas, arguing in one editorial, that even though much social distress was caused by adverse circumstances, "many feeble-minded children, and much disease and vice, are the outcome of inherited proclivities". Adults who led celibate lives, because they knew their children would have deficiencies, were exemplary citizens but "many, if not most, persons having a hereditary disease are the most anxious to marry, and do marry, leaving their fatal mark from generation to generation". As a result, according to the *Mercury*, attempts to deal with street children were doomed because of the "continual and rapid multiplication of the unfit, the breeding of vagabonds and paupers who have no affinity beyond the gutter life which neither social nor plenary laws have checked".

Despite some acceptance of these ideas (particularly in relation to mental deficiency during the 1920s), Tasmanians exhibited a greater faith in the environment's ability to shape character, in part, because that was the only way to overcome the colony's convict origins. For instance, the temperance movement, many of whose members were active social reformers in the 1890s, played down heredity in its thought, believing abstinence to be above all an act of choice, although alcoholism had hereditary effects. The Woman's Christian Temperance Union's advocacy of effective, nurturant mothering would have had little point if children's characters could not be moulded and they argued that the "home influence" was the greatest factor in determining children's future. In 1895 their president, Annie Blair, told them that, even without the vote, women had a powerful political influence because "the training not only of our daughters, but our sons, and

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34 *Mercury*, 24 October 1895.
35 *Mercury*, 17 August 1896.
36 There are few references to heredity factors as a cause of alcoholism in the *People's Friend*. However, in 1871, it discussed a condition known as "onomaria", "the insatiable propensity to swallow stimulants in enormous doses". It was often inherited from parents with either a tendency to drink, or insanity, and its only cure was total abstinence. *People's Friend*, November 1871.
37 NS 337/2/ 1893.
the moulding of their character is entirely in our keeping". Catholics shared their view of children's malleability, arguing, in the case of street children, that without moral training, "it is too sadly true that their hearts will not be moulded for good nor inclined to that modesty which is the richest jewel of youth".

Ethel Turner said Australia did not have a dark side to its history as did European nations. It was as innocent as a child. Yet Aboriginal history, since the arrival of white people, undermined images of Australian innocence and, in Tasmania, the story was particularly bleak, because the race was said to have all died. Attempts to maintain the nation's innocence were made by explaining Aboriginal suffering and death as unfortunate, but natural and unavoidable, because of the tendency of superior races to displace lesser ones. For the sake of racial harmony, many believed it was best if surviving Aborigines were gradually absorbed into the larger population, with succeeding generations becoming increasingly white, both physically and culturally.

It was thought that there was a need to control Aboriginal people while, at the same time, easing the death of the race. On the mainland this led to the establishment of Aboriginal Protection Boards with governors who had the power to remove children and send them to an industrial or training school. This policy was particularly directed towards the children of mixed parentage because Aboriginal mothers were not considered suitable to raise the children of white fathers. The Human Rights and Equal Opportunities Commission has recently documented the social dislocation and grief that such policies caused amongst Aboriginal people.

Between 1896 and 1918, the life of the Neglected Children's Department, the existence of Aboriginal people on mainland Tasmania was not given any official recognition. When Aborigines were remembered it was as a reminder about what could happen to any race, whose culture was not strong enough to withstand blows from the outside. The Tasmanian News, for instance, feared that declining public morality and industry, which it

38NS 337/4 1895.
39Catholic Monitor, 23 October 1895.
41Human Rights and Equal Opportunities Commission.
linked to the moral degeneration of adolescents, especially girls and their frivolity, might cause the demise of the British race in Tasmania. The paper said that:

With the girls who are to be the mothers of the future in such a debilitated state, and so thoroughly unfitted for the cares and trouble inseparable from every household, it is not hard to see that Tasmanians will sink into a condition little better than the aboriginals...Is there in the growing indifference of our lads and lasses to work and the intense anxiety to live a life of pleasure, an indication that the country has been placed under a spell, and that those who ousted the aboriginals and their descendants shall likewise die off and be supplanted by another race as were the Tasmanian natives.42

In the records of the Neglected Children's Department, Aborigines leave no trace, even though it seems reasonable to assume that some children committed to its care were Aboriginal. In intent, the *Neglected Children and Youthful Offenders Act*, was class, not race based, and neglect concerned white children, not Aboriginal ones.

The term, neglect, was applied to white, working-class children whose childhoods fell short of prevailing representations of what they should be like; wholesome, healthy, innocent, playful and yet guided by wise parents, especially mothers, towards diligent and moral adult lives. Legislative definitions of neglect applied to children whose childhoods fell even further short of these representations. The images of childhood neglect depicted in this chapter influenced the introduction of the 1895 *Prevention of Cruelty Act* and the 1896 *Neglected Children and Youthful Offenders Act*. The ways in which they did so as, well as the social, political and economic contexts of the Acts' introductions is the topic of the next chapter.

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42 *Tasmanian News*, 13 January 1896.
CHAPTER TWO

"POOR WAND’RERS": STREET CHILDREN AND WELFARE REFORM

In August 1891, after a withdrawal of British capital, the Van Diemen’s Land Bank failed, initiating a Tasmanian economic depression which lasted throughout the 1890s, producing some social turmoil. As the depression deepened, unemployment increased, and the resulting material distress encouraged working-class demands for government action and further enfranchisement. Some temperance women took advantage of the changing social atmosphere to campaign for the vote, linking their claim to women’s special understanding of what was best for women and children. In addition, Australian federation approached, and many liberals hoped for a rational, moral state, governing a society united by its aspirations for moral and economic improvements.

Since 1879, there had been a couple of comparatively long lasting administrations dominated by liberal politicians, so that their political self-confidence, and that of their sympathisers, grew.1 During that time, the Tasmanian economy improved, apparently confirming liberalism’s association with progress.2 When the depression developed, this association was tarnished, and the premier, P. O. Fysh, resigned in 1891. A government was formed by the politically conservative Henry Dobson but, buffeted by the depression, it folded in 1894, and was replaced by one led by Edward Braddon.3 His ministry included the liberals, William Moore, P.O. Fysh, A.I. Clark and B.S. Bird, so that even though Braddon was fairly cautious politically, his government was less so.4 Although they were dominant


3 Reynolds, p. 97.

4 Townsley, p. 171.
again, liberals had been given notice of their vulnerability to economic and social change.

Poverty, worsened by the depression, brought more children into the streets than usual. Mischievous, grubby, noisy, active, hungry, pale and skinny, they were especially noticeable because of their marked deviation from idealised representations of childhood. That the weakest in society suffered so visibly from economic downturns provoked unease, even amongst capitalism’s proponents, about its capacity to deliver widespread prosperity. Moreover, street children’s behaviour undermined hopes for a rational, moral state, both now and later, given the probability that, by the time they were adults, the working class would be enfranchised. General social unease, enhanced by the intervention of the Tasmanian News and temperance women, found an outlet by focusing on the children’s situation, especially the sexual behaviour of the girls. Public concern about street children gave the women’s campaign for the vote added force, because it suggested the need for feminine guidance where state affairs impinged on the moral and private world. It was against this general background that the Better Protection of and Prevention of Cruelty Act was passed in 1895, followed by the Neglected Children and Youthful Offenders Act in 1896.

The Acts reflected widespread assumptions about the nature of children and concepts of their neglect, implying that protection, if necessary, state protection, was more useful to them than the right to a public visibility and voice, or to earn a living, as many of them were doing. The legislation contributed to a widening of the gap, in civic terms, between adulthood and childhood, particularly since, over the next few years, virtually all adults received the vote and thus inclusion in public life, while minors, considered unlikely to behave rationally and responsibly, were discouraged from even maintaining a public presence.5 These measures, the co-option of

5During Giblin’s premiership, all male ratepayers and wage earners of up to £80 per annum gained the vote for the House of Assembly. In the 1890’s, Clark made two, and Fysh, one, attempt at reforming the franchise but were frustrated by the Legislative Council. In 1896, Clark’s Bill liberalised the male franchise for both houses and introduced proportional representation in Hobart and Launceston. When the male suffrage was extended in 1884, Giblin tried to enfranchise unmarried women with property. Fears that it might give wealthy sex workers the vote persuaded him to drop the clause. Female suffrage was rejected by the Legislative Council in 1895, 1896, 1898 and 1902. It was finally achieved in 1903. Robson, A Short History of Tasmania, p. 55; Townsley, p. 173; Alison Alexander, “The Public Role of Women in Tasmania, 1803-1914”, PhD Thesis, University of Tasmania, 1989, pp. 237-241; Audrey Oldfield, Women Suffrage in Australia: A Gift or a Struggle?, Cambridge, 1992, pp. 103-110.
some social groups and the marginalisation of others, reflected the insecurity of liberal sympathisers in the face of social disorder and renewed political instability.

**Liberal and Evangelical Influences on Child Welfare Policy**

To varying degrees, liberals drew from the enlightenment, utilitarianism, romanticism and protestantism. Like enlightenment thinkers and utilitarians, they espoused individualism and progress through the rational application of knowledge to social problems. Romanticism provided idealism and a dislike for utilitarian chilliness. Progress was supposed to be informed by moral considerations which provided links with protestantism, especially evangelicalism. All aspects of the human personality, the rational as well as the creative and spiritual, were meant to be directed towards social change. In Australia, this philosophy had been honed in campaigns to end convict transportation and for self-government during the 1840s and ‘50s.6

As Stuart Macintyre suggests, liberalism cannot be seen as a precise political programme, although freedom was sacrosanct, and there was a generalised belief in moral and economic progress. It was as much a code of personal conduct by which self-sufficient men willingly provided security against the dangers of unfettered freedom by acting through reason and moral responsibility. Its emphasis on individualism denied it a unified, coherent philosophy so that it was “complex”, “ambiguous” and “protean”. While colonial liberalism drew on British tradition, the philosophies of Locke, Hume, Smith, Paine, Bentham, J. S. Mill and others, it had a new vigour in Australia because it was freer from tradition.7

According to liberal beliefs, individuals owed their first loyalty to the state, or nation, rather than a particular social group so that they tended to minimise class distinctions. From a social justice perspective, this could be vindicated by maintaining that opportunities were open to everyone, as long as the effort was made to grasp them. Universal manhood suffrage had an important place in this vision, because it suggested that all citizens were equal. It could also be used to counter conservative forces and their

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traditional control of political institutions. However, according to Macintyre, some liberals were troubled about how to control those who were enfranchised, but did not act rationally and responsibly. J.S. Mill had suggested that there should be sanctions against those who threatened the social interest while those who only harmed themselves should be left alone. By widening their definition of social problems, late nineteenth century liberals in Victoria increasingly infringed this rule. Alcohol restrictions, for instance, were justified because alcoholism caused public disorder. By the 1880s, liberalism had developed a "sanctimonious suspicion of the pleasures of others". 

Macintyre links this "wowserism" to the development of a "morality party" amongst Victorian liberals, the result of the growing evangelical enthusiasm of some of its members, and the difficulty of restraining individuals who believed in competing religious, ethnic, gender and class groups. In Tasmania, the attraction of evangelical sympathisers to liberalism is also evident in the late nineteenth century. Most liberal parliamentarians belonged to non-Anglican congregations, including the Quakers; F.W. Piesse, B.S. Bird, J. Bradley and A.I. Clark, are prominent examples. Liberalism also had strong links with temperance. Both Piesse and Bradley were members of its most influential organisation, the Tasmanian Temperance Alliance. Clark sympathised with temperance, supporting local option. At one meeting he argued that the drunkard was to be pitied as well as blamed and had the right to ask of government to "Lead me not into temptation".

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8 Reynolds, pp. 57-61.
9 Macintyre, pp. 194-196.
10 Macintyre, pp. 193-196.
11 Piesse was a member of the liberal Minerva Club and belonged to the Seven Rovers, an informal discussion group organised by the Congregationalist minister, George Clarke. Bird, a farmer, was a Methodist and later became a Congregationalist minister. A. I. Clark was raised as a Baptist and according to his mother’s strict moral code, no gambling, dancing, alcohol or smoking was allowed. As a young man, he converted to Unitarianism. Connected to this, perhaps, was his interest in American transcendentalism, a philosophy that advocated the use of moral, instead of utilitarian principles, to solve problems. Robson, A History of Tasmania, Vol.II, p.69; Scott Bennett and Barbara Bennett, Biographical Register of the Tasmanian Parliament 1851-1960, Canberra, 1980, p.16; Williamson, "Democrat by Despair", p.18; People’s Friend, 1 June 1883.
12 John Bradley was a treasurer of the Tasmanian Temperance Alliance. Bennett and Bennett, p.19, 133; People’s Friend, 1 July 1872.
13 People’s Friend, 1 June 1883.
Many liberals espoused female suffrage. Piesse, for instance, had been a long-term champion of it. In 1872, he addressed a temperance meeting on the “female influence and what the fair sex can do when in earnest”. Female suffrage could present a problem in that it required women to undertake a public role, while their first duty was supposed to be to the home. However, if women knew how to promote moral purity in the domestic sphere, then they might do it admirably in public too. These sorts of arguments were put forward by temperance women and, given liberal fears about social disorder, it seemed that, with enfranchisement, such women would be good allies in stemming it.

Like its liberalism, Australia’s evangelicalism originated in Britain where its influence on government circles and the Anglican Church had grown during the nineteenth century. It was especially influential in Tasmania because it provided a moral counterbalance to convictism and its socio-economic effects. Evangelical value systems could contribute to small business and artisan success, seeming to promise an alternative to the old, pastoral system dependent on convict labour, which had provided economic support for the gentry-like elite. In England, according to Harold Perkin, an emphasis on integrity and usefulness in promoting happiness improved the status of the professions. Professional men, imbued with evangelical and utilitarian attitudes, worked with the capitalist classes to oppose landed wealth.

Evangelical attitudes had a widespread social influence although they affected individuals in different ways and to greater or lesser extents. On the whole, evangelicalism was not a rigid, fundamental doctrine but intellectually curious, inspired by the enlightenment faith in progress and its attachment to empiricism. It was also influenced by romanticism, with its appeal to the emotions, to intuition, idealism and a belief that the world was imbued with spiritual significance. However, this was not to deny the instinctive orderliness of most evangelicals. As Leonore Davidoff and Catherine Hall indicate, a love of order made science appealing, so that clergymen, doctors and scientists became united in a battle against irrational, reactionary forces. Commercial activity, with its arithmetic of profit and loss

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14 People’s Friend, 1 June 1872.
also created habitual calculators so that weighing, measuring or timing, useful scientific practices, were second nature. The moral calculations of the utilitarian could be applied to society and the resultant publications combined moral, commercial and scientific themes.

Similar alliances developed in Tasmania between business, professional and religious groups. Adherents of evangelicalism mostly ran small businesses, or worked as church ministers, doctors, public servants and lawyers. In the child welfare area, magistrates, other public servants and medical doctors were the most active advocates of reform. The role of magistrates and local justices in achieving it was usually limited to alerting the government to the numbers of people, especially widows and deserted wives, who applied for charitable relief, but one, William Tarleton, the first administrator of Charitable Grants, went much further. For much of his professional life, he campaigned vigorously for a boarding-out system for destitute children and, assisted by a parliamentarian and doctor, Henry Butler, persuaded the government to provide for it in the 1873 Public Charities Act. Child welfare reform was also achieved by voluntary organisations made up of people from the same social strata.

The Tasmanian Temperance Alliance, founded in 1842, and complementary temperance organisations, comprised a prominent pressure group which often shared causes with the liberals. Temperance advocates' main purpose was to promote abstinence from alcohol but they also endorsed moral purity programmes. Persuasion required high profile public campaigns. Well-organised, enthusiastic, vocal, and supported by the

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18 Davidoff and Hall, p. 27.
20 In addition to the Tasmanian Temperance Alliance there were some Rechabite Societies and Friendly Societies for total abstainers. A Hobart temperance Freemason's society, the Order of Good Templars, whose object was to rescue the drunkard and fight drink, was formed in 1872. They set up in Launceston in 1873. Although there was some Roman Catholic and Anglican involvement in the temperance movement, most of its membership was drawn from non-Anglican Protestantism. The *People's Friend* was launched in 1869. Roe, pp. 165-7; Robson, *A History of Tasmania, Vol. II*, p.70; W.T. Southerwood, *Planting a Faith in Hobart: Hobart's Catholic Story in Words and Pictures* (published by author, no date of publication given), p. 60; *People's Friend*, 1 July 1869, 1 August 1869, 1 April 1873, 1 November 1880.
Alliance's monthly newspaper, the *People's Friend*, temperance activists developed the potential to mobilise on any issue which caught their interest, including child welfare. They prodded the conscience of the less zealous Anglican Church, forcing it to take a position on total abstinence. Even some Roman Catholics became temperance advocates.\(^{21}\) Temperance workers also pursued their aims through other organisations, particularly the Benevolent Society and the City Mission. Members of the temperance movement, including, I. Sherwin, J.J. Hudson, C. Price, G.S. Crouch and F.W. Simmons, were instrumental in establishing and running industrial and training schools, as well as the boarding-out system.\(^{22}\) Temperance women did not play a public role in the establishment of these schools although they were involved in their day to day organisation.\(^{23}\)

Evangelical beliefs had some compatibility with liberalism's aspirations for a social unity based on a meritorious upward mobility. Although, for temperance advocates, the important boundary was between abstainer and imbiber, or the pure and impure, so that social advancement was less important, better personal circumstances were expected to follow from signing a pledge of total abstinence.\(^{24}\) Amongst some, there was a belief that spiritual equality could be readily translated into democratic political ideas. Francis Mather, a founder of Hobart's Friends School, described Quaker...

\(^{21}\)The Catholic Standard took a marked interest in temperance activities in England and Ireland. In 1871, a Catholic welfare activist, E.S. Hall, joined a deputation to the government organised by the Tasmanian Temperance Alliance to discuss the "evils" of the licensing system. Like other temperance advocates, Hall saw drunkenness and immorality as causes of poverty. In 1886 a Jesuit, Father O'Daly, of St. Mary's Cathedral, Hobart, established a temperance society. Catholic Standard, 20 August 1869; 20 September 1869; *People's Friend*, 1 July 1871; Elsie Frances Haynes, "Edward Swarbeck Hall: Medical Scientist and Social Reformer in Colonial Tasmania", MA Thesis, University of Tasmania, 1976, p. 307; W.T. Southerwood, p.60.

\(^{22}\)Launceston Examiner, 13 July 1867; Mercury, 15 July 1867; 6 August 1867; 10 August 1867. Price was a Congregational minister and founder of a Launceston temperance society. Roe, pp. 128, 153, 158, 165. Sherwin, Hudson, Crouch and Simmons, were, as has been shown, members of the Benevolent Society.

\(^{23}\)For instance, Harriet Salier, described by Julia Clark as "a pillar of numerous charitable institutions and the temperance movement" was honorary secretary of the Hobart Girls Industrial School. She was also a member of the boarding-out system's visiting committee in Hobart. Lydia Stanfield, a Launceston member of the Women's Christian Temperance Union, was on the committee of the Girls Industrial School and a visitor to the boarded-out children. Julia Clark, *This Southern Outpost*, Hobart, 1988, p.44; CSD 22/19/236; 19/18/326; Boarding-Out Committee Annual Report (1881) PP No.10; CSD 22/45/92/01; 22/102/25/10; 22/19/17/95. Annie Blair thought that their "grandmothers" had not played a public role because they believed that the barriers to it were "divinely" raised. *People's Friend*, 1 November 1895.

\(^{24}\)Euphrion, correspondent to the *People's Friend*, argued that for the individual "the only progress worth making was moral progress. The rest was only change, and often change for the worse". *People's Friend*, 2 September 1895.
values as an "inwardness and spirituality in religion, that steadiness of judgement, that true republican feeling, which abolishes class feeling and exclusiveness, that refined simplicity of life and that right estimate of the value of time". Henry Button, the president of the Congregational Union in 1893, also strongly disliked class division. He blamed the rich for its occurrence because their avarice made the poor feel aggrieved so that society was divided into antagonistic classes. Button wanted to create a sense of socially binding mutual interdependence and obligation between the unskilled labourers, mechanics, tillers of the soil, shopkeepers, clerks and professional men. However, the unifying value system was to be compatible with evangelical morality, so that those who did not comply had to be persuaded. Welfare, often required by people who fell outside this value system, was one tool of persuasion.

The Hobart and Launceston Benevolent Societies, products of the amalgam of evangelical, commercial and scientific influences, are examples of volunteer organisations run by those who believed in evangelicalism and were often connected with liberal politics. Although largely motivated by temperance beliefs, they brought utilitarian and 'scientific' approaches to welfare practice, hoping to reform the 'undeserving' poor, especially the alcoholic, by refusing them relief. ‘Scientific' methods, developed by the London Charity Organisation Society, of identifying those who deserved

25 Mather is describing his aspirations for the students of Friends School, established in 1884. Mather Papers, University of Tasmania Archives.

26 Launceston Examiner, 8 March 1893.

27 In Hobart, the membership was mostly made up of church, business and professional men. For instance, R.A. Mather, Alfred Kennerley and James Salier were businessmen, W. Tarleton and E.S. Hall. Since there were a number of businessmen in the society, it produced a few mayors, G.S. Seabrook, George Kerr and G.S. Crouch. G. Hiddlestone was an alderman and parliamentarian. The Launceston Society followed a similar pattern of membership. E.L. Ditcham was a brewer and J.J. Hudson a bookseller. I. Sherwin, a founding member, had various business interests. Cyclopaedia of Tasmania: An Historical and Commercial Review, Hobart, 1900; Hobart Benevolent Society Annual Report; Clark, p. 33; People's Friend, 1 June 1896; 1 January 1885; Shayne Breen, “Outdoor Poor Relief in Launceston, 1860-1880”, Tasmanian Historical Research Association: Papers and Proceedings, March 1991, No. 1; Bennett and Bennett, p. 147; Robson, A History of Tasmania, Vol. II, pp. 12, 68; Mercury, 28 August 1930.

28 E.S. Hall had a crucial influence in giving the Hobart Benevolent Society a scientific direction. Two of his concerns were smallpox vaccinations and the situation, including nutrition, of the children in Queen's Asylum. To underpin his campaigns, statistics were compiled, relative nutritional values discussed, and public cleanliness urged, in order to tackle miasma. Although he may have recast some of his views in scientific language, Hall had little new to say about the causes of pauperism which were drunkenness, immorality and the desertion of families by their fathers. Elsie Frances Haynes, pp. 211-60, 297, 300-10; Robson, A History of Tasmania, pp. 20-1; Queen's Asylum: Report of the Royal Commission (1867) PP No. 38.
relief, were used. In particular, if a male applicant was willing to work in the Society's woodyard it indicated that his poverty was genuine, not the result of idleness, and applicants were questioned closely to ensure that they were bona fide. 'Indiscriminate' almsgiving was discouraged because it encouraged recipients to beg rather than work. The Hobart Benevolent Society was the more prescriptive of the two. In Launceston, there was a greater advocacy of outdoor relief and less adherence to doctrinaire principles. Parents who drank were given relief, while in Hobart their children had to eat at the depot. Although many people felt that the Benevolent Society was too harsh in its judgements of the poor, it had a powerful influence over welfare policy. The City Mission, like the Benevolent Society, was a philanthropic organisation but with fewer utilitarian influences. Less interested in deterrence, it focused on reformation through evangelical services, temperance meetings and home visits, as well as relief.

Since poor children were not blamed for their poverty, the Benevolent Societies were unsure about how to deal with them. It was thought that if they were removed from their homes, the parents, relieved of their responsibilities, would slide further into dependency and pauperism. Even so, J. W. Simmons, a chairman of the Hobart Society, thought it best to remove the children because collecting their parents' relief trained them in pauperism. In 1886, he said that:

the education in poverty has been so complete that continual applications from those who have been taught to lean on the State in sickness and age must almost necessarily be forthcoming. The hope of improvement rests in the better training of the children.

Members of the Benevolent Societies helped further child welfare legislation prior to the 1890's, although in 1895 and 1896, they adopted a supportive, rather than leading role. Between 1856 and the 1890s many of

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32 Cyclopaedia of Tasmania, p. 219; Mercury, 8 February 1910.
33 Simmons was one of the first masters of the Rechabite Lodge of Masons and his wife was a member of the Women's Christian Temperance Union. Their son was articled to the liberal politician, A.I. Clark, and went into partnership with him in April 1884. The History of Freemasonry in Tasmania, Launceston 1935; Mercury, 15 October 1908; Mercury, 28 August 1884.
those with evangelical and liberal beliefs sought temperance, anti-gambling and welfare reform. They were prominent in attempts to reform or close the Queen’s Orphanage, a legacy of imperial rule and convictism.\textsuperscript{35} Legislative successes in child welfare reform, prior to the 1890s, include the 1867 \textit{Training Schools} and \textit{Industrial Schools Acts}.\textsuperscript{36}

These Acts were soon put to use by voluntary organisations. A Girls Industrial School, first established in Hobart in 1864, was brought under the auspices of the \textit{Industrial Schools Act} in 1868 and a Launceston School was opened in 1877.\textsuperscript{37} With the financial assistance of Alfred Kennerley, a parliamentarian, a Boys Industrial School was founded in West Hobart in 1867.\textsuperscript{38} Industrial schools emphasised training for the children; girls prepared for domestic service and boys learned gardening, milking and other farming pursuits. The schools were small, with between thirty and forty children.\textsuperscript{39} The boarding-out system, established in 1873, was originally run by Tarleton as administrator of Charitable Grants.\textsuperscript{40} However, he was concerned by the inability of his Department to carry out adequate inspections and in 1880, the boarding-out system was taken over by the Benevolent Society, perhaps because they had better facilities for this.\textsuperscript{41} It must not have worked well because in 1881 a boarding-out committee was set up and visiting committees formed.\textsuperscript{42}

The training schools started more slowly. Between 1869 and 1879, delinquent boys were placed in a reformatory at Cascades (South Hobart), usually after a ten day gaol sentence. The reformatory offered little reform and after pressure from a Boys Reformatory Committee, a Boys Training

\textsuperscript{35}For example, John Gleadow and George Salier, both influenced by liberalism, served on the 1867 Royal Commission into Queen’s Asylum which recommended reforms to make it more home like and improve training. \textit{Queen’s Asylum: Report of the Royal Commission} (1867) PP No. 38.

\textsuperscript{36}Those who had liberal or evangelical sympathies, but were not members of the Tasmanian Temperance Alliance, included Alfred Kennerley, W. Tarleton, W.R. Giblin, and the Reverends George Clarke and F. H. Cox. \textit{Mercury}, 6 August 1867; for a description of these Acts see the introduction to this thesis.


\textsuperscript{39}Brown, pp. 138-9.

\textsuperscript{40}\textit{Charitable Grants Annual Reports} (1875) PP No. 68; (1878) PP No. 25 (1879); PP No. 77.

\textsuperscript{41}Brown, pp. 146-7; \textit{Hobart Benevolent Society Annual Reports} (1880) PP No. 78; (1881) PP No. 10.

\textsuperscript{42}\textit{Boarding-Out Committee Annual Report} (1882) PP No. 10.
School was set up at Cascades in 1884.\textsuperscript{43} A Girls Training School was established in 1881 and mostly financed by the girls' laundry work.\textsuperscript{44} The laundry was a financial success, apparently at the expense of the girls' education, which only took up one hour a week in 1901.\textsuperscript{45} The School closed in 1907, probably because it was believed that girls' moral training was better served by rescue homes.\textsuperscript{46} Maud Montgomery, the wife of H.H. Montgomery, Hobart's Anglican bishop between 1889 and 1901, opened the Home of Mercy in 1890.\textsuperscript{47} In 1893, to provide a home for Catholic girls, the Sisters of the Good Shepherd set up the Magdalen Home.\textsuperscript{48} In general, the Roman Catholic Church followed, rather than led, in welfare matters. The establishment of an orphanage, St. Joseph's, in 1879, was also reactive in that the Church did not want Catholic children admitted to the industrial schools because they were organised by protestants.\textsuperscript{49}

**Challenges to and Support for Liberal Social Visions**

When Tasmania attained self-government, the Legislative Council, which was elected on a high property qualification, retained the power to block legislation. Even the relatively small voting qualification, of the £10 householder, for House of Assembly elections, disenfranchised many men. These arrangements ensured that, at first, conservative and imperialist policies would predominate, but in 1884, during W.R. Giblin's premiership, the male franchise was widened and this helped secure liberal power.\textsuperscript{50} However, the men who traditionally held political power in Tasmania remained an important challenge to the social visions of liberal sympathisers. Usually graziers, they tended to represent a different socio-economic section of the elite to liberal sympathisers, often behaving like

\textsuperscript{43} J.W. Simmons and J.B. Mather, brother of R.A. Mather, were amongst the first managers. Petrow, p. 52-3; Brown, p. 148; CSD 22/137/115/8/10.
\textsuperscript{44} Brown, p. 149.
\textsuperscript{45} The School made £242 with 21 girls in 1901 compared to the Hobart Girls Industrial School which made £96 with 37 girls. Even though the Industrial School had some younger children in it, the disparity suggests that the Training School girls were exploited. CSD 22/45/92/01; 22/56/02.
\textsuperscript{46} CSD 22/114/25/3/08.
\textsuperscript{47} The *Australian Dictionary of Biography* credits the bishop with this achievement but the chief secretary's records demonstrate that it was his wife's. Although the bishop was the president of the committee, she ran the home. Bede Nairn and Geoffrey Searle (Editors), *Australian Dictionary of Biography*, Vol. 10, 1891-1939, Melbourne, 1986 p. 559; CSD 22/17/132/98; Brown pp. 121-2.
\textsuperscript{48} Brown, p. 168.
\textsuperscript{49} Brown, p. 93.
\textsuperscript{50} Robson, *A Short History of Tasmania*, pp. 34-5, 55; Townsley, p. 173.
English gentry and acting as local leaders; justices of the peace or wardens.\textsuperscript{51} (Occasionally members of the professions shared some of their beliefs; Henry Dobson, a lawyer, is one example.) Members of this socio-economic group were likely to be Anglophile, Anglican and socially elitist.\textsuperscript{52} They resisted government expenditure and taxation, and often espoused a laissez-faire attitude to private lives. Unlike many liberals, they were more worried about civil liberties, especially regarding property, than the morality of the poor. As a result, their interests in welfare policy were usually confined to public order and cost cutting.

Concerns about social disorder made some people, whose outlook was otherwise traditional, and politically cautious, interested in welfare reform. For instance, in the 1890s, Henry Dobson and his wife, Emily, set up a village settlement scheme at Southport for unemployed men and their families.\textsuperscript{53} Even so, his interest in the campaign that led to the introduction of the child welfare reforms of the 1890s was confined to the occasional desultory question in parliament.\textsuperscript{54} Most parliamentarians with conservative views, especially in the Legislative Council, opposed child welfare reform at that time.

Another obstacle to liberal hopes for social unity was the labour movement, originally developed from mainland unionised miners who went to Tasmania’s west coast.\textsuperscript{55} In 1883 a Trades and Labour Council formed in Hobart and at first, some liberals worked closely with its leaders.\textsuperscript{56} Piesse and A.J. Taylor, Hobart’s public librarian, helped form the Southern Tasmanian Political Reform Association in 1885.\textsuperscript{57} Together the organisations lobbied for an eight hour day, the reformation of the Masters and Servants Act, the regulation of employment in factories and mines and the legalisation of trade unions.\textsuperscript{58} The main focus of the Association was universal manhood suffrage.\textsuperscript{59}

\textsuperscript{51}Roe, pp. 40-1.
\textsuperscript{52}Roe, pp. 38-40.
\textsuperscript{54}For instance, in September 1895 he expressed concern about school truants. \textit{Tasmanian News}, 7 September 1895.
\textsuperscript{56}Reynolds, p. 71; Robson, \textit{A History of Tasmania, Vol. II}, p. 135.
\textsuperscript{57}Robson, \textit{A History of Tasmania, Vol. II}, p. 135.
\textsuperscript{58}Reynolds, p. 71; Robson, \textit{A History of Tasmania, Vol. II}, p. 135.
The unemployment resulting from the depression led to greater working-class radicalism. One important leader was Archibald Turnbull, an Anglican minister who believed in Christian socialism. In 1892, 750 unemployed men, led by Turnbull, marched on parliament to demand government action, attracting a crowd of over 4000 supporters.\(^\text{60}\) A labour paper, the Clipper, was set up during the 1890s and it often expressed different views from those of the liberal Tasmanian News. Since liberals based their hopes for working men’s progress on social unity, not class warfare, the growing independence and divergent views of the labour cause offered new challenges. Some liberals withdrew, while others, including Bradley and Piesse, became further entrenched, joining the working-class Democratic League. However, differences in beliefs and social background caused difficulties, and labour increasingly accused the liberals of defusing rather than supporting working-class power.\(^\text{61}\) By 1895 a rift had developed. It is evident in the different attitudes of the Tasmanian News and the Clipper to child welfare reform.

The politics of gender was yet another challenge to liberalism, even though it was partially informed by liberal ideas. Women’s politics were voiced by the well-organised and vocal Woman’s Christian Temperance Union which held its first public meeting in Hobart on 29 November 1885, although it gathered little momentum until an American leader, Jessie Ackerman, came to Tasmania in 1892.\(^\text{62}\) Launceston’s Grace Soltau became the first president and was succeeded in 1895 by Annie Blair.\(^\text{63}\) Like male temperance activists, members of the Union believed that alcoholism underlay many social ills. Women, especially, should oppose it because it disrupted domestic life. Another concern was purity, which primarily meant a modest demeanour and chastity outside marriage, but included abstinence from all moral taints, including gambling and smoking. Purity was underpinned by healthy, wholesome living, plain food, “rational dress”, airy rooms, proper bedding, early rising and bed times were essential. Since bodies were the “temples of the Holy Ghost” their care was a way of showing reverence for God.\(^\text{64}\)

\(^{61}\)Reynolds, p. 79.
\(^{63}\)NS 337/2-4.
\(^{64}\)NS 337/3; NS 337/5; Launceston Examiner, 26 March 1897.
The first duty of Union members, if they were mothers, was to look after their children, to train them in pure living and thinking; a heavy responsibility, since any failures were likely to be passed on to future generations. Effective motherhood depended, not just on instruction, but on setting a good example, so that the mothers had to attend to their own moral condition too. Since temperance women sought to bring their vision of domestic morality to the wider world they could only embark on public life once their personal and family morality were in order. The domestic experience was their political strength. According to Annie Blair:

Organised motherhood is a force, the strongest, the most deeply-rooted, the most steadily enduring, that this planet knows. If the mothers of the world were banded together for the protection of their homes and children, humanity would be immeasurably the greater.

Blair believed that the domestic routine provided enough knowledge to organise a political campaign: "The woman, who, as a girl, has been accustomed to active occupation of each day, and who is resourceful in methods and economics, is well equipped for the battle with the world". The Union was the most vigorous temperance organisation of the 1890s and its concerns dominated the People's Friend.

Like other temperance organisations, the Union's public work centred on campaigns to promote total alcoholic abstinence. Even closer to their hearts, perhaps, was moral purity combined with good motherhood. The Union exhorted mothers to ensure that their children had parental control, clean, airy bedrooms, adequate sensible, good quality clothing and wholesome literature. Members took a purity pledge and they sometimes persuaded other mothers to do so as well. The rescue of single mothers and other women in moral jeopardy helped promote purity. In its cause, campaigns

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65 *Tasmanian News*, 25 March 1896; NS 337/2.
66 NS 337/4.
67 NS 337/5.
68 Tasmanian News, 25 March 1896; NS 337/2.
69 NS 337/5. Union members were delighted with their new role. Annie Blair told them that, "Our sphere is enlarged. Yes, thank God, it is, and we would not for the world do aught to prevent its further development. We want to deepen, to solidify the hold we have on the Government of this world". *People's Friend*, 1 November 1895.
70 The wording of the pledge was: "I promise, God helping me, to discountenance all impurity in conduct, language, literature and art, and rude jesting in relation to the other sex. To hold out helping hands to my brothers, sisters and companions, obeying the divine injunction, 'Let thy garments be always white'". NS 337/5; 337/1.
71 NS 337/2-5.
for legislative change were also pursued. Limiting the spread of gambling, repealing the *Contagious Diseases Act*,\(^{72}\) and seeking provision for wholesome literature and advertising respectful to women were important issues.\(^{73}\) Another concern was the situation of street children. In 1896, Blair deplored “the wretched homes from which these poor waifs come and find that drunkenness and impurity reign, instead of these poor children being shielded by their parents, they are in many cases driven to sin”.\(^{74}\) The Union’s policy was that children should be removed from such homes and placed with foster mothers.\(^{75}\) According to Soltau:

> The care of a motherly woman, the discipline of a father’s presence, the contact with boys and girls, in fact the whole circumstances of a natural family life— which is the Divine institution—are much more helpful to most children, especially the more degraded ones, than the best school is.\(^{76}\)

To secure their objectives, Union members wanted the vote. They were critical of corrupt masculine management of public life and, unlike men, sought greater civic status, “not for mere personal ambition, but for the right to work for truth and justice”.\(^{77}\) According to one member, B.T. Corbett, “sin and misery” were made easy and “official rectitude” difficult because of the “inherent corruption” of officialdom. “How often”, she asked “are the so-called guardians of the law, its most flagrant offenders; and those who would, complain that they simply dare not do their duty”. The Union

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\(^{72}\)The *Contagious Diseases Act* was passed in 1879 and reinforced in 1882. It provided for the compulsory treatment of sex workers with venereal diseases, in a special hospital. Police could lay a complaint and the onus was on the woman to prove that she did not have the disease. The Union opposed the legislation because it sanctioned sex work. Kay Daniels argues that the Union acted “hesitantly” and not until 1890, because it was a national rather than a local concern. Kay Daniels, “Prostitution in Tasmania During the Transition from Penal Settlement to ‘Civilised’ Society”, from Kay Daniels (Editor), *So Much Hard Work: Women and Prostitution in Australian History*, Sydney, 1984; NS 337/5; see also Brown, p. 120.

\(^{73}\)NS 337/2.

\(^{74}\)NS 337/5.

\(^{75}\)In 1896, Blair’s address deplored the increasing juvenile depravity in both northern and southern Tasmania. All public efforts made to repress it were countered by bad home influences, especially the ‘impurity’ of mothers. Jessie Bennell, from the Rescue and Prison Department of the Union, suggested that even reformed women were easily susceptible to the “fierce fire of temptation”. When women succumbed it was best to remove the children. *Tasmanian News*, 25 March 1896; NS 337/5.

\(^{76}\)Grace Soltau was secretary of the Launceston visiting committee. She wrote this in its annual report. *Boarding-Out Committee Annual Report* (1891) PP No. 25.

\(^{77}\)NS 337/5.
believed that some men opposed the female franchise because it would make the world too good for them. Although the Union claimed that a vote for women would not threaten traditional male spheres of influence, such arguments suggested that it would, and this caused anxiety among men, both liberal and conservative.

In Australia, feminist claims to the vote were based on the sacrifices that mothers made in raising future citizens and a belief in the superiority of feminine moral understanding, also linked to motherhood. The Tasmanian Woman’s Christian Temperance Union had similar ideas to mainland feminists, arguing that if men were enfranchised because they sometimes served their country as soldiers, then the sacrifices mothers made should be acknowledged too. Jessie Rooke, the leader of the Union’s campaign for female suffrage, said:

I contend that the woman who goes down to the very gates of death for her child, and who gives him to her country’s service, is as worthy of a vote as the son who wears the King’s uniform.

Blair believed that, without the vote, women’s authority in the domestic sphere was diminished. Quoting an English suffragist she said that a “mother’s guidance of her son is weakened by his discovery that her ‘prerogatives end at the garden gate’, and that she is classed by the rulers of

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78NS 337/5.
79For example, during the debate over the Neglected Children and Youthful Offenders Bill, the conservative parliamentarian, Henry Rooke, suggested, satirically, that corporal punishment should be legally administered to both girls and boys. “Is this not the age of female suffrage, when women are going to be equal with men? Then let us educate them in their infancy”. Mercury, 20 August 1896.
80In the “The Politics of Respectability”, Marilyn Lake argues that there was a contest between men and women during the 1890s for the control of the national identity, which was won by maternalist feminists and their allies. As a result, representations of domesticated manhood, which suited the needs of mothers and children, prevailed. Marilyn Lake, “The Politics of Respectability: Identifying the Masculine Context”, in Susan Magarey, Sue Rowley and Susan Sheridan (Editors), Debutante Nation: Feminism Contests the 1890’s, St. Leonards, NSW, 1993; For other discussions of maternalism see Marilyn Lake, “Giving Birth to the New Nation”, Chapter Nine in Patricia Grimshaw, Marilyn Lake, Ann McGrath and Marian Quartly (Editors), Creating a Nation 1788-1990, Melbourne, 1994, pp. 228-9; Marilyn Lake, “The Republic, the Federation and the Intrusion of the Political” Journal of Australian Studies, No. 47, 1996, pp. 5-32; Jill Roe, “The End is Where We Start From: Women and Welfare Since 1901”, in Cora V. Baldock and Bettina Cass (Editors), Women, Social Welfare and the State in Australia, Sydney, 1983, pp. 1-15; Macintyre, p. 203.
81Lake argues that because of the pain and risks of child birth feminists believed that women deserved the same recognition for giving birth to the nation as the Anzacs did. Statements like that of Jessie Rooke’s support Lake’s view. Marilyn Lake, Chapter Nine in Patricia Grimshaw et al p.218; Mercury, 27 September 1903.
the land with the lunatic and idiot". The linkage of motherhood with the vote ensured an emphasis on protection, not civil rights, for street children. If children did not need a mother's constant moral guidance and protection, then women had less grounds for citizenship. These considerations influenced the way that childhood was constructed because they specified that mothering required time, attention and special skills.

Street children's behaviour also challenged the liberals' social visions. Like most of the middle class, they believed that, in public, people should behave rationally and responsibly, and were alarmed by any display of public disorder. Shouting across the street was considered vulgar, and pedestrians were supposed to maintain a steady progress, behave predictably and always look where they were going to avoid collisions. The street was not a social venue, especially for women. A contemporary manual, *Australian Etiquette*, warned that:

> a lady never forms acquaintances upon the street, or seeks to attract the attention or admiration of persons of the opposite sex. To do so would render false her claims to ladyhood, if it did not make her liable to far graver charges.

Proper street decorum was central to the good political order of the nation. Street children's total failure to prepare for a sedate adult life, unpredictable behaviour and lack of respect for authority, suggested that their influence would disorder a rational, efficient, democratic state, if not now, then later. Girls lingering on the streets to meet boys cast doubt on liberal hopes that female enfranchisement would lead to a purer, more moral society.

**The Introduction of Child Welfare Legislation, 1895-96**

In August 1895, at the suggestion of Adye Douglas, president of the Legislative Council, William Moore, the chief secretary, introduced the *Better Protection of and Prevention of Cruelty Bill* into the upper house. Douglas, now eighty-years-old, and Tasmania's "grand old man" of politics, was not usually interested in child welfare issues. He was probably prompted by someone else, possibly the Woman's Christian Temperance

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82 NS 337/4.
Union’s President, Annie Blair, who lived in his Launceston constituency.\textsuperscript{86} For the Union and its allies of fellow temperance workers and churchmen, the bill did not offer enough moral protection to children and a campaign was organised for more thoroughgoing legislation.\textsuperscript{87}

The \textit{Tasmanian News}, edited by Sara Gill, the wife of its proprietor, had already supported the Prevention of Cruelty Bill through its coverage of street children’s activities dating back to May.\textsuperscript{88} Now it published a series of articles which fostered a moral panic about Hobart’s street children, especially girls. On 30 August 1895, it announced that its “special reporter” had been on a “sort of special commission” to find out about juvenile street vending and discovered that it led to and was often a front for sex work.\textsuperscript{89} Little girls of nine or ten, apparently in the streets to sell or beg, were used by older ones to mount guard and so were introduced to the “nefarious trade”.\textsuperscript{90} Bad companions contributed to the problem, but the alcoholism and laxity of parents, especially mothers, was most to blame. Particularly if they were deserted wives, mothers were believed to encourage their daughters to become sex workers.\textsuperscript{91} Once fallen, redemption was unlikely as girls developed “a great fascination for the streets after dark”.\textsuperscript{92} Yet, according to the \textit{News}, some wanted to be saved, and showed it by their eager attention to the hymn, \textit{Rescue the Perishing, Duty Demands It}, played

\textsuperscript{86} Henry Rooke, MLC, claimed that Hobart women had started the campaign for legislation. However, William Moore, who introduced the bill into the Legislative Council, said that the request came from Launceston. The Prevention of Cruelty Bill perhaps originated from Launceston, while the Neglected Children’s Bill came from Hobart. Either way it seems likely that the impetus for it came from the Woman’s Christian Temperance Union, which had a statewide membership. In October, the \textit{People’s Friend} said: “The Union during the last month has done some good work in taking up a question which has been brought prominently before the public, and it is hoped in time to find some practical remedy for the existing evil”. Adye Douglas served on the 1862 select committee on Charitable Institutions which cursorily investigated Queen’s Asylum. Apart from that he showed little interest in child welfare during his career, although as a co-founder of the Anti-Transportation League, he was perhaps interested in general liberal initiatives. \textit{Mercury}, 8 June 1895; \textit{Tasmanian News}, 3 August 1895; \textit{Mercury}, 12 October 1895; \textit{Mercury}, 12 October 1895; \textit{People’s Friend}, 1 October 1895; Select Committee Report on Charitable Institutions (1862) PP No. 120; Bennett and Bennett, p. 48; Terry Newman, \textit{Tasmanian Premiers, 1856-1988: A Biographical Handbook}, Hobart, 1988, p. 37.

\textsuperscript{87} For a description of the \textit{Better Protection of and Prevention of Cruelty to Children Bill} see the introduction to this thesis.

\textsuperscript{88} Alexander, p. 320; Bennett and Bennett, p. 68; Tasmanian News, 6 May 1895, 9 May 1895; 11 May 1895; 1 June 1895; 22 July 1895; 26 August 1895; 29 August 1895; 31 August 1895.

\textsuperscript{89} \textit{Tasmanian News}, 30 August 1895.

\textsuperscript{90} \textit{Tasmanian News}, 30 August 1895.

\textsuperscript{91} \textit{Tasmanian News}, 31 August 1895.

\textsuperscript{92} \textit{Tasmanian News}, 31 August 1895.
by the Salvation Army. The paper suggested that the public should accede to their wishes.93

As the events occurred in “our principal streets” all daughters were endangered by them. Even those of “hard working” parents met young men after dark and went to the Domain, Battery Point or the wharves with them.94 More worrying was the assertion that the male perpetrators of abuse were said to be “prosperous Hobartians” who sought out little girls two or three times a week, displaying their gold chains and rattling their money in their pockets.95 These men were often “well known citizens, occupying good positions in Society, and horrible to relate, fathers of large families”96. One man was recognised looking for a boarding house where he could take “two little girls with short skirts on”.97 The Primitive Methodist minister, J.T. Piercey, argued that the problem was almost entirely caused by elite men: “Malarias rise from the marsh float upward and away but moral distempers descend from the mountain to the plain. There is dissipation in the high circles as well as the low”.98 In a letter to the News he implied that the social position of male predators inhibited legal action by the police and mayor.99 Piercey thought that men, as well as women, should be ostracised for sexual impropriety.100 These reports supported the Union’s arguments that without a female franchise there could be no guarantee of morality amongst public men.

93Tasmanian News, 1 August 1895. The Tasmanian News employed language that was highly coloured, typical of some evangelical rhetoric. It made analogies with contagious disease which imply that the whole community was in danger. Street girls suffered from a “moral infection” which threatened to become a “plague”. They were a source of “gross pollution” and a “cancer spot” that would spread. An underlying fear of sexually transmitted disease must have given these words more potency. The potential of physical disease to disrupt family life was matched by that of the moral one. Tasmanian News, 13 September 1895; 4 September 1895.
94Tasmanian News, 2 September 1895.
95Tasmanian News, 30 August 1895.
96Tasmanian News, 31 August 1895.
97Tasmanian News, 2 September 1895.
98Tasmanian News, 2 September 1895.
99Tasmanian News, 10 September 1895.
100Tasmanian News, 2 September 1895. The concern about male predators of street girls was probably justified. However, the problem was unlikely to have been new, so that an important question becomes the reason for public concern at this particular moment. It was probably because the children, especially girls, embodied a generalised anxiety about the depression, and the social instability it caused, as well as concern about the effects of widening the franchise, especially to women. One reason for the Woman’s Christian Temperance Union’s interest was that it provided a rationale for the female vote. For another discussion of the material in the Tasmanian News; see Petrow, pps. 57-9. Petrow also sees this episode as an example of moral panic.
The Catholic Monitor agreed with the News campaign, suggesting that if the charges were accurate they revealed a "state of immorality that is perfectly appalling" and must be investigated at once.\textsuperscript{101} Yet Edward Mulcahy, the Catholic MHA for West Hobart and secretary of the Democratic League, did not give the News unqualified approval.\textsuperscript{102} He accused the paper's management of endangering young girls' morality by paying them to sell papers in the street up to nine o'clock at night where they often mixed with "dangerous associates":

The taste these poor children acquire for street life, where they are free from home restraints and the exposure to bad companionship and direct temptation is, I repeat, very often the first cause of their leaving the path of virtue.

He agreed with the News that the remedy was legislation to keep children at home.\textsuperscript{103}

The Clipper accepted that street "vice" was a major problem in Hobart, although it placed equal emphasis on boys and girls, seeing it, not as the result of aberrant working-class morality, but economic inequalities. The paper did not distinguish between competing elites, suggesting that they were both on the same side. While the elites controlled parliament, poverty would persist, since parliamentarians colluded with greedy employers who paid their workers only half of what they were worth. Having acquired most of the wealth this social minority had "set up a stuffed image", called it "Thrift or Self Help", and assumed everyone would "fall down and worship it".\textsuperscript{104} Parliament was the advocate of the propertied, of either sex, while no one cared about the poor, except for the journalist, hoping to sell papers with tales of their immorality.\textsuperscript{105} The wealthy only wanted two classes, "the Crust and the Serf". They were secretly glad of the growing poverty caused by the 1890s depression, because it widened the gap between rich and poor, making those seeking relief more "slave-like". According to the Clipper:

Soup-kitchens, 'ragged' schools, and other such cheerful institutions are set up, and misery may send its offspring thither to be fed or to be educated that they may come home again overawed with the magnificence of their benefactors.

\textsuperscript{101}Catholic Monitor, 6 September 1895.  
\textsuperscript{102}Bennett and Bennett, p. 120.  
\textsuperscript{103}Tasmanian News, September 1895.  
\textsuperscript{104}Clipper, 2 March 1895.  
\textsuperscript{105}Clipper, 7 September 1895.
Such philanthropy only embittered the needy, encouraging them to do something illegal so that they could have material comforts too.\textsuperscript{106}

The \textit{Clipper} suggested that many of the street children were unemployed adolescents and without work they were “developing into a race of mendicants”. The government should find them an occupation, perhaps by purchasing a training ship and teaching the boys to work it.\textsuperscript{107} The daughters of unemployed men were also vulnerable. Those “pretty girls” were sent into the streets by “over anxious” mothers to bring the fathers home and so developed “street walking habits”.\textsuperscript{108} Poverty could cause a women to lose her moral sense so that she “turns her female offspring out into the street and encourages them in the most degrading of vices while the boys are taught to beg and steal”.\textsuperscript{109} The \textit{Clipper} thought that it was only money that protected wealthy women from sex work, so that they were especially duty bound to provide financial help to prevent it.\textsuperscript{110} It was unimpressed by the Women’s Christian Temperance Union’s portrayal of the problem in moral terms. When asked for assistance in dealing with the “evil” of girls selling newspapers in the streets, it replied that the Union “will have to go a little deeper into the matter and discover a method by which the bread and butter question can be settled”.\textsuperscript{111}

On the whole, members of the labour movement believed that the problem could be solved by an adequate male wage. Archibald Turnbull argued that would be much cheaper than child welfare policies which only “lop off a branch here and there” by focusing on children who could not be helped, to the detriment of others. He could:

\begin{quote}
bring forward numbers of cases of men, women and children who are having the heart of their manhood destroyed in them by the distress now on them through no fault of theirs but it seems useless to do so while people go hysterically crazy over only those who have got down so low that their cases humanly speaking are hopeless.\textsuperscript{112}
\end{quote}

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\textsuperscript{106}\textit{Clipper}, 28 September 1895. \\
\textsuperscript{107}\textit{Clipper}, 28 September 1895; 25 November 1895. \\
\textsuperscript{108}\textit{Clipper}, 7 September 1895. \\
\textsuperscript{109}\textit{Clipper}, 19 October 1895. \\
\textsuperscript{110}\textit{Clipper}, 28 September 1895. \\
\textsuperscript{111}\textit{Clipper}, 5 September 1895. \\
\textsuperscript{112}\textit{Mercury}, 21 October 1895.
\end{flushright}
Like the Clipper, the Mercury, which represented Hobart’s elite, opposed child welfare legislation, but for different reasons. On the whole, its dislike of change led to the assumption that social problems would solve themselves as long as there was no interference. There was concern that civil liberties, especially the inviolability of the home, would be abused.\(^{113}\) The Mercury was anxious to defend Hobart’s reputation. It claimed that in Melbourne, “vice, mere childish vice” was worse than in Tasmania, and statistics showed that Hobart had less drunkenness than other cities in the world. The Mercury said it was:

> easy enough everywhere for those who seek for vice to find it, and to find it in
> the quarters which claim to be the most decorous and moral, but we are not going
> to convulse the whole of society on that point.

Like some parliamentarians, especially in the upper house, the Mercury expressed concerns about the civil rights of parents and children.\(^{114}\)

Prior to the introduction of the Prevention of Cruelty Bill, the Launceston press, showed less interest than Hobart’s papers in street children, although there were occasional complaints about stone throwing and one concerning theft.\(^{115}\) Now Launceston’s papers mostly remained aloof from the campaign perhaps because it was hoped that, unlike Hobart, the city had few moral problems. Launceston’s Daily Telegraph wrote an editorial agreeing with the News and expressing horror at the scenes depicted in Hobart arguing that they indicated “a mission field white unto the harvest”. The paper hoped that the “great inert mass” had received a shock that would galvanise it into action but did not raise the issue again to any great extent.\(^{116}\) The Launceston Ministers Association presented a petition to parliament praying that the bill be passed.\(^{117}\)

The Woman’s Christian Temperance Union called a meeting on 5 September to discuss the Tasmanian News’s articles. There was, according to the paper, “a large number present, including clergymen and influential

\(^{112}\text{Mercury, 27 September 1895.}\)
\(^{113}\text{Mercury, 27 September 1895.}\)
\(^{114}\text{Launceston Examiner, 16 May 1895; Daily Telegraph, 6 May 1895; Launceston Examiner, 9 August 1895.}\)
\(^{115}\text{Daily Telegraph, 13 September 1895.}\)
\(^{116}\text{Mercury, 3 October 1895; PP (1895).}\)
gentlemen”, including some sympathetic politicians.\textsuperscript{118} It was decided that although “juvenile depravity” was mostly caused by lax parental control, legislative measures might help curb it. However, the Protection of Children Bill, now before parliament, did not have enough provisions to deal with the problem.\textsuperscript{119} A committee was formed to go through the bill and make suggestions to the attorney-general, A. I. Clark. On the 12 September the Union held a second meeting, but it was upstaged by another, much larger one called by Sara Gill, and the temperance meeting was adjourned to join it.\textsuperscript{120} Emily Dobson, wife of the former premier, took the chair and the meeting was addressed by Maud Montgomery. By now, further legislation, a Neglected Children’s Bill was planned and a committee was formed to call on Clark, with suggestions for strengthening it.\textsuperscript{121} Since the parliamentary session was ending, Clark hastily constructed the Neglected Children’s Bill, introducing it to the Legislative Assembly in late September.\textsuperscript{122} Copied verbatim from Victoria’s 1890 \textit{Neglected Children’s Act}, it was ill adapted to Tasmanian conditions and conflicted with some existing law. It was rejected by the Legislative Council because there was not enough time to amend it.\textsuperscript{123} By now, the agitation had prepared the public for such legislation. Although the News only maintained a desultory campaign, the passage of a new Act in 1896 was almost automatic.\textsuperscript{124} In July, improved legislation, the Neglected Children and Youthful Offenders Bill,

\textsuperscript{118}They included: Reverend C.H. Talbot, vice-president of the Tasmanian Temperance Alliance and president of the YMCA and YWC; Mr Kirk, secretary of the Tasmanian Temperance Alliance; A.J. Taylor; G.S. Crouch; Reverend W. Shaw; E.L. Crowther, MHA; Reverend Cuthbert; W. Lake, the city missionary; Captain Aslin of the Salvation Army, (which played at temperance meetings; the \textit{People’s Friend} said although the Army was not avowedly temperance it did temperance work); members of the Union, apart from E. Lodge; members of the Council of Churches. J. Bradley MHA, sent apologies. \textit{People’s Friend} 1 June 1896; 1 June 1897; 1 July 1890; 1 June 1894. Crowther had specialised in obstetric care at the Birmingham Lying in Hospital and allegedly had “a heart as tender as a woman’s”. Although he did not participate vigorously in the campaign for the \textit{Neglected Children and Youthful Offenders Act} he took an interest in it. On later child welfare matters he was to take a more active stance. \textit{Cyclopaedia of Tasmania, An Historical and Commercial Review: Descriptive and Biographical, Facts, Figures and Illustrations: An Epitome of Progress: Business Men and Commercial Interests}, Hobart, 1900, pp. 88-9.

\textsuperscript{119}\textit{Tasmanian News}, 6 September 1895.

\textsuperscript{120}Her husband was Henry Gill, former MHA. He had established the \textit{Tasmanian News} in 1883. Bennett and Bennett, p. 68.

\textsuperscript{121}One proposal was that girls under seventeen should be prohibited from street selling altogether. A. I. Clark thought that the idea was “startling”, as such girls must be able to make a living. \textit{Mercury}, 27 September 1895; \textit{Tasmanian News}, 13 September 1895.

\textsuperscript{122}\textit{Mercury}, 27 September 1895; \textit{Mercury}, 16 October 1895, 12 October 1895.

\textsuperscript{123}\textit{The News’} lack of interest is perhaps explained by the retirement of the Gills. Bennett and Bennett, p. 68; Alexander, p. 320.
was introduced by the chief secretary, William Moore. Drafted by F. W. Piesse, it codified, consolidated and extended the Tasmanian law. It was proclaimed on 23 October 1896. The News made no comment, apart from lamenting that the upper house had “cut and carved the measure in a terrible manner”, and that, since the session was coming to an end, the lower house was in too much of a rush “to rest from its labours” to pay it proper attention.

Piesse had emphasised that the Neglected Children and Youthful Offenders Act was not philanthropic, but designed to protect the state from street children, whose criminality and pauperism would eventually be expensive. Concern about the children’s proclivities had resulted in legislation that overrode many of their traditional rights, a point made by a few parliamentarians, conservative and liberal, in debates over both the failed 1895 bill and the successful 1896 one. For instance, in 1895, B.S. Bird, a liberal, had worried about the removal of children from their homes for parental alcoholism or minor juvenile offences, like begging, because many parents depended on them for a living. He said that the government “must not over-legislate, and take away the rights and privileges of the people. They must remember that filial love existed”. Edward Mulcahy objected to an increase in police powers resulting from a provision enabling the arrest of absconding children without a warrant. G.C. Gilmore concurred, suggesting that these powers ran “counter to the liberty of the subject”. The premier, Edward Braddon, accused the others of dealing “very tenderly” with offenders, and showing “a tendency to sickly sentimentality”.

In 1896, similar concerns persisted, especially amongst conservative members of the Legislative Council. Henry Rooke believed that the bill made it seem as if any child on the streets was there for a wrongful purpose, adding that, if it was enacted, “any sniveller sort of fellow may collar our young people in the streets and have them locked up without a warrant”. Walter Gellibrand argued that the age limit for committals should be reduced, from the original seventeen to fourteen, because “vagabond children” feeling they had rights too, would object to being arrested. He had

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125Mercury, 23 July 1896.
126Neglected Children and Youthful Offenders Act (1896) 60 Victoria No. 24.
127Tasmanian News, 3 September 1896; 26 September 1896.
128Mercury, 19 August 1896.
129Mercury, 27 September 1895.
130Mercury, 20 August 1896.
earlier suggested that the bill represented a return to the “pains and punishments belonging to the ‘dark ages’ of the colony”.\(^{131}\) Although Piesse argued that the purpose of the bill was not to punish, but to reform, he was overridden and the age was reduced (to fifteen).\(^{132}\) William Page also believed that the bill interfered with the rights and liberties of the subject. It was intended as an “ally and auxiliary of those who desired to ameliorate the condition of mankind but who attempted things which could not be done”. The legislation might cause “more harm than good”.\(^{133}\) Later he claimed that its purpose was to allow “people who go too far to go into people’s houses and pry into private affairs”. The poor, not the rich, would suffer if the bill was passed, even though there was more “immorality” amongst the rich.\(^{134}\)

The influence of women, and male anxiety about that influence, had resulted in a campaign that particularly targeted girls. The accusations of male sexual impropriety made in the press meant that clauses focusing on girls’ sexual morality were more likely to be passed. Thus their civil rights were particularly threatened. Page objected to the clause enabling the committal of a girl found living in a brothel because “the bringing of these young girls before magistrates in this way, and exposing them, is enough to ruin and damn them for life”. However, William Crosby, a governor of the Hobart Girls Industrial School,\(^{135}\) warned against the clause’s removal because, “It would be a very extraordinary thing for the House, composed of men of mature years to adopt such a course as to strike out the clause. They all knew what had been happening in the way of getting at girls of tender years”. In addition, the clause gave parents a way of removing their child from a brothel if bad company led them there. However, although Piesse wanted to retain a penalty for seducing wards of state, he was unsuccessful.\(^{136}\)

**Street Children after 1896**

From about 1900, the national efficiency movement began to exert an influence in Tasmania so that child welfare policy was increasingly concerned with the survival and physical well-being of white babies and

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\(^{131}\) *Mercury*, 19 August 1896.
\(^{132}\) *Mercury*, 26 August 1896.
\(^{133}\) *Mercury*, 19 August 1896.
\(^{134}\) *Mercury*, 22 August 1896.
\(^{135}\) Bennett and Bennett, p.40.
\(^{136}\) *Mercury*, 3 September 1896.
children in order to preserve the British race and culture. The movement perhaps deflected attention away from street children because although they remained a phenomenon and a sporadic concern, after 1896, it diminished. The existence of a Neglected Children’s Department to deal with them probably took the intensity out of the issue too. After about 1900, discourse about street children can sometimes be linked to national efficiency influences. For instance, T.E. Long, Launceston’s city missioner, talked about the “wasted” lives of larrikins. By the end of World War I, language about street children which can be associated with national efficiency became marked. However, for most of this period, the moral concerns about street children raised by the temperance movement shaded into the national efficiency era. On the whole the rhetoric did not change and a brief media flurry over a curfew bell had a moral tone that was reminiscent of the campaign for the Neglected Children and Youthful Offenders Act.

The curfew bell was proposed in 1910 by the Children’s Protection Society, formed in 1903, by a group of women including Emily Dobson and some members of the Women’s Christian Temperance Union. The bell was supposed to indicate the time that all children would have to go home or face arrest. In addition, Dobson wanted the power to approach boys and girls pairing up in the streets and take them home. While the idea had the wholehearted support of the Anglican Church and, initially, that of the Mercury, the campaign never achieved the momentum of the one behind the passage of the Neglected Children and Youthful Offenders Act.

In particular, apart from the Mercury, the issue attracted little support in the press. While the Daily Post agreed with a curfew, it pointed out that the children needed somewhere to go. One of its correspondents described the

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137 There is a fully developed discussion of the national efficiency movement in Chapter 3.  
138 For instance, in 1907, E. Beeton-Braham, president of the Woman’s Christian Temperance Union and of the Launceston branch of the Children’s Protection Society, “deplored the fact that mothers seemed to have no influence over their children who were allowed to roam the streets with a fine disregard for the time”. So that they might be “aroused to greater efforts to preserve the sanctity of home life” it was planned to distribute purity literature to mothers. Tasmanian News, 9 October 1907, 10 October 1907, 19 October 1907. For examples of press concern over street children see Mercury, 20 March 1905, Tasmanian News, 2 July 1908.  
139 For a discussion of the formation of the Children’s Protection Society see “Child Welfare Reformers and National Efficiency”, Chapter 3.  
140 Daily Post, 18 February 1910, Mercury, 18 February 1910.  
141 Mercury, 1 February 1910; Church News, 1 March 1910.  
curfew bell as an “impertinence”, decrying the “cool assumption that immorality only exists in the ranks of workers and artisans”. The correspondent suggested that workers had no time for immorality because they had to “slave too hard” producing wealth for Dobson’s class. A crusade amongst them would “find plenty of exercise for her missionary spirit without troubling the workers”. The Launceston Examiner reported the issue once, with an inference that the matter was a Hobart, not a Launceston, problem. The Daily Telegraph alluded to the problem of larrkinism in Launceston once, after the campaign for a curfew was over.

The Mercury soon modified its support for the measure suggesting that street children were not “immoral and vicious” but trying to get some fresh air in the summer. While an inspector might still be employed to round-up children and take them home, it saw little point in fixing a curfew hour because “mischief” could occur at any time. It expressed some sympathy for working-class parents suggesting that “those who talk so easily about educating the parents would, if they were put in the same position, be glad to let the children roam the streets for some time in order to get a little rest”. The Mercury recommended the creation of places for children where:

they may dance and sing and rejoice in their young lives, with just as much supervision as is absolutely necessary, but without interfering with their sense of freedom, and the need for legally restrictive measures will largely disappear.

Even so, the Mercury thought that if the Children’s Protection Society could prove that curfews worked well in other places, it should put the matter before parliament. This does not seem to have happened. On the whole, in the aftermath of the Neglected Children and Youthful Offenders Act, social policy towards street children was moving towards the provision of adult supervised activities rather than punitive measures.

For instance, a Boys Brigade, modelled on one in Glasgow, had already been established in Launceston in 1897 and Hobart in 1898, as a way of dealing with street children. By 1908 there were a 100 boys in the Hobart group. Its object was to teach singing, hobbies and to “encourage them to be better,

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143 Daily Post, 24 February 1910.
144 Launceston Examiner, 5 February 1910;Daily Telegraph, 21 March 1910.
145 Mercury, 21 February 1910.
146 Mercury, 8 March 1910.
147 No petitions were presented to parliament. PP (1910, 1911).
both morally and physically". They sometimes did public drill displays.\textsuperscript{149} In 1885, a Young Women’s Christian Association had been established in Hobart which, amongst other things, offered games, music, socials, lectures and classes on dressmaking, millinery, singing, physical culture, first aid and preparation for marriage. A branch was founded in Launceston in 1888.\textsuperscript{150} These were the models from which new organisations might benefit and following the curfew issue, the incumbent Anglican bishop, J.E. Mercer, tried to establish a young person’s club.\textsuperscript{151} His delegation to the Hobart City Council to ask for premises was unsuccessful.\textsuperscript{152} However, in 1912, Emily Dobson established a Girl Guides Association in Tasmania, probably as a result of the concern about street children.\textsuperscript{153}

Another solution to the problem of street children was military training, which was thought increasingly appropriate as war threatened. A nationwide compulsory night drill was introduced in 1911, and it was hoped that, as well as improving Australia’s defence, the training would teach discipline and even provide moral training. In 1906, the \textit{Mercury} had suggested that pauperism, “must be cured, not by prohibitive laws, which can only deal with the symptoms, but by producing a moral change, such as is wrought when a lout and a vagabond enlists and is turned into a soldier”.\textsuperscript{154} However, there was much resistance to the introduction of the night drill from parents. In Hobart, a League of Freedom was formed to oppose it and a similar, less successful, attempt was made in Launceston.\textsuperscript{155} Although some people thought that the drill might save youths from larrikinism, others argued that it was only partially successful, because the boys got into mischief afterwards.\textsuperscript{156} The \textit{Critic}, which had liberal sympathies, suggested, possibly facetiously, that flogging would be more effective than the drill.\textsuperscript{157}

However, physical punishment and strong discipline were increasingly out of favour with social reformers. Between 1908 and 1913, there were plans to

\begin{itemize}
  \item \textsuperscript{149}Tasmanian News, 9 April 1907; 19 June 1908.
  \item \textsuperscript{150}Alexander, p. 207.
  \item \textsuperscript{151}Critic, 6 August 1910.
  \item \textsuperscript{152}Mercury, 3 August 1910; Critic, 13 August 1910.
  \item \textsuperscript{153}Robson, \textit{A History of Tasmania}, p. 249.
  \item \textsuperscript{154}Mercury, 15 August 1906.
  \item \textsuperscript{155}Daily Telegraph, 16 May 1912.
  \item \textsuperscript{156}This was an occasional complaint of the employers of state boys. See “Boys’ Responses to Management” in Chapter 6.
  \item \textsuperscript{157}Critic, 20 February 1914.
\end{itemize}
reform legislation pertaining to child welfare. In 1913, T.E. Long took advantage of them to make recommendations to the under-secretary for a probation system to deal with the “Boy Problem”. He deplored the waste caused by larrikinism as “a wasted life is not only a loss to itself, but a loss to the nation in which it lives” and asked that “this waste material be cultivated into that which will be a blessing and a profit to the country thus preventing its corroding influence affecting its surroundings”. Long believed that the problem was caused by idleness. Punishment was ineffective since the cure only lasted as long as it did: “when the vicious spirit returns to the person it generally brings other spirits worse than before, and so our effort, time and patience are lost”. Reformatories might not work as boys needed to “work out their own salvation” because “we will do for ourselves what other people cannot do for us”. He recommended a probation system so that boys could be supervised whilst kept busy doing work they liked.\(^{158}\)

After 1913, the press took little interest in street children for a while. However, towards the end of World War I, concerns were expressed again about street girls, this time as the potential mothers of the British race in Australia. The fear was that, if their sexual behaviour was not regulated, they might bear ex-nuptial or diseased babies. There was a growing uneasiness about the presence of returned soldiers on the streets, and their effect on girls, which was linked to fears about venereal disease and heightened anxieties about race survival after the great loss of life. The incumbent Anglican bishop, Reginald Stephen, described venereal disease as due to “sin” but transmitted to the innocent baby, “which diminishes the virility, the vitality and the growth of the race”. It was likely to spread after a war because the community became relaxed, with tendencies towards “self indulgence” and “moral laxity”.\(^{159}\) The campaign focused on removing the girls from public spaces and was, in part, behind the movement for women police who could deal with offences pertaining to women and girls.\(^{160}\) The Critic thought that the purpose of policewomen was to round-up street children after dark and attend to “depravity” in girls.\(^{161}\) The re-emergence of street girls as a social problem may owe something to the resurgence of

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\(^{158}\) CSD 22/139/18/14.
\(^{159}\) Mercury, 25 April 1917.
\(^{160}\) Mercury, 14 February 1917; 4 May 1917.
\(^{161}\) Critic, 30 June 1917.
temperance during World War I. The recasting of the problem of street children as likely to lead to inappropriate motherhood shows the influence of national efficiency in that its concern focused on babyhood, when lifelong health was established.

Truancy

Since compulsory school attendance was one way of curtailing children’s street activities, truancy was an allied problem. The 1885 Education Act stipulated that children between the ages of seven and thirteen must attend school three days a week. Failing to send their children to school could incur parents a fine of 5s, for the first offence, and 20s, for second or subsequent ones. Fines were not enforceable by imprisonment. In 1912, an Education Amendment Act was passed which increased the penalties. Fines became 5s for the first offence, 10s for the second, and 20s or seven days imprisonment, for third or subsequent ones. It became compulsory for children to attend school five days a week.

Press coverage of truancy was sporadic; there does not seem to have been any concentrated outrage over the matter between 1896 and 1918, apart from a brief interest in 1912, when the Education Amendment Act was introduced. Yet truancy emerged in the Children’s Charter as a new category of neglect. It seems likely that the reform was driven by public servants within the Education Department rather than voluntary organisations or the media. The issue featured regularly in directors’ annual reports, with varying enthusiasm. At first, although school attendance seems to have fluctuated, it was a minor issue and reports were cursory. In 1911, it became more important, perhaps because of the appointment of a new director, W. T. McCoy, in 1910. He found that attendance varied according to the district, suggesting that teachers who made school appealing and took an interest in the community, had good records, if the local Board

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162 The temperance resurgence is discussed in Marilyn Lake, A Divided Society: Tasmania During World War I, Melbourne, 1975, pp. 44-8, 147-9, 158-9.
163 Education Act (1885) 49 Victoria No. 15.
165 Tasmanian News, 26 May 1906; Daily Post, 11 August 1908; Mercury, 4 June 1910; Critic, 16 December 1911; 27 April 1912; Daily Telegraph, 27 May 1912; Mercury, 13 June 1912; Daily Post, 17 August 1912.
166 Education Department Annual Reports (1901) PP No. 23; (1906) PP No. 12; (1907) PP No. 10; (1908) PP No. 4 ; (1909) PP No. 11; (1910) PP No. 3.
of Advice, which was supposed to prosecute offenders, was “zealous”.\(^{168}\) By 1912, McCoy had discovered that the variation in attendance was great, depending on local conditions. In Hobart and Launceston there were truant officers but elsewhere the police, who had too many other duties to be effective, took on the role. Parents did not send children to school, through “indifference” in some cases, and “greed”, in others, wanting them to work on the farm, pick hops or assist with sowing and harvesting. While McCoy sympathised with parents who struggled financially, he thought that “little can be said in favour of those who allow their boys and girls to undertake similar work to others for a wage”.\(^{169}\) After 1912, attendance seemed to improve and truancy was probably only included in the Children’s Charter to cover cases, described in 1918, by G. V. Brooks, the current director, of “such inveterate truancy” that it was necessary to remove the children from their parents.\(^{170}\)

Much of the concern about truancy was linked to a growing feeling that working-class children should be doing less paid work. This was supposed to have been curtailed by the 1884 Women and Children Employment Act, which stipulated that no one under twelve could be employed in a factory.\(^{171}\) However, children could still work elsewhere for pay or as unpaid helpers for their parents. According to the Daily Post in 1910:

> child slavery is one of the worst that can be imagined, for to the strain of long hours of work is added the torture of making the tired brain try to learn for the full number of school hours. We have been told of children too tired to play, so worn out that they fall asleep in class, but there is no law to protect them.

This seemed to be another form of “race suicide” as minds and bodies were stunted by the over-exertion.\(^{172}\) That year, the Factories Act stipulated that a child under thirteen could not be employed without the permission of the

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\(^{168}\) Education Department Annual Report (1911) PP No. 9.
\(^{169}\) Education Department Annual Report (1912) PP No. 3. Poor school attendance in rural areas was probably due to authorities’ sympathy for parents’ situations. Michael Sprod believes that truancy laws were applied strictly in Hobart and Launceston because their purpose had been to remove urban children from the streets. In rural areas, where parents needed their children’s help on farms, authorities were more lenient. Michael Sprod, “The ‘Old Education’: Government Schools in Tasmania, 1839-1904”, Tasmanian Historical Research Association: Papers and Proceedings, No. 2, June 1984.
\(^{170}\) Education Department Annual Reports (1913) PP No. 4 ; (1914) PP No. 4; (1915-16) PP No. 4; (1917) PP No. 3; (1918-9) PP No. 4.
\(^{171}\) Women and Children Employment Act (1884) 48 Victoria No. 20.
\(^{172}\) Daily Post, 7 February 1910, 21 February 1910.
chief inspector.\textsuperscript{173} Loopholes remained. In 1912, T.E. Long called for legislation to prevent both the unpaid assistance and employment of young children. He was particularly concerned about children hawking from door to door.\textsuperscript{174}

The debate about street children was mostly motivated by anxiety about their moral condition and its potential to undermine the body politic. Such concerns reflected evangelical, utilitarian and liberal beliefs. However, in the aftermath of the enactment of the \textit{Neglected Children and Youthful Offenders Act} national efficiency influences can be detected. The movement’s attitudes, while not easily disentangled from utilitarian and evangelical ones, more usually resulted in campaigns for legislation to protect infant life. Since this impinged on the care of children in the Neglected Children’s Department, it will be explored further in my next chapter.

\textsuperscript{173}Factories Act (1910) 1 Geo V No. 57.
\textsuperscript{174}Launceston Examiner, 29 May 1912; Daily Telegraph, 7 June 1912.
CHAPTER THREE

"THE INFANT'S WAIL": CHILDREN'S PHYSICAL EFFICIENCY AND WELFARE REFORM

After federation, the proximity of powerful Asian nations to the north and the discovery that the birth rate was falling created anxiety about the viability of the British race in Australia, which, in turn, heightened concerns about defence. Regional insecurity fostered a desire for stronger imperial connections, which meant preserving the British race and culture, so that Britain would defend Australia. However, Britain was also having troubles. Fears about the viability of imperial defence were caused by the physical unfitness of recruits for the Boer War and their inability to win it easily. Industrial strength was declining in comparison to Germany. In addition, Britain's birth rate was falling while Germany's was rising. It was sensed that there might be a war in which Britain could be defeated. Most importantly, Britain had entered into an alliance with Japan, which already posed a threat to Australia. It looked increasingly as if Australia might be on its own.

Class conflict remained latent, and in this context, universal suffrage seemed to offer as much potential for chaos as it did for national unity, especially since poverty, with its potential to produce social instability, was endemic. Fears about the viability of the British race were raised by a belief that impoverishment and urban decay made the average Australian physically unfit. According to the Daily Post (which succeeded the Clipper as Hobart's labour paper) although there were some 'magnificent specimens of manhood', they were the exception. The "weaklings bred and reared in the congested unhealthy suburbs of the big cities" were more typical. The paper expressed concern about the high proportion of Australians living in urban surroundings where crowding, improper feeding because of irregular employment as well as lack of recreation and exercise, caused their physical and moral deterioration. Such views reflected a gradual shift in emphasis from the older belief that poverty was caused by an individual's moral failings, to one which emphasised environmental and biological factors. However, the old moral values retained their potency, and a theoretical recasting of the causes of poverty as beyond the individual's control, did not,

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2 Daily Post, 14 October 1908.
in the day to day dealings of the Neglected Children’s Department, or in the language of the press or social reformers, absolve its victims from blame. Instead there was a renewed emphasis on efficiency in welfare delivery aimed at eliminating practices that were thought to foster pauperism.\(^3\)

A new, influential variant of liberalism was espoused which encompassed national efficiency. Its adherents sought to impose order on any potential chaos through policies which required strong government, a good arbitration system and effective social welfare programmes. The protection of Australian products and racial purity was to be achieved through tariffs and a white Australia policy. Free trade, based on natural forces, was considered irrational; to meet national goals, the products and people of competing nations had to be excluded or regulated by governments which sought the progress and happiness of their people.\(^4\) Michael Roe has called these policies progressivism, which was marked by a belief in humanity’s ability to improve its surroundings through the rational application of knowledge to a problem. As he suggests, while national efficiency was essentially a middle-class, reformist initiative, it was embraced by individuals spanning the political spectrum.\(^5\)

In particular, proponents of new labour, who wanted to create a working class that was independent and self-reliant, advocated state protection and assistance to achieve their ambition.\(^6\) In its first editorial, the *Daily Post* emphasised the importance of protection.

For the well-being of the Commonwealth, it is necessary that there be a full measure of protection, for the employee as well as for the employer, and Australia, at all costs, must be White. There is no room here for the coloured races and undesirable Latins, and should they ever get a footing they will hold the country as their heritage, and it will cease to be ours. Purity of race there will be none. These two things -Protection and a White Australia- are fundamental.\(^7\)

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\(^6\)Melleuish, pp. 42-3.

\(^7\)*Daily Post*, 27 May 1908.
The labour movement also sought some protection from the competition of women and children's lower wages by attempting to exclude them from the workforce. H.B. Higgins's 1907 Harvester judgement enshrined the principle that families should be supported by an adult male breadwinner with a guaranteed living wage.\(^8\)

Good health underpinned equality of opportunity as well as individual happiness and prosperity. As a result, welfare programmes, on the advice of doctors and scientists, made physical fitness their priority. Focusing on childhood, when life long health could be established, seemed the most efficient way of improving overall fitness. A nation which nurtured its children was civilised and mature. In 1911, when he was attorney-general in Andrew Fisher's Labor federal government, William Hughes said:

>a nation's greatness was not formed by its size, population or military prowess, but by the condition of the people, rule of law and its humanity. Where human life was sacred, men had courage, reason and indomitable purpose but this was not the case in Australia where thousands of children died from preventable disease every year.\(^9\)

Under the national efficiency ethos, definitions of neglect in childhood began to change. Moral neglect remained an issue, but there was a new focus on physical care and an interest in the survival of infants emerged.

An efficient child was one that could apply herself to her schooling, did not lack physical stamina as a legacy of infantile disease and was not hungry due to parental poverty or exhausted from work before school. Efficient children were well fed, alert, and eager to prepare for adult life as workers, parents and citizens. The welfare of white babies as “infant immigrants”, became important.\(^10\) According to Harry Benjafield, they should be, “chubby, fat, laughing cherubs, whose clear countenance and rosy cheeks would attest to the fitness of our climate for the Anglo-Saxon race”.\(^11\) While preserving infant life, in order to boost the population was important, the prevention

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\(^{8}\)A living wage was set at 7s a day, or £2 2s a week, for a family of five. It allowed for a weekly expenditure of £1 5s 5d for food, 7s rent and 9s 7d other expenses. The Australian Encyclopedia, Vol. I, Sydney, 1965, pp. 445-6. See also P.G. Macarthy, “Justice Higgins and the Harvester Judgement” in Jill Roe (Editor), Social Policy in Australia: Some Perspectives, 1901-1975, Sydney, 1976, pp. 41-59.

\(^{9}\)Critic, 21 May 1911.

\(^{10}\)The headline for the Daily Post article quoted at the end of this paragraph was “Our Infant Immigrants”. Daily Post, 24 June 1908.

\(^{11}\)Mercury, 14 August 1906.
of disease in those babies that survived was even more so. The *Daily Post*, although concerned about Tasmania's infant mortality, was equally worried about the many children who survived babyhood but with diseased constitutions. It was "absurd to believe that the delicate growing tissues of an infant can be ravaged by acute disease with impunity, even though the child sometimes survives. It is these survivors who only too often fill our hospitals in after years".12

Occasionally the press aired eugenist ideas, recommending that the state act as a "stock breeder", instead of wasting middle-class taxes on an inherently degenerate poor.13 However, in general, national efficiency policies, like the older individualist ones, emphasised children's malleability and the role of the environment in forming their constitutions and characters. J.S.C. Elkington, Tasmania's first chief health officer (1903-10), a proponent of national efficiency, believed that school children went through a developmental stage in which the "body and mind alike are plastic and capable of almost infinite development for good or ill". In the past there had been no recognition of the physical well-being of children and an "all controlling factor in the development of the spiritual side", which often had injurious physical effects.14 Elkington thought behaviours such as "dullness", "inattention" and "sullenness" must be assumed to have physical causes such as fatigue or boredom, instead of moral ones, until proved otherwise.15

The emphasis on babies as 'little immigrants' gave renewed importance to women's role as mothers and there was consternation in the press about their apparent reluctance to fulfill it. In 1911, a *Critic* editorial warned that the "hand that rocks the cradle does not rule the world if the aforementioned cradle is full of emptiness, and Australians even thus early

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13 For example, in 1908, the *Tasmanian News* published a speech given to the British Association, which argued that legislation designed to modify behaviour was pointless because moral qualities were derived from breeding and environment. The speaker believed that members of the middle and upper classes naturally had "better physique, courage and moral" qualities. These were enhanced by childhoods spent in a "better moral atmosphere". Elite ranks could be reinforced by the "best of the working class". The government's role should be that of a stock breeder but instead it burdens middle-class parents by forcing them to support the "offspring of wastrels" out of taxes. This deterred them from marrying young enough to have large families of their own. *Tasmanian News*, 15 October 1908.
in the career of their magnificent nation might ponder over that truism".16 The declining birth rate was widely blamed on women's selfishness. The Daily Post complained that women married, not to have children, but as "a means of bettering their condition or affording them more opportunities for pleasure".17

According to the press, women who did have children looked after them badly. A Critic editorial described the modern mother as "a very slip-shod, careless, frivolous sort of creature", in contrast to the Victorian one, who lovingly tended her home, garden and children. Contemporary women made "a more robust type of mother, acclimatised to golf in all weathers, a reliable half-back at hockey and an excellent partner at bridge", but they no longer had a good educative influence over their families who were "allowed to go to seed in an alarming manner". Adolescents had "absolutely no respect for their parents, and the fifth commandment is to most of them an unknown quantity".18 The Anglican Synod of 1912 also bemoaned the loss of the "Victorian" mother, complaining that the modern one was "a very giddy irresponsible sort of creature", with "no conception of her duty to her offspring, and the said offspring, as soon as they are old enough to think for themselves follow their own bent and ignore the home influence".19 Although these criticisms were aimed at all women, it was those belonging to the working class who attracted reformers' attention.

Neglect could now be a matter of parental ignorance as well as culpability. Although women's natural gifts were believed to equip them for the care of their children, social commentators and social reformers thought, somewhat inconsistently, that mothers needed advice on child rearing.20 A series of women's health organisations began advising working-class mothers on nutrition, cleanliness and nursing the sick. Advice on child rearing, according to Truby King, the New Zealand advocate of breast

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16Critic, 7 January 1911.
17Daily Post, 14 October 1908.
18Critic, 9 September 1912.
19Critic, 17 May 1912.
20Kerreen Reiger argues that, between 1880 and 1940, the intervention of middle-class scientific experts into the family challenged its earlier construction as a natural source of warmth and intimacy with the 'femininity' of the mother as its focal point. In the same way that technical rationality disenchanted the world, according to Max Weber's theory, the extension of scientific and rational principles into the home led to its disenchantment. Kerreen M. Reiger, The Disenchantment of the Home: Modernising the Australian Family, 1880–1940, Melbourne, 1985.

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feeding, would "ensure, as far as possible, that every new arrival and potential parent of the future shall grow up strong, healthy, capable and fit in due time for full citizenship and ideal parenthood".  

Child Welfare Reformers and National Efficiency

National efficiency contributed to the growing involvement of government in formulating and establishing welfare policy. For instance, in 1903, under the Public Health Act, the Tasmanian Health Department was set up by W. B. Propsting's liberal government to prevent the outbreak of contagious diseases like the recent smallpox epidemic. The appointment of Elkington as its chief health officer gave him the opportunity to advise on child welfare matters. He believed that since a nation's wealth lay with its people, the state was responsible for their welfare. Elkington's guiding public health principle was efficiency and long term benefits to society, rather than immediate sentiment. For instance, although he thought that infanticide was "peculiarly distressing from the purely humane aspect" it was not, in economic terms, as important as dealing with preventable disease in adults and school children. Moreover, "infant deterioration" was a greater concern than infant mortality. Elkington believed that the first two years of life established the physical well-being of a person and was concerned about babies who survived poverty to grow up as weaklings and a drain on the economy.

Gerard Smith and Gregory Sprott, medical doctors who were employed at different times by the Hobart City Council as health officers, also joined campaigns to improve public health. Other concerned public servants included F. R. Seager, H. E. Packer and D'Arcy Addison, successive secretaries of the Neglected Children's Department. The work of these men marked the growing involvement of government employees in developing and administering welfare policy. However, they were dependent on the energy and enthusiasm of voluntary, often female, reformers to transmit their message. Four of these merit a brief introduction.

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21 F. Truby King, Natural Feeding of Infants, Auckland, 1918, p. 35. Although Truby King did not visit Australia until 1919, his first book, The Feeding and care of the Baby, published in 1908, was influential before that. Reiger, p.136.

22 Mercury, 20 March 1907.

Amongst female philanthropists, Emily Dobson, the wife of Henry Dobson, engaged in the widest range of activities. By her death in 1934, she had a remarkable record of philanthropic work dating back to the 1890s. Although she did use national efficiency ideas, it was not in a wholesale fashion since she was, as Alison Alexander suggests, a doer rather than a theorist, first and foremost a social elitist with a forceful character. If it seemed that an idea would work, it was used without a deep questioning of its philosophical basis. Dobson’s overriding concern was to maintain the status quo. Like her husband, she did not believe that the working class, male or female, should be enfranchised. The Clipper thought that she and her colleagues did not want to address the problem of low wages and poor working conditions, which it believed were the fundamental causes of poverty, because they liked the power that philanthropic work conferred.

Frances Edwards was another important child welfare reformer, to be described in 1924 as “a prominent and untiring public worker”. By then she had been active for more than thirty years. Like other female reformers she was anxious to better the conditions of women and children. To this end she became committed to legal reforms that would improve their situation and was a founding member of the Women and Children’s Criminal Law Reform Association, formed in 1921. She made extensive use of the press to promote her ideas, writing a series of Daily Post articles in 1910 entitled the “Cry of the Children” which were intended to highlight the problem of child mortality.

24 In 1892 Dobson founded the Ministering Children’s League, an organisation designed to involve middle class children in philanthropic work. She organised a Relief Restaurant Committee to run a soup kitchen for the unemployed in Hobart in 1893. That same year she became involved in the Southport Village settlement scheme with her husband, becoming its president and secretary the following year. It failed in 1898. Bede Nairn and Geoffrey Serle (Editors), The Australian Dictionary of Biography, Vol. 8, 1891-39, Melbourne, 1990, p. 311.
26 According to Vicki Pearce, when some British female suffragists asked for her support in 1906, Mrs. Dobson replied that while the National Council of Women approved of some women having the vote it did not approve of universal suffrage for either sex. Vicki Pearce, “A Few Viragos on an Old Stump”: The Womanhood Suffrage Campaign in Tasmania, 1880-1920, Tasmanian Historical Research Association: Papers and Proceedings, December 1985, No. 4, p. 154. The source of Pearce’s information is NCW Papers NS 325/9 A, 20 March 1906.
27 Clipper, 30 September 1893.
28 Prominent Tasmanians, Hobart 1924, p. 54.
30 Daily Post, 24 February 1910; 22 April 1910; 11 July 1910; 21 October 1910; Alexander, p. 197.
In contrast to Dobson and Edwards, Alicia O’Shea Petersen had a left wing perspective although publicly she took a non-party stance. Her cousin, John Earle, was a founder of the Workers Political League in 1903 and the first Tasmanian Labor premier in 1909. O’Shea Petersen drew on the work of John Gorst, the English Labour parliamentarian and advocate of national efficiency, who wrote *The Children of the Nation*, to warn that neglecting children’s physical health would undermine the “happiness” of Britain and the Empire. He believed that: “No proper development of either their character or intelligence is possible unless their bodies are cared for first; unless this is done education, religious, moral or intellectual is an impossibility”. Gorst thought that such important work should be undertaken by the state. Similarly, O’Shea Petersen argued that social reform should begin with children, ninety per cent of whom were born healthy, becoming ill only through poverty and its effects. Those born with hereditary problems, usually caused by alcohol or syphilis, could come from any social group. All children were entitled to secondary and technical education so that they could get properly paid work as adults. O’Shea Petersen thought that state intervention to protect children’s health and well-being was more important than the liberty of the subject.

Another forceful advocate of the rights of women and children was Edith Waterworth, who arrived in Hobart in 1909. Like O’Shea Petersen, she had labour sympathies and was a proponent of national efficiency and even eugenics, arguing, for instance, that the mentally disabled and “abnormal” should be segregated. She thought that it was pointless to spend money on state children while “outside a perfect army of degenerates is being bred” suggesting that “we have to face the fact that the laws governing these people are inexorable- degenerates can only breed degenerates”. For Waterworth, such people had “a total absence of moral sense and physical fastidiousness...it shows a decided reversion to the animal”. She was a founding member of the Women’s Criminal Law Reform Association and belonged to the National Council of Women, the Free Kindergarten

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33 *Daily Post*, 3 February 1910.
36 CSD 22/181/59/11/14.
Association and the Board of Censors for Moving Pictures. Waterworth wanted equal opportunities for both sexes, believing that this could be achieved by the greater political participation of women. She stood unsuccessfully for parliament in 1922 and 1925 as a candidate of the Women's Non-Party League.

Dobson and Edwards had been involved in philanthropic work since 1891, when the Women's Sanitary Association was formed to assist the men's Sanitary and General Improvement Association in cleaning up Hobart's unhealthy environment. Dobson became president of the Women's Sanitary Association, and Edwards was amongst its members. They visited specific streets and instructed the women who lived in them on hygiene and the methods of nursing the victims of infectious diseases. A socially prominent member of the Association was Maud Montgomery.

Even though the Women's Sanitary Association had a more elite membership than the Woman's Christian Temperance Union, the two organisations co-operated to some degree. Maud Montgomery had an association with the Union through her rescue work. In 1887, Grace Soltau had set up Launceston's Hope Cottage, a rescue home, which was taken over by the Anglican Church in 1892. In addition, the Union and the Women's Health Association had worked together to assist newly enfranchised women ratepayers to vote in municipal elections during the 1890's. Even so, differences between Dobson and the Union over a universal female franchise, as well as her half-hearted sympathy for temperance, must have made relations difficult. A breach developed in 1899 when Dobson formed a Tasmanian branch of the National Council of Women from thirty-three philanthropic organisations, including the Woman's Christian Temperance Union. Office bearers were Georgina Gormanston, whose husband was Tasmania's governor (1893-1900), Alice Braddon, the premier's wife and Maud Montgomery. However, Dobson dominated the organisation.

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37 Waters, p. 392.
39 Waters, p. 392.
41 *Daily Telegraph*, 19 August 1896; Alexander, p.209.
42 Alexander, p. 250.
43 She did not take the temperance pledge until 1912. NS 337/41.
that, the power of the Union apparently declined, possibly as a result of Dobson’s forceful influence.\textsuperscript{45}

The upstaging of the Woman’s Christian Temperance Union’s public meeting over the Neglected Children’s Bill in 1895 signalled the burgeoning interest of the Women’s Sanitary Association in child welfare reform.\textsuperscript{46} In 1901, it became the Women’s Health Association and began lobbying for child welfare reforms, gradually taking over the work and giving it an imperial, as well as national, significance.\textsuperscript{47} Frances Edwards was said to have “regarded the care of infant life as Empire work, the first and most important work of the State, and thought it should be considered the most valuable department of the government”.\textsuperscript{48}

Ex-nuptial infant life was more precarious than that of other babies and, given the concerns about population decline and the defence viability of the nation, it seemed important to try and preserve it.\textsuperscript{49} Such views were encouraged by the growing belief that ex-nuptial babies did not have hereditary defects as was traditionally believed.\textsuperscript{50} Members of the Women’s Health Association became active lobbyists for the inclusion of measures to protect ex-nuptial infant life in the 1903 \textit{Public Health Act}.\textsuperscript{51} When the provisions of that Act proved too lax, some members of the Association

\textsuperscript{45}Alexander dates the declining momentum of the Women’s Christian Temperance Union from 1898. Similarly, Pearce argues that by 1903, the Union had lost its position as the most important women’s group. By 1904 they only had seven branches and 188 members, despite the marked ability of their president, Jessie Rooke. Alexander, p.232; Pearce, “A Few Viragos on an Old Stump”, p. 158.

\textsuperscript{46}For a discussion of this meeting see “The Introduction of Child Welfare Legislation,1895-96” in Chapter 2.

\textsuperscript{47}Petrow, \textit{Sanatorium of the South?}, pp. 108-9, 111.

\textsuperscript{48}NS 500/3.

\textsuperscript{49}According to a 1905 Tasmanian government inter-departmental memo, infant mortality rates per thousand births were as follows: Adelaide 93.64; Sydney 99.56; Melbourne 110.78; Brisbane 112.75; Hobart 123.21; Perth 144.37. Launceston’s mortality rate was 132.15. Elkington’s figures for 1903-4 to 1905 put the average nuptial mortality rate at 86 per 1000 births. Ex-nuptial mortalities were 218 per 1000 births. CSD 22/86/99; \textit{Mercury}, 20 March 1907.

\textsuperscript{50}For instance, W.P. Norris, chairman of the Victorian Board of Health, wrote that: “These infants do not ask to be born, but being born, they have a right to reasonable conditions of living...[they] should not be handicapped by false notions of the heritage of shame”. S. Kingsbury, a Brisbane journalist and proponent of legislative measures to protect ex-nuptial infant life, said that it had been “conclusively shown in New South Wales that children born of drunken, immoral, insane, criminal and destitute parents may, by new environment and teaching and good food grow up and be converted into well behaved citizens in no way distinguishable from their more fortunate fellows”. \textit{Launceston Examiner}, 8 July 1907; CSD 22/86/99/13/05.

\textsuperscript{51}\textit{Mercury}, 27 August 1903; 29 August 1903.
formed a Children’s Protection Society to lobby for greater stringency.\textsuperscript{52} Other aims of the Society were to improve the laws related to the young, the protection of the feeble minded and educating parents about the dangers of the streets.\textsuperscript{53} As my previous chapter showed, they became active in arguing for a curfew bell.\textsuperscript{54}

The Causes of Ex-Nuptial Infant Deaths

Progressivist and protectionist policies were intended to unite Australians by offering something to everyone in return for the fulfillment of their natural roles. In particular, mothers were given social status and men a sufficient wage to support their families. However, under an ethos that sought to bind its people so tightly, the problems for those who did not fit were intensified. This was especially true of unmarried mothers, who were shunned by society and could not command sufficient wages to support their children. Moreover, their situation offered a paradox to welfare reformers, who wanted to preserve ex-nuptial infant life but could not condone the mother, the person best suited to caring for the baby, and so help her to undertake the task. As a result efforts to reduce the ex-nuptial infant mortality rate were compromised.

As my chapter on single mothers will show, since men were supposed to be breadwinners, women’s wages were too low for them to support a child adequately. This was a major cause of the high ex-nuptial infant mortality rate. Yet reformers did not campaign to increase women’s financial independence, because they believed that motherhood should be a dependent state. In addition, single mothers posed a problem to the construction of motherhood as inherently virtuous because they offered evidence of sexual activity outside marriage. This contradicted the image of motherly virtue at a time when women’s public activity was justified on the grounds that female goodness would be purifying. Some people believed that single mothers should be socially ostracised, while others sympathised with their situation, especially since the father suffered so little. Even so,

\textsuperscript{52}For example, Frances Edwards was a member of both the Women’s Health Association and the Children’s Protection Society. Emily Dobson was founder and vice-president of the Women’s Health Association and president of the Children’s Protection Society in 1905. \textit{Mercury}, 14 September 1907; CSD 22/114/25/3/08; \textit{Prominent Tasmanians}, Hobart, 1925 (no author given), p. 53; \textit{Mercury}, 7 June 1905.

\textsuperscript{53}\textit{Tasmanian News}, 15 October 1908.

\textsuperscript{54}For a discussion of the campaign for a curfew bell see “Street Children after 1896” in Chapter 2.
single mothers were not condoned, so there was little desire to assist them with their difficulties. As a result, despite concerns for it, ex-nuptial infant health remained vulnerable.

Many single mothers boarded their babies with carers, nicknamed ‘baby farmers’. This was a tenuous arrangement since women’s wages were usually too low to pay much maintenance; mothers often disappeared when they could not keep up the payments. Moreover, the carer, often poor, had to make a profit so that not all the money paid by the mother was spent on the child, which led to skimping on necessities. Babies were already vulnerable because even prescribed artificial feeds were not suited to their needs. Diluting them, or beginning solid food too early, further threatened their health. Homes were often damp and impossible to keep clean, increasing the chances of infantile disease. If babies became sick, their mothers had to pay the medical expenses. If they could not, most carers were unable to do so which caused delays or no treatment at all, leading to fatalities. Deliberate murder was probably rare. Many carers went to the Neglected Children’s Department for help when the mother disappeared which suggests that they wanted to preserve the child’s life.

On the other hand, infanticide at the time of the baby’s birth, by either a midwife, or the mother, may have been quite common. The occasional dead babies that were found probably represented many others that remained concealed. Since unmarried mothers were often young and gave birth

55 Launceston Examiner, 8 July 1907.
56 Police Department Annual Report (1913) PP No. 18.
57 For a discussion of ex-nuptial infant desertion by mothers and the reactions of carers see Chapter 9.
58 POL 5/2; POL 694/1. Allen argues that there was a high incidence of both infanticide and deliberate murder by baby farmers amongst the working class in Victoria; an inevitable result of the high cost of contraceptives. Policemen, often working class themselves, were sympathetic to the mothers’ plights and ignored these practices when they could. Shirley Fitzgerald accepts her argument, adding that, even so, many baby farmers were bona fide child carers. However, Kathy Laster and Ellen Ross, discussing Victoria and London, think that infanticide was uncommon. Laster believes that although occasionally baby farmers got rid of the baby and kept the money, most women were just inexperienced carers. She says that: “misguided nursing, neglect and poverty rather than malevolence were probably the chief causes of the loss of life”. Ross concurs. She says that in nineteenth century London, paid child care was given a poor reputation because of a few highly publicised cases of mass murder. But three parliamentary investigations, in 1871, 1890 and 1896 showed that this practice was rare. In London the high death rates of ex-nuptial babies were paralleled by those of other bottle fed babies living in poverty but cared for by their mothers. I have not found any concrete evidence of fee for murder in Tasmania. This supports the view that the practice was rare if it happened at all. Judith Allen, “Octavius Beale Reconsidered: Infanticide, baby farming and abortion in NSW 1880-1939” from Sydney Labour History Group (Editors), What
alone, many people sympathised with them or thought it understandable if they killed the baby in a sudden, irrational action. Moreover, for ex-nuptial babies, death might be considered the kindest outcome.\textsuperscript{59} Given the frailty of tiny infant life there was a tendency to see it as less sentient and less human until survival established a claim to humanity. As a result, if infanticide was discovered it was leniently treated.

In small rural communities, the police might be tempted to hide infanticides in case gossip caused further distress to the mother, or her family. The police had opportunities for concealment because they were called to examine dead babies when no doctor was available and, despite a limited medical knowledge, decided on the necessity for an inquest.\textsuperscript{60} As a result, some infanticides may have gone unreported, even though in 1893, after the police failed to report the death of a six-months-old boy from “supposed convulsions from teething”, the police superintendent asked that all sudden deaths be reported to the coroner.\textsuperscript{61} If an inquest was held it was “lawful” but not mandatory for a doctor to be called.\textsuperscript{62} Even if he was present he might be unable to diagnose an infanticide. For instance, although suffocations could be distinguished from stillborn births, intent could not be ascertained, so that a verdict of accidental death was usually made.\textsuperscript{63} Babies described as stillborn were not necessarily so; one died “almost at birth”, not before.\textsuperscript{64} They were not supposed to be buried without a death certificate but one could be issued if no doctor was present and the parent made a declaration that the child had been born dead.\textsuperscript{65} This legal loophole was all the bigger since doctors were least likely to be at ex-nuptial

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\textsuperscript{59}A correspondent to the \textit{Mercury} emphasised that most people thought it was fortunate if the child died. \textit{Mercury}, 9 June 1905.
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\textsuperscript{60}Sometimes the police decided against an inquest to avoid causing a family embarrassment and distress. For example, one birth was attended by an unqualified midwife and the child was “overlaid” eight hours later. The parents were “very respectable people” and no inquest was held. POL 386/1; See also POL 571/1.
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\textsuperscript{61}AC 462/1.
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\textsuperscript{62}Coroners Act (1873) 37 Victoria No. 13.
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\textsuperscript{63}POL 43/2; POL386/1.
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\textsuperscript{65}Registration of Births and Deaths Act (1895) 59 Victoria No. 9.
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births. In addition, it seems to have been common practice to bury babies without birth certificates. 66

A concealment of birth, since it might disguise an infanticide, was an offence, but it was usually treated leniently. 67 For instance, in 1905, an adolescent girl gave birth while her mother was out, and when she returned the baby was dead. Instead of reporting it, the father buried it in the garden and, although the offence was discovered, there was no prosecution. 68 Another woman, who buried her stillborn grandchild, because she was “anxious for her daughter’s fame”, was brought before the Supreme Court in 1903 and found guilty but not sentenced. 69 Women were more likely to be charged with infanticide if the child was older but even then an acquittal was possible. A mother who went on trial for the murder of her ten-month-old baby was acquitted, as she had been on a similar charge a few years earlier. 70

The 1907 Infant Life Protection Act

The Public Health Act, passed in 1903, provided for the protection of ex-nuptial infant life by stipulating that anyone who cared for more than one infant, or two, if twins, under two-years-old, for more than twenty-four hours, must be registered with their local authority. Authorities were not supposed to register foster mothers unless they were “of good character” and able to “properly maintain” the child. Failure to fulfil these criteria could result in deregistration. In addition, the authority had to be informed of a child’s death within twenty-four hours. 71 The Women’s Sanitary Association had been hoping for the implementation of a system of inspection and advising in the foster homes of ex-nuptial babies, having campaigned for it since 1900, but no provisions were made for that. 72

Once proclaimed, the Act was mostly ignored. Local authorities did little or nothing to implement it and the Health Department had been given no

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66SWD 1/21/1194.
67The Registration of Births and Deaths Act (1895) 59 Victoria No. 9.
68POL 174/1.
69The Clipper used this case to argue for the establishment of a maternity hospital: “if a Maternity Hospital were established fewer illegitimate children would arrive still-born”. Clipper, 1 August 1903.
70SWD/6/384.
71Public Health Act (1903) 3 Edward VII No. 37.
72SWD 1/5/332.
powers to do so. Elkington devoted his energies to the other health measures which he believed had priority because they would improve the general health of the community, which in turn, would preserve infant life.\textsuperscript{73} Seager put some pressure on the Hobart City Council with little success.\textsuperscript{74} The Children’s Protection Society was formed in response to the Act’s inadequacies and also put pressure on the councils to do something.

In 1905, S. Kingsbury, a journalist at the \textit{Brisbane Evening Observer}, awakened the languishing Tasmanian government interest in the issue. Motivated by a desire to enact some improved legislation in Queensland, he wrote to all the departments for neglected children in Australia to find out what sort of provisions they had in place to protect ex-nuptial infant life. He published his findings in the \textit{Brisbane Evening Observer} placing considerable emphasis on the role of baby farmers in the high infant mortality rate. The Acts of various state parliaments, including the Tasmanian one, he argued, did nothing to curb the activities of these women.\textsuperscript{75} Kingsbury thought that baby farmers were used by poor mothers because they were cheap, so he recommended financial support for them. For instance, he believed that there should be provision for collecting maintenance from fathers. Kingsbury also adopted the suggestion of a Brisbane ladies’ delegation that poor mothers be helped by the government for the first twelve months. In Queensland, local authorities did nothing to implement the laws that existed. Kingsbury suspected that the same was true in Tasmania. In his concluding article of the series he claimed that in Queensland his campaign had caused a “marked awakening of public sentiment”. As a result, the Queensland minister planned to introduce a new act. Kingsbury hoped that the support of the newly enfranchised women of his state would ensure its success.\textsuperscript{76}

\textsuperscript{73}Elkington’s first two annual reports did not refer to infant life protection. \textit{Health Department Annual Reports} (1904) PP No. 48; (1905) PP No. 26; (1906) PP No. 14.

\textsuperscript{74} In his 1902 annual report, Seager said: “It has come to my notice that there are throughout the State a number of children boarded out privately, and recent events have shown the necessity of having all the homes of foster parents under proper supervision”. He wanted the attention of all local boards of health to be drawn to the Act. \textit{Neglected Children’s Department Annual Report} (1903) PP No. 36. Vicki Pearce refers to this report in a similar context. Vicki F. Pearce, “The Lowest Common Denominator: Children, State and Society: Tasmania 1896-1920”, BA Honours Thesis, University of Tasmania, Hobart, 1983, p.38.

\textsuperscript{75} Kingsbury said that since carers did not have to register if there was only one child in their care, they could kill them off one at a time. If the children were over two years old they could keep as many as they liked. CSD 22/86/99/13/05; for a brief allusion to this material see Pearce, “The Lowest Common Denominator”, p. 37, 39.

\textsuperscript{76} These articles were cut out of the \textit{Brisbane Evening Observer} and pasted into the chief secretary’s records. CSD 22/86/99/13/05.
Unlike Kingsbury, Elkington believed that although there was some infanticide by baby farmers, the high infant mortality rate was mostly due to artificial feeding.\textsuperscript{77} He acknowledged that this was a result of the conditions of female employment but he did not advocate measures to deal with it. Instead, he argued that if babies could not be breast fed, then their carers should be educated in the techniques of artificial feeding. Elkington differed from the Children's Protection Society in that he believed that efforts should be directed towards all babies, not just ex-nuptial ones. In his 1907 annual report he wrote that:

the legitimate offspring of working class parents contribute a very large aggregate of the total of infant deaths: more babies are killed or injured by mistakenly directed kindness and well meaning ignorance than by deliberate neglect or cruelty. The legitimate child can be protected at the same time, and by much the same organisation, as can his less fortunate brother. He should certainly receive fair consideration in any public undertaking designed for the protection of infant life.

Elkington thought that a skilled nurse, under the supervision of a doctor, should be appointed in Hobart and Launceston to educate all parents without regard to their marital status. Early notification of births was to enable trained nurses to visit new mothers as soon as possible to encourage breast feeding.\textsuperscript{78}

Although Kingsbury's perception of the problem was different from Elkington's, the Brisbane campaign seems to have prompted him, and others, to take vigorous action. Moreover, Kingbury's success in mobilising popular opinion pointed the way. It was baby farming that caught the public imagination. The systematic murder of infants was horrifying whereas accidental death caused by poor feeding techniques was easier to accept. As working-class women who undertook the care of infants, not out of altruism, but to make a living, baby farmers were easy targets. Moreover, since motherhood was supposed to be a natural relationship, anyone caring for children that were not their own might be regarded with suspicion.

\textsuperscript{77}Mercury, 20 July 1907 p.6; PP (1906) No. 14. Elkington said that it was 54 times more dangerous to feed a baby on cow's milk than it was to breast feed. It was 154 times more dangerous to use condensed milk, which, if made up according to the instructions on the tin, would starve a baby. Health Department Annual Reports (1907) PP No. 29; (1906) PP No. 14.

\textsuperscript{78}Health Department Annual Report (1907) PP No. 29.
In June 1905, the Health Department informed the press that there was baby farming in Hobart. The alleged offender was being paid to keep two infants under two-years-old in her home and this contravened the 1903 Act. Four children had died at the house since the beginning of 1905 and one was removed by his mother when he became ill. According to the *Mercury*, he had been "a fine healthy child" when boarded four days previously. The children were kept in a "damp, dark and particularly dirty room below the street level". The offender told the police that there were other women in Hobart who boarded babies. She probably had not attempted murder. Her case seems a problem of poverty more than anything else.

The whole thing led to some poor publicity for the Hobart City Council. Launceston's *Daily Telegraph* accused it of permitting "the wholesale slaughter of these children in defiance of the command of Parliament". The paper suggested that since the Health Department was powerless to act, the police had to do so while the Council, "apparently contented itself with aimless discussion in place of fulfilling its duties and obeying the law". The mayor thought that the criticisms were rather harsh, and unwarranted. Now that the Council was aware of its powers it would try to enforce the Act. It took the rather feeble action of placing some advertisements in the city papers to explain the obligations of carers under the 1903 Act. Meanwhile the Health Department took advantage of the Hobart councillors’ discomfort to see if it could bring some of the other local authorities into line. On 26 June, knowing quite well that nothing was being done, it sent a circular out to them to ask what measures they took to avoid

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79 The *Mercury* claimed the reports were "official and otherwise*. *Mercury*, 7 June 1905.
80 *Mercury*, 7 June 1905.
81 Two correspondents to the *Mercury* argued that the woman had not murdered the child. One said that a baby farmer was most likely to keep a baby alive, if she could, because her income depended on it. Another agreed, adding that it would be quite impossible to do so on 5s a week. *Mercury*, 9 June 1905; 13 June 1905.
82 *Daily Telegraph*, 8 June 1905. In general, the Launceston press ignored the Hobart panic, perhaps because they hoped that baby farming was not a problem in their city. In June 1905, the *Launceston Examiner* interviewed William Welsh, the inquiring officer for the Neglected Children’s Department and visitor for the Benevolent Society. He implied that there were few ex-nuptial births in Launceston: “There is not much immorality in Launceston. I know many claim there is but ... I am certain that any immorality that exists is not really in the same proportion as that in older cities. I do not think it is anything like as bad as Hobart.” *Launceston Examiner* 8 June 1905.
83 *Mercury*, 8 June 1905.
baby farming. Emily Dobson offered to help the Hobart City Council by visiting the homes of boarded babies.

The Clipper had ignored the exposure of baby farming in Hobart and did not join in the press campaign. It regarded poverty as the underlying cause of infant mortality, suggesting that a new Act would be "wholly unnecessary if we were living under a common-sense social system". It did not agree with Elkington's argument that education for scientific mothering was the solution, as this verse from some doggerel, entitled "What Might Have Been" indicates:

We must feed the baby only by the schedule that is made,
And the food that he is given must be measured out and weighed;
He must bellow to inform us that he isn't satisfied,
But he couldn't grow to greatness if his wants were all supplied.
Think how foolish nursing stunted those poor weaklings long ago-
The Shakespeares and the Luthers and the Bonapartes, you know.

The Clipper would probably have agreed with Kingsbury's argument that unmarried mothers should have some financial support. It would certainly have supported the Federal Labor Government's introduction of the Baby Bonus in 1912, which was extended to unmarried mothers. However, women's financial support found little sympathy in the Tasmanian debate.

The Infant Life Protection Act, introduced by the government led by J.W. Evans (1906-1909), was supported by the entire house. Even so most members insisted on speaking, which the Mercury put down to "egotism and a desire for self advancement". Two members seem genuinely concerned about the issue. W.B. Propsting was keen to help children, having already introduced legislation for a children's court. A Quaker, who had been both a teacher and a lawyer, he had a general interest in children's welfare and was to introduce the Children's Charter in 1918. E.L. Crowther was often active on children's behalf too, having taken an interest

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84 HSD 273/1.
85 Mercury, 7 June 1907; See also Pearce, "The Lowest Common Denominator", p. 38.
86 Clipper, 10 June 1905.
87 Clipper, 10 June 1905.
88 Mercury, 11 October 1907.
89 SWD 1/5/332; Mercury, 25 July 1905.
90 CSD 22/231/38/12.
in the introduction of the *Neglected Children and Youthful Offender's Act*.  

In 1905 he introduced the *Juvenile Smoking Suppression Act*.  

Crowther was one of the few who argued for financial support for single mothers, preferably in the form of rescue homes. However, since they were unpopular with the mothers, they probably would not have been used.  

It is unlikely that infanticide by baby farmers caused the high infant mortality rate in Tasmania. Even so, the Act, when passed, was mostly designed to curb their activities. It stipulated that women who had the care of an infant, not their own, for more than twenty-four hours had to be registered with the Police Department. They were to be paid no more than four weeks in advance because the framers of the Act reasoned that regular payments would keep parents interested in their children, thus providing some protection. Foster mothers now had to be registered if they were caring for children up to five-years-old. They had to be “of good character and able properly to nurse and maintain any infants in his care or charge”. A house “suitable for the purpose” and “situated in a suitable locality” was required. The police commissioner could cancel the registration of inadequate carers. Notification of the death of a child had to be made within twenty-four hours. Inspectors, preferably female, were to be appointed. There were numerous provisions for the collection of maintenance from the father but proof of paternity had to be provided and the mother’s oath was not sufficient. Parents who did not comply with a maintenance order could be fined or, if they tried to leave Tasmania, sent to prison. There had to be notification of an ex-nuptial birth.  

This was the legislation that the Children’s Protection Society had wanted and now they persuaded the government to implement it according to their wishes. Under an agreement between the government and the Society in the south, the Police Department was to administer the Act, including the registration of carers, with the help of the District Nursing Association, formed in 1896. The position of a special nurse was funded to enable the

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91 *Tasmanian News*, 6 September 1895.  
93 *Mercury*, 4 September 1907.  
94 *Infant Life Protection Act (1907)* 7 Edward VII No. 51; *Mercury*, 10 October 1907.  
95 *Infant Life Protection Act*.  
96 Alexander, p. 212.
Association to carry out inspections. In the north, the Children's Protection Society was keen to set up a home. With some misgivings, Parliament agreed and £150 was voted for this purpose.

A “better provision for the protection of infant life”? The survival rate of babies in the homes that were administered by the Police Department was comparatively good. By 1911, 268 babies had been cared for in this way and only 19 had died. Conditions for these babies had been improved by the Act in two ways. Firstly, it screened out those foster mothers who were unsuitable because they were either poor or incapable. Secondly, it provided for inspection and at the same time, instruction. J.E.C. Lord, the police commissioner, emphasised the importance of this saying, “the successful nursing is due largely to the fact that these infants have been kept under strict observation, and much care exercised in the matter of suitable and regular feeding”. Such success seemed to endorse Elkington’s belief in the value of education in infant feeding and care. In 1908, the Daily Post, like Elkington, argued that the homes of all working-class babies should be visited to reduce the infant mortality rate. Providing instruction to all working-class mothers became the next ambition of child welfare reformers.

In Hobart, the overall infant mortality rate fell too, from 123 per 1000 in 1906 to 108 in 1907 and 89 in 1908. In 1909, Lord, claimed that the registration of homes and supervision had resulted in this “most marked effect”. However, these mortality figures do not distinguish between ex-nuptial and nuptial births so that the decline cannot be attributed solely to the Infant Life Protection Act. Frances Edwards pointed out that falls in the rate had occurred before and could be attributable to a cool summer or fewer flies.

97Mercury, 4 September 1907.
98Mercury, 10 October 1907; 4 September 1907.
99Infant Life Protection Act
100Police Department Annual Report (1911) PP No. 12.
101Police Department Annual Report (1910) PP No. 34.
102Police Department Annual Report (1911) PP No. 12.
103The findings of the 1931 Health Department report confirm that poor information about feeding and hygiene was an important cause of infant death even in families with an adequate income. HSD 15/703/154/283/69.
104Daily Post, 24 June 1908.
105Police Department Annual Report (1909) PP No. 25. See graph entitled “Infant Mortality”, figure I, Appendices. The figures were taken from Statistics of Tasmania.
106Daily Post, 24 February 1909.
Infanticide, since it was often undetected, cannot be measured by these figures.

As my chapter on single mothers will show, even registered homes had problems, usually because of the mother's inability to pay maintenance. The Police Department cannot have had many foster mothers who were financially secure enough to care for the babies without maintenance, while the well known difficulties of collecting it led to a shortage of carers. In addition, many women were reluctant to do such demanding work, especially given the low pay and maintenance defaults. Foster mothers were also afraid they would be blamed if the baby died; a mandatory inquest gave substance to this fear. As a result, the Department was forced to accept some carers who were quite poor so problems created by poverty persisted. Maintenance collection remained difficult and babies were often abandoned if mothers could not pay it. It was still almost impossible to obtain financial support from the father, paternity being virtually unprovable.

Glen Dhu, the home set up by the Children's Protection Society in Launceston and run by its president, E. Beeton-Braham, had a much higher infant mortality rate than the Police Department; nineteen babies died there in 1909. No trained nurses were employed and at a baby's inquest, John Ramsay, medical superintendent at the Launceston General Hospital,

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107This was the Department's aim. E.P. Andrewartha, who replaced Lord as police commissioner during the First World War, said: "The desideratum of the Department is for women to register for reasons of affection and child companionship, rather than for the acquisition of monetary profit, and to place 'maintained' children singly in the family of a home keeper where real home life exists is preferable to admitting a number of unrelated infants to a home where the element of 'institution' prevails". Police Department Annual Report (1917-18) PP No. 34.

108Police Department Annual Reports (1911) PP No. 12; (1910) PP No. 34.

109Police Department Annual Report (1911) PP No. 12.

110For example, SWD 1/14/772; SWD 1/13/822.

111In 1915, Lord said: "the evidence to corroborate the mother's statement is, unfortunately, often too frail to enable a court to be asked to justly make an order against a putative father". Police Department Annual Report (1914-15) PP No. 43. The non-payment of maintenance by fathers was an Australia wide issue. In 1909, the Congress of Workers Among Dependent Children in Adelaide resolved that the mother's evidence should no longer require corroboration unless there was serious reason to doubt it. They also demanded that maintenance orders made in one state should be collectable in others. This was an attempt to deal with the problem of fathers who absconded interstate to avoid payments. CSD 22/125/25/3/09. For a discussion of single mothers and maintenance collection, see "The Desertion of Mothers and Children by Fathers" in Chapter 8.

112Beeton-Braham was also president of the Women's Christian Temperance Union between 1906 and 1912. Alexander, p. 233.
suggested that this had caused the high mortality rate. In particular, untrained nurses did not understand how quickly a baby's condition could deteriorate, especially in cases of gastro-enteritis. The judgement of the coroner, Edward Whitfield, indicted child welfare policy:

> these homes were doing a great deal of harm in the community. In his opinion a great many of the children should be looked after by their mothers. It seemed that the children were losing the mothers as the moment they got ill they were sent to strangers to look after. It was bad for the community for the children to be artificially brought up. The number that were sent out was appalling and still growing. There would be an outcry shortly for another children's hospital and home, and all would be filled. The children nowadays seemed to be brought up without their mothers.

Whitfield had a preference for the Salvation Army Home where mothers and babies were kept together. Glen Dhu closed in February 1911, apparently due to lack of funds. Subscriptions probably dwindled because of the bad publicity.

Many babies remained beyond the the Act's reach. Some were in the unsupervised care of their families so that their lives were threatened by poverty, while others must have gone to unregistered carers. Women that the Police Department refused to register, minded babies illegally if they had no other income. *Mercury* advertisements offering to adopt babies with a small premium continued to be placed, although in smaller numbers. A major effect of the Act may have been the concealment of impoverished homes which were, perhaps, more acceptable to mothers than the expensive, highly policed, registered homes. There were occasional prosecutions, but as Lord pointed out not very many. At first he hoped

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113 The matron was Beeton-Braham's daughter, who was not a trained nurse. Apparently a professional nurse could not be obtained. At the inquest it was implied that the difficulty of finding a qualified nurse was created by Beeton-Braham, who was unkind to them. *Launceston Examiner*, 1 February 1910; CSD 22/139/75/1/10.

114 *Launceston Examiner*, 1 February 1910.

115 SWD 1/15/949.

116 For example: “Kind Person would adopt child, with premium”; “Kind Person will adopt baby; State premium”; “Wanted to adopt Baby, with premium”; “Kind Person wish adopt Child, over twelve months; premium” Women continued to advertise their babies for adoption although presumably some of these babies went to registered carers. For example: “Wanted kind person, adopt baby boy”; “Kind Person to adopt baby boy”. A child was advertised by his mother in the *Launceston Examiner* in 1908 as a prelude to abandoning him. *Mercury*, 4 August 1908; 4 September 1908; September 1910; 9 August 1911; 28 February 1909; 9 June 1909; SWD 1/15/949.

117 POL 571/1.
that this indicated that the problem was small, but in 1910 he admitted that not all infants nursed apart from their mothers were in registered homes.\footnote{Police Department Annual Report (1910) PP No. 34. Unregistered child minding persisted. In August 1931, there was a deputation to C.S. James, the chief secretary, to ask him to do something about the children in unregistered homes. An inspecting nurse said that she knew they existed because there had been ex-nuptial births and she did not know where the children had gone. CSD 22/342/391/4/31.}

Elkington’s suggestion that all babies be visited, whatever the marital status of their parents, would have addressed educative needs but not resolved poverty.

There is no way of knowing whether the Act reduced the incidence of infanticide. Although it stipulated that ex-nuptial births be registered, people were not likely to register murdered babies, so that the death rate from that cannot be established and was probably underestimated. Dead babies continued to be discovered.\footnote{For example, in July 1915, a newborn girl was found in the River Tamar. She had been suffocated, probably with a pillow. POL 423/3.} Police and coroners still found that the majority of ex-nuptial babies’ deaths were from natural causes; the veracity of these conclusions remains uncertain.\footnote{POL 174/1; POL 694/1.} Moreover, inquests were not always carried out. According to an Anglican minister, W. J. Dobson, who complained to the registrar-general in 1914, babies were often buried in Hobart’s Cornelian Bay Cemetery without death certificates. Moreover, death certificates were issued in circumstances when there should have been an inquest.\footnote{POL 43/2.} In an attempt to deal with undetected infanticides, new police regulations in 1915 required that diagnoses of stillbirths be accompanied by corroborating evidence; the police were now asked to attach a doctor or midwife’s certificate to reports.\footnote{POL 386/1.}

Concealments of birth were still treated leniently. At an inquest in 1909, a seventeen-year-old said that her baby was born dead, when it had died from suffocation. Even so she was only charged with concealment of birth. At her trial she entered a plea of guilty and was not sentenced.\footnote{Launceston Examiner, 24 August 1922.} On another occasion, a baby died two hours after it was born. So that her own mother did not find out, the young woman buried her child. She was to marry the father and her only sentence was to stay in a Catholic rescue home until then.\footnote{Launceston Examiner, 24 August 1922.} Even direct evidence of infanticide did not necessarily result in a
conviction. One baby was found dead with a piece of cloth around its neck. The police originally charged the mother with "wilful murder" but she was only tried for concealing the birth. At the trial she was treated leniently because the unknown father was considered equally culpable and the experience of giving birth alone was believed to have temporarily deranged her. The judge ruled that this was not a serious case although failures to report births could lead to "something irregular". A six months prison sentence was suspended and a fine imposed.\textsuperscript{125}

Despite problems with the \textit{Infant Life Protection Act} both the government and the Children's Protection Society planned further legislation along similar lines. A meeting of the Society suggested that although baby farming had received a "very salutary check", cases of cruelty to children over five could not be addressed because the Act only dealt with ex-nuptial children under that age. They recommended an amendment.\textsuperscript{126} At a Baby Show in 1911, the chief secretary, G.H. Butler, announced that fresh legislation would extend the work to children over five years.\textsuperscript{127} However, this did not happen until the \textit{Children's Charter} in 1918.

\textbf{The Effects of World War I on Child Welfare Policy}

World War I deflected, instead of intensifying, concerns for child welfare reforms. However, towards the end of the war, the loss of life reignited public concern about infant mortality. As before, infant welfare was linked to instruction and advice, although "Olio", a women's columnist for the \textit{Mercury}, suggested that ex-nuptial deaths were caused by women's low wages.\textsuperscript{128} A deputation of women waited on the premier, W.H. Lee, in June 1917 to ask for the provision of education for mothers.\textsuperscript{129} In July, another deputation, made up of the Women's Health Association and Mothers' Union, an Anglican organisation, asked Lee for two visiting nurses to be appointed under the chief health officer to safeguard infant life.\textsuperscript{130} At a

\textsuperscript{125}Launceston \textit{Examiner}, 4 February 1919; 1 February 1919; 19 February 1919; \textit{Mercury} 1 February 1919.

\textsuperscript{126}\textit{Mercury}, 16 October 1908; \textit{Tasmanian News}, 15 October 1908.

\textsuperscript{127}\textit{Mercury}, 16 March 1911; \textit{Critic}, 18 March 1911. Baby shows for Police Department babies were held annually to counteract the poor image of fostering caused by the campaign for infant life protection legislation. In 1910 the \textit{Mercury} said that "Anyone who inclines to the idea that these mites suffer at the hands of foster-parents should visit the show, when, it is asserted, they will be otherwise convinced". \textit{Mercury}, 4 March 1910.

\textsuperscript{128}\textit{Mercury}, 9 June 1917.

\textsuperscript{129}\textit{Mercury}, 7 June 1917.

\textsuperscript{130}\textit{Mercury}, 30 July 1917.
public meeting the acting-governor’s wife, Helen Nicholls, said that with its healthy climate Tasmania should have a good infant survival rate and that the public needed “stirring up” to do something.131

In August, it was decided to form a Child Welfare Association which would be launched by a Baby Week. This was an American idea, recently tried in England, to raise a sense of “racial responsibility” and to promote infant life preservation as some restitution for those killed in the war.132 Baby Week was to be paid for by a button day. Profits from both events would start a fund to save babies by running classes for expectant or nursing mothers, providing pure milk to schools, organising baby clinics and setting up an Association to oversee these projects.133

The meeting for child welfare week, held in October, was chaired by the mayoress, E. Lord, whose husband was J. E. C. Lord, the police commissioner. One hundred ladies attended.134 According to the Mercury, Lord said that Australia was:

losing the population when it was most wanted. There was a tragic waste of life in connection with the war rendered necessary to protect our country and vindicate the Empire’s honour, but there was also a tragic waste of infant life going on, much of which was preventable by adopting adequate means... Without such strenuous efforts with our small population scattered over such an immense island continent, she could not see that any of those countries with their teeming millions not so far away, and who wanted our country, might not try to get it.

Lord thought that charity was a “poor substitute” for citizenship rights, which should be extended to every child. For children these rights were “to be well-born and given a chance to grow and develop”. She believed that most infant mortality was caused by mother’s ignorance.135 The Child Welfare Association was formed in October 1917.136 Its aims were to ensure good conditions for maternity, to reduce infant mortality and to give instructions to mothers about their babies’ health through baby clinics.137

131 Mercury, 14 July 1917.
132 Mercury, 5 October 1917.
133 Mercury, 17 August 1917; 17 August 1917.
134 The mayor was J. E. C. Lord’s father R. D. Lord whose wife, Augusta Louisa, died in August 1914. Mrs. Lord took over her mother-in-law’s duties. Richard Lord, a descendant, provided this information.
135 Mercury, 8 August 1917.
136 Mercury, 6 October 1917.
137 Mercury, 5 October 1917; NS 500/1.
National efficiency influences on Tasmanian child welfare policy found their strongest expression in movements to protect the lives of babies, especially ex-nuptial ones. However, as this thesis will show, ideas derived from the movement filtered through to the Neglected Children’s Department even if they did not always have the resources and personnel to act on them. However, in 1911, a new emphasis on state children’s health resulted in the appointment of a nurse. In 1918, under the Children’s Charter, lack of adequate physical care became a new category of neglect. In 1913, Mrs. Waterworth encapsulated this new dimension in state children’s care when she implored the Department to protect its children from disease because it was “quite as much a duty of the State to protect children from diseases which threaten their health as it is to protect them from starvation, cruelty and ignorance”.

138 CSD 22/203/139/32/15.
CHAPTER FOUR

"THE MOST VALUABLE DEPARTMENT OF THE GOVERNMENT": THE ADMINISTRATION OF THE NEGLECTED CHILDREN’S DEPARTMENT

The Neglected Children’s Department was a sub-department under the chief secretary’s jurisdiction but in the control of its own secretary. The offices were in the New Town Charitable Institution, an invalid depot, a few miles from the centre of Hobart, in the same building as the Boys’ Training School. Between 1896 and 1912 the secretary of the Department was also the administrator of the Charitable Grants Department, registrar of Charitable Institutions, and manager of the Invalid Depot and Boys’ Training School. George Richardson was appointed to that position in 1896 and when he became superintendent of the newly created Police Department in 1898, Frederick Seager replaced him. In 1911, the charitable departments were brought under the direct jurisdiction of the under-secretary, H.E. Packer, and the offices were moved into Hobart. Packer died in 1914 and was replaced by D’Arcy Addison.

The period between 1896 and 1918 was one of change and financial insecurity for the Tasmanian public service, which affected policy within the Neglected Children’s Department. In addition, alterations to the legal definition of ‘neglect’ were considered, but not made, until 1918. The interplay between change, especially its effects on government finances and employment security, and their perceptions of poor children’s needs, shaped secretaries’ responses to these proposals. These perceptions were, in part, coloured by the national efficiency movement’s emphasis on the physical care of children. As a group, public servants were less radical over welfare matters than were the male and female reformers who backed the introduction of the Neglected Children and Youthful Offenders Act; a reflection of the public service’s essential conservatism and pragmatism derived from the practical difficulties of implementing policy.

Seager, Packer and Addison had the most dramatic effects on the Department. Since Richardson was only there two years, it was Seager who established it, and Packer’s energetic initiative made up for the brevity of his administration. Seager had a dogged combativeness, possibly motivated by a personal philosophy of determination over adversity which he applied to
himself and others. Packer's style was characterised by his drive, and incisive decision making, derived perhaps from ambition, as he had worked his way up from junior operator of the Electric Telegraph Office. Neither man seems to have had the ease that birth into the elite can bring.

Addison, on the other hand, was a member of Hobart's establishment, a former student of Scotch College, a member of the Athenaeum Club and relaxed enough to enjoy yachting, golfing and motoring. Described as "impeccably correct and well dressed", his career suggests that he was comfortable in elite circles. Addison was under-secretary from 1914-1930, agent-general in London for Tasmania from 1930-1, and organised two royal visits, that of the Prince of Wales in 1920 and the Duke of York in 1927. He also arranged the Tasmanian centenary celebrations of 1904 and the coronation ones of 1911. Addison received the CMG in 1928 and was described by the Sydney Morning Herald as "one of the prominent figures in the public service in which he has a meritorious record". As secretary of the Neglected Children's Department in 1918, he advised the attorney-general, W. B. Propsting, while he was framing the Children's Charter which replaced the Neglected Children and Youthful Offenders Act.

The secretary's task was to administer the boarding-out and apprenticeship systems. This meant negotiating with magistrates over committals and seeking reports from local police before committing or discharging a child. Secretaries wrote to children, occasionally visited them, and dealt with their relatives. The work of the ladies' visiting committees, departmental

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1 For instance, he argued against the day time education of training school boys because "as many thousands in the world (myself included) have had to fight the battle of life with the assistance of knowledge gained at night school, I fail to see the necessity for altering the system now in force at the B.T. S". CSD 22/98/133/06.
2 The Case of Mr. Packer in the Public Service: Report of the Select Committee (1908) PP No. 52.
3 John Edmund Wentworth Addison, a London County Court judge and MP for Ashton-under-Lyne was probably a relative of Addison. If so, he had connections with the British elite too. Who was Who 1897-1916, London, 1920, p. 5; Prominent Tasmanians, Hobart, 1924, p. 39.
4 Weekly Courier, 6 June 1928.
6 Sydney Morning Herald, 4 June 1928.
7 Seager inspected all the children's homes about once a year, without notice, and was usually pleased with them. Packer interviewed all the Hobart foster mothers as soon as he was appointed secretary, in order to meet them. In 1912 he visited every foster home in Launceston, transferring children from two that did not seem satisfactory. He visited the Launceston children again, in 1913, this time removing children from one home. The visits
inspectors and foster mothers was supervised. Since secretaries corresponded with voluntary and professional organisations at the local, interstate and, occasionally, international level, the Department was a focal point for ideas about the care of state children.\(^8\)

The work of the Department produced considerable documentation, especially during Seager's administration. Expensive to run and burdened with a socially marginal task, the Department's activities required more justification than usual. Seager, an enthusiastic administrator, was junior to the under-secretary so that numerous memos had to be sent, especially since the Department was some distance from town. The memos linked the geographically isolated Departments with the Chief Secretary's Office and, theoretically, gave the under-secretary some control over them. There are fewer surviving documents of the years between 1911 and 1918, when the under-secretaries had direct control. With a variety of departments to supervise, they had less time for paper work although, like Seager, they tried to adopt a personal approach. Since the documents were produced by public servants, it is important to understand the values, concerns and aspirations, which they derived from both their personal and public lives.

In 1907, Seager wrote in his annual report that children's welfare which was "for centuries... regarded with but little concern by public men, has in recent years, through the force of public opinion, been given its rightful place as the most important department of philanthropic endeavour".\(^9\) Yet the life experiences of male public servants must have been of little use when dealing with many of the human problems which they encountered. This was partly ameliorated by the continuing interest of voluntary organisations. Although the Central Boarding-Out Committee was abolished in 1898, its ladies' visiting committees persisted until 1911 and the churches, the Benevolent Society and the City Mission remained interested in children's welfare, usually because of individual cases. As the last chapter

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\(^{8}\) For instance, as a result of his correspondence with J. J. Kelso, the superintendent of the Ontario Neglected and Dependent Children's Office Seager copied the Canadian policy of placing some boys, committed for a criminal offence, in a boarded-out home. CSD 22/125/25/0/09.

\(^{9}\) Seager was quoting J.J. Kelso. Neglected Children's Department Annual Report (1907-8) PP No. 46.
suggests, women's groups, especially the Women's Health Association and the Children's Protection Society, influenced policy.

Moreover, in departments where family policy was formulated, public servants could often draw on their wives' opinions about child rearing and household management. In 1908, Seager told a state girl's employer that when his children had measles he put them in one room so that "they all had them together and so made light work of the attack". Seager suggests that this was his idea, but it probably came from his wife, Rose. Yet, although public servants' domestic lives probably influenced departmental policy, they remain mostly hidden, in contrast to the stream of documentation produced about state wards' families. Public servants' attitudes towards home management and child rearing can only be discovered by reading what they say about working class domesticity.

Unlike female social reformers, Rose Seager remains a shadowy figure, although she was a member of the National Council of Women. Yet, she must have been involved in the Department's activities, as the family lived on the grounds at New Town. If Seager had something to discuss with a colleague he invited him to dinner, so that his wife's social skills were an important adjunct to his professional reputation. The importance of Rose Seager's practical and emotional support is suggested by Seager's request for three weeks leave, shortly after her death in 1908, for a rest, after "considerable domestic trouble". A wife with social standing could add lustre to her husband's standing. Addison's entry in Prominent Tasmanians, emphasises that his wife, Una Stella, was the widow of Sir John Downer of Adelaide. Attachment to family motivated many men to pursue a reputable career. Packer, investigated by a select committee in 1904, linked his career, his honour, his living and the welfare of his family, when he began giving evidence. Although Addison had no children, both Seager and Packer had eight, a considerable financial responsibility, especially if they were to be supported comfortably, another reason for persistence in

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10 SWD 1/9/570.
12 SWD 1/7/431-4.
15 Education Office Staff Inquiry (1904) PP No. 36.
career advancement. Such evidence supports Leonore Davidoff and Catherine Hall's argument that the idea of the autonomous, publicly acting man was fallacious, as the entire family was involved in promoting his career and in that way establishing a claim to class status for themselves. Their argument undermines the idea of separate public and private spheres that was espoused by the middle classes in mid-nineteenth century Britain, an attitude which can be extended to early twentieth century Tasmania.

At work, public servants' lives were affected by a public service culture that was evolving from somewhat chaotic structures based on patronage, to new rational ones. During the nineteenth century, the middle class had imbibed and attempted to transmit a discipline that was not overtly authoritarian but embodied in every day discourse, attitudes that, in the public service, as elsewhere, were intensified under the influence of the national efficiency movement. In 1900, the Civil Service Act began a period of rationalisation that continued throughout the life of the Neglected Children's Department and beyond. Until then recruitment or advancement were usually through patronage, and there were discrepancies in salaries, pensions and discipline between departments. After 1900, officers were classified, the salary structure was uniform and there was a set procedure for appointments and promotions. A scale of rewards and punishments was incorporated into the system to cultivate the loyalty, diligence and reliability of the officer. In particular, increments in salary were dependent on his "efficiency, diligence and good conduct". Provision was made for annual holidays and long service leave. Financial security was improved through the establishment of a self-contributory Provident Fund to provide

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16Mercury, 30 March 1914; Jubilee History of Tasmania, Vol. 2, (no author given), 1888, p.10; Mercury, 5 May 1913; 30 August 1955.
18In Discipline and Punish, Foucault argues that effective power is an all pervasive discourse of discipline, involving a system of reward and punishment. Its strength derives from the unquestioning way in which people are enmeshed by its language so that everyone in a given institution is disciplined and participates in the disciplining of others. At the centre of this system are regulations which deal with behaviours not addressed by the purely punitive legal system. Foucault does not address the agency of his subjects here, although in later works he suggests that where there is power there is also resistance, and each shapes the other. However, according to Jeffrey Weeks, this aspect of Foucault's work was ambiguous and undeveloped. Michel Foucault, Discipline and Punish: The Birth of the Prison, London, 1977, pp. 170-193; Jeffrey Weeks, "Foucault for Historians", History Workshop, No. 14, Autumn, 1982, pp. 110-116; See also Hayden White, "Michel Foucault", from John Sturrock (Editor), Structuralism and Silence: From Levi Strauss to Derrida, Oxford, 1979, pp. 91-5, 106-8.
20Wettenhall, p. 216.
retirement or sickness allowances and annuities to the widows or children of subscribers. There was a range of penalties, calibrated to the misdemeanour, ranging from dismissal, to loss of salary, demotion or a fine. Of these "dishonourable conduct", culpable bankruptcy and addiction to alcohol or drugs were the most serious but there was also punishments for "negligence or carelessness" and "incompetency".  

A part time Civil Service Board of three, elected by public servants, administered the Act. In 1905, under the Public Service Act, a less democratic structure, the Public Service Board, with two appointed members and a part time one, elected by public servants, replaced it. Since departmental heads became responsible for the discipline and efficiency of their departments, the Board was empowered to do inspections to ensure that a "proper standard of efficiency and economy" was maintained. It also recommended classifications and had to keep records of each officer, his age, length of service, office, division, class and salary.

This legislation probably appealed to many public servants since it enshrined the merit principle and improved their financial security. The prerequisites for entry to the service were clear and, theoretically, diligence would secure promotion. Dismissal could only occur according to clearly defined criteria. The financial dangers of sickness, old age or death were mitigated by the superannuation scheme. However, the legislation was not universally acceptable. Some public servants who had benefited from the system of patronage still tried to utilise it. In addition, the 1905 Act, by giving new powers to the Public Service Board, undermined departmental heads' autonomy and the disciplinary measures created some uncertainty of tenure; incompetence at work and public or private misdemeanours might lead to demotion. Too much emphasis on discipline could produce a subversive culture in which public servants exploited loopholes in legislation or regulations. In that situation co-operative behaviour might become a matter of form, instead of a genuine commitment to the public service.

Public servants also had to deal with the effects of the government's fiscal difficulties. After federation in 1901, Tasmania, which already had a

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21 Civil Service Act (1900) 64 Victoria No. 69.
22 Public Service Act (1905) 5 Edward VII No. 9.
23 Wettenhall, p. 216; Public Service Act (1905)
financial imbalance, suffered a loss in customs and excise revenue that Federal Government compensation did not quite meet.\textsuperscript{24} It was decided that public service cuts could help recoup the loss. In 1902, a select committee investigation produced morale threatening suggestions for income reductions, staff cutbacks, more efficient use of office space and the threat of abolition or amalgamation of departments. The registrar-general and chairman of the Civil Service Board, R. M. Johnston, persuaded the select committee not to reduce salaries but although he argued that Tasmanian public servants were “loyal” and “hard working”, it was decided to cut numbers.\textsuperscript{25} There were still fiscal imbalances in 1903 which the government intended to reduce by retrenchments to the public service.\textsuperscript{26}

One witness to the 1902 select committee, W. H. Burgess, a former treasurer, argued that if unprofitable departments were abolished, or limited in scope, savings could be made. Burgess would not specify departments:

I do not say that they are altogether extravagances. There are things that may be important and good in themselves, but when the circumstances of the State demand it, the question is, could we not do without them, that is the rule in private life and private business.

He thought that the Public Service should be run like a “business”, not out of “sentiment”.\textsuperscript{27}

Burgess certainly meant the Neglected Children’s Department, amongst others. The extent of poverty and with it, child neglect, seems to have been underestimated, and greater demands were placed on the Department than the framers of the \textit{Neglected Children and Youthful Offenders Act} envisaged. By September 1898, so many children had been committed that an extra £500 had to be voted, with a further £175 requested in December. The premier, Edward Braddon, thought that the Act would have to be repealed to save money.\textsuperscript{28} By January 1899, the annual vote of £1650 had already been overspent by £200 and cases pending would involve further

\textsuperscript{25}Civil Service: \textit{Report of Select Committee} (1902) PP No. 43.
\textsuperscript{26}Mercury, 1 September 1903; Civil Service Board: \textit{Report and Correspondence in Reference to the Retrenchment Proposals of the Government} (1903) PP No. 51.
\textsuperscript{27}Select Committee Report (1902).
\textsuperscript{28}CSD 22/13/62/98.
expense. Seager estimated that costs would reach £2000. In November, he received an extra £450.29

There was little enthusiasm for the abolition of any departments and amalgamations were considered instead. Johnston opposed these as, the salaries of specialist sub-heads, would consume any savings. Burgess countered by arguing that since the work of departmental heads was mostly supervisory, specialists would not be necessary.30 After that, cost cutting through departmental amalgamations became the favoured policy. Although the Neglected Children's Department survived, during Seager's administration, its financial vulnerability, and with it his own, was a constant anxiety which impinged on policy.

F.R. Seager's Administration

Although Seager argued that hard work and success were linked, he was sponsored by Richardson so that his own career benefited from old-fashioned patronage. Both men were members and previous secretaries of the Pacific Lodge of Freemasons, and Seager had been a junior clerk in the Education Department, where Richardson worked for twenty-seven years, finishing as secretary.31 In 1898, he was appointed commissioner of the newly established Police Department leaving the position of administrator of the Charitable Departments position vacant.32 Seager had acted in that position in 1897 when Richardson went on leave33 and now, on his advice, Seager was appointed.34

In 1900, when a clerk's vacancy occurred in the Charitable Departments, Seager adopted similar methods in favour of his son, Charles. There was some urgency since the Civil Service Act, which awaited proclamation, could have jeopardised Charles' chances of a public service position, because selection was to be by compulsory competitive exam. Those already

29 CSD 22/16/126/99.
30 Select Committee Report (1902); Civil Service Board: Report as to Further Reductions in the Civil Service (1902) PP No. 45.
32 Mercury, 22 February 1924.
33 CSD 22/6/117/97.
34 Braddon was told by Richardson on 31 December 1898 that, "Mr. Seager has applied to me for instructions as to his duties from & after today. I have informed him that I had submitted his name to you as my successor & advised him in the absence of any instructions to the contrary to take up the work from tomorrow morning". The appointment was confirmed on the 4 January 1899. CSD 22/21/26/99.
employed by the public service would have priority whereas Charles worked as a book keeper for a private firm. 35 Two promising candidates were found within the public service, but Seager argued that they were less qualified than his son, who was “very competent for the appointment and peculiarly adapted for the service required”. In addition, since Charles lived at the New Town Charitable Institution, he could help with after-hours work. Seager knew that he must address the changes occurring in public service culture and wrote that he was “fully aware of the criticism that would follow the appt. of Mr. C. F. Seager, but I have my duty to perform to the Dept. without fear hence my recommendation”. On 23 June, just before the new Act was proclaimed, Charles’ appointment was confirmed. 36 After that, Seager continued to promote his son’s career but with less success. 37

Even so, Charles soon earned a reputation for competence and in 1911 was transferred, with the charitable departments, to the Chief Secretary’s Office securing a good classification. In 1914 Addison said that he had a “marked capacity” for the work of the Neglected Children’s Department, and had “considerably lightened the responsibilities imposed upon the Department under the Neglected Children’s Act”. 38 He remained in the Chief Secretary’s Department, eventually becoming chief clerk and in 1923 became administrator of Charitable Grants until his retirement in 1941. 39

Proposed public service cuts threatened the charitable departments because they were marginal, both geographically and socially. The work load was different from other government departments and poorly understood. A particular difficulty was inadequate staffing, which was worsened by public service cuts. In 1907, Richardson, the chairman of the newly created Public Service Board, announced its resolve to tackle inefficiencies. Poorly performing public servants would be reclassified at a lower level and vacancies would not be filled unless they provided an essential service.

35 Civil Service Act (1900).
36 CSD 22/36/115/00.
37 In 1902 the position of assistant superintendent at New Town Charitable Institution became vacant and Charles Seager was an unsuccessful candidate. After that, Seager recommended that, to save money, the position could be scrapped, as it was. The same year he applied unsuccessfully for an exceptional pay rise for his son. In 1904, Seager recommended that Charles be made collector for the Charitable Departments as he had been acting in that position since June 1902. He also asked that the Collector’s commission be raised. Although the appointment was made, the commission was not increased. CSD 22/58/115/02; CSD 22/58/115/04.
38 Neglected Children’s Department Annual Report (1914) PP No. 42.
39 Public Service Commissioner’s Report (1922-3) PP No. 43; PSC 2/17/7/23.
Richardson argued that this would be the best way of reducing public service numbers “without inflicting hardship”.

Although he had administered the charitable departments, Richardson was unsympathetic to their situation and his relationship with Seager had apparently soured. In 1907, the Board refused to replace a clerk who had been transferred to another Department and Seager, deciding that his workload had been underestimated, wrote to correct the misapprehension. The burden of correspondence, book keeping, dispensing medicine and dealing with the public, was so great that even with two clerks he did much of the correspondence. To save money, he used depot invalids to help with other office work, assistance that was “exceedingly poor and frequently most unreliable”. One assistant was a “chronic drunkard, a v. unreliable man”, who when asked to write the cheques made mistakes amounting to £10. The other had an artificial leg so that all his paper work had to be given to him. Seager and the clerk worked up to twelve hours a day, as well as Sunday afternoons; twice the invalids had to work late too. The situation was causing “extreme office tension”. The Board suggested that Seager improve his efficiency, to which he replied:

As regards myself I challenge anyone to truthfully say that I am idle or extravagant and you sir, surely will understand the amount of energy, tact, thought and supervision it requires to keep so many engagements as I am entrusted with, in a workable & efficient state.

The Board decided that the cabinet could make the decision and a new clerk was appointed. Seager found him “always regular and punctual, very attentive to his duties and a good shorthand writer and typist”.

Seager had other disputes with the Public Service Board over staff. In 1909, they had a bitter, protracted and well publicised argument about the appointment of a Farm Manager at the Boys Training School. Seager argued that the Board’s appointee could not control the boys, which evidence suggests was true. For the Public Service Board, the issue was that Seager, who was not entitled to appoint staff, was trying to do so. The following year Seager asked to make all appointments at the School, apart from clerks
and the matron. The final authority would be the chief secretary, as in the
days before the 1900 Civil Service Act. The Public Service Board replied that
in practical terms Seager already had that right because he recommended
nurses and was consulted before final appointments were made.43

The Effect of Financial Constraints on Departmental Definitions of Neglect

The expense and marginality of the work done by the Neglected Children’s
Department threatened its existence and its secretaries apparently saw two,
conflicting, ways of negotiating the problem. They could economise, and so
avoid financial scrutiny, or attempt to enlarge the Department, making it
more important. The tension between these options was managed
differently, according to the government’s financial situation, and the
personality or status of the secretary. Seager was in the worst position
because the Department’s finances were closely scrutinised during his
administration and he had less status than his successors.

Fiscal shortfalls impinged on children’s committals (explained below)
because, if they could be reduced, costs were contained. In 1898, when Seager
requested a supplementary vote, he promised that, “You may rest assured
that every case will undergo the strictest investigation and the expenditure
will be kept to the lowest minimum”.44 After the 1902 select committee, it
became obvious that committal numbers would have to reduced, if the
Department was to survive, and there was a sharp decline in numbers.45
Seager often complained bitterly about the costs that careless parents
inflicted on the state. The financial vulnerability of his Department helps
explain his attitude.

Under the Act anyone could bring a neglected child before a justice or a
magistrate for committal. In practice, private individuals, like the
neighbours or employers of parents who could not cope, usually contacted
the police, the Department, a member of the church or some voluntary
worker, who then made the application.46 Private individuals occasionally
went directly to the Department, usually via its inspectors.47 Both Roman

43 CSD 22/137/115/3/10.
44 CSD 22/16/126/99.
45 See graphs entitled “Annual Committals to the Neglected Children’s Department” and
“Annual Cost per Boarded-Out Child”, figures II, III, Appendices.
46 SWD 1/4/251-2; 1/8/518-9; 1/9/597.
47 SWD 1/3/209; 1/9/584.
Catholic and Anglican clergy recommended children although the latter were more likely to do so.\footnote{SWD 1/1/1; 1/2/127; 1/2/115-117; 1/10/675-8; 1/12/778; CSD 22/51/25/02.} Charitable societies, like the Benevolent Society or City Missions might decide that children in a family they assisted would be better off in the state’s care.\footnote{SWD 1/15/985; 1/14/884; 1/18/1062; 1/1/25; 1/11/737-8.} Industrial schools occasionally suggested a committal, usually hoping that the child would be placed in the school.\footnote{SWD 1/1/42.} Parents sometimes placed children in industrial schools voluntarily, and they might be committed if maintenance was not paid.\footnote{SWD 1/1/101644.} Rescue homes were another source of children as was Glen Dhu, Launceston’s home for ex-nuptial babies.\footnote{SWD 1/18/1535; 1/14/486; 1/12/772; SWD 1/15/949.} Applications could come from other government departments, Charitable Grants, the Health Department or the police and were sometimes made for babies born at the New Town Charitable Institution.\footnote{SWD 1/7/431-4; 1/9/580-1; 1/17/1013; 1/1/2-7; 1/7/468-9; 1/7/477-9; 1/14/898; 1/3/157; 1/5/280-2; 1/9/618.} Parents occasionally made the first move in which case they had to surrender the children as uncontrollable, even if the problem was that they could not afford to keep them.\footnote{SWD 1/19/1107.} Some children were convicted of a crime and ‘sentenced’ to a specified number of years in care.\footnote{SWD 1/17/1009.} All others were committed until they were twenty-one unless released by order of a governor-in-council.

In rural areas, recommendations for committals usually came from wardens as they were responsible for distributing outdoor relief.\footnote{SWD 1/8/535; 1/8/486; 1/6/394; 1/12/772; SWD 1/15/949.} Since their budgets were small, many tried to save money by getting poor children committed to the Department instead of supporting them from the meagre government vote.\footnote{In 1897, the warden at Swansea told Seager that if his entire charitable vote was given to a fatherless family of six children it would not be enough to support them. SWD 1/1/75.} In addition, wardens, police, justices and magistrates wanted troublesome children out of their districts.\footnote{For instance, in Sorell, some justices were horrified at a mother’s application to have her two children returned because everyone’s patience was “taxed to the utmost limit of endurance, before the neighbourhood was rid of such an inestimable nuisance as was created by the presence of these children”. SWD 1/1/69; see also SWD 1/1/61-3; 1/10/675-8; 1/13/803-4.} Local authorities were
so keen to commit poor children that soon after the Department was established, Braddon sent all wardens a circular asking them to be more circumspect. 59 Although a magistrate or two justices of the peace decided committals, Seager tried to influence their decisions. 60 In 1900, he admonished a Huon magistrate for committing too many children:

I beg to direct your attention to the fact that there is a growing tendency in your district for people in any misfortune to fly to the Government for charity in place of making an effort to assist themselves, this I consider very undesirable. 61

While on one hand, Seager tried to keep committal numbers down, he also supported calls, from industrial schools, magistrates and interstate philanthropists, to increase them. He perhaps believed that this would enhance his Department's importance, end suggestions for its abolition, further his career and have social benefits. Industrial schools, like Seager, wished to enlarge their scope and tried to persuade the government to widen the legal definition of neglect. In 1903, the committee of the Launceston school suggested that the government take a "wider and more liberal view" of neglected children as they found it difficult to admit "urgent and necessitous" cases. Although the committee thought that it was right to avoid "any unnecessary expenditure" it suggested that it was good economics "...to assist in the maintenance and training of all children where the parents, either from confirmed habits of intemperance or other causes, have evidenced their unfitness for such responsibility". Some expense could be defrayed by making the parents pay maintenance. 62

In July 1906, W.L. Wells, a magistrate in Black River, told the chief secretary that the legal definition of neglect should be widened. Wells had difficulties dealing with, "cases of families living in the most deplorable poverty and with the most unhealthy physical and moral surroundings"; at times eight to ten siblings, living in two roomed huts, came before the Bench "half clothed". They could not be placed in the Department's care unless they

59 CSD 22/13/62/98.
60 In one case Seager said that the "chief aim of the local Magistrates and Police Officers appears to be to get rid of the children from the district. They probably overlook the fact that the State has to pay for the maintenance of the children committed to the care of the Department". SWD 1/9/628.
61 SWD 1/16/368-20.
62 CSD 22/76/92/03.
committed an offence or their parents surrendered them which they often refused to do. The parents were not necessarily criminals but:

from drink and often only from their incompetence, shiftlessness or some physical incapacity are unable to earn more than the merest pittance and their style of living is one which can only end for their children in immorality and crime.

Wells believed that the power to remove such children from their homes before they committed a crime, and without parental consent, would “pay the State handsomely even from a pecuniary point of view”. Wells included a newspaper article about a baby born to a twenty-one year old, unmarried woman, in a bush “hovel” at Black River. It had two rooms and a lean-to with a hole in the wall but no window. The roof had holes through which daylight streamed, yet “it was clean, and neat enough inside as the winter’s blast whistled through”. Ten people lived in the hut and the mother’s five younger siblings were there at the time of the birth. Their father was dead. Four days later, the baby died although it had seemed healthy an hour or so before. The children were brought before the magistrate for committal to St. Joseph’s Orphanage, but their mother changed her mind and refused to surrender them.63

The chief secretary sent Wells’ letter to Seager who had wanted to enlarge the Department’s scope but hesitated to suggest it because of the cost. He saw funding rather than the definition of neglect as the problem; the vote was so small that the Department could only deal with “the lower class of children or destitute orphans”. Yet there were:

many hundreds of children in the state growing up in poverty & no doubt crime...that sooner or later will swell the ranks of the pauper role of the State, I cannot but feel how little, comparatively the Dept. is doing through its efforts for want of funds.

Cases like the one described by Wells were common. At places, even near Hobart, children “seldom or ever” saw strangers and would “fly out of sight like wild people”. A Scottsdale vicar told a story about young men who were shown a picture of the crucifixion, and asked, “in earnest sympathy ‘who the blokes were on trees’ so very uncultured were they”. At Cambridge a father, mother and seven children lived in a hut twenty foot by ten. One of the daughters had just had a baby and there was “not a stick of furniture, or

63CSD 22/92/25/06.
any bedding, all being covered at night with rags or bags”. There were many such families:

equally deserving whose parents are unable to control them; orphans whose surviving parent is unable to properly provide; & also many bush families whose surroundings can only be classed as utterly unsuitable to the rearing of children, and whom to take over would no doubt greatly benefit the State in the future, but for the present would mean an expenditure greatly in excess of that at present provided for.

In other states, more generous funds were provided to deal with such cases.64

Since the framers of the Neglected Children and Youthful Offenders Act focused on a moral criterion of neglect, it offered little scope for the committal of children who were destitute. Only those “found wandering and not having proper guardianship or any visible means of subsistence” and orphans or children, with only one surviving parent in gaol, could be committed. Yet destitution was the main reason for neglect and, as the influence of national efficiency ideas grew, removing children from impoverished surroundings seemed more urgent. Given adequate funding, Seager believed that most cases could be covered by making a liberal interpretation of the term ‘neglect’ and did not think that there would be any difficulty proving that of the Black River children.

He probably meant that the parents could be persuaded to surrender them as uncontrollable, which many did because of extreme financial difficulties. However, these children were not committed to the Department strictly according to the law. In 1897, Bernard Shaw, Hobart’s police magistrate, told Richardson that the grounds of uncontrollability were never intended to be used in cases of destitution. At the time, Richardson said that the Act was “so defective” that it was difficult to deal with such cases and suggested that one poor widow be told to let her children engage in after hours street trading so that they could be committed. However, Shaw prevented him because he did not think that cases should be made up to fit the Act.65 This ploy was not used, although many destitute children were surrendered by their parents as uncontrollable.

64 CSD 22/92/25/06.
65 SWD 1/1/20-1.
In 1907, Catherine Spence’s book, *State Children in Australia*, gave Seager another opportunity to argue for a wider definition of neglect, or at least, a more generous interpretation of the Act. Spence noted that the number of state children in Tasmania was small compared to South Australia. She concluded that: “Either the population is more virtuous or there are far less clear ideas as to what constitutes a ‘neglected child’.”

Seager responded by suggesting that more children be committed to the Department:

> the solution of the neglected children question and one which will, with judicious management help the future of the Commonwealth in its great want, viz: population; for take the question of waifs how you may, how better can you help the future bone and sinew of the Commonwealth, than to take the children of poor people, feed and care for them and thus lay the foundation of their future strength and ability to be wage earners.

The attorney-general, W.B. Propsting, agreed that reclaiming and training children would be an advantage to them and the wider community; if more money was required, it should be requested. He thought that a small group, including Elkington, Seager and some Anglican clergy should be formed to outline a better scheme. Although cabinet discussed the matter nothing was done. However, in 1908, a committee, made up of Seager, G.A. Webster, a doctor and representatives of the Children’s Protection Society, including Alicia O’Shea Peterson and Frances Edwards, was formed to recommend changes to the Acts pertaining to the protection of women and neglected children. N.E. Lewis, a lawyer, MHA, and former premier, advised but did not attend the meetings.

The committee recommended that the definition of neglect be widened to include a child:

> who is found begging, receiving alms, thieving in a public place, sleeping at night in the open air, wandering about at late hours associating or dwelling with a thief, drunkard or vagrant, or a child, who by reason of neglect, drunkenness or other vice of its parents is growing up without salutary parental control and education, or in circumstances exposing such child to an idle and dissolute life or who is found in a house of ill fame or known to associate with or be in the company of a reputed prostitute, or who is an habitual prostitute, or an orphan

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67 Launceston Girls Industrial School Annual Report (1907) CSD 22/107/92/10/07.
and destitute, or deserted by its parents, or whose only parent is undergoing imprisonment for a crime, or who by reason of ill treatment, continual personal injury or grave misconduct or habitual intemperance of its parents, or either of them, is in peril of loss of life, health or morality, or in respect to whom its parents or only parent have been convicted of an offence against this act or under the criminal code, or whose home by reason of neglect, cruelty or depravity is an unfit place for such child. 68

This definition, which drew on Ontario’s 1893 *Children’s Protection Act*, did not address the problem of destitution directly, presumably because reformers still viewed it as caused by parental moral failing and while there was a greater emphasis on children’s physical protection, their control remained a central issue. The committee also suggested that the Federal government be asked to enact laws to facilitate maintenance collection from fathers who absconded interstate and pointed out how small the cost of the Neglected Children’s Department in Tasmania was, compared to other states. 69 There was some discussion of the report during 1910, and the chief secretary, G.H. Butler, asked A.E. Solomon, the attorney-general, to prepare a draft bill in January 1911, but nothing seems to have happened. 70 In 1913, Addison said that ministers planned to investigate the care of neglected children during the recess. 71 Again nothing happened, either because of limited finances or the intervention of war. In 1918, the *Children’s Charter* adopted this definition of neglect although it was widened to include destitution.

As my chapters on legislation pertaining to street children and infant life protection showed, calls within government for changes to child welfare measures between 1906 and 1913 were matched by similar ones from voluntary social welfare reformers. The influence of the Children’s Protection Society is evidenced by the prominence of its representatives on the government’s committee to inquire into laws pertaining to women and children. Edwards also attempted to influence public opinion over the moral neglect of children in the last of her four articles entitled the “Cry of the Children” published in the *Daily Post*. In it, she drew a comparison with Ontario and other Australian states to show that Tasmania did almost nothing to prevent “the increase of a pauper, wastrel and criminal

68 CSD 22/128/75/1/09.
69 CSD 22/128/75/1/09.
70 CSD 22/128/75/1/09.
71 CSD 22/139/40/13-17.
population". She blamed the problem on indiscriminate almsgiving which encouraged children to beg, fearing that, with compulsory schooling, the habit might spread. The Daily Post, in promoting the article, said that legislation for the protection of child life was essential.\textsuperscript{72} The paper's support, in contrast to the Clipper's antagonism during the 1890s, indicates the growing endorsement by labour sympathisers of a state controlled child welfare policy.

The Placement of State Children

Seager preferred that state wards be placed in the boarding-out system rather than industrial schools. State children placed in industrial schools were supported by the Department but came under the guardianship of the school, so that there was a loss of authority for the secretary but no savings.\textsuperscript{73} The Neglected Children and Youthful Offenders Act was unclear as to whether the committing magistrate or secretary had the power to place children but Seager acted as if it was the secretary's right.\textsuperscript{74} In 1899, when a Queenstown magistrate committed a boy to the industrial school, Seager asked that the order of committal be changed to the Department, so that he could "be disposed of as the Department thinks best".\textsuperscript{75}

Industrial schools argued that they offered the best training and that more children should be placed with them. In 1909, the committee of the Hobart Girls Industrial School, resolved that all state girls should spend the last year before their apprenticeships at the school to be trained for domestic service. Seager responded that training schools fell "far short of the requirements of childhood", and that the "motherly interest" taken by foster mothers in their children made training more effective. Quoting international experts, like J.J. Kelso of Ontario and Barnardo workers, he argued that learning to work without supervision led to "manliness and the development of

\textsuperscript{72}According to the Daily Post: "Time can be found for legislation on other matters, and when blight broke out among the potato crops last year legislation was hurried through to deal with it. Surely these neglected children are at least as important, and their value to the State as great as that of the potato industry, yet so little practical interest has their case aroused that no time can be found to legislate for them". Daily Post, 21 October 1910.

\textsuperscript{73}CSD 22/16/126/99.

\textsuperscript{74}In 1897, the attorney-general said that it was the secretary's right to place children. However, Bernard Shaw, police magistrate and manager of the Boys Home, disputed this opinion. SWD 1/1/2-7; CSD 22/47/13/00; Post Office Directory 1899 p. 404; Mercury, 6 September 1910; Neglected Children and Youthful Offenders Act; CSD 22/45/92; CSD 22/68/92/03; CSD 22/118/91/10/08.

\textsuperscript{75}SWD 1/4/239. There was a similar case of two Castle Forbes Bay girls committed to the industrial school. Seager asked that it be changed to the Department. SWD 1/5/311.
character”. Good character, initiative and the ability to cope with the world were best learned through family life. In another dispute, Seager antagonised the managers of the Boys Industrial School, especially Bernard Shaw, by placing neglected boys in the Boys Training School so that there were enough numbers for the farm work, which suggests that his concerns about institutional life were superficial.

The Under-Secretaries’ Administrations

In 1911, the Charitable Departments were brought under the control of Packer, the under-secretary. Seager remained superintendent of the New Town Charitable Institution and the Boys Training School. He must have agreed to the arrangement because under the 1905 Public Service Act, to be demoted, he had to acquiesce unless the Public Service Board proved his incompetence, which it did not. Seager was in poor health and was possibly relieved to have less work. Yet the Public Service Board’s annual report, written by Richardson, hints that Seager’s demotion was related to poor performance, so that he may have agreed under duress. The report concluded that “the new order of affairs appears to be giving entire satisfaction”, implying that the old one had not.

Perceptions of Seager’s capabilities had changed. In 1906, the premier, J.W. Evans, told him that “I have observed with appreciation the zealous and efficient way in which you have discharged your important public duties”. Yet in 1910 Butler, commenting on a government decision to downgrade the farm at the Boys Training School, said that:

We could never find out whether Mr. Seager or the Managers were responsible for the state of the farm and in any case there was no one fit to manage it and the Government thought it best to take it away and sell it.

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76 CSD 22/125/25/0/09.
77 CSD 22/47/131/00.
78 CSD 22/152/115/6/11; Public Service Act (1905).
79 Seager requested leave because of illness in 1906 and twice in 1912. He died in 1913. CSD 22/95/91/06; 22/129/91/4/09; 22/160/115/33/12; Mercury, 5 May 1913.
80 Richardson said that: “The Board had under consideration during the year a suggestion bearing upon the question of the administration of Charitable Grants and after full consideration recommended that the Superintendent of the Newtown Charitable Institution and Boys Training School be relieved of the duties connected with such administration and that this be placed in the hands of the Under-Secretary”. PSC 2/17/7/13.
81 CSD 22/95/91/06.
82 CSD 22/137/115/3/10.
If there was incompetence, it was probably administrative, as there were no public scandals, or according to the files, private ones, concerning state children. However, there was a suggestion that foster homes could be improved. The immediate replacement of the Department's inquiring officer, who inspected the homes, with an inspecting nurse, suggests that Packer thought their inspection too cursory. His first annual report said that the boarded-out children fared better under his administration, but he may not have been expressing an impartial view. By 1911, Seager had few friends to defend him. His determination to persist according to the old rules, especially in the matter of staff appointments, had apparently antagonised Richardson and the Public Service Board. Seager's attempts to exploit loopholes in the Act, to place children where he wished, had upset Shaw, who had also been a member of the Public Service Board during the dispute about the appointment of the Boys Training School's farm manager. Although Shaw had died by 1911, his dislike of Seager may have left its legacy. In some respects, these details are marginal, as most of Seager's difficulties were created by the wider problems of his Departments, their social isolation, distance from town, and underfunding and these were, perhaps, the fundamental causes of his demotion.

Seager's competence may have been irrelevant since Packer's reforming zeal meant that once he became under-secretary, all staff in the Chief Secretary's Office were vulnerable. Packer, who embraced the new public service culture, had a predilection for reorganising government departments; Lands and Works, Public Works and the Education Departments had all been restructured by him. He had also submitted a proposal for the reorganisation of the public service, which, he claimed, had been largely adopted. Given this history, there seems little doubt that Packer was appointed to reorganise the Chief Secretary's Office. It was an ill assorted portfolio of responsibilities and there had been proposals to abolish it and redistribute its sub­departments, although it was never done. A letter to the Public Service Board from Butler suggests that the idea for amalgamation came from him and that Packer was appointed for this purpose. Butler was considering reforms to the Neglected Children's Department in 1911; transferring it to

83 Neglected Children's Department Annual Report (1911) PP No. 30.
84 Mercury, 6 September 1910.
85 The Case of Mr. Packer in the Public Service.
86 The Case of Mr. Packer in the Public Service; see also Wettenhall, p. 196.
87 CSD 22/152/115/6/11.
the city and putting Packer in direct control may have been a prelude to them. However, given Packer's history, the reorganisation may have been his initiative, with Butler merely endorsing it.

Packer was not deterred by opposition. Changes made to the Education Department under his administration caused so much office tension that, in 1904, there was a select committee investigation which showed that he had scant sympathy for people affected by his policies. Some staff were given a few hours notice of transferral to other departments, and others were assigned positions for which they had no aptitude. Protests went unnoticed, and long-serving teachers received letters accusing them of stupidity, when they made mistakes in accounts. Three rural education Boards of Advice resigned when they were abruptly told to pay for their own stationery. Despite these findings, the select committee largely exonerated him, although further criticisms then led to his dismissal.88 He was later reinstated as assistant clerk to the Legislative Council, a demotion in status and salary. Both were restored by another select committee in 1908 and Packer was appointed under-secretary in 1911.89

Packer was incisive and vigorous compared to Seager's cautious, sometimes blustery ambition. Moreover, Packer's higher status as under-secretary gave him more scope to act. Newly located in central Hobart, within the prestigious Chief Secretary's Office, the charitable departments gained respectability. Under Packer's administration, more funds were voted, the number of children committed to the Department increased, and he did not hesitate to suggest reforms.90 In August 1912, he proposed that the Neglected Children's Department be moved to the Police Department where babies, who came under the Infant Life Protection Act, were already located. The proposal foundered because the Neglected Children's Department generated so much work that the Police Department would need another clerk and the Public Service Board did not think that there would be a "positive gain in efficiency".91 Packer's sudden death in 1914 resulted in the appointment of Addison as under-secretary.92 In 1916 there was a proposal to transfer the

88Education Office Staff Inquiry (1904) PP No. 36.
89The Case of Mr. Packer in the Public Service: see also Wettenhall, p. 45.
90See graphs, "Annual Committals to the Neglected Children's Department" and "Annual Cost per Boarded-Out Child", figures II, III in Appendices.
91PSC2/17/7/13.
92Neglected Children's Department Annual Report (1913-14) PP No. 42.
Police Department babies to the Neglected Children’s Department.\textsuperscript{93} It too was abandoned and the children in the two Departments were finally brought together when the \textit{Children’s Charter} was passed in 1918.\textsuperscript{94} John Daly, who had been the chief clerk, became the secretary of the new Children of the State Department but was forced to resign in 1922, apparently for the gross mismanagement of departmental funds.\textsuperscript{95}

The Inspection of State Children

The Neglected Children’s Department inherited its system of inspection from the Central Boarding-Out Committee, which it superseded, and at first many of its practices were retained. Under the old scheme, Hobart and New Town were divided into three districts, each with a voluntary visiting committee of two women and one man.\textsuperscript{96} Launceston had a similar arrangement. At some stage, the men stopped visiting regularly. The committees visited children every month to detect abuse or negligence, advice the foster mothers on proper care, and check that bedding was clean and warm.\textsuperscript{97} Another task was to buy clothing for newly committed children.\textsuperscript{98} In Hobart, the women’s inspections were complemented by those of the inquiring officer.

The police also did inspections, but increasingly the Department took this responsibility, the police role becoming essentially supportive. However, the adopted and apprenticed children in rural areas were not routinely inspected by the Department until 1915, and then, only once a year, so that police inspection remained crucial for them.\textsuperscript{99} In these areas, children’s well-being was also monitored by wardens, ministers of religion and school teachers, so that regular school, church and Sunday school attendance was integral to the system. These methods were haphazard at best and depended on the local community’s inclination to take an interest in the child.

\textsuperscript{93}CSD 22/139/30/13-17.
\textsuperscript{94}Children's Charter (1918) 9 Georg II V No. 15.
\textsuperscript{95}Record of Services of Daly, John Francis, PSC 24; CSD 22/271/9/3/22; Wettenhall, p. 209.
\textsuperscript{96}Boarding-Out Committee Annual Report (1881) PP No. 13.
\textsuperscript{97}Royal Commission into Charitable Institutions (1888-9) PP No. 50.
\textsuperscript{98}SWD 1/15/958.
\textsuperscript{99}PSC 2/17/7; CSD 22/231/38/12.
George Judge came into the Department from the old system. He had been appointed inquiring officer, a government appointment, in 1874, and moved with the boarded-out children through their various phases of management; Charitable Grants, the Benevolent Society and finally the Central Boarding-Out Committee. Judge visited the boarded-out and apprenticed children every three months, inquired into the character of potential foster mothers and investigated applications for the boarding-out system and industrial schools. After the establishment of the Neglected Children’s Department, he became its inquiring officer. This brought him into competition for pay and status with James Pearce, the inspecting officer for Charitable Grants, who had originally been head warder at the Newtown Charitable Institution. Pearce had senior status and was better paid, although Judge thought that the position should be his, probably because he had been employed longer. When Judge died in 1898, Pearce took over his position while retaining his work at Charitable Grants.

When the Neglected Children’s Department was established, the number of visits made to Hobart foster homes were increased which Richardson thought improved the children’s care. In December 1897, he visited Launceston, where all inspection was done by a ladies’ visiting committee, and was struck by the poor appearance and surroundings of the children. Deciding that these disappointing results were due to the absence of an inquiring officer who had more authority and could be more thorough than the women, he suggested that an appointment be made. In May 1898,

100Boarding-Out Committee Annual Report (1893) PP No. 38.
101Royal Commission into Charitable Institutions (1888-9).
102CSD 22/6/117/97.
103CSD 22/152/115/6/11.
104In 1897, Judge argued that his pay should be increased by £30 per annum because that he had worked “next” to O’Boyle “for years”. The request was refused and he died in 1898, leaving his wife with an inadequate income, or, at least, that was her persistent complaint. In 1908, she applied to commit her grand-daughter to the Department, when she was deserted by her father. Mrs Judge said that she could not afford to support the child because, “I am now over 70 years of age and still work for my living although my husband was a faithful government servant for over 26 years”. Seager warned the chief secretary that Mrs. Judge was “again on the warpath” and that the application was an attempt to get what she believed was her due from the Department. The child was not destitute but supported by her uncle who paid for a private education. He wanted her committed so that his brother could not claim her if he returned to Tasmania. She was made a ward of the state and placed in her uncle’s care. CSD 22/4/86/97; 22/13/62/98; 22/114/25/8/08; SWD 1/12/775.
105CSD 22/13/62/98.
106CSD 22/13/62/98.
William Welsh, a retired sergeant major, obtained the position.\textsuperscript{107} He was a drill instructor, described just after his retirement from the Launceston Rifle Regiment in 1894 as a "most popular figure in our midst" with a "zeal and unflagging energy" for his work, both military and philanthropic.\textsuperscript{108} Welsh already worked for the Department making preliminary inquiries about potential state children. He was also the Benevolent Society visitor and government truant officer.\textsuperscript{109} Richardson believed that he was "a v. intelligent & painstaking officer".\textsuperscript{110} Once appointed, Welsh often combined his roles in one visit.\textsuperscript{111} For instance, he always saw the state children when he visited a school as truant officer which perhaps gave the Department the idea of visiting the state children at school.\textsuperscript{112}

The inquiring officers received initial inquiries, recommended applications for committals, found foster mothers, inspected homes and were available for emergencies. They were supposed to record what they saw to give the secretary direct knowledge of every departmental occurrence and act as his mouthpiece, handing on decisions to foster mothers, children and their natural parents, thus facilitating his control.\textsuperscript{113} However, Pearce, in particular, sometimes had different loyalties from those of the secretary. As my chapter on the boarding-out system will suggest, he was protective of the foster mothers and this was, probably, in part a class sympathy.

The characters of the inquiring officers were very different. According to his obituary Welsh, as an ex-British army sergeant major, had seen "a good deal of skirmishing on the Nepal frontier". He was a first class instructor with the tenth Middlesex Rifles and, in Tasmania, between 1882 and 1894 was an infantry instructor.\textsuperscript{114} In his spare time, Welsh, a burly figure, continued to teach military drill, signalling, and gymnastic exercises.\textsuperscript{115} Physical

\textsuperscript{107}CSD 22/13/62/98.
\textsuperscript{108}Letter to the Launceston Examiner, 9 October 1895.
\textsuperscript{109}CSD 22/6/117/97; 22/88/115/05; 22/107/92/10/07.
\textsuperscript{110}CSD 22/6/117/97.
\textsuperscript{111}SWD 1/14/225.
\textsuperscript{112}SWD 1/10/641.
\textsuperscript{113}Foucault argued that inspection was an essential ingredient of the disciplined society. In schools it was done by giving the best pupils a mixture of concrete tasks, like handing out paper, inks or pens and the disciplinary one of monitoring minor aberrant behaviour. In this way disciplinary power was dispersed throughout the system. While this explains how the system was supposed to work it does not take the agency of individual officers into account. Foucault, pp. 175-7.
\textsuperscript{114}Launceston Examiner, 24 August 1916.
\textsuperscript{115}Launceston Examiner, 30 September 1895.
competence, not language, was his medium and his taciturn reports reflect this. Alternatively, Pearce, fascinated by the human condition, was verbose and effusive. His reports are long, colourful and verging on the sentimental. Pearce worked hard. One weekend he visited Cygnet to see an apprenticed boy whose health was causing concern, leaving Hobart, by pony, at 6 AM on Friday and returning on Saturday at 10 PM. While there, he hurriedly visited other apprenticed children, doing a round trip of 110 miles. Although rushed, he thought the visits worth while, recommending that they be done regularly, as was the practice in other Australian states and Ontario. 116

Both Pearce and Welsh were married and their wives played important roles in their work. Mrs. Pearce managed the Charitable Grants depot in Argyle Street, distributing outdoor relief until the Benevolent Society took over most of that work in 1911. 117 Pearce was made superintendent of the Receiving Depot in 1898, although it was probably Mrs. Pearce who ran it. 118 Some children were boarded-out with the Pearces and they became interested in their well-being. For instance, James lived with them for nine years and when he became thirteen, Pearce considered adopting him, instead of allowing him to be apprenticed, but feared that “the temptations of the town will be too much for him as he gets older”. However, as Pearce thought that James was “a very peculiar natured boy and it is not everyone that could manage him”, he asked to have him back, if he committed a misdemeanour, so that he was not sent to the Boys Training School. 119 Not all children were happy at the Pearces. In 1913 Ellen, recently transferred to an adoptive home from them, told Packer, “this is the first good home I’ve been in why when I was at Mr Pearce’s it was a shame the way we were kept my brother & myself... it was shameful the way we were sent away dirty in the head”. 120 Mrs. Welsh also occasionally took care of state children, continuing to do so after Welsh’s retirement, especially if the child seemed

116SWD 1/5/280-2.
117CSD 22/152/115/6/11.
118CSD 22/13/62/98. Mrs. Pearce looked after a child whose adoptive mother died in 1901 while the police tried to find her natural mother. On another occasion, a boarded-out boy who, according to Pearce, was “very ill, wasting away to a mere frame”, was transferred to her to see if she could improve his health. SWD 1/6/305; 1/2/86.
119SWD 1/6/351.
120SWD 1/8/486.
vulnerable. These women’s roles as foster mothers perhaps created a bond between the inquiring officers and other foster mothers.

When the Department came under Packer’s direct control Pearce was demoted, again becoming head warder at New Town Charitable Institution, with the additional task of storekeeper. In his place, on 1 May 1911, Katherine Crawford was appointed as inspecting nurse, reflecting a growing faith in professionally directed social efficiency. In 1906, nursing had become an accredited profession, requiring three years training, so that the public could differentiate clearly between qualified nurses and untrained practitioners and avoid the latter. Under the Infant Life Protection Act, the Police Department employed nurses to inspect registered foster homes and advise on infant care which J.E.C. Lord thought had lowered the infant mortality rate. This probably influenced Packer’s decision to appoint an inspecting nurse for the boarded-out children in Hobart. In 1912, he claimed that the experiment was successful. Foster mothers “gladly” accepted the nurse’s advice and the children now had “a clean and healthy appearance”. When Welsh reached retiring age, he suggested that an inspecting nurse be appointed in Launceston. Rose Heathorn was employed, with good results, according to Packer. Welsh, now aged seventy-two, did not retire but was appointed superintendent of the Launceston Gaol.

Packer said that the inspecting nurse did not do nursing duties but made:

- a systematic inspection in connection with the destitute and neglected children-
- the sleeping accommodation, clothing, feeding, school, religious instruction,

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121 In 1909, he placed a boy with her because "he is rather a sensitive little fellow". SWD 1/14/866; see also 1/18/1074.
122 CSD 22/152/115/6/11.
123 In 1904, J. Ramsay, the medical superintendent at Launceston General Hospital, asked the premier to pass legislation for nurse registration, because “it is obviously unfair to the fully qualified nurse who has spent three or four of the best years of her life in acquiring a proper knowledge of & fitness for her work, that any woman however ignorant & unfit can be just as much appreciated by the public at her own estimation and value. Consequently the public is suffering from a plethora of these untrained women who pass themselves off as properly trained nurses and have matters of life and death placed in their hands because of the ignorance of the public who do not properly appreciate the difference between the two classes”. CSD 22/95/93/06.
124 Police Department Annual Report (1911) PP No. 12.
126 CSD 22/160/115/1/12; Neglected Children’s Department Annual Report (1913) PP No. 28.
127 Launceston Examiner, 24 August 1916.
general hygienic surroundings and inspection during illness, the capability and
attention of foster mothers and the obtaining of good women to register.\textsuperscript{128}

The nurses inspected each home weekly, checked bedding, interviewed
children and advised foster mothers about the care of sick children.\textsuperscript{129} They
visited schools to ensure that the children were tidy, and attended
regularly.\textsuperscript{130} They also met them on the street between home and school so
that, according to Addison, they would "endeavour to be tidy in appearance"
and "not loiter in the streets".\textsuperscript{131}

Tension soon rose between the professional nurse and the amateur visiting
committee in Launceston, leading to its resignation. Shortly after her
employment, Crawford visited Launceston to carry out some inspections.
She removed a child from a home endorsed by Welsh and the visiting
committee, and ordered that some Catholic children be transferred from
their state school to the Catholic one. She implied that another, trusted,
foster mother's accommodation was too limited. The secretary of the
committee protested that this was "a slight which we did not expect to be
subject to" but Packer upheld the nurse's actions. The committee said that
although they supported the nurse's appointment they would have liked
the Department to let them know when it was made. There were other,
unspecified, problems and all but one of the women resigned:

On many occasions the Committee have had cause for complaint at the manner in
which they have been ignored when they might reasonably have expected to be
consulted & as it seems to them that the Government do not appreciate the
services they have rendered often at great inconvenience & expense they desire
that their resignation which they now tender be accepted & as soon as
practicable.\textsuperscript{132}

The resignation was accepted and the women were not replaced. It is unclear
when the Hobart visiting committee was abolished although it received
progressively fewer mentions in the records.

As they were associated with the old ideas of individualism and
temperance, the demise of the visiting committees highlights the influence
of bureaucratic styles in welfare practice by 1912. In addition, it indicates the

\begin{itemize}
\item \textsuperscript{128}Launceston Examiner, 8 July 1912; CSD 22/152/115/6/11.
\item \textsuperscript{129}Neglected Children's Department Annual Report (1911) PP No 32.
\item \textsuperscript{130}Neglected Children's Department Annual Report (1913) PP No. 28, (1914) PP No. 42.
\item \textsuperscript{131}Neglected Children's Department Annual Report (1914) PP No. 42.
\item \textsuperscript{132}CSD 22/146/25/1/11.
\end{itemize}
increasing involvement of government in policy formation and the implementation of child welfare policies. After the Neglected Children's Department had been formed, a conflict emerged between it and the Central Boarding-Out Committee, which disappeared soon afterwards. Since the visiting committee was its last remnants, the government's formal control was complete. Although voluntary groups remained influential, especially the Children's Protection Society and the Women's Health Association, this was solely in an advisory capacity. Under the influence of both the national efficiency movement and public servants' changing perceptions of the problem, the definition of neglect in childhood began to change, so that, although it still encompassed an absence of innocence and control, it also included destitution or living in impoverished surroundings. However, this did not find legislative expression until the Children's Charter was passed in 1918.

133 The Neglected Children and Youthful Offenders Act did not delineate the administrative boundaries clearly although the intention seems to have been to put the Department in charge. In September 1897 the Central Boarding-Out Committee postponed its monthly meetings until its original powers were restored. They were not. In 1898 the chief secretary suggested to the premier that the Act be amended to make it clear that the Department had ultimate power but this did not happen. CSD 22/6/117/98, 22/63/62/03; Neglected Children's Department Annual Report (1898) PP No. 33.