

## **Submission to a Senate Committee Inquiry into Stolen Wages**

**Lesley Williams  
CLAYFIELD QLD**

**I, Lesley Williams, am a member of the Indigenous Community of Brisbane in the State of Queensland, who had lived and worked under the various Queensland Government Protection Acts from 1897 to 1965 - wish to give written and oral evidence to the Legal and Constitutional Committee of the Senate inquiry into Indigenous Workers whose paid labour and savings (stolen wages) was controlled by various State Governments.**

### **Introduction**

From 1897 to 1965 the Queensland Government sought to regulate and control the labour, earnings and property of Indigenous workers through various pieces of legislation. Whilst these Acts may have contained provisions to safe guard against exploitation, it is submitted that many Indigenous workers such as myself were exploited for our labour.

### **Inside Workers**

#### **Exploited by the Number of Hours Worked Without Remuneration**

Section 28 of *The Aboriginals Preservation and Protection Act of 1939* states:

*(1) "Every Aboriginal shall, when required by the Protector or Superintendent, perform according to his ability any work necessary for the development and maintenance of the Reserve, Settlement or Mission Reserve as directed by the Protector or Superintendent; provided that an Aboriginal shall not be called upon to work in excess of thirty-two hours in any one week with-out re-numeration."*

*(2) "Every Aboriginal who, with-out reasonable excuse, proof of which shall lie upon him, refuse to work when required to do so by the Protector or Superintendent or any officer under his direction, or found to be evading such work, shall be guilty of an offence."*

In 1963, after the completion of my schooling and twelve months training at the domestic centre, I started working in the Government Retail Store at Cherbourg. I was sixteen years of age.

For two pounds (\$4.00) a fortnight, I worked a forty hour week from Monday to Friday. Also, every third Saturday morning, I was expected to work an extra four hours for no additional pay. My duties were basic in nature; they included serving customers, restocking and tidying the shelves and sweeping the floor.

Even though my role included 'serving the customers', because I was Aboriginal I was not allowed to handle any money. This task was the sole responsibility of the white government officer

Tuesday and Friday afternoons were meat ration days. Once the store was closed at half past four, those of us who worked in the store had to go over to the 'butcher shop' to give out the 'raw' meat to the residents. These two particular days were very long and hectic. It would be about six o'clock in the evening when we would finish as there were a lot of people we had to serve.

I also had another job. Every Tuesday, Friday and Saturday nights were 'picture nights'. Old movies were shown down at the community hall. It was my job, along with my friend Patsy Law, to sell lollies in the canteen to the patrons. For this job I was paid seven shillings and six pence (75 cents) a week. This job did come with some added benefits, as I got to see all the movies for free!

I did not receive payment in my hand for the additional work I did in the store and in the butchers shop. I am not sure whether this money was deposited by the government officials into my government controlled "savings account". As far as I'm concerned, because I never had access to this money, it meant that I was never paid for these jobs.

## **Out –Side Workers**

### **Employment of Aboriginal Workers**

The Regulations pursuant to the *Aboriginal Preservation and Protection Act 1939* state that:

*"Permission to employ an Aboriginal may be given by the Protector in whose district such Aboriginal is residing; or in the case of the resident of a Reserve by the Superintendent of that Reserve. Every agreement covering the employment of an Aboriginal shall be in triplicate in the form 7 in the schedule. Any person employing an Aboriginal shall produce to any Protector on demand a copy of the agreement held by him governing the employment of any Aboriginal who is found in or upon any house or premises that such Aboriginal is employed in contravention of the provisions of the Act and the Protector may withdraw any such Aboriginal from such house or premises forthwith."*

In February 1964, I was told by a white official at Cherbourg that I was to be sent out west to work for a family who owned a sheep and wheat property at Condamine in south-west Queensland. My family and I were upset that I had to leave. I was needed at home to help my elderly grandparents to look after my younger brothers and sisters, as both my parents were unwell. But we had no choice in the matter.

After collecting the official papers from the office I was then accompanied by a white official to the Government Store to collect my supplies and working attire. This consisted of a couple of plain cotton dresses, a nightdress, some undies, a towel, and some toiletries, writing pad, pen, and envelopes, and the infamous "brown port" (suitcase). This was protocol for all who were in my position, so that we would look "presentable" for our "boss".

Before my "big" departure, I was subjected to the humiliating experience of having a medical examination by the Settlement doctor, to make sure that I wasn't carrying any "Aboriginal diseases." I felt shame.

## **Aboriginal Workers Subjected to Medical Examinations**

Section 53(2) of the *Aboriginal Preservation and Protection Act 1939* states:

*“Every Aboriginal, before proceeding to employment from a Settlement, Reserve, or Mission Reserve, be medically examined by the medical officer by arrangement with the Superintendent or Protector, and if declared medically unfit shall not be allowed to leave the Reserve. Any Aboriginal on returning to the Reserve, Settlement or Mission Reserve from employment and any other Aboriginal when so directed by the Superintendent, shall present himself to the medical officer, by arrangement with the Protector or Superintendent, for medical examination”.*

Once the examination was over, I packed my personal belongings and waited on the front steps of our house.

I left Cherbourg that day, with my suitcase in one hand and a brown envelope in the other which contained my official papers, these included my work agreement papers, letter to my “boss” and a rail pass. I didn’t dare to open and read the contents of the envelope.

This was a traumatic experience for me, as this was the first time I left the confinements of Cherbourg without being escorted or chaperoned.

Also this was to be the beginning of several long years working as a domestic servant.

For each of my “employment” placements, I was not asked if I wanted to accept the employment offer; nor did I know the terms and conditions of my employment (including rate of pay and hours of work).

Subdivision 4 of the 1939 Act states that:

*“The hours of work for employees shall not, except as herein-after provided, exceed the hours provided for employees working under the Station Hands Award, and shall be worked in six days in each week between the hours of six am daily provided that any employee in calling governed by an Award shall work the hours provided in such Award.”*

*“Time worked in excess of the hours provided herein in any one week, shall be paid for as overtime and at the rate of time and a half, provided that overtime rates shall not apply in the case of station hands engaged in mustering.”*

As a domestic, my duties were house cleaning, washing and ironing and assisting with the cooking. A typical day started between six and six-thirty in the morning and finished between eight and eight-thirty at night.

Once breakfast was over, I was left to clear the table and wash up, while the men went outside to start work while Mrs        supervised the younger children.

Once the kitchen was tidy I would then continue with the other chores which included making the beds, cleaning the bathtub and hand-basin, sweeping and mopping the floors, dusting and polishing of the furniture. I took extra care when polishing the beautiful dining room table and chairs. On occasions during the lambing season, when it became very busy the whole family would get involved in the outside work. I was expected to help with the outside work as well.

I was expected to work everyday, seven days a week.

After working at Condamine for about six and a half months, I asked my 'boss' for permission to go back to Cherbourg so that I can make my debut at the Cherbourg show. Permission was granted. After the show was over I didn't want to go back to Condamine as it was so lonely. I wanted to stay at Cherbourg and be with my family. However, after being at Cherbourg for a couple of weeks, a white official from the office sent one of the local Aboriginal police to our house and told me to report to the office as I was supposed to be returning to Condamine. I told the official that I did not want to go back out to Condamine. I was then threatened with being put in the Girls' Dormitory or worse still, put in jail for breaking my agreement (the work agreement which I did not negotiate). Thoughts of spending time in the dormitory or jail really scared me. I had no choice but to follow orders I was then sent out to work on a property at Taroom.

It was October 1964 when I was sent out with another girl from Cherbourg, we worked for two brothers who each owned adjoining sheep and cattle properties at Taroom in south west Queensland. My duties and hours of work were similar to that of Condamine. I stayed with this family until December 1965.

During shearing time, instead of our employer's having to employ a shearer's cook, myself and the Aboriginal girl from Cherbourg, were told by our employers that we would be doing the cooking for twelve men. We had to be up at 4:30am every morning and we did not go to bed until 10 o'clock each night for the two weeks straight. As young girls, this was physically very hard work as we not only had to cook the breakfast each morning we also had to do the morning and afternoon tea as well as lunch and a two course dinner at night. Because of the nature of their work the men were big eaters, so therefore we had to cook large meals.

We did not receive any extra pay for this work. I don't know if we were supposed to get anything for the work that we had done. We were both young and we weren't game enough to ask. However we were taken to the local picture as a form of appreciation, as we definitely saved them a lot of money in wages.

### **Rate of Pay**

Section 58(1) of the 1939 Act states that:

*"Every Aboriginal employed in pursuance of the Act shall be paid in accordance with the rates set out in Form 8 in the schedule, except in the case of an Aboriginal employed under an award of the Industrial Court of the Commonwealth Court of Conciliation and Arbitration from which is not excepted."*

Form 8 states:

*"Where an Aboriginal is employed in a calling covered by an award from the provisions of which he is not specifically excluded, full award rates must be paid."*

It wasn't until thirty years later, while conducting some research, that for the first time I became aware that my weekly wage was supposed to be three pounds and ten shillings. Of this amount, I was to be

given ten shillings as pocket money and the remaining two pounds were to be sent back to Cherbourg and be deposited into my savings account.

During the time while working at Condamine and Taroom I did not receive my pocket money on a regular basis. On the rare occasions when I accompanied my bosses into town, I was then given some money so that I could buy some toiletries.

Section 73 (1a) provides that:

*“Every employer, shall keep a pocket money book in which he shall enter particulars of all wages or pocket money paid to an employee”.*

Subsection (1b) further states:

*“Every employer, shall obtain a receipt either by signature or right thumb print, from the employee for any such payment.”*

At no stage was I aware of the existence of a ‘pocket money book’; nor was I required to sign or give my thumb print. Perhaps this was because I rarely received any “pocket money” from my bosses and even then, I’m not sure that it was the correct amount.

### **Unsuitable Accommodation**

Section 59(12) of the Act states:

*“In the case of any female domestic employee, other than a wife employed with her husband as a married couple, suitable accommodation is to be provided, which consists of a room in the employer’s residence sufficiently protected to ensure the employee being under proper care and supervision at night. Such room shall be large enough to allow at least four hundred cubic feet of air space per individual with sufficient ventilation, light, and means of security. The employer shall provide for each such servant a comfortable bed with mattress and blankets, bed linen and mosquito net, a receptacle or cupboard for storage of clothes, and conveniences for health and cleanliness.”*

While working at Taroom, I slept in a small building away from the house. Apart from being my bedroom, it was also used as a storage shed storing the family’s bulk food supplies and other items. Every night before I went to bed I would lock the windows even in summer. Because there was no key to lock the door, I would drag a bag of sugar up to the door and also a golf club bag, as a form of security.

Late one Saturday night while I was asleep in bed, I woke to the sound of something being dragged across the floor – it was the bag of sugar which was leaning up against the floor to see a (white) drunken older man (about forty years old) standing next to my bed. He also worked there as a fencing contractor. I immediately jumped up out of bed, pushed him out of the way and took off outside. I ran crying and screaming into the main house where I woke up Mr and Mrs ....., I calmed down enough to tell them what had happened. Mr ..... immediately went to where the man had his room in the stables and told him to pack his bags. What really hurt was that Mrs ..... makes up the double bed in the spare room for me. This room was kept for the rare occasions when relatives would visit.

However, because the room was near the back door, I was still nervous that the man would come back to get me so I insisted on sleeping sleep in their room! So Mrs ..... drags a mattress into their room and places it on the floor for me to sleep on.

The very next night, I had to sleep outside again.

### **Restricted Access to Savings Accounts**

Section 13 of the Act limits the amount of money (10 pounds) an individual could withdraw from their savings account, before approval is needed from the Director of Native Affairs. The section also states that a reason must first be given if an individual wishes to withdraw more than 2 pounds.

Only on one occasion did I attempt to withdraw money from my savings account. When I went back to Cherbourg from Taroom at Christmas time, I wanted to buy some food for my family of twelve. So I went to the Office to ask if I could withdraw twenty pounds (\$40.00) from my bank account. I was asked why I would want that much money. I was promptly told that that was too much money and I could only have ten pounds (\$20.00).

Because it was too much of a hassle to argue for your money, I never again attempted to withdraw money from my account.

### **Conclusion**

I continued working as a domestic for at least another 7 years. The only reason I stopped working was because I got married and had children. By that stage the 'Protection Act Era' had slowly phased out and the system of forced labour was no longer in practice.

As a result of my growing up "under the Act", I received a limited education. As such, I had limited job opportunities. When my husband died, it was financially difficult to raise my three small children on my limited income and widows' pension. It would have eased the financial burden if I was able to access the balance of my savings account and the interest accumulated over the years.

My children and I would not have had to go without as many things if I could have had access to the savings that was rightfully mine.

**I would like to give additional oral evidence to the Senate Inquiry. Please contact me when the Inquiry meets in Brisbane.**