

## The Effect of Early Australian Laws on Aboriginal People: A Personal Perspective

*Sue Gordon\**

I never met Elliott Johnston until this evening, however my late husband who had retired from the Western Australian Police Force (as it was then called) was one of the first three people to be employed on the Royal Commission into Aboriginal Deaths in Custody (RCIADC) along with Margaret Jordon, solicitor and Norm Harris, all based in Western Australia. Kevin met Elliott Johnston and was impressed with his style of working. As we all know the Royal Commission grew rapidly and had offices in most States.

I note that you have had some very distinguished speakers since the series was launched in 1998 including among them Father Frank Brennan and Dr Pat O'Shane, so I hope I can make a contribution to the series.

Your theme for Law Week this year is Access to Justice and I was asked to consider covering a legal issue or issues relevant to the lives and circumstances of Indigenous persons.

After some consideration I decided on my title of 'The Effect of Early Australian Laws on Aboriginal People: A Personal Perspective'.

This lecture covers only some of the early history of the removal of Aboriginal children in Western Australia from 1829-1972, but relates specifically to myself as a member of the Stolen Generation. We would need a few hours to cover the full history.

### Introduction

The following are extracts from a paper by Jennie Carter, librarian and historian of the former Aboriginal Affairs Planning Authority in Western Australia:

#### (1) Period 1829-1904

The first Western Australian law which overtly sanctioned the practice of removing Aboriginal children from their families was the *Industrial Schools Act* of 1874. This legislation allowed for Aboriginal children 'surrendered by parent or apparent guardian and friend' to be sent to an institution established under the Act and for magistrates to commit

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This is a preview. Not all pages are shown.