

Derivative and indigenous in the history and historiography of child welfare in Australia

Part One

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This article traces the history of child welfare in Australia, showing the ways in which policies and practices, deriving primarily from Britain, were adopted and adapted in a nation in which jurisdiction was split between colonies/states and further divided, within states, on the basis of race. It argues that child welfare has always been part of the nation-building project, central to national objectives when children could be constructed as future citizens, marginal, and more punitive, when they were more easily understood as threats to social stability. In this first part it examines the history of welfare provision for non-indigenous children in Australia from 1788 to 1939. The second part, to be published in a subsequent issue, will discuss post-war developments in services for non-indigenous children, indigenous child welfare services and the historiography of child welfare in Australia.

The absence of a national child welfare policy has meant that Australia has produced no national history of child welfare. Child welfare systems, developed in the six colonies during the second half of the nineteenth century, remained in the state domain following Federation in 1901, with each of these states developing a separate welfare bureaucracy for dealing with indigenous children. This paper represents a very preliminary attempt to identify the origins of the ideas which shaped child welfare in Australia, to tease out some of the commonalities across the different systems and to explain some of the differences in order to begin to remedy this deficit in the national historiography.

Children constituted an abnormally low proportion of colonial population in the early years (see Table 1). The birth rate amongst indigenous peoples appears to have been lower than that amongst contemporary European societies, consistent with the number of people that the land could support. It was to fall further in the wake of European occupation, as disease spread out ahead of settlement, decimating traditional communities. Post contact violence and destruction of traditional food sources further weakened community structures so that children became a comparative rarity, confirming the European assumption that Aboriginal peoples were destined for extinction.

The incoming European population was also deficient in children. Although there were individuals we would now classify as children on the

convict ships, there is little sense that they were seen or treated as such at the time. It was 1817 before separate accommodation on ships was set aside for young male convicts and 1819 before the first specialist institution for such offenders was opened. Located outside Sydney, it offered an education program designed to prepare these boys to work on farming properties when they were released on assignment (Kociumbas 1997: 29). Similar institutions were developed in the other convict settlements, and these became available for local offenders when transportation of juveniles ceased in 1853.

Although some children accompanied their convict mothers, and many more were born in the new settlement, the proportion of children in the population remained much lower than the 40% in the British population until well after the convict system came to an end. Known as 'currency' in order to distinguish them from the 'sterling' or British-born, these children attracted considerable interest. Most had at least one convict parent and many were illegitimate both because of the operations of the convict system and the non-recognition of marriages not sanctioned by the Church of England, hence many were dependent on the Government for support (Kociumbas 1997: 42). Robinson's detailed study of the first generation suggests a surprisingly optimistic outcome (Robinson 1985) but others are less positive. Damousi (1997:116-9) argues that the Government officials found it hard to reconcile the realities of convict mothering with the need to sustain the

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white birth rate, denying these women the right to mother the children they had borne because the joys of maternity were seen as being inconsistent with punishment.

The establishment of the colony's first child welfare institutions – a small institution established at the convict settlement at Norfolk Island in 1796, followed by the Orphan Asylum in Sydney in 1801 – needs to be understood within this context. Both institutions were for orphan females, an indication of the focus on the vulnerability of young females in the male dominated colony, with an equivalent institution for males not being established till 1818. They provided accommodation and training for the children of convict women deemed unfit or unable to maintain them. What Government had begun, philanthropy consolidated with a Female Industrial School opening in Sydney in 1826, an Orphan Asylum in Hobart in 1828, and a Catholic Orphanage in Sydney in 1837. All

declared that they were dedicated to training orphans in habits of industry so that they would not perpetuate poverty into the next generation. Ramsland (1986: 5) has argued that the establishment of such institutions is indicative of visibility of child destitution by that time, but Windschuttle (1982: 10-27) notes the efficacy for their founders, typically bourgeois women, of establishing a means of providing a respectable domestic labour force in the rough colony. By 1852 the character of these original institutions had been so elevated that a Society for the Relief of Destitute Children was founded in Sydney to 'rescue' children deemed ineligible for orphan asylums. The other colonies developed a similar pattern of provision early in their foundation. 'Non-denominational' orphanages, under Protestant control, provided accommodation, education and training for male and female orphans of school age, and Catholic institutions, staffed by Irish religious communities, provided a similar service in single sex institutions,

sometimes conducted in association with boarding schools. While colonial governments provided assistance in the form of building and operating grants, these institutions were controlled either by committees of subscribers or religious communities. As a condition of the grant orphanages were only permitted to shelter orphans, children who had lost both parents or those dependent on a widowed mother. Widowed fathers, deserted wives and single mothers, classified as undeserving, were expected to continue to care for their children as best they could. It was their children who flooded into the government industrial schools established by Australia's first round of child welfare legislation.

THE CHILD AS VAGRANT

An official concern with child welfare is evident in Australian colonial governments in the wake of the social upheaval associated with the 1850s gold rushes, a concern that constructed children more as threats to public order than as victims of misfortune, cruelty or neglect. In the aftermath of the mass immigration which gold had brought, a combination of economic and demographic factors served to make children increasingly visible, particularly in the growing urban centres. All the colonies except South Australia had a male dominated population yet it was the plight of children without fathers that most attracted reformers' attention. Their fears were aroused by the presence of large numbers of children, apparently unsupervised, in the dangerous liminal zone of the street. As one Melbourne resident observed:

There are numbers of boys, either orphans or deserted, to be found in the back alleys and streets of the town; and it is most probable that many or most of these are kept in disorderly houses to work ... If a gentleman were to find his lost son in such a position, how very shocking it would be considered. Shall we neglect these because they have dissolute parents or none? What a dreadful state for poor children to be left in! ... I see no other way than to compel them, as minors and not under parental care, to come to a proper home; girls also, under the same conditions. The town should be constantly searched for such ('Theta' 1859).

Table 1 Proportion of population aged under 14

	NSW	VIC	QLD	SA	WA	TAS
1790	6.3%					
1800	3.1%					
1810	26.0%					26.2%
1821	25.4%					17.5%
1854/6	38.1%	25.9%	31.3%			
1861	38.0%	33.2%	35.9%	43.7%	37.9%	38.2%
1870	41.7%	42.2%	38.3%	45.1%	39.3%	42.7%
1881	39.7%	38.3%	38.3%	39.3%	35.0%	38.1%
1891	38.4%	34.7%	37.2%	39.9%	34.2%	39.1%
1901	35.2%	34.0%	36.6%	35.9%	28.9%	37.1%
1911	32.0%	30.3%	32.9%	31.0%	31.0%	34.8%
1921	32.3%	29.8%	33.3%	31.6%	32.3%	34.3%
1933	28.1%	29.9%	28.6%	26.4%	27.4%	30.1%
1947	24.8%	23.7%	26.9%	24.3%	27.0%	28.5%
1954	27.9%	27.6%	29.9%	28.9%	30.3%	31.6%
1961	29.1%	29.8%	31.3%	31.1%	32.5%	33.5%
1971*	27.6%	28.9%	29.6%	30.0%	30.3%	31.1%
1981	24.5%	25.1%	25.6%	23.9%	26.1%	26.2%

* Indigenous people were not counted in the census until 1967

Source: W. Vamplew (ed), *Australians: Historical Statistics* (Fairfax, Syme & Weldon Associates, Sydney, 1987), pp.25-39.

The colonial governments looked 'home' for inspiration. Neglected children's legislation, modelled on the English Industrial Schools Act of 1857, was introduced in all the Australian colonies in the years 1864 to 1874, empowering the state to remove such children from negligent parents in order to transform them into 'good and useful citizens' (Mellor 1990; van Krieken 1991). Although the legislation was remarkably similar in its intention, the systems which it established varied, as did the proportion of children swept into the net (see Table 2). The 1857 NSW legislation gave authority and security to a voluntary organisation, which went on to found the Randwick Asylum, the cornerstone of the state-controlled system established by the 1866 Act (Ramsland 1986: 77). In Victoria, by contrast, the Act created a department of government which took responsibility for children who had previously been

placed by police in the large multi-purpose voluntary institutions which substituted for poor houses in the colony.

This first round of legislation placed child welfare firmly within a criminal justice framework, applying to children the vagrancy provisions used to keep threatening adults in control (Jaggs 1986: 25-27; Ramsland 1986: 114-5; Finch 1993: 74). The Victorian Neglected and Criminal Children's Act, which became law in June 1864, permitted, but did not require, police to intervene where children were found begging, wandering or sleeping out, residing with known or reputed thieves, prostitutes, drunkards or vagrants. The legislation also empowered police to act in relation to juvenile offenders and children labelled as uncontrollable by their parents or guardians. The institutions established under the legislation quickly became overcrowded. Racked

by scandal and epidemic disease, they made an easy target for a second round of child welfare reformers, inspired by the ideas of the British child welfare reformers Rosamund and Florence Davenport Hill, to mount an argument for the importance of the woman in supervising child care. Visiting their cousin Caroline Clark in Adelaide, the Hill sisters were able to give evidence at several colonial enquiries into child welfare, arguing for the superiority of boarding-out over the older barracks style schemes (Hill 1875). It was an argument enthusiastically embraced by governments. Not only did it return children to a family environment but it did so at a reduced cost to the taxpayer. Beginning in South Australia in 1866, and moving through the other colonies over the next twenty years, government industrial schools were closed, with volunteer committees of ladies taking over the responsibility of arranging child

Table 2 Proportion of children in substitute care

	New South Wales			Victoria			Queensland			South Australia			Western Australia			Tasmania		
	Inst care	Other care	% pop <15	Inst care	Other care	% pop <15	Inst care	Other care	% pop <15	Inst care	Other care	% pop <15	Inst care	Other care	% pop <15	Inst care	Other care	% pop <15
1860	662		0.5	368		0.2				76	25	0.2						
1865	1297			2413						78	26					496		
1870	1749		0.8	4120		1.3				208		0.2				364		0.8
1875	1564			2763						86	98					188		
1880	1730		0.6	1889	2068	1.2				197	152	0.3				31		0.1
1885	829	1026		1667	2870					160	300					19	127	
1890	783	2284	0.7	1676	3169	1.2	883		0.6	115	732	0.7	204		1.2	37	116	0.3
1895	1867	3174		1759	3308		748			117	1007					27	97	
1900	1410	3844	1.1	1762	4893	1.6	783		0.4	182	1066	0.9				23	220	0.4
1905	1719	3800		2120	4762		925			212	1091					21	152	
1910	1699	4390	1.2	2450	6414	2.2	886		0.4	198	1281	1.2	147	83	0.3	26	142	0.2
1915	2076	4880		2635	9685		1084			247	1487		177	151		32	220	
1920	3238	4979	1.2	2332	12189	3.2	1113		0.4	229	1614	1.2				30	295	0.4
1925	4552	5577		2229	13590		1020			263	1510						352	
1930	5092	5516		2617	17136		998			330	1024					24	366	
1935	4941	4292	1.3	4584	11510	3.4	908		0.3	191	851	0.7				31	388	0.6
1940	4222	3877		5248	11592		155			208	874					30	379	
1945		2772	0.4	4297		0.8				199	1060	0.8				31	226	0.3
1950		2604		3080						251	770					22	141	
1955		2674	0.3							242	797	0.4				31	109	0.1

Source: W.Vamplew (ed), *Australians: Historical Statistics* (Fairfax, Syme & Weldon Associates, Sydney, 1987), pp.30-37,364-7.

placement (Ramsland 1974: 186-98). By the end of the century these volunteer committees had produced an innovation in the system allowing 'deserving' mothers to receive boarding-out payments for their own children, an option which expanded to include almost 50% of children taken into state care (Swain 1977: 357-60).

THE CHILD AS VICTIM

The second half of the nineteenth century also saw a growth in philanthropic interest in a range of aspects of child life. Ragged schools (Sydney 1860; Melbourne 1862), specialist children's hospitals (Melbourne 1870; Sydney 1880), and infant asylums or foundling homes (Sydney 1874; Melbourne 1877) were opened, all modelled directly on similar developments in Britain. More powerful still was the gospel of child rescue reshaping both voluntary and statutory child welfare services. Van Krieken (1991: 80) argues for the emergence of child saving as a response to economic and demographic changes, the growth in the population outstripping the ability of the economy to absorb child labour. There was, however, also a sense in which the need for child saving was taken as proof of a city's claim to great city status. Growing rapidly, through both immigration and natural increase, nineteenth century Australian cities reproduced what child savers saw as the worst features of the cities of Britain, perhaps even more effectively than they did their best. The dismay with which the 'discovery' of a new social problem was greeted was always tinged with pride that here was another way in which the rough colonial city was mirroring its British models. The 'discovery' of a new social problem 'at home' often set off a search for its local equivalent in order that Australia not be left behind. Drawing on the writings of British child savers, local child rescuers advanced a critique of established child welfare practices which sought to define a space for private child rescue.

Where the existing statutory child welfare systems provided for children who, if left unrestricted, would endanger public order, child rescuers argued for a definition of neglect which positioned immoral or vicious parents as the enemies of the child and demanded

active rescue. They had their greatest success in Victoria where the Neglected Children's Act of 1887 extended the authority to apprehend neglected and brothel children to 'any person authorised by the Governor-in-Council' and providing for the registration of private persons or institutions 'desirous of taking charge of neglected children'. Licensed child rescuers were thus empowered to have children committed to them by the courts or to accept transfers of guardianship signed by a child's parents in front of a Justice of the Peace, powers not available in Britain until the passage of the Custody of Children Act in 1891 (Jaggs 1986: 53-55). In the neighbouring colonies of New South Wales and South Australia child savers were incorporated into the statutory child welfare system at a policy level with legislation earlier in the 1880s establishing advisory boards which included both prominent child rescuers and government officials (Dickey 1979: 43).

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On a trip to England in 1897 Victoria's most prominent licensed child rescuer, Selina Sutherland, advanced the view that the colonies had surpassed the mother country in their child rescue endeavour.

Nothing short of a consuming fire from heaven, which will wipe London off the face of the earth, will do any good ... I have walked through your streets and your slums and seen them swarming with children as thick as bees in a hive. I have visited the houses where these children and their parents live. I have asked myself what future can these children have to look forward to. There

is nothing for them but the same miserable existence in which they have been born and bred. For the men I do not care, but it is terrible to think of the fate of the women and children. (*Age*, 1 August 1897)

The argument however was spurious. While Miss Sutherland's achievement was remarkable, colonial legislatures continued to be far more influenced by imported ideas. Arguments deriving from the National Society for the Prevention of Cruelty to Children (NSPCC) propagated throughout the colonies in weekly or monthly journals distributed from London, provided local parliamentarians with a new vocabulary for debating child welfare issues. Speakers in the debate on the Victorian Infant Life Protection Bill (1890) regularly evoked the NSPCC inspired English legislation as a model, arguing for the urgency of rescuing 'innocent and helpless infants' dying in 'miserable hovels ... dirty, ill-fed, with thin gaunt faces and distended eyes, and bodies often covered with sores' from the ' vilest of criminals' presumed to be profiting from their plight (Victorian Parliamentary Debates (VPD) 1890: 697). 'The cry of the children had not reached the House too soon,' the Hon J. M. Pratt declared (VPD 1890: 699). The provisions of the act went well beyond the protection of infants and the prosecution of women who took infants in to nurse (popularly known as baby farmers). Drawing on the legal rather than the popular definition of infancy, reformers within the government took this opportunity to add to the bill a clause which encompassed other aspects of the NSPCC charter, further regulating the employment of children in theatrical productions and making it an offence to 'wilfully neglect to provide adequate food, clothing, medical aid, or lodging ... or wilfully ill-treat or expose' boys up to the age of 14 and girls for two years more. Legislation passed in the other colonies demonstrates that it was not only in Victoria that the NSPCC gospel was being heard. The title of the NSW 1892 Children's Protection Act draws this connection most directly (Dickey 1979: 55-6) but even the more archaically named Western Australian Industrial and Reformatory Schools Act of 1893 signalled a more interventionist approach to child welfare, targeting boys and girls under the age of 16 found

begging or without visible means of support, living in brothels or as vagrants and habitual truants (Hetherington 1995: 127).

THE CHILD AS FUTURE OF THE NATION

With the coming of Federation Australian child rescuers were able to position their work as central to the formation of the new nation. If, as they increasingly came to argue, the children with whom they worked were to be valued future citizens, their moral formation was an important national project. The recognition of children as citizens was common across the Western world, bringing with it increased regulation in addition to a rhetoric of rights (Behlmer 1982: 193; Donzelot 1979: 83, Rose 1989: 122-3). Its confluence with nation-building in Australia, however, gave it added strength. 'The state is the collective father to the young generation,' argued Mr Scobie, Member for the Murray in the New South Wales parliament in debating the Neglected Children and Juvenile Offenders Bill in 1905:

[It] will protect them, not only from themselves, which is sometimes necessary, but also from their parents when that is necessary ... The more individual liberty we give up, the greater communal or social liberty we enjoy ... the object of the bill is to elevate and protect the children, and not to bring the children of honest, worthy, working people into the position of being juvenile offenders (*New South Wales Parliamentary Debates (Second Series) 1905: 676-7*).

The perceived danger was twofold: the threat from without and the threat from within. A small white population occupying a large land mass was increasingly concerned with the need for population growth, and the best means of increasing population, as the WA Children's Protection Society was eager to point out, was 'the judicious conservation and intelligent protection of our own young' (Children's Protection Society of Western Australia 1910). Such 'judicious conservation and intelligent protection' involved not only the safeguarding of infant life but a system of surveillance throughout childhood in order to ensure that the

lives thus saved reached their full potential. 'In a prosperous country there is no excuse for the waste of the formative years of a boy or girl's life,' declared Victorian Society for the Prevention of Cruelty to Children (VSPCC) Secretary, Rowland Church. 'If the parents are so diseased, in body or mind, that they can not support their offspring, the State must undertake the task' (VSPCC 1900). Congregational minister, Dr Llewelyn Bevan, addressing the VSPCC annual meeting in 1898, made the connection clear.

We are now so engrossed in making a foundation for a nation that we are apt to forget that there are other essentials for making a foundation for Federation. Not all the liberties we can imagine will make national life. You can only make national life out of the human stuff, and the more of the nation you make by simply piling on citizenship, the more will it be ruinous and destroying, and disaster will inevitably follow if you do not build up a nation out of good children (VSPCC 1898).

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This era is marked by the emergence of State-based alliances forged between philanthropists and emerging professionals to remake working-class lives. Such alliances, often but not always with bourgeois women at their head, were in a position to identify a common agenda for reform and to lobby parliamentarians in order to see that their views prevailed (Reiger 1985). The State Children's Council of South Australia convened its first conference for child savers, voluntary and professional, in 1907, and two years later hosted a national congress with delegates from

every state except Tasmania (Davey 1956: 140; Dickey 1986: 167). In 1910 the Victorian child savers followed the South Australian lead, coming together to form a Child-Saving Council (the predecessor organisation to the Child Welfare Association of Victoria) designed to prevent overlapping and to promote discussion in areas of mutual concern.

Women's Christian Temperance Union missionary, Jessie Ackerman, visiting from America, observed:

Women, in Australia especially, have advanced in a knowledge of scientific motherhood. They are seriously considering themselves as life-givers. In contemplating the far-reaching consequences as such they have a new and enlarged vision of their life-giving rights, as well as of their responsibilities ... Women have come to feel that, in the best interests of the future race, it is better to rear three or four physically sound and mentally fit citizens than help to swell the increasing flood of poorly equipped specimens of humanity, that make up so large a number of the rank and file of the race (Ackerman 1913: 97-98).

With infant life protection and child rescue legislation firmly in place, child savers turned their attention to children who remained within their family homes. New campaigns promoting pure milk, infant welfare centres, kindergartens and school medical services were designed to monitor all stages of childhood, establishing standards to be met and sanctions for those who failed to conform. These campaigns began to borrow ideas from the United States as well as Britain, the most prominent of which was the Children's Welfare Exhibition, introduced to Melbourne in 1913. The exhibition had, as a subsidiary aim, the desire to attract more supporters to the cause, but its primary goal was education:

If an accident, resulting in physical injury, occurs in the streets of Melbourne, practically every citizen knows that the injured person may be at once taken to a public hospital. But if the accident of parental cruelty or neglect threatens to produce mental or moral injury to a child, how few really know what can be done ... If the Children's Welfare Exhibition serves to

remove, in some degree, this lack of knowledge, it will justify itself
(*Children's Welfare Exhibition Handbook* 1913: 4).

While the concept of the child as the future of the nation gained a renewed currency in the aftermath of the First World War, it had clearly taken a darker turn. Where the image of the garden was invoked, far more attention was paid to the need to eradicate the weeds (Children's Protection Society of Western Australia 1922). Most directly this new concern was reflected in a campaign to segregate the unfit, based on a crude, non-critical acceptance of imported eugenic ideas. But the war had also aroused anxieties around the nature of masculinity, creating a sense of urgency about the fate of the coming generation. While the brave ANZAC hero existed in the abstract, the damaged bodies returning from the battle fields modelled a different reality, one which was unlikely to produce a new generation of warriors. Many of those who did not return left sons to be reared in a women's world where, it was feared, masculinity would not be highly valued. In the fields of education and welfare these fears were reflected in new programs and practices in which gender was central. Mothers, for the first time, were directly assisted to maintain their own children. Girls, allowed briefly into the workforce during the war years, now had to be retrained in domestic skills. Boys had to be taught how to be men. The child as victim, who had inspired nineteenth century child rescuers, was increasingly overshadowed by the image of the child as threat to the present and future stability of the state. When the Victorian Chief Secretary, Mr Prendergast, delivered an implied rebuke to local child welfare organisations for their failure to fill children's lives with 'laughter, love, light and happiness' (*Argus*, 23 August 1927), his was a lone voice in a sea of volunteers and experts for whom the word care resonated more with notions of control.

The child welfare movement between the wars advocated infant welfare centres, playgrounds and kindergartens, not only in working class areas but for their own children as well. Its members were firm supporters of the children's court and the probation service, with their avowed emphasis on dealing with

the child rather than the crime, and they shared a belief in the link between truancy and delinquency, degeneracy and crime. Believing that their learned parenting, grounded in a very rudimentary understanding of child psychology, produced a well-adjusted, and therefore non-threatening, child, the new experts were eager to share their insight with parents and children they constituted as less privileged. Most, they believed, would readily accept this new knowledge if it were made accessible through community centres that could simultaneously be used to monitor progress. But entry into the child welfare matrix could not be completely voluntary, hence the need for child guidance clinics and children's courts which increasingly located the problem in children and their families rather than the environment which produced social inequalities. Similarly, while child welfare activists urged legislative change to aid 'the cultivation of the white flower of pure girlhood', they located the danger in brothels and other sites of illicit sexuality, failing to hear the pleas of children at risk within the family home. □

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