

# Introduction



Those abandoned children who prowl our streets in shreds of wretchedness—without a mother to cherish or a father to protect them’ are dangerous, warned the editor of the *Hobart Town Gazette* in 1825. The ‘poor friendless orphans’ who evoke pity and compassion pose a threat to the social order as well, he insisted in response to the campaign by the colonists of Van Diemen’s Land for an institution to match the Orphan Schools long established in their sister colony of New South Wales. The protection of Australia’s children has had a dark side from the beginning.

The evangelical and reforming lieutenant governor of Van Diemen’s Land, George Arthur, acceded to the wishes of the settlers, and the Orphan Schools were opened. But all was not as it seemed. The very name was deceptive. Few of the 6000 children who entered the orphanage between 1828 and 1879 were orphans in the usual sense of the word. They were the children of living convicts. It was not death that orphaned them but the convict system.

## CONVICT ORPHANS

I began to understand this while I was tracking a boatload of women transported on a prison ship, the *Atwick*, which arrived at Hobart Town in the summer of 1838, bringing 150 women with nineteen children. Even though the children had already been subjected to the rituals of prison discipline on the long voyage out, none could have been prepared for their introduction to the penal colony.

After disembarking, they trudged with their mothers the four kilometres from the harbour to a valley at the foot of a looming mountain, where stood the grim prison known as the Cascades Female Factory. Once inside the high-walled compound, the children were abruptly separated from their mothers (except those who were breastfeeding) and shut into a small courtyard paved with flagstones, with not a blade of grass in sight. In front of them stood double-storeyed wards built into the prison's perimeter wall.

It was summer when the children were confined to this noisy and foul-smelling nursery yard, crowded with babies and toddlers born in the prison hospital to mothers who had become pregnant while under sentence. These infants too were destined for the orphanage—if they lived long enough, which many did not. Five children from the *Atwick* would die in this convict nursery.

After seven wretched weeks in the women's prison, the *Atwick* children were finally moved by cart to the Queen's Orphan Schools. Their journey took them back through the streets of Hobart Town, past the harbour, and then in a new direction for another five kilometres to the suburb of New Town. Relieved though they may have felt to escape the Female Factory, they must have been anxious too. Much of their young lives had been spent enduring one jolt after another, never knowing where they were going next or what the days to come would look like. Though these children were not prisoners, they had lost their freedom the day their mothers were arrested. They were not parentless, and yet they had become children

of the state—convict orphans. The coming years they would spend as inmates of the Orphan Schools would impress upon their minds and bodies the meaning of that condition.

What happened to the children of the *Atwick*, I wondered as I tracked their mothers for a project which became the book *Abandoned Women: Scottish Convicts Exiled beyond the Seas* (2012). I learned the fundamentals of their lives from the Register of Admissions and Discharges, where dates of admission were recorded, along with age, religion, parents' names and ship of arrival. The final columns recorded 'date of removal' and 'remarks', in which I read that some children were discharged to a parent, and some apprenticed. Convict mothers who married could retrieve their children, as could those who had completed their sentences or had at least been granted the tickets of leave which permitted them to work for wages. The children apprenticed, including five from the *Atwick*, had not been retrieved.

One was Joseph Douglas, who arrived from Glasgow as a four year old. Joseph spent more than ten years in the orphanage, while his mother—whose sentence for theft expired after seven years—married and started a new family. According to the register, Joseph was discharged when he was fourteen and apprenticed to a farmer in the Midlands. At that moment he vanishes from the records of the Orphan Schools.

It's eerie to stand today in front of the buildings where Joseph and his shipmates spent their childhoods. There is nothing here to memorialise them, no marker to say what purpose these buildings originally served, to acknowledge the thousands of children who slept in their dormitories—the boys 80 to a room in hammocks on the upper floor of the Male School, and the girls sharing iron bedsteads in the Female School. In between the two schools was the spacious St John's Anglican Church, the parish church for wealthy landowners who arrived on Sundays from villas in New Town,

entering pews on the lower floor while their prisoner servants sat on benches in one of the wide balconies upstairs, with the boys and girls of the Orphan Schools in their separate sections on the opposite side. The buildings, which have stood for almost 200 years, are still imposing; when they opened in the early 1830s, they must have seemed very grand. But not, I suspect, to the children.

I wanted to know who these girls and boys were, and what life was like for them as convict orphans, but sources are scarce. Because the Convict Department was under no obligation to report to the public, record-keeping during its years of management was minimal. After transportation ended, the orphanage was subject to closer public scrutiny, and a wider range of records was required—though not immediately.

As so often happens, an institution for the care of children was a low priority, and although the last convict ship unloaded its human cargo in 1853, and the penal colony of Van Diemen's Land was rebranded as the self-governing colony of Tasmania in 1856, the orphanage was not transferred from the management of the Convict Department until 1860. A year later, it too was renamed. The Queen's Orphan Schools, welded in the public mind to convicts, became the Queen's Asylum for Destitute Children. Breaking with the past, however, was not as easy as changing the name.

There was the matter of money. Times were hard in the colony, and maintaining institutions inherited from the convict era was expensive. The government in London did agree to continue maintenance payments for all children who entered the orphanage while their parents were under sentence, or who were born or even conceived while their mothers were convicts. This cohort thus represented considerable cash for the colonial coffers.

In February 1861, of 495 children in the Queen's Asylum, 240 were maintained from imperial funds and 238 from colonial funds, with seventeen maintained by unknown means. Naturally, the



colonial authorities wanted to identify anyone eligible for imperial funding—and, just as naturally, the acting comptroller-general in charge of the remnant Convict Department was determined to fund as few as possible. Applications for admission were scrutinised minutely. On the printed forms were several questions about the child's father and mother: on which ship did each arrive? Were they prisoners or free? If prisoners, what was the date of their freedom or pardon? If the colonial secretary's office agreed to admit a child who might be eligible for imperial funding, the application was sent to the acting comptroller-general's office to be checked against the convict records.

In 1865, for instance, an application was lodged for Sarah Farmer, whose convict mother had been granted a conditional pardon on 15 January 1856, less than eight months before Sarah was born on 22 August. Sarah's conception, the clerks determined, had occurred during the final months of her mother's sentence, and although her mother was free when Sarah was born, her maintenance in the Queen's Asylum would be funded by the imperial government.

Important though the imperial funds continued to be, they came only in dribs and drabs, child by child. No longer were the Orphan Schools funded as the convict institution they had been when children were routinely herded in so that their mothers could be sent out to work as domestic servants, their forced labour integral to their punishment. Now it was in the interest of newly self-governing Tasmania to save money by shrinking the size of the orphanage.

The gatekeepers in the colonial secretary's office initiated thorough investigations into 'cause necessitating the application' for the entry of children into the orphanage. The result is an archive of poverty in which accounts of families in distress reveal again and again the vulnerability of convict emancipists as parents. Years spent under sentence had taken their toll. Many stepped into

freedom owning nothing more than their clothes. Unskilled for the most part, the wages they could expect were low. If they wanted to start families, they needed luck on their side. The job of shepherd might come with a hut where the mother could look after the children while the father was looking after the sheep. But there were no reserves, no resources to weather ill fortune. If the father died through accident or disease, the hut and the wages would vanish—and no mother could feed, clothe and house her young children by taking in occasional washing or doing some needlework. If she had not been transported, she might have been helped through the bad times, but what was she to do alone in a colony without family and friends? The application forms often suggest that mothers had no choice but to give up their children and go into service.

This was a plan acceptable to the colonial secretary's office, but no comparable alternative was offered to fathers who lost their wives. No children of 'able-bodied' men were to be admitted to the orphanage, even if it meant leaving very young children alone for hours or days while the fathers worked (or looked for work) elsewhere. In desperation, some widowed fathers deserted their families; it was the only way to get their children into the orphanage.

There were other fathers, and sometimes mothers, who abandoned their families and left the colony altogether. Scarred by the experiences of their convict years, damaged psychologically by floggings and solitary punishment, some were simply unable to manage the complexities of family life, especially if they were addicted to alcohol. In the archive of application forms, there is violence, too: the murder of one parent by the other, with the child as witness.

From these applications, I learned how individual boys and girls came to be in the Queen's Asylum—but once they were inside the institution, glimpses of their lives were rare. If they were discharged to their parents, as they might be after a widow remarried or a father reappeared, nothing more would be recorded. If, however, they

remained until they were twelve to fourteen years of age and then were apprenticed, they would become visible again.

Apprenticeships, for which the only records during the convict era were discharge notes, generated an array of sources after the *Queen's Asylum Act* of 1861 required for the first time that children be apprenticed through formal indenture contracts, and furthermore that the Board of Guardians remain responsible for them until the indentures expired after they turned eighteen. For me, discovering this archive was like finding gold. Now I could track individuals who had been invisible behind orphanage doors, and investigate their circumstances as they made the transition from child to adult under the continuing designation of 'orphan'.

Only basic information is contained in these registers. The register for apprentices notes the date of the indenture, the name and place of the master, and the date of the indenture's expiry. The register for masters includes a column for 'remarks', where transfers or the cancellation of indentures may be recorded. Less systematically, papers survive from the Board of Guardians: minutes of meetings; correspondence with officials in the colonial secretary's office; letters to and from people applying for apprentices, or complaining when a girl or boy fails to live up to expectations. Detailed accounts of board meetings were published in the newspapers, and the Queen's Asylum and its apprentices come up frequently in editorials and letters to the editor. Notices of absconding appeared in the *Police Gazette*, where recapturers were aided by detailed descriptions of what the children looked like and what clothes they wore. The fate of absconding apprentices was then turned over to the Police Court, and after a hearing those sentenced to imprisonment might reappear in the *Police Gazette*.

Because the array of sources is thickest for children apprenticed during the period of the Queen's Asylum, I decided to concentrate on 'orphans' indentured during the institution's final decades,



1859–79. Systematically, I entered their names into a database: there were almost 1000 apprentices during those last twenty years. Then I began combing the sources for references, and attaching the references to those names in the database. Out of this process grew the collection of stories from which I have woven the narrative of this book.

Many of the stories make painful reading. Children from the Queen's Asylum were vulnerable to exploitation and abuse. They were not 'apprentices' in the traditional sense. No premium was paid to a master who would teach them a skilled trade, with the apprentice receiving wages as they became more competent and productive. The 'orphan' apprentices were contracted without consultation to work as they were told, often at the most menial of tasks. In return for food, clothes and accommodation, they were to 'faithfully serve' their masters, without wages. What was termed 'apprenticeship' was in practice unpaid and unfree labour. 'White slavery', some colonists called it in letters published by newspapers.

The *Queen's Asylum Act* should at least have protected the apprentices from poor living conditions and ill-treatment. Unfortunately, as in the legal protections against domestic violence then and now, bringing perpetrators to court depended on many elements of chance. The appalling treatment of a child, though circulating within a neighbourhood as gossip, might never be brought to the attention of the police; even if it were, the local constable might not act. Hard evidence was difficult to gather, and the threat of retribution from the accused might breed real fear. Many apprentices suffered in silence, their misery compounding the damage already inflicted on them by years in the orphanage, and by the family circumstances that landed them there. Some never recovered.

Not all apprenticeships were grim, however, and there were children who went to homes where they were made to feel welcome. Taking on an 'orphan apprentice' might be an act of philanthropy



for masters well able to pay for their servants. Looking after these boys and girls was, for some, a duty of care they could afford, and from which they derived the satisfaction of doing good. In households with scantier resources, an apprentice might be welcomed as a much-needed pair of hands, whether because the middle-class family faced genteel poverty or because ambitious parents with few resources had thrown themselves into the hard work of farming on small bush blocks.

At a time when the colony was largely agricultural, and when much of the itinerant labour force had headed across Bass Strait to the goldfields or to the more alluring cities on the mainland, reliable farmworkers were valuable. It was in the interests of a farmer ‘down the Huon’ to look after a boy who would work on his property for several years—even if he stayed because he had no choice.

Some of the children who were well looked after, however self-serving the care may have been, acquired social skills and a general broadening of knowledge that might prove genuinely helpful as they entered adulthood. Some finished their apprenticeships with more self-confidence than they had when they began, and this was important if they were to live as independent adults who could exercise agency and plan for their future, sustaining themselves not only as workers who earned their own way, but also as parents able to offer their children the loving and supportive families they never had.

There was a disturbing reason for apprentices to fear the prospect of having their own families. In the popular imagination, everyone from the orphanage was tarred with the brush of transmitted degeneracy. Even before the phrase ‘convict stain’ gained currency, the prejudice it encapsulates was entrenched. Many believed that Australia’s convicts were members of a criminal class, comprised of families that passed antisocial traits from one generation to the next.

This prejudice stigmatised apprentices from the Queen's Asylum, whatever their family history. Not all were the offspring of convict parents, though most were. Of the 997 children in my database, 702 had an identifiable convict parent. For 362 of these, both parents were convicts. The 'Pariahs of the Orphan School', a correspondent called them in a letter to the editor of the *Mercury* in 1866. 'Pests', thundered a lawyer in a courtroom a decade later, 'dregs of society' whose existence in the Queen's Asylum 'made the institution one of the most dangerous under the sun'.

Attitudes like these justified locking children up in a large institution separated from their families, an institution in which 'care' was a mask for coercion. The project was to cleanse tainted children of their heritage. Frequent references to the 'cleanliness' of the 'orphans' when gathered for public display, and complaints about the 'dirtiness' of individual apprentices whose masters wanted to get rid of them, were more than pointers towards aesthetics or health. They encoded the ideology of inherited stain.

Not all colonists thought this way. By the mid-1860s, new ideas about out-of-home care for children had reached the Australian colonies, and in 1867 'A Lover of Little Children' set out the case in a letter to the *Mercury*. Tasmania's present system, he contended, was failing: 'the very large proportion of children trained in the asylum are not only ignorant but vicious to a degree', an effect of 'their being herded together in such large numbers'. 'Farming' them out to 'respectable poor persons' would 'save the public an immense sum per annum, and at the same time rear the children in a far better manner than they are at present'.

Over the next decade, support gathered for 'boarding out'. Bureaucrats within the colonial secretary's office became advocates for placing children in other families if they had for some reason lost their own and, as the years passed, fewer and fewer were admitted to the Queen's Asylum, until in 1879 it was shut down.

In the other colonies, large orphanages met similar fates. In 1881, two years after the Queen's Asylum was closed, the *State Children Relief Act* of New South Wales spelled the end of the oldest group of such institutions in Australia. Sydney's Female Orphan School had been the first, opening in 1801. In 1819 a Male Orphan School was opened, and in 1850 the two were amalgamated as the Protestant Orphan School. Their counterpart was the Roman Catholic Orphan School at Parramatta. A latecomer among the large institutions, the non-denominational Randwick Asylum for Destitute Children (1858) could house as many as 800 in dormitories known ominously as 'barracks'. Boarding out spelled the end of the Protestant and Catholic orphan schools, but while numbers dropped sharply at Randwick, the institution managed to hold on by changing its policy towards families. Children could be admitted on a temporary basis, with their parents able to sustain family ties through regular visits.

In the colony of Victoria, the Melbourne Orphan Asylum evolved out of several smaller organisations, and in 1866 held 308 children in residential care from across the colony, except Ballarat and Geelong, which had orphanages of their own. The Melbourne Orphan Asylum weathered the pressures of change by boarding out some of its children, and by building a new complex in the seaside suburb of Brighton to house children in cottages under the eye of a house mother.

In the younger colonies, orphanages opened after large institutions had gone out of fashion, and became part of the trend towards smaller establishments with more targeted intakes, like the church orphanages and industrial training schools that continued to house children in Tasmania who, for various reasons, were not boarded out.

Not everyone was convinced by the utopian promises of the boarding-out advocates. In 1878 the last superintendent of the Queen's



Asylum submitted his yearly report to parliament. 'Judging from present appearances,' he told the politicians, 'I am led to believe that this will be the last Annual Report of the Queen's Asylum which it will be my duty to prepare.' Numbers in the institution were much reduced: 117 children on 31 December 1877, and only 88 a year later. He did not wish to question the change, he insisted, but he did caution that 'unless the right persons are found, who are willing to "take the children to their hearts as well as to their homes", and until there be a properly organised and complete supervision of the children—I mean by this a personal and frequent visitation—the system will not succeed'.

The editor of the *Tribune* echoed the superintendent's warning, expressing his own concern that economy 'has been the only standpoint from which the legislature has viewed and dealt with this subject'. Who had asked how the children would be 'treated by their adopted parents'? Unless, he warned, those who fostered the children were monitored with 'unflinching exactness', there would be nothing to 'deter cruel and heartless individuals from taking merciless advantage of their unprotected, and, we may say, abandoned little slaves'.

These warnings echo through the years down a long corridor of suffering. The damage done to children by massing them together in residential care was repeated to shocking effect in twentieth-century institutions, where children of the First Peoples were removed from their families and trained for the same menial work as the nineteenth-century 'orphans': the girls for domestic service, the boys for farm labour. The children of England's poor met a similar fate in the Fairbridge Farm Schools: 1000 were shipped as child migrants to Pinjarra, in Western Australia, after World War I, and 1500 after World War II; another 1000 were sent to Molong, New South Wales, between 1938 and 1973.

The abuse and cruelty meted out to children of the Stolen Generations and to the victims of the child migrant schemes have

been acknowledged, with apologies—and yet, again and again, Australia’s failure to protect its children comes to light with more accounts of damaged lives. In 2022 commissions across Australia continue to hear evidence of children abused in the care of those who should have been their protectors.

The convict orphans, too, gave their evidence in courtroom after courtroom, standing up for themselves in the face of abuse by adults in positions of power. Their stories, long forgotten, are the subject of this book. I think it is time they were heard—and heeded.