

ECE:VMS.

5th February, 1959.

DIRECTOR OF WELFARE:ACTION TAKEN IN REGARD TO WARDS WHO
BROKE AND ENTERED THE GIRLS' DORMITORY
AT RETTA DIXON HOME.

A complaint was made last month by Mr. A. Howell, Acting Superintendent of the Retta Dixon Home, that he had received information claiming that eight (8) wards from Bagot had, some nights earlier, broken and entered the girls' dormitory late at night and had remained in the room for some time. The wards named by Mr. Howell were:-

AKL
REDACTED

With the exception of the first two named, the wards are school boys whose ages range between ten and thirteen years. AKL is approximately nineteen, while REDACTED would be seventeen or eighteen.

2. After consultation between the Acting Director, the Chief Welfare Officer, the District Welfare Officer and the Superintendent at Bagot, it was decided to convene a Court of Enquiry at Bagot with the Acting Director and the Chief Welfare Officer comprising the "Tribunal" and the District Welfare Officer acting in a similar capacity of "Defence Counsel". It was also decided that Mr. Howell be present, not in the capacity of "Prosecutor", but of "Accuser".

3. The wards were interrogated in the following order:

REDACTED, AKL and REDACTED

whilst the remaining school boys were interrogated as a group.

4. REDACTED admitted entry on two occasions, namely, Sunday 11th January and Monday 12th January. On the first occasion, he went to the dormitory accompanied by REDACTED whom, he claims, entered the room through a hole. REDACTED said that he then entered through the same hole. He knew that the Missionary was absent and on entering the dormitory, he went to the bed of his girl friend, REDACTED. He claimed that it was REDACTED who wanted him to go to her, not he who wanted to go. His evidence continued that REDACTED was asleep when he reached her bed and that she was awakened by other girls. Meanwhile he claims that REDACTED went to the bed of REDACTED. He stated that he sat on the side of REDACTED's bed, then later went to a vacant bed and slept. He was later awakened by

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REDACTED and they left the room. On the second night he claims that REDACTED again told him that a door to the dormitory was open and he went in through this door and climbed a partition. He again went to the bed of REDACTED and stated that he put his arms around her but emphatically denied that there was more than that.

5. He was not aware that the incident had been discovered until the morning of the enquiry (27/1/59) and stated that he has not made any attempt to enter the dormitory since the two previous dates mentioned.

6. AKL readily admitted entering the dormitory on one Sunday night. He claimed that he went to see REDACTED. On being questioned whether he sees REDACTED regularly, he stated that he has seen her in the past only on the road. On the occasion of his entering the dormitory, he was on his own, but on that same night some school boys entered the dormitory also. His method of entry was in through a door and over a partition. He stated that one of the school boys had opened the door and called him. He further stated that REDACTED had sent a message to him with one of the school boys stating that she wanted to see him. It was REDACTED, he said, who conveyed the message. After entering the dormitory and going to REDACTED's bed, he claims that at REDACTED's invitation, they entered Mr. Johnson's place (then vacant) and lay on a mattress. He states that he knew the Missionary was in bed at the time at the other end of the building. He denied that any intimacy occurred then nor has occurred since that incident.

7. He also stated that that was the only occasion that he entered the dormitory. He admitted that he has spoken to REDACTED on occasions, at the football and down the road. He met her first during last year's basketball season. He stated that he had no intention of entering the dormitory and would not have done so had not REDACTED conveyed the message from REDACTED to him.

8. He claimed that he was not sure then that permission had to be obtained to enter Retta Dixon Home, but admitted that he now knows that permission should be obtained from Mr. Howell.

9. REDACTED was the only school boy interrogated alone. This was because he was compromised as being a more serious accessory than were the other school boys. He admitted on interrogation going to the Retta Dixon Home on three occasions, namely, Saturday, Sunday and Monday. He stated that he went to see REDACTED. He claimed that REDACTED had written him a note asking him to see her but that the note suggested she meet him in the bush. He admitted that he has seen her there on occasions. He admitted he knew he could enter through the louvres, and when he did so, REDACTED was with him. He admitted that he asked REDACTED to accompany him and it was his idea to climb in the way they did.

10. On entering the dormitory he wakened REDACTED REDACTED who in turn wakened REDACTED. He admitted lying on the bed with REDACTED and that he knew it was wrong. He also admitted that he knew the Missionary was present in the building.

11. On the second night he claimed that it was himself and REDACTED who invited the others to go and see their girl friends, but that it was not he (REDACTED) who was the first one to enter on the Monday night. On that occasion he again talked to REDA. He claims that on all occasions, all he did was talk to REDACTED

12. The interrogation of the remaining schoolboys was brief, merely confined to the purpose of their entry. They admitted that -

REDACTED wanted to speak to REDACTED
 REDACTED wanted to speak to REDACTED

13. During their interrogation they all admitted that they knew they were doing wrong and that they had no right to be in the dormitory. REDACTED claimed that he saw REDACTED open the window and not REDACTED.

14. All of the wards were asked, after the interrogation, to wait outside and when the interrogations were completed, the panel, with the exception of Mr. Howell, deliberated as to what action should be taken.

15. It was felt that whilst REDACTED and AKL REDACTED both denied any intimacy, they would be seriously compromised if a charge of 'attempting to have carnal knowledge' were to be laid against them. Incidentally, the panel fully accepted their claims that no intimacy occurred in deliberating on their penalty.

16. It was felt that the time had arrived for some example to be given, not only to those involved in these incidents, but to the whole of the native population at Bagot. In relating the gravity of the offence to an appropriate punishment, the panel attempted to consider what a Court may have imposed on a European had he been found guilty of 'breaking and entering' and 'attempted carnal knowledge'. After considerable deliberation and having added up all the factors, and taking into consideration the intelligence, education and age of the two wards concerned, it was decided to commit them to a northern settlement away from their "country" for a period of three months, two months of which they shall be required to work without pay and provided their behaviour was satisfactory for that period, they would receive wages for the remaining period of their committal at whatever rate the Superintendent or Manager of the Settlement decided.

17. In considering the schoolboys, the panel felt that a severe warning and threat of punishment if there was a re-occurrence of the incidents, would be sufficient.

18. Decisions having been made, the schoolboys were brought in first and the Acting Director addressed them in appropriate terms whilst the Chief Welfare Officer informed them of the possible repercussions had the matter been placed in the hands of the police by Mr. Howell rather than being reported to us.

19. REDACTED and AKL were then brought into the room together and informed of the panel's decision and the same addresses were made as had been given to the schoolboys.

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20. It was apparent from the reaction of these two wards that they had not anticipated punishment of this nature, although both of them took it without any serious demur, REDACTED only querying the requirement to work without pay.

21. They were informed that they were to report each morning to the Superintendent at Bagot until such time as a decision had been made as to which Settlement they would be taken.

22. The following day the Acting Director of Welfare and the Chief Welfare Officer decided that Maningrida would be the most appropriate Settlement and approval was obtained from the Acting Administrator for the charter of a Cessna aircraft on Thursday, the 29th January.

23. The Chief Welfare Officer accompanied the two wards to the Settlement, handed them into the custody of the Manager, delivered each of them a copy of the Committal Order and one to the Superintendent, advised them again of the terms of their committal which were contained in a covering letter to the Manager and which was read to them in the presence of the Manager.

24. A further condition was made which was conveyed to the two wards, namely, that if their behaviour is satisfactory, they will receive a remission of two weeks on their penalty, but that if their behaviour was not satisfactory, they would remain at Maningrida for the full period of their committal and consideration would be given to extending the time or removing them to another Settlement more distant from Darwin than Maningrida.



(E.C. EVANS)

CHIEF WELFARE OFFICER.