

Landmarks in Mothering: Tasmanian Child Welfare Legislation, 1895-1918¹
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In 1903, the *Constitution Act* gave the vote to women in Tasmania. An important landmark in the history of Tasmanian mothering, it resulted from a campaign by the Woman's Christian Temperance Union that argued for the female franchise on the basis that mothers' work was vital to the nation's wellbeing. The WCTU took a strict view of Victorian middle class values, emphasising alcoholic abstinence and moral, meaning sexual, purity for mothers. Their campaign for the vote thus enhanced mothers' status but raised expectations of them, increasing public anxiety about their capabilities. A previous campaign by the Woman's Christian Temperance Union, had resulted in two landmarks in child welfare policy, the *Better Protection of and Prevention of Cruelty to Children Act* of 1895 and the *Youthful Offenders, Destitute and Neglected Children's Act* of 1896 which established the Neglected Children's Department. The WCTU campaigned for these laws to bring motherly values to the public sphere. These acts are also landmarks in mothering - while the *Constitution Act* implied the criteria for competence, the *Better Protection of Children and Youthful Offenders and Neglected Children Acts* set out the parameters for mothers' failure - these were refined by the *Infant Life Protection Act* of 1905 and the *Children's Charter* of 1918. These acts provide a useful test of the strength of the franchise, showing that it did not necessarily improve women's influence. New or reinforced bureaucracies created by the laws gave male public servants more say over policy and subsequent legislation, diminishing the influence of women activists while some poor women lost significant control over their children.

The Tasmanian parliament introduced child welfare legislation at a time of widespread concern about the plight of neglected children in countries such as Britain, the United States, Canada, and Australia.² Between 1864 and 1918, all Australian states passed legislation to deal with children considered delinquent

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¹ I have changed the names of foster mothers, state children and their parents to protect their identities. My thanks go to Naomi Parry and an anonymous referee for reading and commenting on this article.

² Dorothy Scott and Shurlee Swain, *Confronting Cruelty: Historical Perspectives on Child Protection in Australia*, Melbourne University Press, Melbourne, 2002, pp. 11-15; Hugh Cunningham, *The Children of the Poor: Representations of Childhood Since the Nineteenth Century*, Blackwell, Oxford, 1991, pp. 208-9; Colin B. King, Alan W. Leschied, Paul C. Whitehead, Debbie Chiodo, and Dermot Hurley, 'Child Protection Legislation in Ontario: Past, Present and Future?', web publication, University of Western Ontario, London, Ontario, 2003, pp. 3-5.

or neglected, frequently using precedents from elsewhere.³ For instance, Tasmania's *Better Protection of Children Act* drew substantially on the English *Children's Charter* of 1894, while the *Youthful Offenders and Neglected Children's Act* had its origins in similar Victorian legislation.⁴ An important difference between the Tasmanian laws and those in states such as Victoria or South Australia was the emphasis on government control over the system.⁵ In Tasmania, insufficient funds and volunteers meant that state provision of welfare was already entrenched by 1896, although according to Joan Brown, the voluntary contribution was increasing.⁶ By placing the Neglected Children's Department in the hands of public servants, parliamentarians reversed that trend where children's welfare was concerned.

The aftermath of the *Youthful Offenders and Neglected Children's Act* has important implications for Marilyn Lake's argument that Australian feminists used the franchise to create a maternalist welfare state.⁷ While the involvement of the Woman's Christian Temperance Union in the development of the legislation sustains Lake's view, the inability of women activists to maintain that level of influence afterwards suggests that, in this particular context, her argument is also problematic. In Tasmania, public servants mostly formulated new policy initiatives, reinforcing Desley Deacon's belief that the role of bureaucracies in shaping Australian politics and society needs more historiographical emphasis.⁸ In addition, Lake does not address the role of poor women in shaping policy. This is a less familiar theme of welfare historiography in general with the exception of Christina Twomey's work. She shows that applications to magistrates from deserted wives who needed financial help with their children resulted in Victoria's 1864 *Neglected and Criminal Act*, an attractive argument because it disrupts the more familiar one of an all-powerful elite that rendered the poor passive victims.⁹ However, although Tasmanian mothers exercised

³ Human Rights and Equal Opportunities Commission, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, April 1997, pp. 600-636.

⁴ *Mercury*, 3 August, 1895; 27 September 1895.

⁵ In South Australia the members of the State Children's Council were mostly women volunteers. Catherine Helen Spence, *State Children in Australia: A History of Boarding Out and its Developments*, Vardon and Sons, Adelaide, 1907, p. 27; Scott and Swain, p. xiv.

⁶ Joan Brown, *Poverty Is Not a Crime: Social Services in Tasmania, 1803-1900*, Tasmanian Historical Research Association, Hobart, 1972, pp. 83-85, 170.

⁷ Marilyn Lake, *Getting Equal: The History of Australian Feminism*, Allen and Unwin, Sydney, 1999, pp. 50-6.

⁸ Desley Deacon, *Managing Gender: The State, the New Middle Class and Women Workers, 1830-1930*, Oxford University Press, Melbourne, 1989, p. vii.

⁹ Christina Twomey, *Deserted and Destitute: Motherhood, Wife Desertion and Colonial Welfare*, Australian Scholarly Publishing, Melbourne, 2002, pp. xxii-xxiii; Christina Twomey, 'Gender, Welfare and the Colonial State: Victoria's 1864 Neglected and Criminal Children's Act' *Labour*

agency in their dealings with the Neglected Children's Department, this had almost no effect on the *Children's Charter*.

The Introduction of the *Youthful Offenders, Destitute and Neglected Children's Act*

The Tasmanian Woman's Christian Union held their first meeting in Hobart on 29 November 1895, gathering momentum in 1892 after the visit of Jessie Ackerman, an American leader.¹⁰ The WCTU was influential for about ten years, being already in decline by 1903 when women gained the vote. The women defined their first duty as raising their children, placing an emphasis on moral purity, alcoholic abstinence, good health, and parental control.¹¹ Believing that that they could bring the purity of their homes to the public sphere, WCTU members undertook rescue work for single mothers and other women considered to be in moral jeopardy. They also conducted campaigns for issues such as limiting the spread of gambling, the promotion of advertising that respected women, and for the repeal of the *Contagious Diseases Act*, because it condoned prostitution.¹² A particular concern was 'truth and justice' for children considered to be neglected. The president, Annie Blair, deplored 'the wretched homes from which these poor waifs come [where] drunkenness and impurity reign, instead of these poor children being shielded by their parents, they are in many cases driven to sin'.¹³ She favoured a boarding-out system by which the state removed such children from their homes and placed them with foster mothers.¹⁴ The WCTU wanted the vote to deal with issues like these and to end what they considered was the corrupt masculine management of political life. Lake has pointed out that most early twentieth century Australian feminists did not seek 'equal opportunities' but to end the 'degradation' of women.¹⁵ Similarly, in Tasmania, they claimed that, unlike men, they wanted civic status 'not for

History, No 73, November 1997, pp. 22-46. See also: Linda Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence, Boston, 1880-1960*, Viking, New York, 1988.

¹⁰ Vicki Pearce, 'A Few Viragos on an Old Stump: The Womanhood Suffrage Campaign in Tasmania, 1880-1920', Tasmanian Historical Research Association: *Papers and Proceedings*, No. 4, December 1985, pp. 151-2; Audrey Oldfield, *Woman Suffrage in Australia: A Gift or a Struggle?* Cambridge University Press, Cambridge, 1992, p. 104.

¹¹ *Tasmanian News*, 25 March 1896; Minutes of the Woman's Christian Temperance Union's Annual Conventions, 1893, 1895, 1896, Non-State (hereafter NS) 337/2; 337/4; 337/5, Archives Office of Tasmania (hereafter AOT). See also: Kay Daniels, 'Prostitution in Tasmania During the Transition from Penal Settlement to Civilised Society' in Kay Daniels (ed), *So Much Hard Work: Women and Prostitution in Australian History*, Fontana, Sydney, 1984, pp. 57-79.

¹² Minutes of the Woman's Christian Temperance Union's Annual Conventions, 1893, 1895, 1896, NS 337/2; 337/4; 337/5, AOT.

¹³ Minutes of the Woman's Christian Temperance Union's Annual Convention, 1896, NS 337/5, AOT.

¹⁴ *Tasmanian News*; 25 March 1896; Minutes of the Woman's Christian Temperance Union's Annual Convention, 1896, NS 337/5, AOT.

¹⁵ Lake, p. 58.

mere personal ambition, but for the right to work for truth and justice'.¹⁶ Yet, by neglecting to seek equality, the WCTU may have limited the ability of early twentieth century women activists to achieve their aims.

In August 1895, William Moore, the chief secretary, introduced 'The Better Protection of Children Bill' into the upper house. Adye Douglas, president of the Legislative Council, prompted him. Since Douglas was not usually interested in child welfare issues, the initiative probably came from Annie Blair, who lived in his Launceston constituency.¹⁷ Even so, the Woman's Christian Temperance Union did not believe that the bill went far enough. The *Tasmanian News*, a small 'l' liberal paper, edited by Sara Gill, the wife of the proprietor, supported them. The paper published a series of articles written by its 'special reporter' who had been sent on 'a sort of special commission' to find out about juvenile street vending, discovering that it was often a front for prostitution. According to the *News*, older girls introduced other children of nine or ten, apparently in the streets to sell or beg, to the 'nefarious trade' by persuading them to mount guard.¹⁸ Bad companions contributed to the problem, but the alcoholism and laxity of the parents, especially mothers, were most to blame. The paper suspected deserted wives, in particular, of encouraging their daughters into prostitution.¹⁹ The series caused considerable press interest with most papers agreeing that the issue was a moral one. Only the labour *Clipper* argued that it was economic.²⁰ When the WCTU asked them for support, they replied that the women would, 'have to go a little deeper into the matter and discover a method by which the bread and butter question can be settled'.²¹

The Woman's Christian Temperance Union called a meeting on 5 September to discuss the articles. There was, according to the *News*, 'a large number present',

¹⁶ Minutes of the Woman's Christian Temperance Union's Annual Convention, 1896, NS 337/5, AOT.

¹⁷ The legislative councillor, Henry Rooke, claimed that Hobart women started the campaign while Moore said that it began in Launceston. Either way it seems likely that the impetus for it came from the Woman's Christian Temperance Union, which had a state wide membership. In October, the Tasmanian Temperance Alliance's *People's Friend* said: 'The Union during the last month has done some good work in taking up a question which has been brought prominently before the public, and it is hoped in time to find some practical remedy for the existing evil'. Douglas served on the 1862 Select Committee into Charitable Institutions which cursorily investigated Queen's Asylum. Apart from that he showed little interest in child welfare during his career. *Mercury*, 8 June 1895; *Tasmanian News*, 3 August 1895; *Mercury*, 12 October 1895; 12 October 1895; *People's Friend*, 1 October 1895; *Select Committee Report on Charitable Institutions* (1862) Parliamentary Paper (hereafter PP) No. 120, AOT; Scott Bennett and Barbara Bennett, *Biographical Register of the Tasmanian Parliament 1851-1960*, Australian National University Press, Canberra, 1980, p. 48; Terry Newman, *Tasmanian Premiers, 1856-1988: A Biographical Handbook*, Hobart, 1988, p. 37.

¹⁸ *Tasmanian News*, 30 August 1895.

¹⁹ *Tasmanian News*, 31 August 1895.

²⁰ *Clipper*, 7 September 1895; 19 October 1895.

²¹ *Clipper*, 5 September 1895.

including representatives from the Tasmanian Temperance Alliance, the Young Men's Christian Association, the City Mission, Salvation Army, clergy from various churches, and Hobart's teetotal mayor, G. S. Crouch. The meeting decided that, although lax parental control mostly caused 'juvenile depravity', legislative measures might curb it. However, the 'Protection of Children Bill', now before parliament, did not have enough provisions to do so. The meeting decided to go through the bill and make suggestions to the attorney-general, A. I. Clark.²² On 12 September, the WCTU held a second meeting but another much larger one, called by Sara Gill and dominated by the more elite Women's Sanitary Association, upstaged it. The temperance meeting adjourned to join them. Emily Dobson, the indomitable wife of the former premier, Henry, took the chair. Maud Montgomery, wife of the Bishop of Tasmania, gave the address. By now, parliament planned a 'Neglected Children's Bill' so the meeting formed a committee to call on Clark with suggestions for strengthening it.²³

A. I. Clark introduced the new bill into the lower house in late September. Copied verbatim from Victoria's 1890 *Neglected Children's Act*, it was ill adapted to Tasmanian conditions and conflicted with some existing law. The Legislative Council rejected it because there was not enough time for amendments.²⁴ In July 1896, Moore introduced the 'Youthful Offenders, Destitute and Neglected Children's Bill', drafted by F. W. Piesse, a parliamentarian and member of the Tasmanian Temperance Alliance.²⁵ Most of the opposition came from legislative councillors who were concerned about the civil liberties of parents and children. For instance, William Page claimed that the purpose of the bill was to allow people 'who go too far to go into people's houses and pry into private affairs'. He thought that the poor would suffer, although there was more 'immorality' amongst the rich. Even so, parliament passed the bill easily and the governor proclaimed it on 23 October 1896.²⁶

The government had established Tasmania's boarding-out system in 1873 by the *Public Charities Act*.²⁷ However, the management was unsettled, having alternated between the state and voluntary organisations. The main purpose of the new act was to bring the system under the control of the state by setting-up the Neglected Children's Department. In addition, the act widened the definition of neglect with a view to further protect and control children who legislators

²² *Tasmanian News*, 6 September 1895.

²³ One proposal was that girls under seventeen should be prohibited from street selling altogether. Clark thought that the idea was 'startling' because such girls needed to make a living. *Mercury*, 27 September 1895; *Tasmanian News*, 13 September 1895.

²⁴ *Mercury*, 27 September 1895; 16 October 1895; 12 October 1895.

²⁵ *Mercury*, 23 July 1896.

²⁶ *Mercury*, 19 August 1896; 20 August 1896; 22 August 1896; 26 August 1896; 3 September 1896; *Youthful Offenders, Destitute and Neglected Children Act* (1896) 60 Victoria No. 24.

²⁷ *Public Charities Act*.

considered both vulnerable and a social danger.²⁸ To define neglect, the framers drew on the provisions of the 1867 *Industrial Schools Act* which included begging, 'found wandering', or without a home, 'proper guardianship', or visible means of subsistence, living with 'reputed thieves', and having a sole surviving parent who was in gaol.²⁹ The legislators did not include abuse as a category of neglect because the *Better Protection Children Act* was supposed to deal with that. Yet no children were committed to the Neglected Children's Department under its auspices.³⁰ New provisions reflected the concerns of the Woman's Christian Temperance Union - alcoholism and vagrancy of the parent, living with a prostitute, and excessive hours of street vending, which the WCTU feared led to sexual abuse of young girls.³¹ These definitions of neglect set the standard for parental failure. As primary caregiver, responsibility fell most heavily on the mother.

As in the past, parents could surrender uncontrollable children. Following the new act, this became the favoured method of dealing with impoverished children, most of whom lived with their mothers. Since the act focused on the morality of the parents, it contained insufficient provision for dealing with poverty. So-called uncontrollable children were not committed to the Department strictly in accordance with the law. In 1897, Bernard Shaw, Hobart's Police Magistrate, told George Richardson, the new Department's first secretary, that the grounds of uncontrollability were never intended to be used in cases of destitution. At the time, Richardson said that the act was 'so defective' that magistrates found it difficult to deal with such cases and suggested asking the police to tell one poor widow to let her children engage in after hours street trading in order to commit them. Shaw prevented him because he did not think it was right to make up cases to fit the act.³²

The Neglected Children's Department

The Neglected Children's Department was a sub-department under the chief secretary's jurisdiction but in the control of its own secretary. His task was to administer the boarding-out system. This meant liaising with magistrates over committals and seeking reports from local police before committing or discharging a child. Secretaries found apprenticeships for adolescents that provided a rudimentary training, usually in rural areas - farm labour for boys and domestic service for girls. They oversaw boarded-out and apprenticed

²⁸ Caroline Evans, 'Protecting the Innocent: Tasmania's Neglected Children, their Parents and State Care, 1890-1918, PhD thesis, University of Tasmania, 1999, pp. 7, 17, 20, 27-9, 48. See also: Scott and Swain, pp. 5-6.

²⁹ *Industrial Schools Act* (1867) 31 Victoria No. 37; *Youthful Offenders, Destitute and Neglected Children's Act*.

³⁰ Evans, 'Protecting the Innocent', p. 188.

³¹ *Youthful Offenders, Destitute and Neglected Children's Act*.

³² Social Welfare Department (hereafter SWD) 1/1/20-1, AOT.

children, conferring and receiving reports from inspectors, although not from rural areas until 1915, as well as negotiating wages and conditions for apprentices.³³

The offices were in the New Town Charitable Institution, an invalid depot, a few kilometres from the centre of Hobart, in the same building as the Boys Training School. Between 1896 and 1912, the secretary of the Department was also the administrator of the Charitable Grants Department, registrar of Charitable Institutions, and manager of the Depot and Boys Training School. George Richardson received the first appointment in 1896 and when he became superintendent of the newly created Police Department in 1898, Frederick Seager replaced him. In 1911, the government brought the charitable departments under the direct management of the under-secretary, H. E. Packer. He died in 1914 and D'Arcy Addison took his place.

Seager, Packer, and Addison had the most dramatic effects on the Department. Since Richardson was only secretary for a short time, Seager established it. The adherent of a pragmatic bourgeois liberalism, he had a dogged combativeness, possibly motivated by a personal philosophy of determination over adversity, which he applied to himself and others.³⁴ Seager was enthusiastic about child rescue work, reading and commenting on it.³⁵ He corresponded with J. J. Kelso, the superintendent of Ontario's Neglected and Dependent Children's Department, adopting a few of his ideas.³⁶ Packer also left his stamp on the Department. Having previously reorganised the Lands and Works, Public Works, and Education Departments, he was efficient, rational, and professional - the embodiment of modern bureaucratic principles. Like Seager, he had worked his way up, having started as a junior operator in the Electric Telegraph Office.³⁷ On the other hand, Addison was a member of the establishment, urbane and comfortable in elite circles.³⁸ He advised the attorney-general, W. B. Propsting, who drafted the 1918 *Children's Charter*. These men were essentially conservative, a result of dealing with the practical difficulties of implementing policy.³⁹ Changes in the public service during the early twentieth century greatly

³³ Evans, 'Protecting the Innocent', pp. 90-117.

³⁴ For instance, Seager argued against day time education for boys at the Boys Training School because 'as many thousands in the world (myself included) have had to fight the battle of life with the assistance of knowledge gained at night school, I fail to see the necessity for altering the system now in force at the B.T.S.'. Chief Secretary's Department (hereafter CSD) 22/98/133/06, AOT.

³⁵ *Launceston Girls Industrial School Annual Report*, 1907, AOT; CSD 22/107/92/10/07, AOT.

³⁶ CSD 22/125/25/09, AOT.

³⁷ *The Case of Mr Packer in the Public Service: Report of the Select Committee* (1908) PP No. 52, AOT.

³⁸ *Prominent Tasmanians*, Hobart, 1924, p. 39; *Weekly Courier*, 6 June 1928.

³⁹ Evans, 'Protecting the Innocent', p. 90. See also: Naomi Parry and Caroline Evans, 'Vessels of Progressivism? Tasmanian State Girls and Eugenics, 1900-1940', *Australian Historical Studies*, No. 117, October 2001, pp. 326-7.

enhanced these tendencies. Most importantly, the passage of the *Civil Service Act* in 1900 rationalised salary structures, and introduced a scale of rewards and punishments, creating an incentive to conform.⁴⁰ This was a masculine culture susceptible to the prevailing attitude that women's civic status was contingent on their respectability as mothers.

The Progressivist Influence on Child Welfare Policy

At the turn of the twentieth century progressivism, a movement that influenced many social activists in the western world, increasingly influenced child welfare policy in Tasmania. The movement sought the perfection of the human physical condition through rational means.⁴¹ Many of its adherents hoped to strengthen empire, nation and the white race, giving progressivism a eugenicist twist. Progressivists emphasised the role of the state in determining public policy and the importance of professionalism, factors that would undermine the influence of women activists and lead to the abolition of the women volunteers who inspected foster homes in the Neglected Children's Department. In 1903, following the *Public Health Act*, the progressivist influence was boosted by the creation of a Public Health Department, with J. S. C. Elkington, a medical doctor, as its first Chief Health Officer. Elkington believed that since a nation's wealth lay with its people, the state was responsible for their welfare.⁴² His guiding public health principle was efficiency with long-term benefits to society rather than immediate sentiment. For instance, he was less concerned about infanticide, which he considered 'peculiarly distressing from the purely humane aspect', than poverty induced 'infant deterioration' that led to life long ill health and a permanent drain on the economy.⁴³ Even so, in order to promote the education of foster mothers, he would support an ex-nuptial infant life protection campaign driven by a media panic about infanticide.

A new balance of power amongst women activists, with the Women's Sanitary Association prevailing over the Woman's Christian Temperance Union, increased the progressivist influence. Although the two organisations had cooperated in the past, differences between Dobson and the WCTU over a universal female franchise, as well as her half-hearted support for temperance, made relations difficult.⁴⁴ The upstaging of the WCTU's meeting on 12 September 1895 by the Women's Sanitary Association was the first public indication of its ascendancy. A breach developed in 1899 when Dobson formed

⁴⁰ R. L. Wettenhall, *A Guide to Tasmanian Government Administration*, Hobart, 1968, p. 216; *Civil Service Act* (1900) 64 Victoria No. 69.

⁴¹ Michael Roe, *Nine Australian Progressives*, University of Queensland Press, Brisbane, 1984, pp 1-13.

⁴² *Mercury*, 20 March 1907.

⁴³ *Health Department Annual Report* (1906) PP No. 14, AOT.

⁴⁴ *Daily Telegraph*, 19 August 1896; Alexander, pp. 209, 250. Dobson did not take the temperance pledge until 1912. List of the Financial Members of the Hobart Branch of the Woman's Christian Temperance Union, 1908-1930, NS 337/41, AOT.

the National Council of Women from thirty-three philanthropic organisations. While it included the WCTU, none of its members held an office. After that, the WCTU's power apparently declined while that of the Women's Sanitary Association grew.⁴⁵ When it became the Women's Health Association in 1901, the members lobbied for further child welfare reforms, gradually taking over the work and, under the influence of progressivism and eugenics, giving it an imperial and national significance.⁴⁶ One member, Frances Edwards, was said to have 'regarded the care of infant life as Empire work, the first and most important work of the State, and thought it should be considered the most valuable department of the government'.⁴⁷ With the government increasingly managing social policy, the Association and its offshoot, the Children's Protection Society, found it expedient to work with them. They may have been willing to do so, given the emphasis that progressivism and eugenics placed on the state.

According to Elkington, ex-nuptial infants were twice as likely to die than other ones.⁴⁸ However, it was not entirely soft-heartedness but concerns about the population decline and defence of Australia that led to the campaign for the *Infant Life Protection Act*. It originated with the Women's Health Association, which had asked for measures to protect ex-nuptial infant life to be included in the *Public Health Act*.⁴⁹ When the measures proved too lax, some of the members of the Association, including Emily Dobson and Frances Edwards, formed the Children's Protection Society to press for greater stringency.⁵⁰ They kept the issue alive, with support from Frederick Seager, while Elkington devoted his attention to other health measures that he believed had priority.⁵¹ In 1905, following a campaign by a Queensland journalist, S. Kingsbury, to improve the preservation of ex-nuptial infant life throughout Australia, information about

⁴⁵ Alison Alexander dates the decline of the WCTU from 1898. According to Pearce by 1903 it was no longer the most important women's group. By 1904, the WCTU only had seven branches and 188 members, despite the marked ability of their president, Jessie Rooke. Alison Alexander, 'The Public Role of Women in Tasmania, 1803-1914'. PhD Thesis, University of Tasmania, 1989, p. 232; Pearce, p. 158.

⁴⁶ Stefan Petrow, *Sanatorium of the South? Public Health and Politics in Hobart and Launceston, 1875-1914*, Tasmanian Historical Research Association, Hobart, 1994, pp. 108-9, 111.

⁴⁷ Minutes, Correspondence and Associated Papers of the Child Health Association, NS 500/3, AOT.

⁴⁸ CSD 22/86/99, AOT; *Mercury*, 20 March 1907.

⁴⁹ *Mercury*, 27 August 1905; 29 August 1903.

⁵⁰ *Mercury*, 14 September 1907; CSD 22/114/25/3/08, AOT; *Prominent Tasmanians*, Hobart, 1925, p. 53; *Mercury*, 7 June 1905.

⁵¹ Elkington's first two annual reports did not refer to infant life protection although in 1903, Seager wrote: 'It has come to my notice that there are throughout the State a number of children boarded out privately, and recent events have shown the necessity of having all the homes of foster parents under proper supervision'. He wanted the local boards of health to comply with the *Public Health Act*. *Health Department Annual Reports* (1904) PP No. 48; (1905) PP No. 26; (1906) PP No. 14, AOT; *Neglected Children's Department Annual Report* (1903) PP No. 36, AOT.

baby farming in Hobart was leaked to the press, possibly by Elkington, who was now ready to pursue the issue.⁵²

The result was the *Infant Life Protection Act* of 1907. Women who had the care of an infant under the age of five who was not their own, for more than twenty-four hours, had to register with the Police Department. Homes were to be compulsorily inspected and the police commissioner could cancel the registration of inadequate carers.⁵³ An important component of inspection was advice to foster mothers on nutrition and hygiene. In this act, there was no attempt to separate mother from child, as Shurlee Swain and Renate Howe argue was increasingly the practice in Australia.⁵⁴ That had already occurred. Instead, legislators reversed the trend a little by expecting the mother to retain an interest in and control of the child through paying maintenance. This was partly for the child's protection, but it also saved the Police Department money because it did not have to pay its foster mothers.⁵⁵

Now three government departments—Public Health, Police, and Neglected Children—had an interest in child welfare policy, further entrenching the influence of public servants. The Children's Protection Society continued to work with them. In 1908, Alicia O'Shea Petersen and Frances Edwards served with Elkington on a committee established by Seager to investigate ways of widening the definition of neglect in order to commit more children. The committee drew on Ontario's 1893 *Children's Protection Act*, sometimes known as the 'Children's Charter', to recommend that abuse be a category of neglect.⁵⁶ This found fruition in the Tasmanian *Children's Charter*. As Naomi Parry and I argue, public servants at the Neglected Children's Department resisted extreme ideas in favour of pragmatism whenever they could.⁵⁷ In 1909, Edith Waterworth, dubbed 'Mrs Hot Waterworth', arrived in Tasmania.⁵⁸ She was a confirmed eugenicist, telling the chief secretary in 1914 that it was pointless to spend money on state children while 'outside a perfect army of degenerates is being bred'.⁵⁹ Although politicians and bureaucrats listened to her, they also ignored any ideas they found inconvenient.

Attempts to work outside bureaucratic parameters, and so establish a more radical agenda, no longer worked. For instance, in 1910, the Children's Protection

⁵² The *Mercury* claimed that the reports were 'official and otherwise'. *Mercury*, 7 June 1905.

⁵³ *Infant Life Protection Act* (1907) 7 Edward VII No. 51.

⁵⁴ Shurlee Swain and Renate Howe, *Single Mothers and their Children: Disposal, Punishment and Survival in Australia*, Cambridge University Press, Melbourne, 1995.

⁵⁵ *Infant Life Protection Act*; *Mercury*, 10 October 1907.

⁵⁶ CSD 22/128/75/1/09, AOT; King et al, p. 5.

⁵⁷ Parry and Evans.

⁵⁸ Jill Waters, 'Edith Waterworth' in John Ritchie (ed.), *Australian Dictionary of Biography*, Vol. 12, 1939-81, Melbourne University Press, Melbourne, 1990, pp. 392-3.

⁵⁹ CSD 22/181/59/11/14, AOT.

Society, encouraged by Emily Dobson, tried to renew the panic about street children by calling for a curfew. Only the *Mercury* supported the idea wholeheartedly and it soon changed its mind, while expressing sympathy for working-class parents: 'those who talk so easily about educating the parents would, if they were put in the same position, be glad to let the children roam the streets for some time in order to get a little rest'.⁶⁰ When eugenicist concern about race survival in the aftermath of the mortalities of World War I led Waterworth and others to establish the Child Welfare Association in 1917, it was more effective in setting up baby clinics than in lobbying government over the *Children's Charter*.⁶¹

New Limits to Women's Volunteerism

Successive secretaries of the Neglected Children's Department gradually dismantled the formal structures enabling volunteer women to work with boarded-out children. Since 1881, a central boarding-out committee had managed the boarding-out scheme, including the oversight of visiting committees of 'ladies', some of whom belonged to the WCTU, that inspected the foster homes.⁶² Piesse had intended to put the secretary of the Neglected Children's Department in charge of boarding-out, but the act was unclear about this. As a result, in 1897, when Richardson assumed some of the committee's administrative responsibilities, there was a dispute. The committee postponed their monthly meetings until Richardson restored their powers. He did not, and the committee disappeared about 1898.⁶³

This facilitated the abolition of the visiting committees. The first step was to limit the power of the Launceston committee which, with no interference from a government inspector, was quite powerful. In Hobart, there had been an inquiring officer since 1874 - initially George Judge, then James Pearce. The diligence of these men, who reported faithfully to the secretary, probably moderated the ladies' influence.⁶⁴ In December 1897, Richardson visited Launceston and expressed concern about the poor appearance of the children and their homes. He decided that an inquiring officer, who had more authority than the women and was answerable to him, would improve matters. The following year, he appointed William Welsh, a retired sergeant-major.⁶⁵

In Hobart, clashes between foster mothers, who Pearce supported, and the lady visitors probably expedited the early demise of the visiting committees.⁶⁶ One

⁶⁰ *Mercury*, 21 February 1910.

⁶¹ *Mercury*, 5 October 1917.

⁶² Grace Soltau, a president of the Union, was secretary of the Launceston visiting committee. *Boarding-Out Committee Annual Report* (1891) PP No. 25, AOT.

⁶³ CSD 22/6/117/98; 22/63/62/03, AOT; *Neglected Children's Department Annual Report* (1898) PP No. 33, AOT.

⁶⁴ SWD 1/9/570-1, AOT.

⁶⁵ CSD 22/13/62/98, AOT.

⁶⁶ The date of abolition for the Hobart visiting committee is unclear.

foster mother told Pearce that 'the insults from the Visitors was more than she could stand and she would not humble to them'.⁶⁷ When another gave up fostering, Pearce blamed the committee. The foster mother was 'a very proud hearted woman and I think that it is the four lady visitors that she cant stand. The foster parents do not like to say much about it but they dont like so many'. He thought that Hobart and Sandy Bay should be divided into three districts with only two visitors each: 'We have to study our foster parents as well as our visitors in order to keep our homes, or we are likely to drift back to more indifferent homes'.⁶⁸ Seager acknowledged the problems caused by the visitors when he exempted a foster mother from visits because she ran 'a very superior home'.⁶⁹

After Packer assumed control, he made further changes to inspection. As a first step, he replaced Pearce as inquiring officer with Katherine Crawford, a professionally trained nurse.⁷⁰ A Police Department initiative probably inspired Packer. Following the passage of the *Infant Life Protection Act*, the police superintendent appointed a trained nurse whose advice, he believed, lowered the infant mortality rate.⁷¹ In 1912, Packer claimed success for the inspecting nurses. Foster mothers 'gladly' accepted their advice and the children now had a 'clean and healthy appearance'. When Welsh retired, Rose Heathorn became inspecting nurse in Launceston.⁷²

In 1911, tension developed between Crawford, the Hobart nurse, and the Launceston visiting committee, leading to its resignation. Shortly after her employment, Crawford visited Launceston to carry out some inspections. She removed a child from a home endorsed by Welsh and the visiting committee, and ordered the transfer of some Catholic children from their state school to the Catholic one. She implied that another trusted foster mother's accommodation was too limited. The secretary of the committee protested that this was 'a slight which we did not expect to be subject to', but Packer endorsed the nurse. In addition, the committee were upset that no one had told them at the time of the nurse's appointment and there were other, unspecified, problems. All but one of the women resigned:

On many occasions the Committee have had cause for complaint at the manner in which they have been ignored when they might reasonably have expected to be consulted & as it seems to them that the Government do not appreciate the services they have rendered

⁶⁷ SWD 1/12/759-62, AOT.

⁶⁸ SWD 1/9/570-1, AOT.

⁶⁹ CSD 22/114/25/2/08, AOT. For another discussion of the conflict between foster mothers and the visiting committee see: Caroline Evans, 'Excellent Women and Troublesome Children: State Foster Care in Tasmania, 1896-1918, *Labour History*, No. 83, November 2002, pp. 139-40.

⁷⁰ CSD 22/152/115/6/11, AOT.

⁷¹ *Police Department Annual Report* (1911) PP. No. 12, AOT.

⁷² *Neglected Children's Department Annual Report* (1912) PP No. 30; (1913) PP No. 28; CSD 22/160/115/1/12, AOT.

often at great inconvenience & expense they desire that their resignation which they now tender be accepted & as soon as practicable.⁷³

Packer accepted the resignations and did not replace the women. The demise of the committees highlights the influence of masculine bureaucratic styles in child welfare practice by 1912. It indicates the increasing involvement of government in policy formation as well as a growing sense of professionalism. The nurses did not easily replicate any feminine power the visiting committees had wielded. Although they were forceful, as employees they did not have the same autonomy.

The Mothers of State Wards

The creation of the Neglected Children's Department brought the mothers of neglected children into better contact with the government, potentially enabling them to make their needs known. In 1911, when the Department came under direct control of the under-secretary, they gained access to the most powerful public servant in Tasmania. All secretaries wrote to the women themselves, preserving the correspondence in the files they kept for each child, giving us an unusual opportunity to assess the agency of individuals interacting with the state. However, despite the efforts of the mothers of state children, concessions were too limited to have more than a minor impact on the *Children's Charter*.

Instead of advice on moral improvement or scientific child rearing, the mothers needed a decent income. My research into case studies shows that widowed, deserted, or unmarried women surrendered their children because they could not afford to keep them. Women's wages were low, no more than fifteen shillings a week, and frequently less than half of that.⁷⁴ Mothers could not afford to board children out privately at about five shillings a week, with clothing and medicine as extras, or to run a household.⁷⁵ If the mother worked, it was impossible to supervise the children. Few employers allowed women to take their children to work. Strategies involved leaving the child with their parents while the mother worked or getting help from older children with child minding, running messages, and laundering. Some children, such as an eleven-year-old boy paid four shillings a week for work at a timber yard, could find a small income.⁷⁶

Faced with dire poverty, women differed over the extent to which they valued their respectability. Some, like a widowed mother of seven who refused to send her children to the Benevolent Society for rations because they would 'mix up with all sorts of children', risked destitution.⁷⁷ For women like her, as Janet McCalman suggests, respectability probably offered 'some sort of psychological

⁷³ CSD 22/146/25/1/11, AOT.

⁷⁴ Alexander, pp. 105-8.

⁷⁵ *Mercury*, 9 June 1905.

⁷⁶ SWD 1/8/560, AOT.

⁷⁷ SWD 1/6/412-8, AOT.

defence against the humiliations of insignificance and the frustrations of helplessness'.⁷⁸ Other mothers became exhausted, allowing discipline and cleanliness to slide so that their critics categorised them as careless. Still others resorted to prostitution, convincingly shown to be an economic strategy by historians such as Kay Daniels.⁷⁹

These women attempted to manage in an era when the press increasingly criticised mothers for being 'slipshod' and disinterested in their families, allowing them to 'go to seed in the most alarming manner'.⁸⁰ The Anglican Synod of 1912 mourned the loss of the Victorian mother, complaining that contemporary ones were 'a very giddy irresponsible sort of creature'.⁸¹ Public anxiety included all mothers but those belonging to the working class attracted the most attention. This made it more difficult for the mothers of state wards to retain vestiges of parental responsibility, unless they could prove their respectability, a difficult task in the circumstances. Widows perceived as hard working and upright were most likely to succeed, whereas deserted wives had to prove that their situation was not their fault. At a hint of alcoholism or unmarried sex, officials stigmatised any mother, whatever her former marital state. Many women were aware of this and framed their requests accordingly. For instance, a deserted wife emphasised that she had been 'cruelly deserted', that she was the victim, not the instigator, of her situation.⁸²

Between 1897 and 1899, Seager began boarding-out children to respectable widows and later to deserted wives. The payment was two shillings and sixpence a week, less than half that of departmental foster mothers, but because it was cash, it provided some independence - the charities and Charitable Grants Department only supplied rent and food.⁸³ To qualify, women had to be hard working, train their children carefully, and have irreproachable morals. Few met the criteria. The income was stingy, described as 'positively cruel' by Waterworth, but if the mother could augment it, she was able to keep her children. Occasionally mothers expressed gratitude for this. For instance, Seager boarded-out five children to their mother, a widow who struggled to support them by selling fish. When she remarried and Packer discharged the children, she thanked him and his staff for 'the way you have always treated us'.⁸⁴

⁷⁸ Janet McCalman, *Struggletown: Portrait of an Australian Working-Class Community, 1900-1965*, Melbourne, 1984, p. 20.

⁷⁹ Daniels, pp. 38-40, 80. See also: Jane Long, 'This Surging Tide of Wretchedness: Gender, Danger and Progress in Nineteenth Century Newcastle Upon Tyne', *Australian Historical Studies*, No. 107, October 1996, pp. 323-342; Françoise Barret-Ducrocq, *Love in the Time of Victoria: Sexuality, Class and Gender in Nineteenth Century London*, Verso, London 1991.

⁸⁰ *Critic*, 9 September 1912.

⁸¹ *Critic*, 17 May 1912.

⁸² SWD 1/14/903-9, AOT.

⁸³ *Charitable Grants Department Annual Report (1908)* PP No. 37, AOT.

⁸⁴ SWD 1/14/872-7, AOT.

For those who had to relinquish their children, visits and correspondence were a way of keeping in touch. The secretary encouraged these as long as he approved of the mother. For instance, Seager told a foster mother to make sure that a boy wrote to his mother, a destitute and hard working widow. He reassured the woman that: 'You may have no fear respecting him for if ill or anything out of the usual should take place with him I would at once write to you'. Despite Seager's intervention, she eventually lost touch with her son.⁸⁵ On the other hand, Seager discouraged women who deserted their families, even if the husband was violent.⁸⁶ He did not allow Mrs Boswood, who had an affair and associated with, in a police constable's words, 'bad characters and prostitutes', to send letters and photos.⁸⁷

Under the *Youthful Offenders and Neglected Children's Act*, even parents had to obtain permission to see state wards. Even so, visits from approved mothers took place as long as they did not worry the foster mother. If they did, the secretary stopped them. One mother visited her infant daughter so often that the foster mother requested the child's transferral. According to Pearce, 'she could not stand being worried with the mother coming about so much'. Seager told the mother to obtain a letter of permission before making visits. Pearce approved because potential foster mothers might be deterred if they had to 'throw their houses open to so many callers'.⁸⁸ Mothers such as Mrs Boswood, who secretaries refused permission to see their children, sometimes resorted to subterfuge. When she picked her daughter up on the way home from school, Seager said that he might transfer the child to the outer suburbs. A few years later, she picked up her son and Packer, now secretary, threatened her with proceedings. He said that it was 'a great pity for the boy to be upset, as he is, I believe the makings of a good boy'.⁸⁹ Similarly, Mrs Whelan, a widow believed to have engaged in prostitution, regularly stopped her children on the way to and from school. The secretary warned her that there was a prison sentence of up to fourteen days for interference with a ward.⁹⁰

If their situation improved, usually through remarriage, many mothers asked for their children's return. The request often succeeded because marriage created better economic stability and public servants believed that the husband would be a restraining influence. When a single mother unable to support her child got married, a police constable said that the husband had 'a chance of making a good woman of the child's mother, who from reports to hand has not been leading a

⁸⁵ SWD 1/9/602, AOT.

⁸⁶ SWD 1/1/16/994, AOT.

⁸⁷ SWD 1/11/717-8, AOT.

⁸⁸ SWD 1/14/883, AOT.

⁸⁹ SWD 1/11/717-8, AOT.

⁹⁰ SWD 1/15/955, AOT.

good life'.⁹¹ Marriage conferred respectability. In 1907, Welsh recommended returning the daughters of a widow, previously working as a prostitute and now remarried. She was 'in a respectable position and married and able to support them'.⁹² Mothers understood bureaucratic thinking. One considered remarriage solely to have her children returned.⁹³ Sometimes the women wanted their children home when they were old enough to be useful or to make a small income but officials usually saw this as selfish and refused.⁹⁴

The attitude of unmarried mothers was somewhat different because of the stigma of their situation and the difficulties of supporting and caring for an infant. Although it must have caused anguish, they often begged the Department to take their children. Secretaries tried to resist them because the infants were usually sickly and time consuming to raise. They believed that unmarried mothers could improve their moral fibre by supporting the children. However, the number of ex-nuptial infants that became state wards increased after the passage of the *Infant Life Protection Act*.⁹⁵ The legislators seem to have unintentionally facilitated the process of committal because if the mother of an ex-nuptial infant did not pay maintenance, the Police Department had to transfer the child to the Neglected Children's Department, which paid its foster mothers.⁹⁶ It is possible that knowing this and that the chances of adequate care were quite good, some mothers quietly disappeared. Packer believed that this was the case and resisted government moves to make the transferral of such infants automatic.⁹⁷

State Foster Mothers

Since state foster mothers accepted payment for the care of children, the public could perceive them as lacking the altruism of biological mothers. The baby farming scare that preceded the *Infant Life Protection Act* heightened such perceptions. Yet Departmental officials always defended foster mothers publicly. In 1917, a correspondent to the *Daily Post*, suggested that they made an 'easy

⁹¹ SWD 1/28/1500, AOT.

⁹² SWD 1/6/408-10, AOT.

⁹³ SWD 1/10/615-8, AOT.

⁹⁴ CSD 22/89/133/05, AOT.

⁹⁵ The parentage of new committals is not always recorded in annual reports. Even so, the figures suggest that many more deserted ex-nuptial babies were committed after the *Infant Life Protection Act*. The files of these children show that they were often from Police Department homes. The numbers of ex-nuptial babies committed are as follows: 1897, 1; 1902, 3; 1903, 4; 1905, 6; 1907, 6; 1908, 17; 1909, 17; 1911, 15. The *Infant Life Protection Act* was passed in 1907 with the first surge in committals occurring in 1908. *Neglected Children's Department Annual Reports*, PP (1898) No. 33; (1903) No. 36; (1904) No. 40; (1906) No. 2; (1908) No. 46; (1909) No. 51; (1910) No. 48; (1912) No. 30, AOT.

⁹⁶ SWD 1/16/972; 1/17/1033; 1/17/1025; 1/12/772; 1/14/912; 1/16/978; 1/16/961; 1/16/960; 1/17/1039; 1/21/1188, AOT.

⁹⁷ SWD 1/16/978, AOT.

living' by skimping on the children's needs in order to buy 'silks and satins'.⁹⁸ Addison replied by emphasising the affectionate care lavished on the children. He pointed out that there had been no deaths since 1913, thanks to the women, 'who in nearly every instance displayed the very greatest care and devotion in the welfare of the children'. Boys who went away as sailors sent their foster mothers presents and 'when they returned never failed to call on them, just as if they were their real parents'. This was proof that 'the department's system is a success, and that the children receive the very best of care from those who, although paid for their services yet combine with it maternal instincts of the best kind'.⁹⁹ Addison seemed to imply that foster mothers had replaced biological mothers in the children's affection. Policy endorsed his words.

At school leaving age, officials usually removed children from their foster homes and placed them with rural employers, causing anguish to many foster mothers. In 1908, some unmarried sisters were so upset about losing a foster son that they 'cry like two children', according to Pearce.¹⁰⁰ The secretary often allowed these foster mothers to adopt, an informal arrangement since until 1920 there was no legal provision for this, beyond the secretary's right to place children where he saw fit.¹⁰¹ Secretaries were especially sympathetic to foster mothers who had raised the child from infancy and who could find an apprenticeship providing the child with a trade.¹⁰² This was to the foster mother's financial advantage as children usually handed over their entire wage packet in exchange for board, and received pocket money, about sixpence a week, out of it.¹⁰³ The arrangement reflected working-class assumptions that older children should contribute to the family income in exchange for their upbringing, while confirming that the foster mother superseded the biological mother. When one woman asked to adopt her foster son, she said: 'please let me have him I will give him a trade when he is of age to do so. I think I ought to have the first offer as I have had him the last six years.'¹⁰⁴ Children might endorse the arrangement. For instance, Horace said he would like to stay with his foster mother to 'repay the kindness she has shown me'.¹⁰⁵

In part, the secretary favoured foster mothers because he thought that it was best for the child. However, he also sought to ameliorate a chronic shortage of these carers caused by the challenge of looking after disturbed children, the long hours, extra housework and laundry, intrusions by inspectors, and low pay with

⁹⁸ *Daily Post*, 7 July 1917; SWD 1/27/1464, AOT.

⁹⁹ *Daily Post*, 30 July 1917.

¹⁰⁰ SWD 1/5/280-2, AOT.

¹⁰¹ Evans, 'Protecting the Innocent', pp. 166-8.

¹⁰² Evans, 'Protecting the Innocent', pp. 180-1.

¹⁰³ SWD 1/11/739-40, AOT.

¹⁰⁴ SWD 1/13/815, AOT.

¹⁰⁵ SWD 1/9/584, AOT.

the distressing obligation to give adolescents up.¹⁰⁶ The shortage of homes gave foster mothers some bargaining power, and encouraged officials to support them, especially when they believed them to be conscientious.¹⁰⁷

The Children's Charter

In 1918, Parliament passed the *Children's Charter*, my final landmark in child welfare legislation. The name seems to be a late acknowledgement of the Children's Charters passed in England, although it could also reflect Frederick Seager's debt to J. J. Kelso and the Ontario *Children's Protection Act*, nicknamed the 'Children's Charter'.¹⁰⁸ Yet the immediate influences were mostly Australian, with fragments taken from similar acts throughout the Commonwealth. It seems likely that the legislators knew how they wanted to manage children's welfare in Tasmania and looked to the other acts for useful precedents that suited their purposes. The *Children's Charter* introduced new categories of neglect but much of the intention was to consolidate the principles of moral purity and scientific mothering implied in the *Youthful Offenders and Neglected Children* and *Infant Life Protection Acts*. Bureaucratic perceptions of what neglected children needed mostly drove the new provisions with women activists and the mothers of state children both losing out in terms of influence.¹⁰⁹

Unlike the previous legislation, there was no media campaign and the contemporary women's movement does not appear to have had a say in the new act. Members of the Children's Protection Society, participating in the 1908 government committee, had contributed to a widened definition of neglect much of which W. B. Propsting, the attorney-general, incorporated in the *Charter*, but there is no evidence of any new initiatives. On this occasion, women activists had not lobbied for the new provision for appointing women magistrates that was included in the act and Propsting refused their request to establish a women's advisory committee.¹¹⁰ The tone of the *Children's Charter* seems to reflect the growing influence of public servants over policy pertaining to child neglect. Its relative moderation, at a time of eugenicist ascendancy – Tasmania's 1920 *Mental*

¹⁰⁶ The shortage of homes is referred to in CSD 22/46/118/01; 22/41/25/01, AOT; *Launceston Examiner*, 30 July 1901; *Neglected Children's Department Annual Report* (1911) PP No. 28, AOT; *Children of the State Department Annual Report* (1919-20) PP No. 45, AOT.

¹⁰⁷ For a discussion of this issue see Evans, 'Excellent Women and Troublesome Children', pp. 131-148.

¹⁰⁸ King et al, p. 5.

¹⁰⁹ For a discussion of the new provisions see Evans, 'Protecting the Innocent', pp. 251-265.

¹¹⁰ Members of the Child Welfare Association were keen that the ex-nuptial Police Department infants be transferred to Health instead of to the new Children of the State Department. They thought that continuity of care would be better in the Health Department. Yet although Waterworth conducted a strong campaign in the press, she was unable to persuade Propsting. For an account of this campaign see Evans, 'Protecting the Innocent', pp. 253-5. For a discussion of the campaign for women magistrates see: Stefan Petrow, 'Boiling Over: Edith Waterworth and Criminal Law Reform in Tasmania, 1917-1924', *Tasmanian Historical Studies*, 1994, p. 12; *Mercury*, 30 August 1918.

Deficiency Act is evidence of that—was in large part due to the pragmatism, conservatism, and paternalism of the men at the Neglected Children's Department.

Public servants' contact with poor mothers had not made them sympathetic to their needs. There was no further attempt to address the financial difficulties of women raising children on their own or to improve contact between state wards and their parents. It remained an offence to contact a ward without permission. Anyone who did so might face imprisonment for three months rather than the previous maximum of fourteen days. Instead of allowing state children of working age to return to their parents, the act provided for foster mothers to have more control. There was now legislative provision for them to find the children apprenticeships so that they could keep them. In 1920, the *Adoption of Children Act* facilitated adoption by foster mothers.¹¹¹

The only real concession was to unmarried mothers who supported their own children. Illegitimacy became a category of neglect and Police Department infants were transferred to the new Children of the State Department giving them some basic security. This was despite opposition from the activist, Edith Waterworth, who was afraid that children would suffer from the stigma of neglect when their mothers were actually supporting them. Propsting circumvented the problem by leaving the children in the control of their mothers. He did not make them state wards.¹¹² Yet, policy makers failed to address the basic problem of unmarried motherhood, the financial insecurity that contributed to the widespread desertions of infants. Under the *Children's Charter*, that was punishable by up to six months imprisonment and, under the *Adoption of Children Act*, the secretary was empowered to have deserted children adopted without the consent of their parents.¹¹³

Conclusion

Child welfare legislation between 1895 and 1918 shows that, despite winning the franchise, women's influence over this aspect of policy did not necessarily increase. Ironically, the Woman's Christian Temperance Union's success in persuading government to pass the *Youthful Offenders and Neglected Children's Act* created a new department managed by male public servants that undermined later efforts by women to maintain a public profile. The establishment of the Public Health Department and the new powers given to the Police Department reinforced this trend. Poor mothers' greater access to the bureaucracy did not improve their influence much either. Although they undoubtedly exercised

¹¹¹ *Adoption of Children Act* (1920) 11 George V No. 5.

¹¹² He said: 'the fact of a girl placing her child in a registered home paying for it from her own earnings, does not bring the child within a definition of a Child of the State'. CSD 22/231/38/12, AOT.

¹¹³ *Adoption of Children Act*.

agency in their dealings with officials, the representations of virtuous motherhood so powerfully reinforced by the *Constitution Act* and followed up by a new emphasis on practical competence limited its impact. Although the *Youthful Offenders and Neglected Children's Act* was a landmark in motherhood established by women, a middle-class male bureaucracy that by 1918 largely informed legislative landmarks, had become the chief arbiters of neglectful mothering.