Excerpts from Reports of Inspections of settlements, mission, stations etc Western Australia at which Social Service Payments to Aborigines are made

Excerpt 1: page 58

ACS/CS  
A.2864/212

Aboriginal pensioners with children other than natural children – Question of custody, care and control

Asst. Director-General (P. & B.).

The Director at Perth has sought comments on the point whether aboriginal pensioners may be regarded as having the custody, care and control for pension purposes of children of whom they are not the natural parents. In one instance the three children concerned are the grandchildren of two of the pensioners’ daughters and born of promiscuous alliances. In the other case the three children appear to have been born of the same parents. The natural mothers do not live with their parents and children and the arrangements seem to be permanent. Endowment is being paid to the first pensioner concerned for one child and a claim for endowment is pending in respect of two other children – they were endowed with the claimant before they went to a Mission in 1965. Endowment is being paid for the three children with the second pensioner.

1. The general rule for endowment is to regard the person with whom a child is living as having the custody, care and control, unless the child is only temporarily with the claimant or there are exceptional circumstances, and pay endowment accordingly. Ordinarily no inquiry is made as to whether the child is fostered or de-facto. It is a further general rule adopted that if a person is regarded as having the custody, care and control of a child for endowment purposes, that condition is regarded as satisfied for pension purposes. Instructions have been issued on A.1334 to enable determination of custody, care and control for pension purposes where payments are made or received in respect of a child, but since it appears maintenance is not involved here there is no need to introduce them.
2. It is safe to say that if the position in the two cases mentioned were to arise in the general white community there would be no question but that additional pension and other allowances would be paid. It would be inadvisable to adopt any different attitude now for Aboriginals even though there could develop a tendency on the part of Aboriginals to collect children for the purpose of extending pension entitlement.
3. Sellwood)

I’ll advise the Director, Perth, that the children excluded may be receptive as being in the custody, care and control of the grandparents for both pension and child endowment purposes  
I. Prowse 20/4/67

Excerpt 2: page 57

ACS/VH  
A.2864/212

21 APR 1967

Director of Social Services,  
PERTH. W.A.

Custody, care and control – Aboriginal pensioners with children other than natural children – Question arising from report of Survey in the South West.

Your Ex.115/DO/MN of 4th April, 1967.

The matter raised in your minute of 17th March has been considered and it has been decided that the two pensioners concerned may be regarded as having the custody, care and control for both endowment and pension purposes of the grandchildren who are living with them.

The factors influencing this decision are that there is no indication that the children are only temporarily with the pensioners or that the children have been taken into account for the purpose of assessing the entitlement of some other person to another social service benefit.

(L.B. HAMILTON)  
Director-General