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Title: Reports of Inspections of settlements, missions, stations, etc Western Australia at which Social Service Payments to Aborigines are made

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DEPARTMENT OF SOCIAL SERVICES

File No. A2864

Part No. _____

Subject: Reports of Inspectors of Settlements, Missions, Stations etc
WESTERN AUSTRALIA at which Social Service Payments to ABORIGINALS are made

EACH OFFICER TO ENTER INITIALS WHEN CLEARING FOLIO
 SENDING OFFICER MUST NOT INITIAL HIS OUTWARD ENTRY

Folio No. (1)	Referred to and Date (2)	Clearing Officer's Initials and Date (3)	Folio No. (1)	Referred to and Date (2)	Clearing Officer's Initials and Date (3)	Folio No. (1)	Referred to and Date (2)	Clearing Officer's Initials and Date (3)
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INSTRUCTIONS

- (1) In column (1) above, the folio on which action is required will be indicated. Column (2) will indicate to whom the file is to be referred and the date.
- (2) When the file is cleared, the officer dealing with the file will place his initials in column (3) and indicate on the next vacant line to whom the file is to be referred and the date.
- (3) All entries should be made in ink.

File No. A2864

73-6/66

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RELATED FILES	
File No.	Title
A55	Exhibit to 55 Anonymous Policy (Closed)
A2876	D. A payments Policy
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A2860	Reports at Norderston Range
A2859	Reports at Cosmos Range Mission
A2853	Reports at KARUNJIE

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ACS/CS
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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.

2. 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.

3. 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 Aborigines even though there could develop a tendency on the part of Aborigines to collect children for the purpose of extending pension entitlement.

Reviewed 20/4/67
(A. Sellwood)

Also advise the Director, Perth, that the children concerned may be accepted as being in the custody, care and control of the grandparents for both pension and child endowment purposes

J. D. ...
ASSISTANT DIRECTOR-GENERAL
(Policy & Ben. Affs.)

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Ramsay for
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A 2876
Perth*

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FILE EXAMINED
21/4

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