**Work on Wadjemup: Entanglements between Aboriginal Prison Labour and the Imperial Convict System in Western Australia**

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*Abstract*

When one speaks about the convicts who built Western Australia (WA), most people will assume you are referring to the 10 000 British and Irish convicts transported to the colony between 1850 and 1868. The economic contribution of Aboriginal prisoners who built essential infrastructure –including a lighthouse, bridges and roads – and provided essential services – as stockmen, mail carriers and telegraph assistants among other roles – has been rendered largely invisible. This article examines the management of Aboriginal prison labour, primarily Noongar men from southwest of WA, from the 1840s to 1880s. These men laboured either on Wadjemup (Rottnest Island) or on the mainland. It argues that the colonial government adapted its penal labour management strategies from the wider British imperial convict system, particularly those applied to British and Irish convicts transported Australia’s eastern colonies, and, from 1850, to WA itself. It traces entanglements between the Aboriginal and White convict systems in WA, alongside the racial ideologies that segregated and ‘Othered’ the Aboriginal convict workers. In doing so, it challenges narratives that render invisible the important contribution of convicted Aboriginal people as ‘builders’ of the colony

*Introduction*

Aboriginal prisoners were incarcerated on Wadjemup (Rottnest Island) more than a decade before British and Irish convicts arrived in Western Australia (WA) in 1850. The prison island, sixteen kilometres off the coast near Fremantle, incarcerated up to 4000 Aboriginal men and boys between 1838 and 1931.[[2]](#footnote-2) Yet, Wadjemup continues, in 2019, to be denied the same heritage status as a UNESCO World Heritage convict site afforded to its neighbouring prison on the mainland, Fremantle Convict Establishment.[[3]](#footnote-3)

This article examines the role of Aboriginal convict labour in Western Australia’s colonial economy. Conquest became colonisation, in part, through the construction of permanent infrastructures of connection, like roads, bridges and lighthouses, which in turn enabled communication, trade and governance.[[4]](#footnote-4) Aboriginal prisoners helped build these infrastructures of connection within the colony and across the seas which helped colonial export economies to develop. Aboriginal convict labour, performed in fetters in gangs on the mainland or unchained on an island, primarily facilitated the mobility of white colonizers and goods. Aboriginal prisoners must be recognised as builders of the colony, alongside both white convicts and other forms of coerced Aboriginal labour.[[5]](#footnote-5) Recognising the diversity of the actors who helped build the colony creates a more inclusive legacy of colony–building than focussing on so­–called ‘pioneer’ settlers.[[6]](#footnote-6)

There is an extensive and well–known body of scholarship on the management and productivity of majority British and Irish convicts in the Australian colonies, and globally.[[7]](#footnote-7) Collectively, these works demonstrate that the convict workforce was multi-skilled and adaptable, with convicts performing various forms of work, including agriculture, construction, manufacturing, resource extraction, service roles, and even the management of other convict labourers. This variety of tasks was matched by a range of labour management practices along a spectrum of coercion, from assigning individual convicts to ‘masters’ to ganged chained labour supervised by an overseer.

Much less has been written about Aboriginal convict labour, in large part because it was not a widespread practice in the Australian colonies. Kristyn Harman has analysed how sixty Aboriginal convicts were incorporated into existing convict labour regimes between 1805 and 1860.[[8]](#footnote-8) At Australian penal stations, Aboriginal prisoners worked alongside white convicts as unskilled labourers, though sometimes their ‘bush skills’ were put to use as trackers.[[9]](#footnote-9) This study builds on Harman’s work by examining the exploitation of groups consisting exclusively of Aboriginal convicts, and how they were managed by the colonial government. The systematic nature in which Aboriginal prison labour was exploited meant the colonial government drew from examples across the Australian colonies and the wider British Empire, while still adapting the methods according to their racial ideologies.

From Rottnest’s establishment as a legal prison in 1841, Aboriginal prisoners were employed in a diverse array of tasks.[[10]](#footnote-10) The multi–faceted labour regimes on Wadjemup reflects the self–sustaining economies of penal stations in the wider Australian convict system. Richard Tuffin *et al.* have identified four types of work that characterized these penal spaces, using Port Arthur in Van Diemen’s Land (now Tasmania) as an example. Rottnest’s labour regime includes three of them: (1) ‘primary resource extraction and refinement’ – on Wadjemup, limestone quarrying and harvesting salt; (2) ‘building’ various structures – on Wadjemup, building the prison accommodation (barracks in 1841, and an octagonal prison in 1863), a lighthouse (1842-6) and various outbuildings; (3) the ‘cultivation of crops and vegetables’– on Wadjemup, primarily growing and harvesting barley, rye and wheat.[[11]](#footnote-11) Alongside this, prisoners on Wadjemup completed various additional ‘service’ roles, identified elsewhere by Tuffin as a feature of convict labour regimes, including carrying firewood, assisting the Governor during hunting expeditions and working as a pilot-boat crew (1848-9). Both Rottnest Prison and European convict penal stations were self-sustaining establishments which concentrated convict labour in a small space.

This article is the first sustained examination of the varied tasks executed by an Aboriginal convict labour force, and how it was modelled on the white convict system but segregated according to racial ideologies. It is not intended as a survey of all work performed by Aboriginal prisoners on Wadjemup, but rather locates its entanglements with the imperial convict system. It examines the types of labour performed in chronological order: (1) Farming, 1838–49; (2) Construction, 1840–48; (3) Lighthouse, 1842–6; (4) Road Gangs, 1848­–55; (5) Assignment, 1849–86; (6) Links to Fremantle Prison, 1855–81.

*Farming, 1838–49*

Wadjemup was first used as a prison in July 1838, with the incarceration of ten Nyoongar men, mostly resistance leaders, from the southwest of WA.[[12]](#footnote-12) In the 1830s humanitarian reforms swept through the Colonial Office, with a number of inquiries into the treatment of enslaved, convicted and Indigenous peoples.[[13]](#footnote-13) The 1835–7 British Parliamentary Select Committee on Aboriginal Tribes condemned frontier violence, singling out the 1834 Pinjarra massacre in Western Australia as a particular cause for concern.[[14]](#footnote-14) The Select Committee recommended appointing colonial ‘Protectors’ to prevent settler violence and encourage the ‘civilisation’ of Aboriginal people through missionary efforts. Based on their report, the Governor of Western Australia, John Hutt created the role of Protector of Aborigines (later, Guardian) in 1840. On the one hand, Hutt instructed the Protector to hear the complaints of Aboriginal communities of settler mistreatment towards them.[[15]](#footnote-15) On the other, Hutt ordered the Protector to hold Aboriginal people accountable for any ‘crimes’ committed under British law to prevent vigilante justice. The criminal–judicial system for Aboriginal people was built around this concept of ‘protection through punishment’, with Aboriginal people punished more often, and more harshly, for their ‘crimes’ under British law than the white settlers.[[16]](#footnote-16)

The government’s choice of the island of Wadjemup as an Aboriginal prison was intended to embody these humanitarian ideals. In Governor Hutt’s 1841 instructions to the Superintendent of Rottnest Prison, Henry Vincent, he emphasised that ‘the improvement and instruction of the natives more than their punishment is the object which the government have in view placing them on the island’.[[17]](#footnote-17) Its distance from the mainland meant the authorities could allow Aboriginal prisoners to move around the island unfettered without comprising the prison’s security.[[18]](#footnote-18) Central to this ‘improvement’ of Aboriginal people was teaching them to farm.[[19]](#footnote-19) The colonisation of Australia was justified, in part, through a lack of visible cultivation by Aboriginal people in the eyes of European colonisers, rendering it legally ‘terra nullius’ (empty land). The British drew their presumptions of racial superiority in large part from their cultivation of land which was, in turn, connected to a Protestant work ethic.[[20]](#footnote-20) In 1840, Governor Hutt alluded to the transformative intention behind labour regimes on Wadjemup, writing: ‘It is not that he [the Aboriginal prisoner] has to learn a new fashion of building his house… or tilling his ground, but… he must acquire a desire to live in a house… or to till the ground at all.’[[21]](#footnote-21)

Farming was practised on Wadjemup from Rottnest prison’s official establishment in 1841 until its closure in 1903. Prisoners cleared and fenced ground, cut grass, gathered dung, and seeded and harvested crops, primarily barley, rye, wheat and oats.[[22]](#footnote-22) Some of these grains were milled and turned into flour to feed prisoners and staff. The remaining produce was sent to the mainland, either to the Government store or sold to offset the prison’s running costs.

Teaching Aboriginal people agricultural skills had an economic imperative, as well as an ideological one.[[23]](#footnote-23) Throughout the 1830s and 40s, Western Australian landowners were struggling to turn a profit due to a shortage of labourers to act as farmhands and stockmen. The government hoped to incorporate Aboriginal labourers into the colonial economy, especially in remote rural areas where free European labourers demanded high wages.[[24]](#footnote-24) In 1850, John Cowan, the Guardian of Aborigines for York, described Rottnest as a ‘school’ for farm work, which made released prisoners ‘useful to the country districts’.[[25]](#footnote-25) This seemed to be true in practice. In the *Perth Gazette* in 1855, a commentator wrote under the pseudonym ‘Vigilans’ that ‘Many of the best natives now in the service of colonists have undergone punishment at Rottnest’.[[26]](#footnote-26) From the prison authorities’ perspective agricultural labour was rehabilitative in two senses, as a means of ‘civilising’ Aboriginal people, and to reduce rates of crime, mostly livestock theft, as released prisoners took up employment from Europeans.

*Construction Work, 1840-1848*

Alongside agriculture, construction work was the twin pillar of the labour regime on Wadjemup. This aspect of prison work has received less scholarly attention than farming, in part because of the island’s reputation as a ‘natural prison’ ­– now a nature reserve and holiday destination – has drawn attention away from the convict-built carceral structures that were built soon after the prison’s establishment.[[27]](#footnote-27) According to the newly-appointed Protector of Aborigines, Charles Symmons, between September 1839 and December 1840 a group of eight Aboriginal prisoners built a ‘substantial stone dwelling house’.[[28]](#footnote-28) By the end of 1842, they had completed a warder’s cottage, military barracks, and a building that operated as a storeroom, warehouse and dormitory for the prisoners.[[29]](#footnote-29)

In the 1840s, the number of Aboriginal prisoners was small – numbering only thirteen in 1844 and peaking at 44 people in 1847 ­– so Wadjemup/Rottnest was not a large industrial complex. Nonetheless, commentators emphasised the scale of the works completed by small parties of workers. In 1855, when the prison reopened after a five-year closure, Governor Kennedy praised superintendent Henry Vincent on the ‘magnitude of the substantial buildings erected solely under his supervision, by native labour on the island’, referring to works constructed in the 1840s.[[30]](#footnote-30) Kennedy resolved the discrepancy between the presumed inferiority of aboriginal labour and the scale of buildings they constructed by praising Vincent for marshalling their labour.

On some occasions, European commentators directly compared Aboriginal and white convict labour. In 1842 Symmons described the buildings on Wadjemup/Rottnest as having been ‘executed in a style most creditable even to a European mechanic’. [[31]](#footnote-31) Symmons’ accorded a double boon by comparing Aboriginal prison labour not just to a skilled ‘mechanic’, but to a white one. A similarly favourable comparison was made in the *Perth Gazette* in 1863, though once again superintendent Vincent was credited for their success.

Mr. Vincent’s talents as a builder, particularly when we take into consideration how very little skilled labour he has ever had at his command, and fairly put to shame, particularly when compared...[to] erections upon the mainland, also constructed with convict labour.[[32]](#footnote-32)

This praise for superintendent Henry Vincent, during his tenure as superintendent from 1839 to 1869, is particularly problematic considering he was repeatedly accused of using unsanctioned corporal violence against Aboriginal prisoners. In 1842 the Aborigines Protection Society (APS) lobbied the Colonial Office to address allegations that Vincent was whipping prisoners ‘like the overseer of a West Indian planter’.[[33]](#footnote-33) The APS further alleged that Vincent’s lashings had caused the death of Gundabung in 1843, though the Colonial Surgeon’s concluded that he died from eating a poisonous fish.[[34]](#footnote-34) In the same year, 1843, several discharged Aboriginal prisoners showed the scars on their backs to white settlers across WA. One such man, Wool-lom, went directly to the Native Interpreter, Frederick Armstrong, showing him bruises on his back, and later died on his way home. Armstrong dismissed these allegations claiming the Aboriginal prisoners were wrong to blame the deaths of their fellow inmates on ‘the Superintendent punishing or keeping them to work, though none of them appear to work as hard as himself’.[[35]](#footnote-35)

In many ways, Wadjemup was a testing ground to see how malleable Aboriginal people might be as workers under white masters When Lieutenant John Lort Stokes of the *HMS Beagle* visited the island in March 1841, he expressed surprise that the Aboriginal prisoners had been able to construct an array of buildings. He wrote: ‘No one could say the Australian native could not work, if they could see… the settlement. The superintendent gives instructions first, and they follow his instructions with astonishing precision.’[[36]](#footnote-36) It was not that construction skills were particularly in demand, but rather that convicts showed the potential to, in Symmons’ words, acquire ‘habits of industry of profitable activity’ that boded well for their utility within the colonial economy on release.[[37]](#footnote-37)

The idea that Aboriginal people were learning to work at all, rather than how to work in a specific industry, was reflected in the lack of training offered in specific occupational skills. During the time that WA received transported convicts, 1850-68, the Royal Engineers trained convicts in construction trades.[[38]](#footnote-38) On Wadjemup, by contrast, training in ‘rough carpentry’ was only offered to a handful of Aboriginal prisoners in the mid–1880s.[[39]](#footnote-39) This training was offered by John Watson, the head of the juvenile reformatory on the island, rather than under a government–backed scheme.

In line with this desire to make convicts useful to settlers upon release was white commentators’ insistence that Aboriginal convicts worked willingly. If convicts only completed work under duress, their potential as workers in the wider economy was limited. During a visit in 1842, Superintendent of Public Works, Henry Trigg, noted that the prisoners often volunteered for tasks, having ‘no objection to be under the direct management of their head.’[[40]](#footnote-40) Trigg described Nyoongar resistance leader, We–War, spending the journey over to Wadjemup questioning the colonial governor’s authority to punish them at all. Yet, Trigg claims that: ‘On landing, when his irons were knocked off, he seemed much pleased, and the next day he went cheerfully to work.’[[41]](#footnote-41) Similarly, Trigg describes the enthusiasm to work of Molly Dobbin who appears as an ‘Uncle Tom’ figure shouting ‘Make hasto… Done this masser soon ‘nother job get down’.[[42]](#footnote-42) These largely–fictionalised accounts speak to the colonial authorities’ desire to use labour on Wadjemup/Rottnest not to reform criminals — as in the European convict system — but to transform disruptive Aboriginal people into willing workers.

*Lighthouse, 1842–6*

In the same period, between 1842 and 1846, Aboriginal prisoners built the first lighthouse in Western Australia on Wadjemup. A workforce of around thirty Aboriginal convicts cleared the ground for the lighthouse, carried stones from Thompson’s Bay up the seventeen–metre high Wadjemup hill, and built the structure from its foundation, with designs by Colonial Engineer, Henry Trigg.[[43]](#footnote-43) Convicts on penal stations in Australia were frequently involved in maritime industries, as large numbers of convicts were concentrated primarily on islands or along the coast. In Van Diemen’s Land, for example, convicts built ships on Port Arthur and Port Macquarie between 1822 and 1833, and a lighthouse at Cape Bruny in the 1830s.[[44]](#footnote-44) On Cockatoo Island, in Sydney Harbour, colonially-convicted prisoners built a dry dock for repairing ships.[[45]](#footnote-45) Elsewhere in the British Empire, convicted men were transported to Bermuda and Gibraltar to work on the Royal Naval works.[[46]](#footnote-46) In this respect, the Aboriginal prisoners’ construction of Wadjemup lighthouse is part of a longer history of convict involvement in maritime infrastructure projects across the British Empire.

By the early 1840s, the colonial government and colonists seemed to agree that a lighthouse was essential to the growing colony. There were myriad dangers for a ship approaching Fremantle from the southwest. Ships were funnelled through the narrow passages between Garden Island, Carnac Island and Wadjemup/Rottnest Island with ‘rocks and foul–ground’ of uneven depths.[[47]](#footnote-47) If caught in a strong lee current or north–westerly gales, ships were liable to run aground.[[48]](#footnote-48) When the schooner *Transit*, travelling from the Cape of Good Hope, was wrecked while rounding Wadjemup north end in May 1842, many of the local papers blamed it on the lack of lighthouse.[[49]](#footnote-49) In his opening address to the Legislative Council in 1842 Governor Fitzgerald stated that a lighthouse was urgently needed to ensure safe passage into the colony’s ‘principal seaport’, Fremantle, for large vessels from abroad and colonial ‘coasters’.[[50]](#footnote-50) In 1847, civil engineer Anthony Gordon criticised the lack of central planning and payment for lighthouses, considering them ‘absolutely necessary for the colonial system’.[[51]](#footnote-51) In 1851, Governor Fitzgerald reaffirmed their importance, reporting to the Colonial Office that: ‘Among the most important of these [public] works must be classed the completion of the Light–house at Rottnest’.[[52]](#footnote-52)

The race of Aboriginal labourers, rather than their convicted status, made their labour particularly visible to colonial commentators. In 1849, Governor Fitzgerald made sure to mention the lighthouse had been built by ‘native prison labour’.[[53]](#footnote-53) Yet, this visibility was contingent on racist presumptions that erased Aboriginal personhood. Lieutenant John Lort Stokes, who helped select the site of the lighthouse, visited the island in 1843, while the lighthouse was still under construction. Stokes described feeling ‘melancholy’ as he looked at the lighthouse ‘erected by the hands of a people which seemed destined to perish from the face of the earth’, rendering works like this the only ‘durable monuments of their existence…constructed under the control of a conquering race’.[[54]](#footnote-54) Stokes contrasted the transience of Aboriginal people as a race ‘doomed’ to extinction with the permanence of built structures. Symmons invoked similar ideas when, in 1842, he described the lighthouse still ‘in process of erection’ as ‘a proud *memorial* of the capabilities of the Australian savage when called forth and properly directed’ [my emphasis].[[55]](#footnote-55) Stokes and Symmons both chose to focus on the durability of these built structures as symbols of European civilisation. Their recognition of Aboriginal workers at that moment, in the 1840s, was contingent on their future erasure.

*Road Gangs, 1848–1855*

Aboriginal prison labour was most closely entangled with the European convict system when the colonial government transferred Aboriginal prisoners to the mainland to work in road gangs between 1848 and 1855. The first use of ganged convict labour predated by two years the arrival of British and Irish transportees in 1850. It was a short-lived, but important, experiment in Aboriginal convict labour. In 1855, Aboriginal road gangs were withdrawn and returned to Wadjemup, which was reopened as a prison for Aboriginal men, until its closure in 1931.

Road–building was a government priority in 1848, with the surveying department aiming to map out roadways ‘before tillage and enclosure became extensive’.[[56]](#footnote-56) It was imperative to build roads and bridges so that there was more than one ‘artery of communication’, as Governor Fitzgerald termed it, between European landholdings, Perth and Fremantle.[[57]](#footnote-57) Without a network of roads, it was impossible to establish reliable communication with outlying districts and to develop a strong export economy of wool, timber and other goods. WA was struggling with a dearth of labour and was repaying colonial debts to Britain, leaving little budget for road–building which was an expensive endeavour due to ‘sandy soil’ and long distances between the pastoral districts and Perth.[[58]](#footnote-58)

The new governor, Charles Fitzgerald, appointed in July 1848, was pro–transportation and there was growing momentum amongst the colonists for Western Australia to become a penal settlement. In a petition to Lord Stanley at the Colonial Office, dated February 1847, the ‘Landowners, Merchants and Inhabitants’ of the colony described a number of imperative infrastructures — including roads, bridges, wharves, jetties, lighthouses and ‘other public works’ which were ‘only to be accomplished by convict labour’.[[59]](#footnote-59) Though they were referring to British and Irish convicts, these were exactly the tasks that Aboriginal convict labour had begun work on, first with Wadjemup lighthouse from 1842, and on roads and bridges from 1848. Fitzgerald may have used Aboriginal prison gangs to show the Colonial Office and WA’s settlers the potential of convict labour, even on a small–scale. By the time the *Scindian* arrived in June 1850, bearing the first British transportees, Fitzgerald had ensured there would be parity in the punishment of Aboriginal and white convicts. It may have provoked public ire and threatened the racial hierarchy if Aboriginal convicts had remained on Wadjemup/Rottnest, harvesting crops out–of–irons, while British felons laboured on public works in irons.

In 1848, twenty ‘native prisoners’ from Wadjemup/Rottnest were first ‘employed in forming the streets’ of Perth and ‘extend[ing] and clear[ing] passage across the Flats’.[[60]](#footnote-60) The Aboriginal prisoners were housed in a ‘shed’ at Perth Gaol, superintended by the former Rottnest gaoler, Henry Vincent.[[61]](#footnote-61) They were worked in irons, as was the norm for Aboriginal prisoners to prevent escape, and given half a pound less meat per day than their white counterparts.[[62]](#footnote-62) The estimated expenses of the project were almost halved, from £150 to £82. The annual report on Gaols and Prisons for 1849 stated that: ‘The Natives perform a good day’s work… [and] much benefit is resulting from their labour at Perth.’[[63]](#footnote-63) On the basis of the success of the so–called ‘experiment’, Fitzgerald closed Rottnest Prison on September 1849 and transferred the ‘entire strength of the convict gang’ to the mainland.[[64]](#footnote-64)

Justifying his decision to the Colonial Office, Fitzgerald stated that being put to hard labour on the roads would still be ‘reformative’ for the prisoners because would be exposed to ‘humanizing influence of the industrial habits of the white race’, rather than isolated on an island.[[65]](#footnote-65) The main justifications, though, were economic: Aboriginal prisoners had completed all the building works on the island, and the sale of produce of thirty acres of cultivation failed to cover the heavy costs of administering a remote prison settlement.[[66]](#footnote-66) Wadjemup remained open as a site of secondary punishment for prisoners who ‘misconduct[ed] themselves or attempt[ed] to escape’ from the road gang, modelled on a secondary penal settlement in the European convict system. Only a few refractory prisoners were actually sent, numbering eight in 1849 and falling to five the following year.[[67]](#footnote-67) In fact, several times in the 1850s, it was suggested that Rottnest be turned into a Norfolk Island–style settlement for refractory European convicts, demonstrating the spatial slippage between Aboriginal and European sites of confinement.[[68]](#footnote-68) A group of colonists justified this suggestion, in an 1857 deputation to the Colonial Office, by listing the variety of tasks the White convicts could perform which were already being completed by the Aboriginal prisoners.[[69]](#footnote-69)

From June 1849, the Aboriginal road gang was sent further afield, carting material and repairing the road between Perth and Guildford. [[70]](#footnote-70) In April 1850, Fitzgerald described the ‘marked improvement… effected in the public roads through the colony’ by ‘Native Prison Labour’ and linking agricultural districts to the port.[[71]](#footnote-71) Aboriginal and white convicts built these roads along routes and past waypoints used by Nyoongar communities for tens of thousands of years. Robert Fuller has discussed the relationship between Indigenous storylines and road networks more broadly, arguing that ‘the Aboriginal people of Australia had a big part in the layout of the modern Australian road network.’[[72]](#footnote-72) Colonial mobilities ultimately constrained Aboriginal freedoms in WA, opening up new frontiers and becoming a route along which convicted Aboriginal men would be marched or carted along, in chains, to serve sentences on Rottnest over the next sixty years.[[73]](#footnote-73)

After European convicts arrived in Western Australia in 1850, Aboriginal prisoners worked with other colonially-convicted prisoners in gangs of ‘sailors and natives’ alongside Ticket–of–Leave gangs on the road between Perth and Kojonup.[[74]](#footnote-74) The organisation of convicts into ‘collective work units’ was fundamental to the organisation of convict gangs in other Australian penal colonies, though this racial segregation was specific to WA.[[75]](#footnote-75) The entanglement between the imperial and Aboriginal convict system is evidenced by the employment of former–soldier Thomas James in 1849 on the basis of his experience guarding white convicts in Van Diemen’s Land (Tasmania), and his knowledge of convict management practices, such as ‘splitting party trails &c [etc.]’.[[76]](#footnote-76)

Another principle from the convict system that the WA government borrowed from the imperial convict system was the use of ‘convict warders’ to oversee the management of other convict labourers.[[77]](#footnote-77) In 1853, the York Guardian of Aborigines, John Cowan, reported that the prisoners ‘preferred working under a native Superintendent in their own’ and developed ‘a method of working on their own’.[[78]](#footnote-78) According to Cowan, this led the Aboriginal prisoners to develop:

… pride in their work, imagining they could beat the white men, and on occasion, after their work was over, I found they had walked a couple of miles to see the Convict road and returned boasting that theirs was by far the best’.[[79]](#footnote-79)

This demonstrates how Aboriginal penal labour practices existed in parallel but separate to the White convict system, literally in walking distance of one another.

The Aboriginal gang primarily bridged rivers along the roads, including one on the Upper Swan which Governor Fitzgerald described in 1852 as of ‘the greatest magnitude in the colony’.[[80]](#footnote-80) Again, Fitzgerald credited Vincent, not his workers. In 1853, Fitzgerald claimed these bridges were ‘constructed by the indefatigable and zealous officer’, whose health he feared for.[[81]](#footnote-81) This is problematic considering Henry Vincent was accused, in that same year, of working Aboriginal prisoners to death. According to the Protector of Aborigines, Charles Symmons, Vincent failed to send prisoners, ‘manifestly unfit to work’ to Perth Gaol to receive medical attention.[[82]](#footnote-82) As a result of his delay, Ngerap and Kowinit died on 4 and 5 May 1853, respectively. In June 1853, Symmons wrote that ‘Mr. Vincent would regret incurring the imputation that in his zeal for the Public service he had worked the prisoners when in a declining state of health and then sent them to Perth to die’.[[83]](#footnote-83) It seems, then, that Vincent’s ‘zeal’ threaten prisoners’ health more than his own. Kristyn Harman and Hamish Maxwell–Stewart have demonstrated that Aboriginal convicts suffered higher rates of deaths in custody compared to European convicts. They attribute this higher mortality rate to their violent capture, injuries caused by chaining, and subjection to heavy labour, to which we can add ‘medical negligence’ as a further contributing factor.[[84]](#footnote-84)

A central reason for the closure of the Aboriginal road gang scheme were relatively high rates of escape. Elizabeth Grant and Kristyn Harman have demonstrated that Aboriginal prisoners were demonstrably more successful at escaping custody than white prisoners.[[85]](#footnote-85) This was especially true for prisoners working on the mainland, giving them opportunities to utilise their ‘bush skills’ and superior knowledge of *Country* to successfully escape and evade recapture. Some strategies for escape included taking privacy to urinate and then making a run for it, and destroying the chains of leg irons while breaking rocks.[[86]](#footnote-86) On the Fremantle Road in 1849 Yuneen waited for his warder to set off in pursuit of another escapee, Barryitch, before knocking off his own fetters and absconding in another direction.[[87]](#footnote-87) The 1849 annual report of the Department of Gaols and Prisons noted that: ‘escapes will occur on the part of the Natives who are exceedingly cunning and require vigilant watching.’[[88]](#footnote-88)

As well as opportunistic escaped, there is evidence that Aboriginal prisoners planned and cooperated to enact mass escapes, exhibiting characteristics identified by Grace Karskens about White convict escapes from early colonial New South Wales.[[89]](#footnote-89) In November 1849, 26 Aboriginal prisoners escaped from Perth Gaol by ‘by burrowing under the foundation of their sleeping apartment’.[[90]](#footnote-90) Two days later, Aboriginal prisoners sent over to Wadjemup to collect the harvest, stole the pilot boat and made their escape, and in the same period all bar one of the five prisoners acting as ‘native mail carriers’ absconded into the bush ‘as if impelled by one animus’.[[91]](#footnote-91) European commentators interpreted Aboriginal escapes through the idea of ‘native cunning’, rather than recognising the cooperation or planning of the escapees. A decline in mass escapes in 1850, when white convicts arrived suggests Aboriginal convicts were constrained to some extent by the European convict system’s surveillance methods, particularly the presence of a large military guard.

The second key criticism of Aboriginal road gangs was that it was cruel to keep Aboriginal prisoners in leg and neck chains, which the colonial authorities justified to prevent escape until the early-twentieth century. In a letter to the editor of the *Perth Gazette,* published shortly before Rottnest’s closure, the commentator ‘Vigilans’ wrote that the highest moral argument for re–establishing Rottnest as a ‘penal settlement’ was to remove the ‘painful sight as that constantly exhibited before me in the town of these pitiable human creatures being worked in gangs on streets with chains round their legs’.[[92]](#footnote-92) The interlated issues of relatively high escape rates and increased unease about chaining of prisoners in view of metropolitan elites – more sympathetic to the plight of Aboriginal people than rural colonists – resulted in the cessation of Aboriginal penal gangs. Rottnest was reopened as a prison for Aboriginal men in 1855, in the hope that farming could now be made profitable. When the possibility of closing Rottnest and returning Aboriginal prisoners to the mainland was raised repeatedly, in parliament, in the 1880s, the inhumanity of chaining was used to quash the suggestion.[[93]](#footnote-93)

*Assignment,* 1849-86

Wadjemup also acted as a labour depot with Aboriginal prisoners going directly from the prison to work for government departments or individual settlers. In 1849, the governor trialled a ‘system of allowing the native prisoners, who have undergone a portion of their sentence, and proved deserving of indulgence, to enter the employment of settlers, in the neighbourhood of their own localities’.[[94]](#footnote-94) This saved the government ‘the heavy expense of their maintenance’, mirroring Commission John Thomas Bigge’s language when he first suggested a convict assignment system in 1824.[[95]](#footnote-95) The allocation to individuals, as a condition of remission of sentence, closely resembles the assignment system applied to European convicts in the former penal-colonies of New South Wales and Van Diemen’s Land (Tasmania).[[96]](#footnote-96) On the other hand, most Aboriginal pastoral workers and farmhands in Western Australia were paid in subsistence – including food, uniforms, accommodation – in the mid-nineteenth century. Therefore, the assignment of Aboriginal prisoners was only more coercive in the sense that they did not select their specific master themselves.

Though an official system of assigning Aboriginal prisoners never developed, the scheme continued on an ad-hoc basis from the 1850s to the 1880s. Settlers either wrote to the government requesting a specific Aboriginal prisoner already known to them to be released into employment or asked if someone was due for release in the region in the near future and was willing to volunteer. [[97]](#footnote-97) The superintendent then selected a suitable prisoner, often based on where they came from, rather than their conduct or skills. Once again, the colonial government claimed this labour regime was ‘civilising’ as well as economical. According to Timperley, by ‘enter[ing] the service of Europeans’ after discharge they were prevented from ‘returning to their savage state’.[[98]](#footnote-98) The conflation of the exploitation of labour from Aboriginal people with being ‘civilised’ by white people was mocked by the colonial secretary, Malcolm Fraser, in 1883: ‘Settlers have applied to have natives sent to them to ‘civilise’ (i.e. to work) when leaving Rottnest’.[[99]](#footnote-99) As late as 1886, members of the colonial parliament discussed reviving a large-scale ‘assignment system’ for Aboriginal convicts in the service of individual settlers.[[100]](#footnote-100)

More often than being assigned to individuals, Aboriginal prisoners were assigned to government departments, primarily the police, surveying and telegraph departments, usually while still serving their original sentence.[[101]](#footnote-101) This ensured government control and (theoretically at least) standardised treatment, rather than a ‘lottery system’ based on individual masters which was a key criticism of the anti–transportation lobby.

The largest number of Aboriginal prisoners assigned to one individual was twenty prisoners to Charles Broadhurst in 1872. They were sent to the north coast on the *Adur* aspearl divers. In the 1850s, the pearling industry in Shark Bay expanded due to demand for ornamental buttons and buckles in Britain and America.[[102]](#footnote-102) From the 1860s, overharvesting meant Aboriginal and indentured Chinese divers could no longer collect oysters in the shallow waters around Shark Bay and had to dive in deep water several kilometres from the shore.[[103]](#footnote-103) Broadhurst wanted to open up a new arena of pearling in the Dampier Archipelago using convicted Aboriginal labour. The colonial authorities showed disregard of the heterogeneity of Aboriginal people under custody, presuming them all to be from coastal areas and able to swim. Nor was the prisoners’ involvement voluntary: when the ship arrived at Champion Bay, six jumped overboard and two of them died.[[104]](#footnote-104)

 The scheme was criticised by the *Fremantle Herald* in 1870 on the grounds that this was ‘convict…mismanagement’ which ‘is neither more or less than the revival of the hateful and illegal allotment system’.[[105]](#footnote-105) Coercion was a cornerstone of the pearl fishery industry in WA. Employers often trapped indentured Aboriginal divers on ships and refused them their wages. Amidst the outcry at the treatment of Aboriginal divers in the 1880s, missionary John Gribble described it as ‘slavery by assignation’.[[106]](#footnote-106) In 1885, Governor Frederick Napier Broome questioned the use of the term ‘assignment’ to describe ‘the engagement of natives to work for white employers’ in the Gascoyne.[[107]](#footnote-107) The use of the anti–transportation lexicon was effective because it evoked a ‘relic’ of the older convict system from the eastern colonies, as Western Australia had never had a European convict assignment system. Its use, alongside anti–slavery rhetoric, speaks to the broader entanglement of unfree labour practices along a ‘spectrum of coercion’ in WA.[[108]](#footnote-108)

*Connections with Fremantle Prison, 1863–1881*

Another feature of the convict system’s economy, identified by Richard Tuffin *et al.*  is that penal stations in Van Diemen’s Land were networked together, creating ‘supply chains’ of goods and circulations of people between different penal establishments.[[109]](#footnote-109) Rottnest acted as a subsidiary penal station to Fremantle Convict Establishment and was also networked with other government departments. Fremantle Convict Establishment supplied the island with tools, raw materials (usually timber and nails) and uniforms.[[110]](#footnote-110) In return, Rottnest Prison sent surplus farm produce to the public store and police department.[[111]](#footnote-111) Rottnest and Fremantle Prison also shared a medical officer. Incoming Aboriginal prisoners passed through Fremantle to be examined before being transported to Wadjemup and were liable to return if they were invalided with a serious illness. The medical officer was also required to visit the island weekly to perform routine treatment and check-ups, though due to weather, time and availability of boats, visits were often less frequent.[[112]](#footnote-112)

White convicts were actually transferred from Fremantle Convict Establishment to Wadjemup for short periods to perform certain kinds of ‘skilled’ work. In total, 191 Fremantle convicts transferred there between 1863 and 1881 are listed in a surviving register.[[113]](#footnote-113) There were at least two white prisoners, and often up to eight, stationed on the island at any one time.[[114]](#footnote-114) The trades most in demand were related to building and farming. There were a cook and baker permanently stationed at the island, and for many years convicts superintended the salt works.[[115]](#footnote-115) Most convicts arrived seasonally to assist in construction work, as carpenters, blacksmiths and painters, or to help sow and harvest crops, with titles like ‘mower’, ‘hay presser’ and ‘seedman’.[[116]](#footnote-116) In summer, white convicts served as domestic servants to the governor in his summer residence, whilst a group of five Indigenous prisoners accompanied the governor snipe–hunting on the island.[[117]](#footnote-117)

The transfer from Fremantle to Rottnest was envisioned as an ‘indulgence’ for well–behaved white convicts, and if they performed well there they were often rewarded with a further remission of their sentence.[[118]](#footnote-118) Yet, recidivist convicts also ended up working on the the island by virtue of spending extended periods at the Convict Establishment on the mainland. Jacob Skelton served almost 20 years at Fremantle for various sentences between 1865 and 1884, spending at least four stints on Wadjemup as a farm labourer and stone mason.[[119]](#footnote-119) In 1884 Superintendent William Timperley complained that white prisoners attached ‘undue importance to their services’ causing them to become ‘offensive and insubordinate’ while on the island.[[120]](#footnote-120) The connection between Fremantle and Wadjemup/Rottnest was not always smooth: both superintendents often exchanged terse letters about the other’s unwillingness to part with skilled convicts.[[121]](#footnote-121) Nevertheless, the almost constant stream of letters and people between the two show that Rottnest was incorporated within the larger convict system. This was particularly evident, when Rottnest closed as its own prison in 1903, becoming instead an annexe of Fremantle Prison.[[122]](#footnote-122)

*Conclusion*

There were multiple entanglements between the colonial penal system’s management of Aboriginal prison labour and the imperial convict system’s management of White convict labour. Wadjemup/Rottnest shared certain key characteristics with the wider Australian convict system, including: (1) a multi-faceted labour regime, involving resource extraction construction and agriculture, in order to operate as a (largely) self-sufficient penal establishment; (2) links with another penal establishment, in this case Fremantle Convict Establishment, with goods, staff members and prisoners circulating between the two prisons; (3) the use ganged convict labour to build infrastructure needed for colonial development, including a lighthouse, roads and bridges; and (4) the assignment of convicts to individual settlers and government departments.

Though the management of Aboriginal prison labour may well have been modelled on the White convict system, it was also distinct from it. Racist ideologies profoundly shaped how Aboriginal prisoners were treated and perceived. When Aboriginal convicts were compared favourably to white convicts – for their construction of buildings or roads – the highest praise was awarded to the White officials who marshalled their work. This was particularly problematic considering Superintendent Henry Vincent repeatedly ‘worked’ his prisoners to death. Though the oddity of seeing Aboriginal prisoners work made Aboriginal labour particularly visible to European commentators, it ultimately erased their contribution. In other cases, the ultimate extinction of the Aboriginal race was contrasted against the permanence of European structures they were being forced to build. This silence around Aboriginal convict workers role in colonial WA has endured to this day. This article addresses this silence by making a case that WA was a ‘carceral colony’ from 1839 onwards and that convicted Aboriginal workers must be recognised as ‘builders’ of the colony.

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113. SROWA, cons. 130, Rottnest Island Commitment Book, 1855–1881, 1–9. [↑](#footnote-ref-113)
114. *Report on Rottnest Prison for the Year 1884* (Perth: Richard Pether, 1885), 2. [↑](#footnote-ref-114)
115. SROWA, Acc. 37, vol. 1, Richard Roach Jewell, Superintendent of Public Works, to Jackson, 18 Aug. 1880, Perth, 110. [↑](#footnote-ref-115)
116. *Ibid.* [↑](#footnote-ref-116)
117. Rottnest Island Commitment Book, 1–9. [↑](#footnote-ref-117)
118. SROWA, acc. 37, vol. 1, John Forrest, Acting Superintendent of Convicts, to Jackson, Fremantle, 3 Dec. 1879, 43, *Idem.,* Jackson to Roger Goldsworthy, Colonial Secretary of Western Australia, 14 June 1880, 98. *Idem.,* Forrest to Jackson, 11 Dec. 1879, Fremantle, 45. [↑](#footnote-ref-118)
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121. Acc. 37, vol. 2, John F. Stone to Jackson, 22 Sept. 1882, no. 13711/80: 52. [↑](#footnote-ref-121)
122. Green and Moon, *Far From Home*, 8, 14. [↑](#footnote-ref-122)