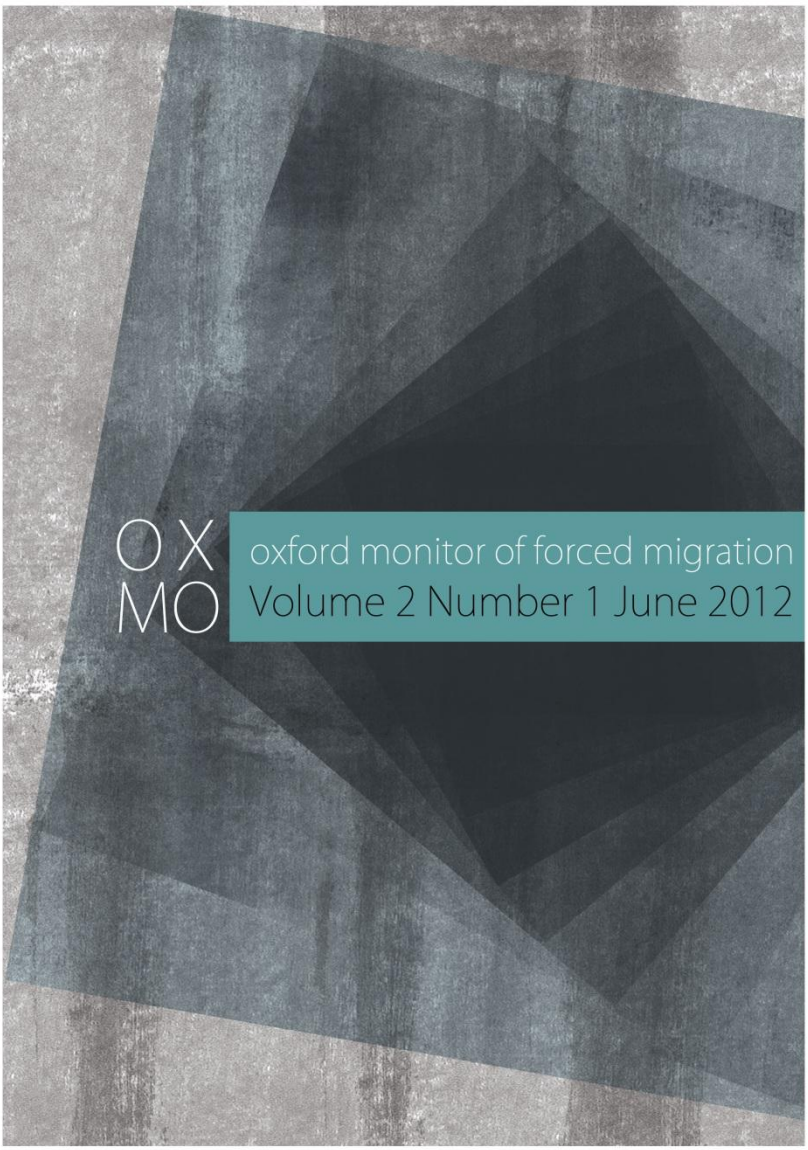

The Lost Children of Britain

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Oxford Monitor of Forced Migration Volume 2, Number 1, pp. 41-46.

The online version of this document can be found at: www.oxmofm.com

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By Katherine Karr

'Would you like to go to this wonderful place called Australia where the sun shines all day every day and you pick oranges off the trees, live in a little white cottage by the sea and ride a horse to school? Well, you know you're an orphan, your parents are dead, you've got no family you might as well go.'

Barkham (2011)

This statement habitually preceded the long journey made by British child migrants, some of them orphans, sent from Great Britain to its former colonies and dominions. In this paper, I focus on the migration of children from Britain to Australia, one of the largest recipients of such schemes. Contextualising these schemes within their legal and historical framework, this article subsequently addresses the blurred question of 'consent', an issue which I suggest blurs the lines between 'forced' and 'voluntary' with regards to the migration of these children. Finally, I address the international and domestic legal standards breached by the schemes to show how one of the greatest world powers violated human rights law with these (forced) migration schemes.

Britain's "Unwanted Children"[1]: The History of Child Migration

In 1891, the passing of the Custody of Children Act, also known as 'Barnado's Act', legalised the migration of British children by private organisations, marking the official endorsement of such migration schemes. Child migration is conventionally defined as a 'social policy which involved the transfer of abandoned youth from the orphanages, homes, workhouses and reformatories of the United Kingdom to overseas British colonies', and 'once overseas, the children were placed with colonial employers – usually in rural areas… [While] the care and removal of the children was under the law as it then stood' (Commonwealth of Australia 2001). It is important to note, however, that not all child migrants were 'abandoned' or 'orphaned'. In the earlier years in particular, most of these children were destitute or homeless, while others came from families who were unable to provide for them (Humphreys 1994). They were, therefore, purportedly being sent overseas with the prospect of a 'better life'.

Varying in size and interests, Canada,[2] Australia, New Zealand and Southern Rhodesia (now Zimbabwe) were the main destination points for British child migrants. Although exact figures are difficult to ascertain, it is believed that from 1648 to 1967 over 100,000 children were sent to British Dominions, through various migration schemes usually led by charitable and religious

[1] This phrasing is taken from the autobiographical account of a former child migrant, John R. Bricknell, who in his dedication wrote: 'I dedicate this book to all boys and girls who were "emigrated" to Australia from Great Britain. These boys and girls were not really part of the "Stolen Generation". They were in fact small groups representing "Unwanted Generations", which in my opinion is inestimably worse than being stolen, as at least the "Stolen Generation hopefully was wanted' (Bricknell 2004).

[2] Canada's history with the child migration schemes is one that is more ambivalent. In 1925, the Canadian government banned the entry of unaccompanied minors who are under the age of fourteen. However, these restrictions were subsequently lifted in 1934 by Prime Minister Richard Bennett until 1936, when Canada withdrew from child migration schemes altogether (Commonwealth of Australia 2001).

organisations. The schemes were ostensibly designed to alleviate the financial burden of supporting children in care, while contributing to the growth of the population and providing the necessary labour force in the burgeoning colonies. Stanley Fairbridge, for instance, notably set up the Fairbridge Schools of farming, 't[aking] as his personal crusade the twin goals of populating the empire and solving the problems of Britain's mounting army of poor and neglected children' (Gill 2007: n.p.).

While the migration schemes were controversial in and of themselves, and their history remains contested, the most controversial aspect was the racial dimension. This was most explicitly reflected in the so-called 'White Australia Policy'. The British government wanted their colonies to be populated with 'whites, and more specifically, with *British* 'whites'. According to Coldrey (1999: 148), in 1944 the Australian government refused to grant entry to 750 Polish child refugees being temporarily granted refuge in Iran. Moreover, the term 'good British stock' was often used during this era to reflect not only the racial (or phenotypical) requirements, but also mental criteria, such as IQ (Humphreys 1994). These were especially pronounced in the 1940s under Australia's policy of 'populate or perish', when a Japanese invasion was seen as an imminent threat in the eyes of the country (Coldrey 1999: 24-27). John Hennessy, who arrived in Australia in 1947 when he was just eleven years old, recounts being met at the dock at the end of his journey by the Archbishop of Perth. He told the children: 'We welcome you to Australia. We need you for white stock. The reason why we do this is because we are terrified of the Asian hordes!' (CBS 2009).

For some, the journey and transition to Australia and other Commonwealth countries was a positive experience, opening doors to new opportunities. This was most common in Rhodesia (Humphreys 1994). For others, the experience was more arduous. A number of reports and child testimonies attest to the difficult conditions faced by child migrants in these schools and homes. In Australia, a little publicised investigation commissioned by the UK Home Office in 1956 found 'unfavourable conditions and poorly trained staff' in the 26 institutions investigated, of which almost a fifth were blacklisted. Among the most commonly cited hardships faced by child migrants included depersonalisation and loss of sense of self, hard physical labour, as well as physical, and at times sexual, abuse (Select Committee on Health 2003).

Migration or Deportation?: Addressing the Question of Consent

The complex question of consent is an important one when exploring Britain's child migration schemes, as it is this issue which places these programmes squarely within the realm of forced migration. For many of the children who 'emigrated' to Britain's dominions, their 'transportation' is more aptly depicted as 'deportation' (Brown 2010).

Indeed, the mechanisms through which children were sent away were often far from ethical. In the 1740s, for instance, it is reported that almost 500 children were kidnapped from a town in Scotland and sent to live in the Americas (Child Migration Timeline 2010). In other cases, parents were lied to by local churches and orphanages. Due to social (and religious) stigma, children born out of wed-lock, for instance, were often sent away as child migrants, at times without the knowledge or consent of their mother. A report by Child Migrants Trust produced for the Australia Government recounts the story of a former child migrant, Jim, whose mother had been told by her local church that 'there was a *local* church-going family who wanted to take her baby, and that she should be thankful somebody was prepared to "pick up her mistake"' (Child Migrants Trust 2001, emphasis added). This was, of course, untrue and Jim, like so many others, was sent to Australia believing he was an orphan.

Furthermore, deception was a tactic often used by institutions to obtain the agreement or 'consent' of the children. In her book *Empty Cradles,* Margaret Humphreys (1994) recounts

countless tales of deception, in which children were often told that parents were dead and that they could expect a better life with their adoptive parents once they reached their destination. The vast majority, however, were not adopted but sent to institutions such as the Fairbridge schools while, in the case of Australia, legal guardianship of these children was granted to the Minister for Immigration and citizenship was not granted. To this day, many former child migrants who are still alive consider themselves 'British to the core' (Commonwealth of Australia 2001).

Overall, as we can see even from this limited selection of accounts, the question of consent – either of the parents or of the children themselves – was often flouted through lies and deception. In recognition of this and the hardships faced by the children in their respective destinations, in 2009, former Australian Prime Minister Kevin Rudd gave a formal and emotionally charged apology to former child migrants for this 'ugly chapter' in Australia's history (Rudd 2009). Following Rudd's lead, in 2010 former UK Prime Minister, Gordon Brown, stated that, on 'behalf of the nation' he was 'truly sorry' for the 'misguided' nature of the child migration/deportation programmes which 'let down' those affected and 'robbed them' of their childhoods (Brown 2010).

Child Migration Schemes and International Law

Having broadly outlined British child migration schemes, this section places this 'shameful' (Brown 2010) policy within a legal context. More specifically, it assesses the policy against international human rights standards, looking in particular at relevant articles of Universal Declaration of Human Rights (UDHR) as well as those of the European Convention of Human Rights (ECHR) that may have been breached by Britain's child migration programmes. Though the articles enshrined in Convention on the Rights of Child might also have been contravened, as it was passed in 1989 – over twenty years after the last 'shipment' of children – it lies beyond the realm of this discussion.

Let us turn first to Article 5 of the UDHR, stipulating that: 'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment' (UDHR 1948). As mentioned above, child migrants often endured hard, physical labour and at times were placed in institutions known to physically and sexually abuse the children. This last issue was reportedly especially rife among Catholic institutions (Penglasse 2007). However, the damning report commissioned in 1956 by the UK Home Office investigating the migration schemes, did however, have an immediate impact and that year only 24 children were sent to Australia. Moreover, by the following year child migration schemes by Catholic agencies and religious orders has ceased (Select Committee on Health 1998).

Article 12 of the UDHR states that: 'No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation' and that 'Everyone has the right to the protection of the law against such interference or attacks' (UDHR 1948). As I have previously shown, child migrants and their parents were regularly lied to and deceived. Moreover, while the children were in their respective new 'homes' they were often denied their identity as well as correspondence from existing family members, whom they were led to believe were dead (Select Committee on Health 2003). In these ways, the child migration schemes can be seen to be in violation of Article 12. Furthermore, that women impregnated out of wedlock were often denied their right to be mothers through these schemes represents a breach of Article 25.2, which stipulates that 'Motherhood and childhood are entitled to special care and assistance' and that, 'all children, whether born in or out of wedlock, shall enjoy the same social protection' (UDHR 1948).

Finally, I would like to consider child migration schemes against Article 4.2 of the European Convention of Human Rights, which states that: 'No one shall be required to perform forced or compulsory labour' (ECHR 1950). The reported experiences of child labour at Bindoon – an 'orphanage' located in Perth – offers an apt example in this regard. Indeed, the children placed at Bindoon were even required to build the dormitories in which they slept (Lee 2011). In general, girls were forced to perform more household-related tasks. Recounting her experience as a former child migrant, Ann, recalls being sent from England and placed in St Joseph's Orphanage, Australia, at the age of six. She notes that girls in the orphanage were required to do chores such as 'sweeping yards, cleaning toilets, washing and polishing floors in the dormitories, classrooms and long corridors on hands and knees…the work was relentless and very tiring' (McVeigh 2011). Echoing these experiences, another former child migrant who remains anonymous, harrowingly remarked that 'we spent our lives on our knees, either praying, cleaning or being punished' (anonymous former child migrant).

Concluding Remarks

In this paper I have shown that child migration from Britain to a number of its former colonial states was no small-scale operation. Large numbers of these children left their home country with almost no knowledge of the countries or the lives to which they were headed. Crucially, this article emphasised the blurred question of consent on the part of both the children and their parents, placing these migration schemes squarely within the realm of 'forced migration'. Indeed, as shown above, the term 'deportation' is seen by many as a more fitting depiction of their journey. Having highlighted some of the more controversial dimensions of these programmes, I examined a selection of such aspects against the standards of contemporary international human rights law. Specifically, I argued that Britain's child migration schemes contravened Articles 5, 12, and 25(2) of the UDHR, as well as Article 4(2) of the ECHR. While many of the documents I discussed are non-binding, the existence of these laws shows the extent to which the actions that were taking place should have been prohibited. Overall, in this article I have sought to shed an alternative light not only on debates surrounding 'forced migration', but also, on the role of the UK government within such discussions, a state conventionally conceived as a 'host' rather than – as seen in this case – a 'sending' state.

Katherine Karr is an American national who holds a BA in Sociology from Rutgers University. She also holds a Masters in International Relations and a sequential Masters in International Non-Governmental Organizations from Webster University. She has spent most of her academic career researching children's rights and has worked for the Arthritis Foundation as juvenile arthritis intern. The migration of children from Britain to Australia piqued her interest when she began searching for a thesis topic.

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