

Stolen Wages Scheme in Queensland

The Stolen Wages Scheme in Queensland—the Indigenous Wages and Savings Reparations Scheme—has been reopened by the Queensland Government.

Over \$35 million of the original \$55.4 million set aside by the Government for payments remained unpaid when the first round for applications closed.

Those people who did not make a claim in the first round are now eligible to make a claim. A person can make a claim if they were:

1. alive on 9 May 2002, and
2. subject to government controls over their wages and savings; and

In NSW, if you think you have a stolen wages claim or would like more information telephone the ATFRS on:

1800 765 889

3. born on or before 31 December 1951, or born between 1 January 1952 and 31 December 1956.

A second payment will be offered to people who made successful claims in the first round. These second payments will be:

1. \$3,000 to people who received a \$4,000 reparations payment; or
2. \$1,500 to people who received a \$2,000 reparations payment.

If your relative who has passed away was alive on 9 May 2002, you may also be able to make a claim. If your relative received a first-round payment, you may also be able to make a claim for a second payment.

The new closing date for new applications is 31 January 2009 for Australian residents and 30 April 2009 for residents in Papua New Guinea.

If you have any questions or would like to make a claim, phone the Queensland Government Reparations Team on 1800 809 097.

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STOLEN WAGES CLAIM DEADLINE!

You must register your claim to the NSW Aboriginal Trust Fund Repayment Scheme by **31 May 2009**

If you or a deceased family member were 'under the Protection Acts' in NSW before 1969, the NSW Government may owe you unpaid wages, child endowment or other trust money.

Call the Aboriginal Trust Fund Repayment Scheme on **1800 765 889** to register a claim

Call PIAC's Indigenous Justice Program solicitor on **(02) 8898 6527** to get advice and find out how to get legal help.

Talkin' Justice is the Indigenous Justice Program of the Public Interest Advocacy Centre (PIAC).



Talkin' Justice

Contact details

Keppie Waters, Solicitor
Indigenous Justice Program
Public Interest Advocacy Centre

Address: Level 9, 299 Elizabeth Street
SYDNEY NSW 2000

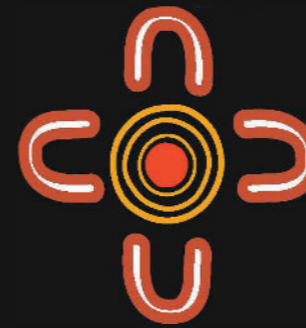
Telephone: (02) 8898 6527 (Direct)
(02) 8898 6500 (Reception)

Fax: (02) 8898 6555

E-mail: kwaters@piac.asn.au

Website: www.piac.asn.au

If you know someone who you think would like to get sent Talkin' Justice, please get them to give us a call or send an e-mail with their name and postal address.



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Stolen Wages Deadline - 31 May 2009

Stolen Wages potential claimants or their descendants need to be registered with the NSW Aboriginal Trust Fund Repayment Scheme (the Repayment Scheme) by the end of May 2009.

The repayment of Stolen Wages to members of the Indigenous community is a very important issue and currently repayments are being made in NSW through the Repayment Scheme.

What are Stolen Wages?

Stolen Wages is the money that was withheld from Indigenous peoples' wages, pensions, child endowment payments, inheritances, and lump sum compensation payments. It was either not paid or kept in trust.

The trust was administered by the NSW Government's Aborigines Protection Board, later the Aborigines Welfare Board. This withholding of money occurred under various NSW laws from the mid-1800s but the Repayment Scheme focuses on the system established by the *Aborigines Protection Act 1901*, which operated until 1969.



Indigenous Justice Program Senior Solicitor Keppie Waters

Under the Protection Act, Aboriginal children in state care were sent to work from the age of 14, and 80% of their wages was supposed to be paid into a trust account controlled by the State of NSW. When the children turned 21, the money held in trust was supposed to be paid out to them. Most of the time, the money was not paid. In many cases people didn't know that they were supposed to be paid, or know that a trust fund in their name existed. If they did know, sometimes the existence of the trust fund was denied by the State of NSW. Of course, none of them gave permission for the Government to take their money.

Any Aboriginal person who is aged between 39 and 107; and, who was in state care before 1969 potentially has money in trust and can make a claim to the Repayment Scheme.

In addition, many Aboriginal children in state care were forced to work without pay in poor and sometimes abusive conditions. PIAC would like to hear from these people, as well.

What is the Aboriginal Trust Fund Repayment Scheme?

The NSW Government established the Aboriginal Trust Fund Repayment Scheme in 2005, in an attempt to repay Stolen Wages.

Using Government records, the Repayment Scheme looks for evidence that money was paid into trust for the person making the claim, and that money was not later paid to them.

Unlike other Stolen Wages schemes, such as the one operating in Queensland, repayment amounts are not fixed. The amount paid to a person with a successful claim is worked out by looking at how much money

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Talkin' Justice is the Indigenous Justice Program of the Public Interest Advocacy Centre (PIAC). PIAC is a legal and policy centre. The Indigenous Justice Program was established by PIAC in 2001 to promote and protect the rights of Aboriginal and Torres Strait Islander people. PIAC thanks law firm Allens Arthur Robinson for its continuing funding support for this Program and for the printing of this publication. The Talkin' Justice logo was designed for the Program by Adam Hill. The editors of this newsletter are Mark Warren and Robin Banks. Layout by Karen Kwok.

IJP Hits the Road Talkin' Stolen Wages

In early November, I travelled to the north west of NSW to conduct a week-long trip to the communities of Moree, Quirindi, Tamworth and Armidale.

The main purpose of the trip was to let people in those communities know about their opportunity to make a claim to the NSW Aboriginal Trust Fund Repayment Scheme (the Repayment Scheme). This was a particularly important opportunity because the deadline for making a claim has been extended to 31 May 2009, and the Repayment Scheme doesn't widely promote itself in Aboriginal communities.

The NSW Government Repayment Scheme has been set up to repay trust fund money taken from Aboriginal peoples' wages, pensions, child endowment payments, inheritances, and lump sum compensation payments and never paid. You'll often hear people call this unpaid trust money Stolen Wages.

I organised community information sessions about Stolen Wages in each town. Community members had the chance to ask questions, get advice and information about making a new claim, and about the claims they have already made.

More than 65 people came to the information sessions, including many Elders from these communities. At the beginning of each information session, a majority of people who came along were suspicious and angry about the Repayment Scheme. It quickly became clear that many of the people who were upset had registered claims with the Repayment Scheme as far back as 2004 and hadn't heard anything since.

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was actually held for the person and then calculating what that money is worth today.

While the Repayment Scheme is far from perfect, it has paid some members of the Indigenous community the Stolen Wages that are rightfully owed to them. The average amount paid out by the Repayment Scheme is \$7,000; but individual repayments range from \$490 to \$44,000.

However, over 60% of claimants have not received any payment because the records that the Repayment Scheme relies on have been destroyed or were never created. This is a big problem for the Repayment Scheme that PIAC is trying to get the NSW Government to fix.

I had the chance to tell those people who'd come along about PIAC and the Stolen Wages Referral Scheme, run with the Public Interest Law Clearing House. I explained that we represent people who make claims to the Repayment Scheme, and that we do not work for the Repayment Scheme. There was a positive change in the response from those people who had come along. All up, approximately fifty community members spoke to me after the information sessions and asked for help with their claims.

Thank you to each of the people, particularly the Elders who came to the information sessions. Thank you for sharing your stories and welcoming me into your communities, and in some cases your homes.

Special thank you's to Julie Porter from the Social and Emotional Wellbeing Centre in Quirindi, Aunty Dianne Roberts from Armidale, Daisy William, the Director of the Armidale and Region Aboriginal Cultural Centre and Keeping Place, Mary Slater, the Co-ordinator of the Tamworth Aboriginal Community Justice Group, Tad Kiemski and Joanne Stead from the NSW Department of Aboriginal Affairs based in Tamworth, Christine Norman from the Coledale Community Centre, Tamworth, Karen Craigie, Acting CEO, Moree Local Aboriginal Land Council, Steve Widders from Armidale and the Graniators from Moree.

Since coming back to Sydney, I've had a lot of calls from more people asking for help through PIAC and the Stolen Wages Referral Scheme. Many of these callers have mentioned the trip. As we all know, the community grapevine is alive and strong!!

by Keppie Waters, Senior Solicitor

A claim can be made by anyone who believes they may be owed money that was Stolen Wages. If a person who may have been owed money in this way has died, their descendants can make a claim.

If you know someone who wants to register as a claimant with the Repayment Scheme, they can contact the Repayment Scheme, directly on 1800 765 889.

Or contact, PIAC's Indigenous Justice Program Senior Solicitor, Keppie Waters, on 02 8898 6527 or kwaters@piac.asn.au

For further information you can also look at www.piac.asn.au/system/indig.html and www.atfrs.nsw.gov.au.

PIAC Training Outback!



In early November, I was lucky enough to visit Moree in North Western NSW with PIAC's IJP Solicitor Keppie Waters. The beautiful country weather set the scene for a wonderful trip; even the locusts didn't put us off!

I was in Moree to present advocacy training to the Combined Koori Regional Network Forum, members of which are workers from the Community Care sector in New England, the Far North Coast and Mid North Coast of NSW.

The Koori Forum works to provide quality culturally appropriate and co-ordinated services for Aboriginal frail aged people, people with a disability and their carers. They often need to speak up to government and other services to ensure that their clients' needs are met. That's where the advocacy training comes in handy!

As part of the training, the group participated in a session on the history of Indigenous advocacy and activism. Given we were meeting in Moree it seemed a perfect opportunity to take a look back at the Freedom Rides that visited Moree in 1965.

The Aboriginal university student Charles Perkins and 29 other university students decided to get a bus and travel around NSW to protest against the segregation in rural towns that was rife at the time. In Moree, the protesters addressed the segregation at the local swimming pool by taking local Aboriginal children to the pool. The Freedom Rides stirred up debate on the state of Aboriginal affairs and highlighted racial discrimination in regional towns at the time.

Still inspired by the Freedom Rides story, there was more to inspire us in modern day Moree. While out and about, Keppie and I were honoured to meet Uncle Lyall Munro Senior, an Aboriginal leader and prominent Moree citizen.

Keppie and I also dropped in to the Graniators' Melbourne Cup luncheon. We were both inspired by the example of these Aunties who have the care of their grandchildren; not to mention the hats! The Graniators group meets regularly to socialise and support each other. Graniator Auntie Shirley Duncan told us about the breakfast program that she and others are involved in running for local children.

I also had the opportunity to accompany Keppie on her trips around town and meet other local Elders. I left Moree convinced that I have the best job in the world having met so many inspiring people.

If you are interested in the training courses that PIAC can provide contact Carolyn Grenville on 02 88986506, or cgrenville@piac.asn.au

The PIAC training calendar for 2009 will be available shortly on the PIAC website, www.piac.asn.au

by Carolyn Grenville, PIAC Training Co-ordinator



The Graniators celebrate the Melbourne Cup at Moree

National Indigenous Legal Conference

On Friday 12 and Saturday 13 September 2008, Keppie was fortunate to be able to attend the National Indigenous Legal Conference and Ball. The third annual conference was hosted by Tarwirri Inc: the Indigenous Law Students and Lawyers Association of Victoria, in Melbourne.

'It was an amazing opportunity to sit amongst a group of over 300 people who attended the conference, who included member of the Stolen Generations and formal VFL player Uncle Syd Jackson, current Justice of the High Court his Honour Justice Michael Kirby, prominent barrister Julian Burnside QC, Indigenous academic Professor Larissa Behrendt and many young Aboriginal law students. It was also a great chance to meet and talk with other people working with Indigenous communities throughout Australia,' Keppie said.