

Stolen Wages Update 7

JULY 2005

Qld/NSW call for stolen wages to 'move up' on national agenda

Four NSW claimants and campaigners attended a Stolen Wages Working Group meeting in Brisbane recently, determined to promote unity between states & territories and a stronger showing for stolen wages as a national issue.

The four - Marjorie Woodrow, Nancy Hill, Cecil Bowden and Des Donnelly - travelled over four days to attend the meeting. The trip was made possible through the assistance of Link-Up NSW and ANTaR National, as well as Queensland campaigner ETTY Gleeson, who offered accommodation in Brisbane. Originally a bus load of 20 or more was planned, although cancelled at the last moment because of insurance issues.

Working Group members from as far afield as Cairns, Townsville and Mackay were able to meet with the four to discuss a unified strategy aimed at "bumping" stolen wages issues up on the national agenda.

The meeting agreed national leadership - Indigenous and non-indigenous - was not taking issues about reparations seriously enough and that stolen wages in particular did not have the profile it should have.

"[We] must get the message out to all Australians about how [we were] forced to live and what was denied," Working Group members said.

Outcomes of the meeting included a decision to print 10,000 'Stolen Wages Built this State' stickers, proposals for a day of action at Parliament House in Queensland (tba) and a call for two national days of action - one to be held on Human Rights Day in December this year and the other to coincide with the launch of the National Report in May 2006. The National Report is currently being researched by volunteers across the nation under the guidance of historian Dr Ros Kidd and international human rights lawyer Helen Burrows (see Update on page 4).



More than 40 people attended the June 28 Stolen Wages Campaign Working Group meeting including Marjorie Woodrow, Nancy Hill, Cecil Bowden & Des Donnelly from NSW; Tennyson Kynuna (ex-Yarrabah, Cairns); Yvonne Butler (ex-Mt Garnet, Townsville); Madonna Barnes (Mackay); Aunty Ruth Hegarty (ex-Cherbourg, Brisbane); Tiga Bayles (Brisbane); Senator Andrew Bartlett; Valda Graham (LHMU); Bruce Lillis, Suzanne Thompson & Anne Meehan (ANTaR Qld); Gillian Branigan & John Bond (National Sorry Day Committee); Victor Hart (QUT); Aunty Vera Hill, ETTY Gleeson, Estelle Sandow, Annie Cowling, Lin Morrow & Andrew Dunstone

Stolen Wages Stickers are out! Stolen Wages Survey results are in!

Stolen Wages Stickers (pictured here at Cairns NAIDOC Day), t-shirts and a flyer with details of the Stolen Wages Survey results are available from ANTaR Qld by calling 3844 9800 or sending an email to antarqld@dovenetq.net.au Please note the Stolen Wages Campaign Working Group does not encourage the use of these stickers on public buildings such as hospitals, court houses and police stations, government cars or other public infrastructure which may have been built or funded by stolen wages. The Stolen Wages Campaign Working Group DOES, however, encourage anyone & everyone to take the Stolen Wages Survey Results flyer to as many Queensland MPs as possible - now is the time!



Research your records and talk stolen wages up!!!

Townsville elder Yvonne Butler says she has taken every opportunity to visit the archives while in Brisbane for Stolen Wages Working Group meetings.

Mrs Butler said people might be surprised at what they could find out about what happened to their families' and communities' money if they go out and look for it.

"Canegrowers would have records of people who worked for them, the Defence Forces should have records as well," she said.

"I've now got all the records showing how much money was taken out of mine and my family's account by the police and I'm happy to help anyone who wants to try and find their records."

Mrs Butler grew up outside of Mt Garnet on the Atherton Tablelands in north Queensland.

She said while her father was forced to work 'out west', she, her Mum and her sisters were left to fend for themselves.

"We didn't get mission or reserve rations, we had to fend for ourselves without money," she said.

"I've got figures here showing how much of our money went into the Provident Fund at that time but we were never asked if we wanted to contribute, they just took it and all we knew was that some of it went to the local police.

"I'm going to be saying to my solicitors that now I've found out how much money came out of my community I want to claim that money back."

Mrs Butler is taking legal action against the Queensland Government with the help of pro-bono lawyers.



Yvonne Butler, Tiga Bayles, Aunty Ruth Hegarty & Tennyson Kynuna before meeting with Linda Lavarch in May 2005

"The Government has done nothing about telling the wider community what really happened to us," she said.

On that basis Mrs Butler said the community had to start raising this issue with Government officers and Ministers at every opportunity.

"We have to start asking the government at every opportunity to give us our money back, they created this situation," she said.

"We need all the black community to stand up and say 'where's our money', just a handful of us can't do it and we want to go all the way on this.

"We're talking about economy and what makes the world go around for us to survive in the white man's world.

"If this happened to white Australia, if they didn't get their super or their wages for any length of time they would be jumping up and down too.

"Mr Beattie's not going to walk away with \$2000 at the end of his term.

"This is our unpaid debt and I don't care how they pay it back, they have to pay it back

"This is what we should be pushing every time we meet with a minister for any reason, we should be talking about stolen wages."

Mrs Butler and Stolen Wages exec members (pictured) want to encourage as many people as possible to distribute and talk about the Stolen Wages Survey results wherever and whenever they can.

Social Justice Commissioner renews calls on Queensland stolen wages

Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma has renewed calls for the Queensland government to revise its process for addressing the stolen wages issue.

The call follows meetings with elders and the Indigenous community in Townsville regarding the Government's Indigenous Wages and Savings Reparations Project.

"As we celebrate NAIDOC week, it has become apparent to me that the intention of the government to achieve reconciliation on this longstanding issue has not been met. The unjust nature of the Government's scheme operates as a continuing source of distress and distrust to Indigenous peoples affected in Queensland," Mr Calma said.

'Stolen wages' refers to restrictions and controls on the wages and savings of most Aboriginal and Torres Strait Islander Queenslanders between the 1890s and 1972. It is estimated that up to 60% of workers' wages went into a general trust account, 10% went into the Aborigines Welfare Fund and with approximately 30% (including taxation) given to Indigenous people as 'pocket money'.

The Government responded to this issue in 2002 by establishing the Indigenous Wages and Savings Reparations Project. This provides eligible claimants with a lump sum of \$2000 or \$4000, plus an apology in Parliament. In order to receive the payment, individuals have to relinquish any legal rights they may have under the various 'protection' acts in place in Queensland between 1897 and 1984. The Social Justice Commissioner's office has previously expressed concern at the unjust nature of this process. Principally, the concerns relate to the scope of the legal indemnity sought, the inadequate quantum of payment, the lack of information available to Indigenous people to establish the actual liability owed to them and the poor process by which the offer was developed.

"The inappropriate way that the government has presented this process as a gesture of reconciliation has continued to cause distress among Indigenous Queenslanders who are affected," Mr Calma said.

"Ultimately, we are talking about people's wages that they have never

received. No one likes to be short-changed on what they have earned. "The stolen wages issue is one of the great industrial scandals in Australian history. It is regrettable that at a time when the community is debating potentially significant changes to industrial relations laws that we are yet to see a just settlement of this outstanding industrial scandal." Mr Calma noted that the Queensland government is yet to respond to the second aspect of the wages and savings issue – the Aborigines Welfare Fund. "I call on the Government to enter into good faith negotiations with Indigenous representatives about the Welfare Fund. The Government should top up the fund to a level which will allow Indigenous communities to access funding for reparations projects and for projects which address the inter-generational poverty to which the wages and savings restrictions contributed. This is a way in which the Government can repair the damage that it – not previous governments – has caused on this significant historical issue."

2005 TIME LINE ... What happened next...

A continuation from previous Stolen Wages Updates which are available in PDF format from the ANTaR Qld website at <http://www.antarqld.org.au>

April More than 5000 Stolen Wages Surveys are printed by local MPs including Anna Bligh, Jason O'Brien, Lindy Nelson-Carr, Mike Reynolds & Graham Wallace and Federal politicians including Senator Jan McLucas and Kevin Rudd (who copied 2000 'Stolen Wages Update 5's for ANTaR Qld). NTEU has also assisted with photocopying.

April 2 An 'Open Letter' response to Qld Treasurer Terry Mackenroth's refusal to "consider any further changes to the scheme" is re-edited & published in The Courier-Mail

April 15-16 Yvonne Butler's story is published in The Cairns Post under the headings 'Runaway slave seeks stolen millions' and 'Wage slaves'

April 22 A north Queensland family is handed a \$495 account for a paupers funeral the Queensland Government 'Protector' failed to pay for more than 50 years ago. The Funeral Home told them the original account, which was for two pounds and five shillings, would have to be paid at today's rates.

May Day Stolen Wages contingents participate in activities across Queensland and in Perth, WA. Cairns participants were invited to lead the march wearing their 'Stolen Wages Built this State' t-shirts

May 3 Members of the SWWG, including Cairns and Townsville reps, meet with Parliamentary Secretary Linda Lavarch - 45 minutes of the meeting is spent explaining the stolen wages issue and its history with no definite outcome.

May 12 Concerns about process in NSW are raised by National Indigenous Times

May 15 Preliminary Survey Results are announced by Aunty Ruth Hegarty & Tiga Bayles in Cairns and Yvonne Butler & Tennyson Kynuna in Brisbane. Events were planned to coincide with the May 16 anniversary of the Queensland offer

May 26 Sorry Day commemorations in London acknowledge the stolen wages issue to an audience of more than 200 including Germaine Greer and Geoffrey Robertson QC

May 30 The Canadian Government appoints a negotiator to broker a deal to compensate 86,000 former students of Indian residential schools. Recommendations from the Assembly of First Nations included that all "surviving residential school alumni should receive lump sum payments of \$10,000 apiece, plus \$3,000 for every year someone attended a school"

May 31 NSW Special Minister of State John Della Bosca announces the formation of an Indigenous panel to advise the NSW Aboriginal Trust Fund Repayment Scheme. The NSW Scheme will repay what is owed to Aboriginal people, will be evidence-based and operate for five years. All claims will be referred to the Panel which will review cases and consider all evidence. Claims will be paid where there is certainty, strong evidence or strong circumstantial evidence of money paid into trust funds and no evidence, or unreliable evidence, that money was paid out.

June 7 Commenting on the Queensland State Budget, QCU Assistant Secretary Chris Barrett says "It is disappointing to see that the current inadequate offer to the indigenous community is still scheduled to end on 31 December 2005. It is a great pity that we have gone through this exercise without in any way resolving the issue for this community. We say to the Government once again that the offer needs to be extended and the quantum addressed."

June 11 More than 200 flyers asking 'what happened' to last year's resolution on stolen wages are handed out in Cairns at the 2005 State Labor Conference. An "urgency motion" is passed calling on the Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Policy Affairs to act immediately.

June 20 Victorian Aboriginal Legal Services hosts a meeting with ANTaR Vic & union reps to discuss initiating research into stolen wages in that state.

June 20 US plaintiff Elouise Cobell and other Native American leaders announce a set of legislative principles intended to end a contentious nine-year court battle over the government's breach of its fiduciary duty in failing to account for the property of individual Indians held in trust by the government. To view the latest about this case see <http://www.indiantrust.com>

June 28 NSW claimants and campaigners join the Queensland Stolen Wages Campaign Working Group in Brisbane to discuss a national campaign strategy

July 8 Stolen Wages Survey Results & Stickers are launched at NAIDOC Days in Brisbane (by QCU Indigenous Employment Support Officer Wayne Costelloe), Cairns & Townsville

July 8 Social Justice Commissioner Tom Calma renews calls from the Human Rights & Equal Opportunities Commission for the Queensland government to revise its process for addressing the stolen wages issue.

What they said ...

Comments from Stolen Wages Surveys

I attended the Toowoomba meeting a few years ago regarding this matter and the process was appalling. Telling older people that the legal process (if they don't accept the offer) could take up to ten years, that many may not live till then - as a young Aboriginal woman I was highly offended.

A lot of older Indigenous people are only taking the offer because they may have to wait years and may not be around.

A lot of Aboriginal people think as I do: if I die, the money will go back to the greedy Government.

Just because this practice of withholding wages has ended, that is no excuse for the Government to ignore the issues and people involved.

All monies should be given to claimants. If our people are alive then yes, pay them the money owed including interest the same way as any other superannuation; if deceased, monies owing to them should be put into an estate as per any other estate.

I do think we deserve the right to know the benefits of our stolen wages or the amount of funds.

Not satisfied.

Non-Indigenous Survey Comments:

Most of us inherit wealth from our parents/grandparents so why not Indigenous people whose parents' wages were with-held.

Not a genuine attempt to right the wrongs. Wages kept in trust and then not paid equates to slave labour.

Contemporary standards of government dealings with people who have a case for compensation normally require a thorough assessment of all records.

Like most dealings with Aboriginal people, this offer is a travesty.

Totally disgusted: Queensland was built on the efforts of Aboriginal people.

These people should not only receive what they worked for but also compensation for the pain and suffering they went through.

If this had occurred in a community of white Australians I believe more effort would be made to discover the extent of the loss.

The burial authorities were able to work out how much a bill of two pounds five shillings is worth today. They should be able to calculate what is owed for wages at that time. Certainly more than \$4 000. We will never come to any real reconciliation if injustices are still perpetuated by Governments today.

Stolen Wages National Report Update

from Dr Ros Kidd

Purpose: The National Report aims to give a full picture of government controls of Aboriginal labour and finances in every state, including entitlements such as endowment, workers compensation, pensions, inheritances. It will look at wages, access to personal money and management of savings accounts.

The greatest evidence of official negligence and malpractice has been collected for Queensland and to a lesser extent for New South Wales. We know all states had similar opportunities to misuse Aboriginal monies and we want to find out if there was similar negligence.

The final Report will provide the basis to demand a National Inquiry to demonstrate whether other states are also guilty of financial mismanagement. We intend to have a high-publicity launch for maximum media attention.

Structure: Volunteer researchers in each state will summarise laws and regulations and give a brief listing of general files held in government archives. Where possible we want to include evidence from those files – this depends on manpower and state restrictions.

We hope to hold information sessions in each state to tell people what we know about these financial controls and ask people if they would like to make some of their own experiences available for inclusion. There is a special questionnaire which can help with collecting these stories. ANTaRs in each state will help organise these sessions.

If anyone is willing to share file information they might already hold this would be very valuable. Anyone providing information, written or oral, is welcome to remain anonymous if that is their wish.

Legal organisations in several states have already said they are willing to provide pro bono advice for people who want to discuss the possibility of legal action to recover monies owing.

Timetable: Because of pressures of work of all involved, we are now aiming to have all information collected by end November 2005, and have the Report completed by May 2006.

Help: This Report depends entirely on volunteers. If you can help, please contact Christine Howes or ANTaR in your state.

2005 ALP State [Qld] Conference Resolution

Cairns, 11-12 June 2005

STOLEN WAGES

That this Conference:

1. acknowledges that as at 31 December 2005, the rights to claim reparation for the stolen wages of Aboriginal workers are to be extinguished
2. notes that the Platform in this regard, specifically Section 9.3.22 of the Social Justice Platform, has yet to be given effect by the Labor Government; and
3. calls on the Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Policy Affairs to:
 - a. act immediately to give effect to that provision of the Platform; and
 - b. recognise, as this is a wage justice issue, that it deserves the Queensland Government's urgent attention, given the fact Aboriginal rights to seek compensation will be extinguished at the end of this year.

Carried unanimously as part of the Social Justice Policy Committee Report to ALP State Conference

QUEENSLAND STATE OF PLAY 1/7/05 Indigenous Wages & Savings Reparation Process

Claims received at 1 July 2005

Total number of claims received 7806
Number of claims assessed 6866
Number of claims assessed as eligible 4638
Number of claims assessed as ineligible 2228
Number of claims paid 4154

Source: <http://www.datsip.qld.gov.au>



Stolen Wages t-shirts worn by May Day participants in Cairns. Stolen Wages t-shirts (\$15) and Stickers (for a donation please!) are available from ANTaR Qld.

WHO TO CONTACT FOR MORE INFORMATION:

Keep up to date with developments and find out what you can do from the following people and organisations:

The Queensland Council of Unions: (07) 3846 2468: <http://www.qcu.asn.au>

ANTaR Qld: (07) 3844 9800 <http://www.antar.qld.org.au> Contact: antarqld@dovenetq.net.au

Australia Asia Worker Links: <http://www.aawl.org.au> Contact: aawl@aawl.org.au

For email information and contacts for the Stolen Wages Working Group and its executive, contact Christine Howes on 0419 656 277 or to join the Stolen Wages Update list email chowes@hotmail.net.au

Background Information: Dr Ros Kidd: <http://www.linksdisk.com/roskidd>