

**SUBMISSION TO THE LEGAL AND CONSTITUTIONAL REFERENCES (SENATE)
COMMITTEE:**

**INQUIRY INTO INDIGENOUS WORKERS WHOSE PAID LABOUR WAS CONTROLLED
BY GOVERNMENT [STOLEN WAGES]**

Name: Lillian Mavis Willis Snr.

Date: August 9th 2006.

SUMMARY:

The Stolen Wages campaign has been like dogs hanging off a bone.

I accepted \$7,000 compensation for under-award wages because the Queensland Aboriginal and Islander Legal Service Secretariat (QAILSS) said this was a good offer.

I do not believe the current offers from the Queensland Government are fair or just. A true estimate of what is owed in Queensland puts the amount in the billions.

The present offers are not based on equitable figures. There should also be a component for duplicity-punitive damages by the government for denying Aboriginals economic wealth. The government is responsible for the resultant inter-generational trauma.

I attended a meeting at Aitkenvale Hostel where a lawyer from Roberts Leu and North (now operating under Roberts Nehmer McKee) said that the government had such a watertight case that we would be tied up for years pursuing it if we didn't accept the present offer.

The non-payment of wages and other entitlements has led to a false image of Aboriginal people as an economic burden - portrayed as a dependant burden - whereas they were working as slaves and not being paid. This hidden wage history, compounded by subsequent legislature "cover-up", has led to them being jointly termed as being dependant on Government welfare - but they had an INDEPENDENT ECONOMIC BASE in their STOLEN WAGES.

I am a friend of Yvonne Butler and have discussed her submission with her. I feel that she has covered many of the issues that I would have raised, so will not repeat them in this submission

MY SUBMISSION:

I make this submission on behalf of myself and my family:

- Alf Willis-Father
- Monica Willis-Mother
- Victor Willis-Brother
- Gloria Sailor (nee Willis)-Sister
- Patricia Griffin (nee Willis)-Sister
- Gladys Willis-Sister
- Imelda Willis-Sister (deceased)
- Lilly Laura-Grandmother (deceased)
- Frank Laura-Grandfather (deceased)
- Jackie Brown-Grandmother's brother (deceased)
- King Pompy-Grandfather's father (deceased)
- King Pompy's wife-Minnie (deceased)
- Victor Foster-Mother's brother (deceased)
- Lesley Foster-Mother's brother (deceased)

My father's tribe is Wakka-Wakka Bundjalung which came from the area around Blackbutt South East Queensland and Lismore Northern New South Wales.

My Grandmother's tribe and my mother's people are from the IDINDJI people of Cairns, Yarrabah and stretching into the Atherton tablelands. Our clan group is the Wanggur Madjandji, which is the lower coastal clan group of the tribe.

My Grandfather's people are of the KANDJU tribe of Cape York (Lockhart River and Coen). His clan group is LUMA LUMA.

I am prepared to give evidence at a public hearing. I do not require this submission to be kept confidential. I have supporting material should it be required.

TERMS OF REFERENCE:

WITH REGARD TO INDIGENOUS WORKERS WHOSE PAID LABOUR WAS CONTROLLED BY GOVERNMENT:

(a) THE APPROXIMATE NUMBER OF INDIGENOUS WORKERS IN EACH STATE AND TERRITORY WHOSE PAID LABOUR WAS CONTROLLED BY GOVERNMENT;

I have been told by QAILSS that there are about 20,000 claimants. I believe this is underestimated and that there might be up to 50,000 claimants.

The government would know the numbers.

A lot of our people lived in fringe dwellings; there were strange employment practices, and hidden cases of Stolen Wages, covering people exempt and "Under the Act". There are maps that show "Blue Areas" on mainland Australia that were deemed to be "Under the Act" and the full force of "The Act" was operated on all Aboriginal residents living in that area.

WHAT MEASURES WERE TAKEN TO SAFEGUARD THEM FROM PHYSICAL, SEXUAL AND EMPLOYMENT ABUSES AND IN RESPONSE TO REPORTED ABUSES;

People weren't protected. We were at the whim of people in charge of us; Director Paddy Killoran at the Department of Native Affairs and the local office in Townsville administered the affairs of local Indigenous people.

I was born in 1952 on Palm Island and lived there until about 1972. There was no pub there, but in 1973, a wet canteen was opened at the local picture theatre and problems with drinking caused my mother and the rest of the family to leave in 1975 after cyclone Althea. To get beer, people had to line up and were sold or given 6-packs of warm beer. They would drink those and line up again to get another 6-pack of warm beer. Drunken people used to walk into our house and demanded to be fed; it was scary. Nobody offered any protection from this.

I was abused as a child and my case was addressed because my grandfather was a police sergeant at the mission on Palm Island. The offender was given two weeks in prison on the island. I was made to feel that it was my fault and placed in the Girls DORMITORY. Because of my complaint, I was branded and was not allowed to go to my grandfather's funeral on Palm Island in 1966.

When I was about 17 years old, I was locked in the prison cell overnight as punishment for not doing my homework. It was rumoured that the cells were haunted and this was a frightening experience.

There were no rights to complain, and if you did, you normally wouldn't be believed. We were powerless.

We created an unholy alliance between ourselves - we let things go, thinking about the survival of the group; we saw ourselves as co-dependant, which wasn't bad, as it allowed us to survive by banding together.

(b) ALL FINANCIAL ARRANGEMENTS REGARDING THEIR WAGES, INCLUDING AMOUNTS WITHHELD UNDER GOVERNMENT CONTROL, ACCESS BY WORKERS TO THEIR SAVINGS AND EVIDENCE PROVIDED TO WORKERS OF TRANSACTIONS ON THEIR ACCOUNTS;

We accepted what was given to us.

I left school in 1969 - but while I was still at school - I worked part-time during school holidays from 1966 to 1969 as a nurse's aid at the Palm Island Hospital and was paid by the Department of Aboriginal and Islander Affairs (DAIA). I didn't get any paperwork with my pay and used to sign a book. I didn't know what my tax was or shift rates or any other details of hours worked etc.

From October 1970 to February 1971 I worked in an Aboriginal artefacts shop in the basement of the DAIA building in George Street Brisbane, and my boss was Melba Saunders. I used to sign a book and didn't get any other details of my pay. I cannot remember how much I was paid.

In 1971 I worked as a full-time nurse's aid at the Palm Island Hospital. An Anaesthetist from the Townsville General Hospital recommended that I be trained as a nurse and arranged with the Palm Island Hospital for me to begin nurse's training. In 1972 I started training at the Mater Hospital in Brisbane, and transferred to Townsville hospital in 1973. This was the first time I got good pay. As far as I was aware, I was getting an average wage.

My mother worked from age 18 to age 30 as a monitoress (teacher's aid) at the Palm Island State School. I believe she didn't receive any pay and was given ration slips for her work.

My father was sent to work on cane farms around Ingham and the only time we saw any money was when he came home about twice a year, when he stayed for two weeks. He came by boat around the time of the Townsville show each year and gave us money to go to the show. This was the only time all year that we saw money.

EVIDENCE OF FRAUD OR NEGLIGENCE ON INDIGENOUS MONIES AND MEASURES IMPLEMENTED TO SECURE THEM; IMPOSITION OF LEVIES AND TAXES IN ADDITION TO FEDERAL INCOME TAX;

In the early eighties, I worked on Palm Island and there were many boxes of financial records stored openly, with no protection or security. The Department of Aboriginal and Islander Affairs was in the process of closing down and the records were packed carelessly in open boxes, without any security. I do not know what happened to these records.

The only other information I have about this is from the Stolen Wages campaign.

(c) WHAT TRUST FUNDS WERE ESTABLISHED FROM INDIGENOUS EARNINGS, ENTITLEMENTS AND ENTERPRISE; GOVERNMENT TRANSACTIONS ON THESE FUNDS AND HOW WERE THEY SECURED FROM FRAUD, NEGLIGENCE OR MISAPPROPRIATION;

Aboriginal Welfare Fund, Provident Fund, Wages.

Only what I have learned from the Stolen Wages working party.

Monies from these funds was given to fund infrastructure in this state e.g. Hospitals, roads, Post Offices, Electricity boards. Government claim monies have been repaid. To this date there is NO accounting that I have seen to support this claim.

(d) ALL CONTROLS, DISBURSEMENT AND SECURITY OF FEDERAL BENEFITS INCLUDING MATERNITY ALLOWANCES, CHILD ENDOWMENT AND PENSIONS, AND ENTITLEMENTS SUCH AS WORKERS COMPENSATION AND INHERITANCES;

CHILD ENDOWMENT:

As far as I know, my mother got rations instead of Child Endowment - meat, tea, sugar, rice and treacle.

As school kids we lined up after school for our bottle of luke warm milk.

PENSIONS:

After cyclone Althea in 1975, Labor Senator Jim Keefe visited Palm Island to see what relief was needed and he started signing up people for Social Security entitlements. My mother was one of the first to get the Widow's pension.

Senator Keefe also arranged for people to register for the Aged pension.

INHERITANCES:

My uncle Les Foster was supposedly given a 99-year lease to land at Butler Bay on Palm Island by Director Paddy Killoran (DAIA). I have not been able to get hold of the title documents. It was supposedly an under-the-table agreement but then I was told there were records of this held by the Palm Island Council. The council has these records and there are houses built on that land now.

My aunty Mavis Foster is the legal inheritor and she would like to share this estate with my mother and our family.

Money is a white-man's concept. Aboriginal people don't have property as such or wills, so finding a paper trail of inheritances would be nearly impossible.

(e) PREVIOUS INVESTIGATIONS BY STATES AND TERRITORIES INTO OFFICIAL MANAGEMENT OF INDIGENOUS MONIES;

I don't know.

There must have been internal examinations. I got a copy of a document from the Attorney General's Department from around 1936, which showed a study of twenty families randomly selected which included my grandmother Lily Foster, my mother Monica Willis and my uncles Les and Victor. It had sections for status of health, ages, bank balances and status - whether exempt or not.

(f) CURRENT MEASURES TO DISCLOSE EVIDENCE OF HISTORICAL FINANCIAL CONTROLS TO AFFECTED INDIGENOUS FAMILIES;

We were told information was stored by the Department of Aboriginal and Torres Strait Islander Policy (DATSIP) which was formerly the Department of Native Affairs. We were then told the John Oxley library held information and then that was moved to the State Archives under Community and Personal Histories.

There were some issues about the information being transferred from documents to microfiche then to computer records.

Then we were told many records were damaged by the 1974 floods.

THE EXTENT OF CURRENT DATABASES AND RESOURCES APPLIED TO MAKE THIS INFORMATION PUBLICLY AVAILABLE;

It has been very hard to access information for reasons of time, distance, and the lack of computer skills.

The first avenue is DATSIP Townsville, then the request goes to DATSIP Queensland, then to Community and Personal Histories, then you wait for a response. This can take up to two years.

Some information is tabulated in a way that is hard for Aboriginal people to understand. Documents have notations all over them, which you can't follow. Medical records don't make much sense.

WHETHER ALL FINANCIAL RECORDS SHOULD BE CONTROLLED BY A QUALIFIED NEUTRAL BODY TO ENSURE SECURITY OF THE DATA AND EQUITY OF ACCESS;

Yes, either sent to Aboriginal Community Museums on request. Not sure what structure will equitably support this but should have protection from Government and its Departments from utilising data to service its own funding infrastructure.

(g) COMMITMENTS BY STATE AND TERRITORY GOVERNMENTS TO QUANTIFY WAGES, SAVINGS AND ENTITLEMENTS MISSING OR MISAPPROPRIATED UNDER OFFICIAL MANAGEMENT;

There have only been two offers in Queensland, one for \$7,000 to people to compensate for under-award wages (regardless of the amount people were underpaid) and one for \$2,000 or \$4,000 (depending on age) for the repatriation of all other misappropriated entitlements.

I am not aware of any effort by government or any other bodies that have engaged in slavery and theft in Australia, to help get to the bottom of what these activities have reaped.

THE RESPONSIBILITY OF GOVERNMENTS TO REPAY OR COMPENSATE THOSE WHO SUFFERED PHYSICALLY OR FINANCIALLY UNDER 'PROTECTION' REGIMES;

These offers are not - to use white words - honourable, right, fair or just.

This land has given Australians a home, jobs and sustenance. It's time to repay those who were enslaved for the affluence that white people have now.

The land itself is calling for justice. My grandfather was a medicine man and I come from three lines of healers.

Many of my people have died in such terrible circumstances, and their spirits are sort of trapped and we need healing so they can be released.

(h) WHAT MECHANISMS HAVE BEEN IMPLEMENTED IN OTHER JURISDICTIONS WITH SIMILAR HISTORIES OF INDIGENOUS PROTECTION STRATEGIES TO REDRESS INJUSTICES SUFFERED BY WARDS;

I only know of the Cobell case in the USA, the Treaty of Waitangi, and the Diego Garcia case where I am told there are issues which could relate to the Stolen Wages campaign.

(i) WHETHER THERE IS A NEED TO 'SET THE RECORD STRAIGHT' THROUGH A NATIONAL FORUM TO PUBLICLY AIR THE COMPLEXITY AND THE CONSEQUENCES OF MANDATORY CONTROLS OVER INDIGENOUS LABOUR AND FINANCES DURING MOST OF THE 20TH CENTURY.

Yes there is a great need to set the record straight.

Australia needs to face up to its past.

From 1892 the Reverend Cannon Gribble started stealing wages at the Yarrabah Aboriginal Mission near Cairns: 'He satisfied his thwarted military ambition through regimentation; uniforms...recalcitrants were imprisoned or given corporal punishment...relied on forced removals to build a permanent population [at Forrest River Mission]. He was described as a 'conceited uncouth tyrant' who ran a 'stud farm' for breeding natives. From 1930 to 1957 Gribble was Anglican chaplain on Palm Island, where...he used his dog to herd parishioners into services' (Australian Dictionary of Biography-Online Edition 2006).

Between 1962 and 1964 I was a subject of a study by Dr. Betty Watts who conducted research for her thesis on Aboriginal child development. I was treated specially and from then have had personal self-esteem. In that sense I have fared better than many of my people and the impact on my life of these atrocities has been less severe.

There is a catharsis that needs to be gone through - for healing to take place - not just for the victims but also for the perpetrators and those who have benefited from their actions.

There is a great need for a national forum, as long as it leads to truth and fair return of assets.

Signed: 
Lillian Willis

Date: August 9th 2006.