

Submission to the Legal and Constitutional Reference (Senate) Committee:
Inquiry into Indigenous Workers Whose Labour Was Controlled by Government (Stolen Wages)

Name: Ms Judith M. Burdon

Address: Noosa Heads, Qld

My Submission

With regard to Indigenous workers whose paid labour was controlled by Government there is a legal onus on the Government to repay to those workers and their descendants the full amount (+ interest) due to them.

Governments as trustees of these monies have a fiduciary duty to protect all interests of their 'wards', to manage and apply any monies held for the benefit of their 'wards' and not to exploit them for their own financial benefit. It appears from extensive research that Governments have failed in this fiduciary duty and must fulfill their legal responsibilities to the people (and their descendants) whose money they took into their control and did not account for. It is no excuse for a Government to claim that they have no records, or that records have been lost, or that they have no idea how much money is involved. Any legal entity (trustee) that has control of the money of others has to abide by strict accounting procedures and maintain these in a secure manner; any dereliction of these duties is a legally punishable offence: this obligation applies to the Government just as it does to the private sector.

I urge this Senate Enquiry to hold Governments responsible to recompense these Indigenous workers (and their descendants) by repaying the full amount plus interest due to them.

Signed: Ms Judith M Burdon

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Name: Dr Barry E. Burdon

Address: Noosa Heads, Qld

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