



**Australian Government**

**Department of Families, Community Services  
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Ms Jackie Morris  
A/g Secretary  
Senate Standing Committee on Legal  
and Constitutional Affairs  
Parliament House  
CANBERRA ACT 2601

**Re: Inquiry into Indigenous Workers Whose Paid Labour was Controlled by Government**

Dear Ms Morris

I refer to questions on notice from the Committee hearings on 28 November 2006. As indicated at the hearings, while willing to appear many of the issues canvassed relate to State activities. A number of the issues raised on notice are beyond FaCSIA's portfolio responsibility.

However, in relation to the information on files that may be relevant to the inquiry, an examination of FaCSIA file listings that are held by the National Archives of Australia (NAA) has uncovered several thousand records relating to NT missions and benefits to Aboriginal persons. In regard to issues of accessing information from NAA related to Commonwealth benefits and entitlements that may have been paid to a third party, such information can be sought in a number of ways:

- individuals can request access to records that relate to them through FOI; and
- the Department can issue access permissions to FACSIA holdings in NAA repositories if requested.

FaCSIA did try to gather information relating to the inquiry conducted in Western Australia in 1965. Unfortunately, very little information has been identified. FaCSIA can confirm that an inquiry was conducted in 1965 by Special Magistrate Davies in relation to the Kimberley, Western Australia. Some correspondence exists between the Commonwealth and the Department of Native Affairs in WA. We have not been able to confirm that a report exists, to locate a copy or identify any response by the Commonwealth. The National Archive was unable to locate any documents given the information and time available.

FaCSIA is unable to provide a response to the extract of Dr Anthony's evidence. Not only does it canvass issues beyond FaCSIA's portfolio responsibilities, given references to the legislation that applied to the Northern Territory around the late 1950s but it also refers to the actions of the protector in relation to workers generally in the Northern Territory at that time. FaCSIA does not consider it appropriate to commentate on matters it is not qualified to deal with.

Yours sincerely

*[signed]*

R B Yates  
Deputy Secretary  
5 December 2006

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