



## Australian Government

### Department of Families, Community Services and Indigenous Affairs

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Ms Ann Palmer  
Principal Research Officer  
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 Palmer

I refer to your email request of 21 November 2006. Our responses to the questions raised with are set out below. I also advise that the department is happy to accept the Committee's invitation to appear at 4:45 pm on Tuesday 28 November 2006. Those appearing will be:

- Mr Bernie Yates, Deputy Secretary
- Mr Anthony Field, Manager, Legal Services
- Mr Chris Carlile, A/g Branch Manager Strategic Policy Branch

The Department of Families, Community Services and Indigenous Affairs (FaCSIA) notes that the questions in a number of respects request information about the Australian Government's position or the situation across Commonwealth agencies. The responses provided are in relation to matters within the department's portfolio responsibilities and are not in relation to the Australian Government or Australian Public Service agencies as a whole. Further, the period for which information is sought could extend back many years - in relation to FaCSIA at least back to the early 20<sup>th</sup> century when the Social Security benefits legislation began.

#### **Question 1**

**What resources has the Commonwealth Government allocated to investigating the issue of wages, savings and entitlements which were withheld from Indigenous Australians who came within the Commonwealth's jurisdiction?**

FaCSIA has always been prepared to investigate substantive claims made by individuals about federal benefits that are within the department's current or past portfolio responsibilities. In the period leading up to the establishment of the Committee, FaCSIA had not received any substantive claims by an individual within such responsibilities.

FaCSIA has not devoted substantial resources to the general investigation of the issue of wages, savings and entitlements which may have been withheld from Indigenous Australians who came within the Commonwealth's jurisdiction. Following receipt of the Committee's report, FaCSIA will provide any advice requested by the Government.

## **Question 2**

**Is the Commonwealth Government able to provide the committee with any reports or analysis it has done, or commissioned, on the issue of withheld wages, savings and entitlements of Indigenous Australians who came within the Commonwealth's jurisdiction?**

FaCSIA has not been able to identify any recently commissioned or conducted reports or detailed analyses of the issue of wages, savings and entitlements which may have been withheld from Indigenous Australians who came within the Commonwealth's jurisdiction. To ensure a comprehensive response, information would need to be sought by the Committee from all appropriate agencies going back potentially many decades.

## **Question 3**

**What files and records does the Commonwealth Government hold which may be relevant to investigating the issue of wages, savings and entitlements which were withheld from Indigenous Australians?**

In the time available, FaCSIA has not conducted a comprehensive search to determine the nature and scope of any material it may hold. It is therefore not possible to readily estimate what material, if any, is held by the department that could possibly be relevant to the Committee's inquiry. The department has an extensive amount of historical material, primarily held in the National Archives. Any research into this material would require specialist skills and a substantial diversion of resources. A comprehensive response would require information to be sought by the Committee from all appropriate agencies.

## **Question 4**

**What is the Commonwealth Government's view on a national inquiry to 'set the record straight' in relation to the issue of Stolen Wages?**

The department considers that the issue of a national inquiry or forum would be a matter for Government. Following receipt of the Committee's report, FaCSIA will provide any advice requested by the Government on any findings or recommendations in relation to such a proposal.

Please let me know if we can be of any further assistance.

Yours sincerely

*[signed]*

R B Yates  
Deputy Secretary  
28 November 2006