

**Queensland Reparations Offer for Wages and
Savings:
Community Effects, Reactions, and Responses**

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Abstract

From the 1890s to the 1970s, the Queensland government enacted a series of legislation known as the “Protection Acts” that enabled them to control every aspect of Indigenous lives. One area this was manifested in was the government’s control over the wages and savings of Aboriginal workers on reserves, settlements, and cattle stations. Throughout this period, Aborigines were routinely underpaid or unpaid. Additionally, the government, Protectors, and local police took money from their accounts. These stolen wages are not simply a part of history; because, they still have economic, social, and emotional impacts on Aboriginal lives. In an attempt to acknowledge and mend these impacts, the Queensland Government introduced a reparations offer in May 2002.

This study looks at individual, community, and organizational reactions to the Queensland reparations offer. Through community meetings, speeches, and surveys, this study found that the majority of Queenslanders believe the offer is unfair and insulting to the Indigenous community. Additionally, it examines the present-day impacts of stolen wages on the lives of Indigenous Queenslanders. These implications are reflected in the problematic areas of Indigenous lives, identified by community organizations. Finally, possible community solutions are identified to resolve these problem areas.

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Abbreviations

Australians for Native Title and Reconciliation (ANTaR)
Queensland Aboriginal and Islanders Legal Services Secretariat (QAILSS)
National Aboriginal and Islanders Legal Services Secretariat (NAILSS)
Stolen Wages Campaign Working Group (SWCWG)
Aboriginal Coordinating Council (ACC)
Foundation for Aboriginal and Islander Research Action (FAIRA)
Public Interest Advocacy Center (PIAC)
National Indigenous Postgraduate Association Aboriginal Corporation (NIPAAC)
European Network for Indigenous Australian Rights (ENIAR)
Department of Aboriginal and Torres Strait Islanders Policy (DATSIP)

1.0 – Introduction

1.1 History of the “Protection Acts”

Since coming to this country, Europeans have grappled with how to “handle” the Aborigines that were already present. They believed that the Aboriginal culture and lifestyle was primitive and vulgar (Davidoff, unpubl. 1). For this reason, they enacted laws specifically targeted at the Aboriginal population to “rescue” them from their “horrid” lives (Kidd 26). The government justified a series of laws by claiming that they were providing for Aboriginal families because they were unable to provide for themselves (Kidd 26). Since these laws were established for the better “care and protection of Aboriginal people,” they have become known as the “Protection Acts” (Kidd 2003). In the 1890s, the government hired Archibald Meston to thoroughly assess the “Aboriginal problem.” His 1895 report, *Proposed System for the Improvement of the Aborigines*, supported government conclusions and prompted legislation (Davidoff, unpubl. 2).

In 1897, the Queensland government passed *The Aboriginal Protection and Restriction of Sale of Opium Act*. This law signalled the beginning of “a new era in British law that allows complete control over Aboriginal people” (Howes 1). Under the new legislation, Queensland was split into districts. In each district, missions were established. Each mission had a Protector who was in charge of executing the jobs stipulated in the Act (Howes 1). Additionally, all Aborigines were declared to be wards of the state. Once they received this label, it became legal for the government to control all aspects of their lives – including relocating them to the established missions (Howes 2).

This remained the law throughout all of Queensland until it was amended in 1934. This amendment, however, simply placed further restrictions on Aborigines. The

main way was by giving the Protectors on the missions more control over the lives of Aborigines. These extended duties included witnessing and approving any will made by an Aboriginal person in order for it to be valid (Howes 3). Also they were able to terminate any written agreement in relation to Aboriginal employment. Finally, the Protectors were able to control all money and property belonging to any “half-castes” – including those that had received an exemption from the Act (Howes 3).

The 1897 Act and amendments were repealed and replaced by the 1939 Protection Act, which perpetuated the oppressive policies against Aborigines (Howes 4). Under this new act all wages were to be paid directly to the Protector and Aborigines had to request permission to access this money. Additionally a trust fund was established to control the savings and estates of deceased. Under this new system neither the department nor the bank were required to account to Aborigines regarding the use of their money (Howes 4). Furthermore, the Directory of Native Affairs was made the legal guardian of all Aborigines under 18 and need to provide permission for any marriage of an Aboriginal woman (Howes 4).

While the above legislation was intended for all Aborigines, it was possible to receive an exemption (Appendix A). Under the law, “any Aborigine that was able to show they could properly care for themselves in ‘mainstream’ society” was granted an exemption (Howes 7). This option was always available to “half-castes,” but only offered to Aborigines in the 1939 Act (Howes 6). In 1908, only 5 exemptions were granted to “half-castes;” however, they were still required to pay £1 per month to the nearest Protector. By 1939, this number had increased and 75 males and 34 females (including 5 Torres Strait Islanders) were granted exemptions; yet, their savings remained under control of the Protector (Howes 8).

1.2 Missing, Unpaid or Underpaid Wages

Revered Gribble, from the Yarrabah mission, originally came up with the idea of confiscating Aboriginal wages in the interest of public needs (Kidd 39). He directed all wages to be paid directly to himself, then provided the workers with half and kept the other half to cover the costs of providing for the ill and elderly (Kidd 40). Inspired by Rev. Gribble's model, the Queensland Government established two accounts to control Aboriginal wages – the Queensland Aboriginal Account and the Aboriginal Welfare Fund (Fitzpatrick 2004). The Queensland Aboriginal Account was the first fund established to hold workers' savings and was active until 1966 (DATSIP). In 1902, a trust fund was established to receive Indigenous wages, because many workers were not paying their employees (Kidd 39). In this system, however, fraud was rampant because many official made false withdrawals – often to their own benefit (Kidd 40). In an attempt to control fraud, a single bank account was established in Brisbane in 1904 (DATSIP). Further controls were placed on the fund and it became necessary to have the thumbprint of the account holder in order to make any withdrawals. This, however, was not successful because many Aborigines were unable to read and forced to mark blank withdrawal forms (Kidd 40).

The Aboriginal Welfare Fund was established in 1943. This fund was intended to provide money for services within the community and cover the operational costs of the settlements (Fitzpatrick 2004). Individuals were taxed at different rates depending on their familial and living situation. Single men and women without dependents who did not live on a mission were taxed 5% of their earnings; while, married men and women, or those with dependents, who did not live on a mission, were taxed 2.5%. Conversely, single men and women without dependents who lived on a mission were taxed 5% of their earnings; however, married

men and women, or those with dependents, who lived on a mission, were taxed 10% (Howes 9). Those living on missions were taxed at a higher rate because they were the ones that were receiving the services provided by the Welfare Fund.

Under the “Protection Acts,” the Queensland government was able to establish “a system of systematic and intentional underpayment of wages to Indigenous laborers on government settlements, cattle stations and missions” (Davidoff, unpubl. 1). Throughout this period, Aborigines were never paid or extremely underpaid. For example, in 1901, a minimum wage was established for Aboriginal employees and was only 12% of the state minimum wage. This was increased in 1919 for pastoral workers to 66% of the state minimum wage. In 1968, it became illegal to underpay Aboriginal employees; however, there was no follow up to ensure equal payment and as a result many were still underpaid (Fitzpatrick 2004). Based on the amounts underpaid, estimations have been calculated to determine the total amount underpaid (Table 1 – reserve workers). Additional estimations say that the government had an annual savings of \$6 million compared with the state’s minimum wage (Kidd 54).

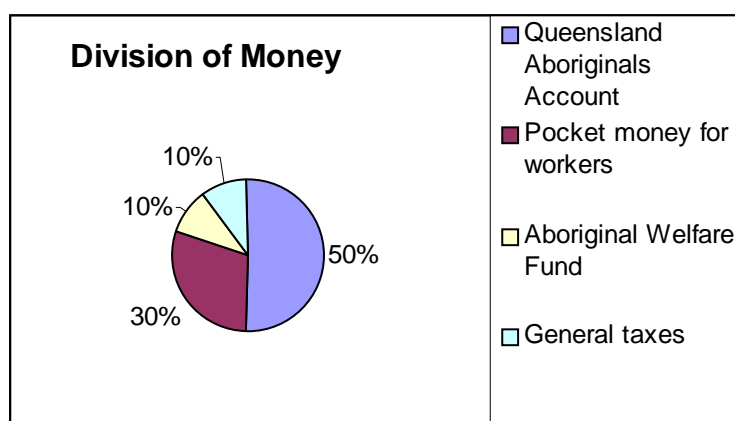
Table 1: Estimation of the amount owed to reserve workers due to underpayment – in today’s dollars (DATSIP).

Year	Number of workers	Amount Each Underpaid (in relation to state minimum wage)
1940	3,121	\$9,950
1949	3,454	\$10,875
1960	4,310	\$8,998
1970	2,500	\$8,110
1975	2,500	\$13,978
1980	1,463	\$11,490
1985	901	\$5,923

The money that was paid to Aboriginal workers was further divided, so that individuals never had access to all of their wages (Davidoff, unpubl. 4) (Figure 1). Aboriginal workers paid the same taxes and levies as whites; however, did not receive the same benefits. Regardless of the need for rations, housing improvements, or other

demands, the government ensured that it always retained at least half of the wages taken (Kidd 40). In addition to the required taxes, any Aborigines that had previous savings or property were taxed at a higher rate and not provided with rations until their funds were exhausted (Kidd 41). Many workers never saw any of the money that was placed into their savings account. In order to withdraw money from this account they needed to request permission from the Protector (Fitzpatrick 2004).

Figure 1: Division of Wages as Stipulated in the “Protection Acts”



Due to the underpayment of Aboriginal workers and the division of their money, the government made a profit off of their work. This profit was increased based on deceitful practices amongst protectors, the police, and the government. Between 1943 and 1990, \$93 million was withdrawn from the Aboriginal Welfare Fund and there is no evidence of this amount of money being spent to benefit Aborigines (Davidoff, unpubl. 30). Additionally, soon after the fund was established, £ 5,000 was taken from it in one year. That same year a horrible draught affected many communities and only 9% of the money was returned to provided rations and relief to Aborigines on missions (Kidd 43). These examples demonstrate that Aboriginal savings were diverted into massive government funds and invested for the benefit of white Queenslanders (Kidd 38). Additionally, the Redcliffe Public Hospital was built almost exclusively using money from the Welfare Fund; nevertheless, for

many years Aborigines were not allowed to use this hospital (Fitzpatrick 2004). Unfortunately these are not practices of the past. In 1990, there was nearly \$19 million in the Aboriginal Welfare Fund and only \$5.5 million remained in 1993 (Lacey 2003). Due to this unexplained loss of money, the account was frozen in 1993 to prevent any further loss (SWCWG 2004).

1.3 Settlement Life

The issue of stolen wages was part of a larger system to control the lives of Aborigines on the missions and reserves. In many instances, individuals were deprived of basic life necessities because providing them was seen as uneconomical (Kidd 7). The poor conditions were intensified by the limited housing available, which resulted in extreme overcrowding (Fitzpatrick 2004). For example, on Palm Island in the 1970s there were only 165 homes for over 1,300 people (Lacey 2003). These poor living conditions led to many health problems including malnutrition, pathogen air-borne diseases (such as T.B.), and starvation (Fitzpatrick 2004). These problems were particularly evident in children. The infant mortality rate on Palm Island was 15 times the state's average. Additionally, malnutrition was the cause of 85% of deaths in children under the age of four (Fitzpatrick 2004).

1.4 Queensland Offer

On May 9, 2002, the Queensland government presented their reparations offer for Indigenous wages and savings. This offer identified two groups of potential claimants. Group A includes those that were born before December 31, 1951 and were still alive on May 9, 2002. These individuals were eligible to receive \$4,000. Group B contained individuals born between January 1, 1952 and December 31, 1956 and were still alive on May 9, 2002. Individuals in this group were eligible to receive \$2,000. Queensland Aboriginal and Islander Legal Services Secretariat (QAILSS)

estimates that there are 11,400 claimants alive in group A and only 5,000 alive in group B. Those in group A were most likely working under the 1897 and/or 1939 Acts which had intensive controls; therefore, they were offered more money. Individuals that were a part of group B were more likely working under the 1965 Act, which removed some of the controls present from the previous acts (DATSIP). After an individual in either group filed a claim, the government would determine their eligibility based on government records (DATSIP). In order to receive any money, it was necessary to sign an indemnity clause and agree to not take legal action for anything that occurred “under the Acts” (DATSIP). Furthermore, the Premier of Queensland, Peter Beattie, promised a written apology to all accepted claimants, to give parliamentary acknowledgment of “past injustices on basis of race” and to hold “a major function to commemorate the occasion” (Kidd 2003) (Appendix B). Finally, he agreed to introduce protocol to acknowledge the traditional landowners (Kidd 2003). The offer contained no definitive proposals for the funds still present in the Aboriginal Welfare Fund.

Premier Beattie has recognized that the monetary sum may not accurately reflect the true amount of money owed to Aboriginal workers; however he claims that it is “impossible to say for certain how much each worker is owed” (Kidd 2003). Instead, he has asked people to accept that the offer was made in the “spirit of reconciliation” and is an attempt to acknowledge the historical injustices suffered due to controls imposed over their wages (DATSIP). Beattie has argued that, since Queensland is the first state to make an offer, it is historic and has set a new benchmark for symbolic recognition of “our unique place in social, economic, and cultural history” (Robinson 2003).

Moreover, while the government is not acknowledging legal liability, they are attempting to remedy a wrong in a fair and balanced manner, while saving taxpayers money (Kidd 2003). The government has said that the people have the right to choose whether they want to accept the offer. Yet they are strongly urging elderly citizens to file a claim rather than choose legal action (Kidd 2003). Beattie has told these citizens that court action will take years and that many of them will die before seeing any money. Additionally, this option will cost taxpayers millions – and the only ones benefiting will be lawyers (Kidd 2003).

Finally, the government has proposed several options for the best way to use the money in the Welfare Fund; however, they have not made any commitments with regards to this money. The four suggestions proposed by the government are:

- Develop an oral histories collection from the Elders and other persons about their lives
- Display signs in towns and communities around the State which recognize the Traditional Owners of the land in that area
- Provide scholarships for Aboriginal students who want to get higher education (TAFE or University)
- Develop a school history which talks about the struggle of Aboriginal people in Australia (Without Prejudice – Appendix C)

The government has said that it needs to change current legislation in order to close the Aboriginal Welfare Fund and use the money for any purpose (Kidd 2003).

1.5 New South Wales Offer

On March 11, 2004, the New South Wales Premier, Bob Carr, formally apologized to Indigenous people who had money stolen between 1900 and 1969 (PIAC 2004). Premier Carr developed a 3-person Aboriginal panel to determine an

appropriate repayment scheme. This panel consulted with communities across New South Wales and recognized both NGO and organizational suggestions (Fitzpatrick 2004). The proposed offer has no maximum cap and no limit to individual payments – which will be made on present day dollar values. Government records will be used to determine the appropriate amount owed; however, oral evidence will be considered when deciding eligibility of claims (C. Howes pers. comm.). Additionally, families of deceased workers are able to file a claim. Finally, this offer does not have any indemnity clause. The process will take five year, and throughout this time money will be available to NGOs to assist people through the process of making a claim and where counseling is needed (C. Howes pers. comm.).

1.6 Study Question

The time has ended for individuals to file a claim under the Queensland Government reparations offer for Indigenous wages and savings. The government contended that the majority of individuals would accept the offer, based on a QAILSS consultation survey. The fact that, as of 1 April 2006, only 8,764 claims had been filed counters the government's statement (DATSIP). The number of eligible claims is only half of the QAILSS estimation. A survey was conducted by Australians for Native Title and Reconciliation (ANTaR) to provide further evidence to counter the governments' statements that communities were accepting the offer. This study used that survey and a follow-up survey to gain a deeper understanding of the general sentiments amongst individuals in Brisbane regarding the offer made by the Queensland government – particularly now that it is no longer available. Media releases, position papers, and speeches were also used to gauge reactions from community organizations. This study also looked at the reasons that individuals did file a claim for reparations.

Finally, the Queensland Government argues that this offer was made in the “spirit of reconciliation.” This study was used to see if the community accepted this explanation. The Queensland offer was also compared to the New South Wales offer to determine if one offer is more acceptable than the other.

2.0 – Methodology

2.1 – Australians for Native Title and Reconciliation

To complete this study, I worked with ANTaR Queensland, which is located in Brisbane. ANTaR was established nationally in 1997 in response to a swell of public anger against the Federal government's actions to wind back Indigenous native title rights. This organization has an integral place in the Reconciliation movement, since it provides non-Indigenous Australians with the opportunity to share the responsibility of healing. This role is recognized in their mission:

to generate in Australia a moral and legal recognition of and respect for the distinctive status of Indigenous Australians as First Peoples and for the protection of Indigenous Australians' rights, including their relationships to land, the right to self-determination, and the maintenance and growth of their unique cultures (ANTaR).

In addition to the national branch, there is a branch in each state. The activities vary based on the state and its key issues; however, the general activities of the organization are education, advocacy, treaty, native title, stolen wages, and sea of hands.¹ Given their recent situation, the Queensland branch has been focusing on the stolen wages campaign over the past year.

2.2 – ANTaR based survey

In 2005, Stolen Wages Campaign Working Group (SWCWG) developed a survey in response to the Queensland government's claims of community acceptance of the offer. This coalition resolved to try to provide their own evidence that a further consultation and negotiation with the community was needed. The intent of the

¹ Sea of Hands is a central part of ANTaR's activities and has become known as a symbol for the people's movement for rights-based reconciliation. This is an event in which hands of six colours are displayed. The colours represented are those of the Aboriginal flag (red, black, and yellow) and those of the Torres Strait Islander flag (blue, green, black and white).

survey was to illustrate the contrast between the Government's assurance about the popularity of the offer and the opinions of those in the community (C. Howes pers. comm.). The survey was run over 10 weeks from April to June and a total of 608 replies were received from both Indigenous and non-Indigenous respondents. In addition to receiving the questions, participants were provided with an explicit listing of the features of the "act of reconciliation" so they were thoroughly informed (Appendix D). Surveys were distributed to all members throughout the ANTaR mailing network. Additionally, volunteers went to malls and other public areas in an attempt to increase the diversity of the sampling population. The survey questions were as follows:

1. Are you Indigenous or non-Indigenous?
2. Do you know about the Queensland Government's Wages and Savings Reparations Offer for Aboriginal and Torres Strait Islander People?
3. When did you first hear about stolen wages as an issue? And how?
4. Do you think the Queensland Government's payment offer as it stands now is fair?
5. Do you think the entire amount should be paid out to individual claimants?
6. Should any payments from the government be based on what people are owed?
7. Should families be allowed to claim wages and savings owed to deceased workers?
8. Should badly kept or lost records make people ineligible to make a claim?
9. Should formal inquiry, independent of the Government, be held to audit what is owed?
10. Should claimants have the chance to tell their story if they wish?

Questions 1-3 were intended to identify the level of knowledge about the offer and the issue in Indigenous and non-Indigenous communities.

Question 4 was an attempt to establish what people think of the offer as it now stands. For Indigenous respondents this is particularly significant because the government is saying people who accept the offer think it is fair.

Question 5 refers to the government's current idea that anything "left over" from the current \$55.4 million offer will be put back into trust. Claimants and the SWCWG believe the money has been earmarked for the purpose of paying individuals and that they should decide what will happen to anything left over – many believe it should be paid out in full to successful claimants as a "top-up" payment and not put back into trust.

Question 6 asks if payments should be based on what people are owed. Some people worked for short periods of time, some for many years but the current offer is a flat rate according to age only and regardless of how long the claimant or their families were affected.

Question 7 refers to the current offer's condition that only people alive after 9 May 2002 are eligible to apply. Many people did not take legal action against the government throughout the 1990s because they waited, in good faith, for a negotiated outcome. During this period many workers died and their families have wanted to continue to fight for wages and savings that they believe they would have otherwise had rightful access to, or benefited from through inheritances. Many people now living have been affected by the loss of their parents' wages, savings, and other benefits.

Question 8 references the 1200 or more applicants who believed they had a claim to the offer but were declared, by the government, to be ineligible because their records are incomplete. The government was responsible for the maintenance and upkeep of all records and should find some way to take that responsibility.

Question 9 asks for inquiry independent of the government to audit what is owed. Payouts for the “Under Award Wages” case, for example, were determined by a Human Rights and Equal Opportunities Commission inquiry.

Question 10 is about publicly respecting, recognising, and acknowledging the true history of Queensland.

2.3 – Follow-up Survey

The initial surveys asked for respondents to leave their contact information if they wished to receive further information regarding stolen wages, the campaign, or available pro bono legal services. Based on this contact information, follow-up surveys were distributed to 124 individuals – 23 via e-mail and 101 via mail. In addition to the survey, individuals received a letter from Christine Howes updating them on the current stolen wages situation and “Stolen Wages Update 8,” which is published by ANTaR (Appendix E).² The format of the survey and method of distribution replicated those of the initial survey. The survey questions were as follows:

1. Are you Indigenous or non-Indigenous?
2. If Indigenous, did you file a claim?
3. What was your initial reaction to the Queensland Government’s Wage and Savings Reparations offer for Aboriginal and Torres Strait Islander people?
4. Did you attend a government sponsored consultation meeting?

² Those that received the information through e-mail did not receive “Stolen Wages Update 8,” and simply got a copy of the letter and the survey.

5. Do you have any ideas about what should happen to:
 - a. The Aborigines Welfare Fund?
 - b. Any amount leftover from the \$55.4 million offer?
6. According to the government, the offer was made in the “spirit of reconciliation.”
Do you feel this was achieved?
7. Are you aware of the New South Wales offer?
8. Is this offer fairer than the Queensland offer?
9. Is the general public educated about the issue of stolen wages?
10. Now that the offer has ended, is there still a need for the stolen wages campaign?

Question 1 enabled a comparison between Indigenous and non-Indigenous responses. Additionally, it was present on the initial ANTaR survey, so this allowed for comparison between the two.

Question 2 was used to see how many people surveyed filed a claim and to determine if they view the offer in a different manner from those that did not file a claim.

Question 3 was important because it was to determine how people truly felt about the Queensland offer. For this reason it was left as a short answer and not simply a yes or no answer.

Question 4 was used to get a feel for how many people attended the consultation meetings held by the government and if they altered the way they looked at the offer.

Question 5 was in response to the fact that the government has not made any suggestions for the money in the Welfare Fund. This question was used to determine if individuals had ideas about how this money should be spent. Also, the money leftover from the initial offer will be placed in the trust fund. This question was a direct follow-up to question 5 on the ANTaR survey.

Question 6 was based on the government's justification that the offer was made in the "spirit of reconciliation" and not intended to provide direct compensation. This question was used to determine if the public accepted this explanation.

Question 7 was intended to gauge the level of knowledge regarding the New South Wales offer in Queensland.

Question 8 recognizes the differences between the Queensland offer and the New South Wales offer and was used to determine if these differences made the New South Wales offer more fair.

Question 9 recognizes that general public knowledge is important in influencing political decision. For this reason, the question was used to establish the level of public knowledge regarding the issue of stolen wages, and to determine if the education campaign has been successful for the general public.

Question 10 was used to determine if there is still a need for the stolen wages campaign and the SWCWG to continue with their work, even though the government offer has expired and they have said they are making no further offers.

2.4 – Meetings

Throughout the research period several opportunities arose to attend meetings throughout the community. At all of the meetings I introduced myself in the same way:

My name is Kristie Smith and I am an American University student studying in Australia for the semester. I am currently working with ANTaR Queensland and doing an independent research project on the issue of stolen wages and the offer that the Queensland government has made.

The first meeting I attended was on April 28, 2006 and was a Brisbane community meeting. I was informed of this meeting via an e-mail sent to the ANTaR network, which announced “an informal meeting/workshop for interested people, to talk up important community issues and work out strategies, solutions and pathways forward. This meeting will be open to anyone who has a genuine interest in our community and can offer something real to advance our people” (S. Watson pers. comm.). Many different areas of the local Aboriginal community were present at this meeting, including, elder Aunty Alice James, Tiddas Reference Group³, Community Men⁴, representatives from Musgrave Park Cultural Center⁵, youth counselors and other interested individuals. During the meeting, I observed as they talked about a variety of issues; however, after the formal meeting had ended, I used the opportunity to discuss stolen wages and how it relates to the topics covered in the meeting.

On May 1, 2006, I participated in the May Day march and Labor Day activities. May Day is an annual opportunity for unions to come together and demonstrate their unity by marching through the city (Appendix F). It also demonstrates their solidarity and opposition to legislation that limits their rights at work. During the march, I walked with the ANTaR banner to show support for the unions and facilitate the connection between workers’ rights and stolen wages. After the march, all participants gathered at the RNA show grounds. At the show grounds, ANTaR had a booth where I handed out ANTaR newsletters, “Stolen Wages Update Number 8,” ANTaR brochures. Additionally, I sold “Stolen Wages Built this State”

³ Tiddas Reference Group is a women’s yarning group and provides an atmosphere for women within the local community to come together to discuss relevant issues. Additionally, they provide support and counselling for Indigenous women that have been abused.

⁴ Currently there is no men’s yarning group equivalent to that of Tiddas, for this reason community men from several different organizations were present.

⁵ Musgrave Park has been identified as the last place in Brisbane that is owned by the Aboriginal community. As an organization it holds events to promote and raise cultural awareness. Additionally, it provides a space for Aborigines to gather and discuss community issues.

shirts, calendars, and bumper stickers to raise money for ANTaR. Finally, this venue presented me with the opportunity to talk to a wide range of people regarding stolen wages – mainly non-Indigenous individuals. There was also an alternative platform on which any individual had ten minutes to discuss their issue. Both supporters and dissenters of stolen wages spoke on this platform

Two further occasions were at ANTaR conventions. On 3 May 2006, ANTaR Queensland held their Annual General Meeting in Brisbane. This annual meeting allows for all members to come together and look at ANTaR's activities in the past year. After the formal meeting was held, Les Malezer, who is a member of Foundation for Aboriginal and Islanders Research Action (FAIRA) and the United Nations (UN) Geneva. He discussed human rights and the manner in which they can be applied to Indigenous cultures.

A planning meeting for the National Management Committee of ANTaR was held on 6 and 7 May 2006⁶ in Sydney. The National Management Committee is comprised of the presidents from each state along with one other representative from that state. Additionally, the officers of ANTaR national were present. Finally there were delegates from ENIAR, Amnesty, and Australian Council for Social Services (ACOSS). The meeting began with each state and international representative providing a capacity report on ANTaR's current situation within their area. This was followed by a discussion and planning session regarding the future of the ANTaR Indigenous Health Campaign. The day ended with an update and discussion of the issue of stolen wages within each territory.

⁶ I was only present at the meeting on Saturday 6 May 2006 because the topics discussed on 7 May were about funding and sea of hands, which are irrelevant to this study.

2.5 – Background Research

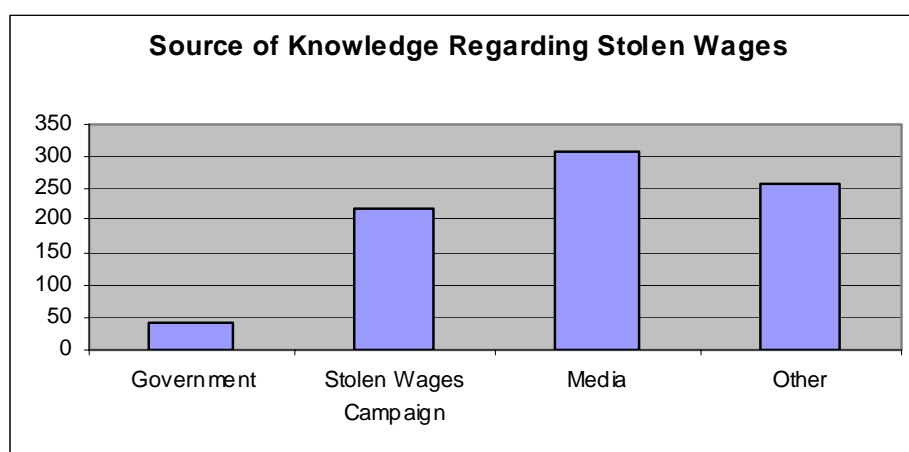
The final part of this project was background research to create a greater understanding of the community response to the Queensland Government's reparations offer. My advisor provided me with a variety of documents from community organizations. These included media releases, position papers, negotiation documents, speeches, resolutions of support, newspaper articles, and interviews. To compliment these sources, my advisor also provided me with government documents and responses, including speeches and opinion articles. This primary sources provided a good understanding of the general sentiments of the larger Queensland community.

3.0 - Results

3.1 – ANTaR survey

The total number of respondents for this survey was 608 – 78% were non-Indigenous, and 20% were Indigenous.⁷ Out of the non-Indigenous respondents, 79% had heard of the Queensland Government offer, while 10% had not. Of those that knew of the offer, 47% first learned about stolen wages less than three years ago, whereas 50% knew of the issue more than three years ago. Similarly, 80% of Indigenous respondents had heard of the offer and only 3% said that they had not heard of the offer. Amongst Indigenous respondents, 56% heard of the offer more than three years ago and only 35% learned of it within the last three years. The media was the main source of knowledge with non-Indigenous respondents (307 respondents), the next highest source identified was other (256 respondents), the third highest was the SWCWG campaign and its affiliates (218 respondents). By far the lowest source of knowledge was the government with just 42 respondents⁸ (Figure 2).

Figure 2: Non-Indigenous responses to question 3, part B: How did you learn about stolen wages as an issue?

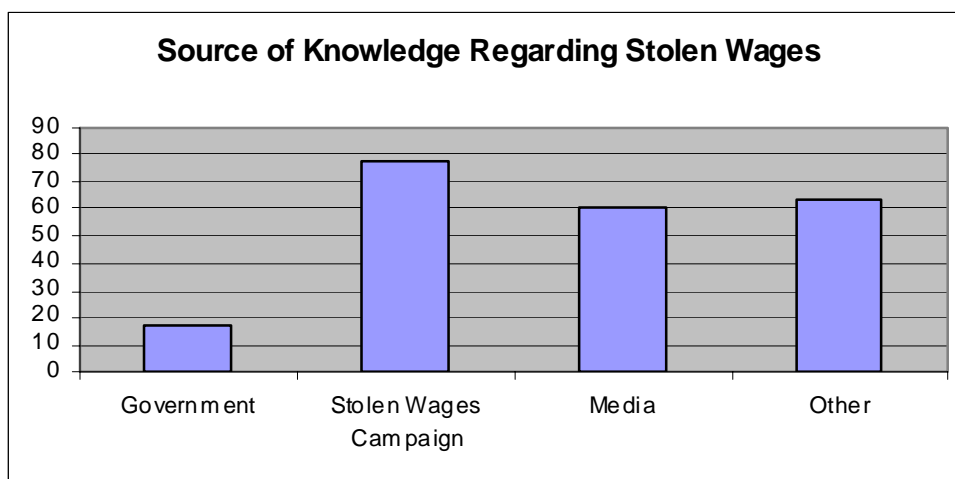


⁷ Not all percentages add up to one hundred because some respondents left questions blank, and these are not included throughout the results section.

⁸ The numbers add up to more than 608 because respondents were able to mark multiple sources of knowledge.

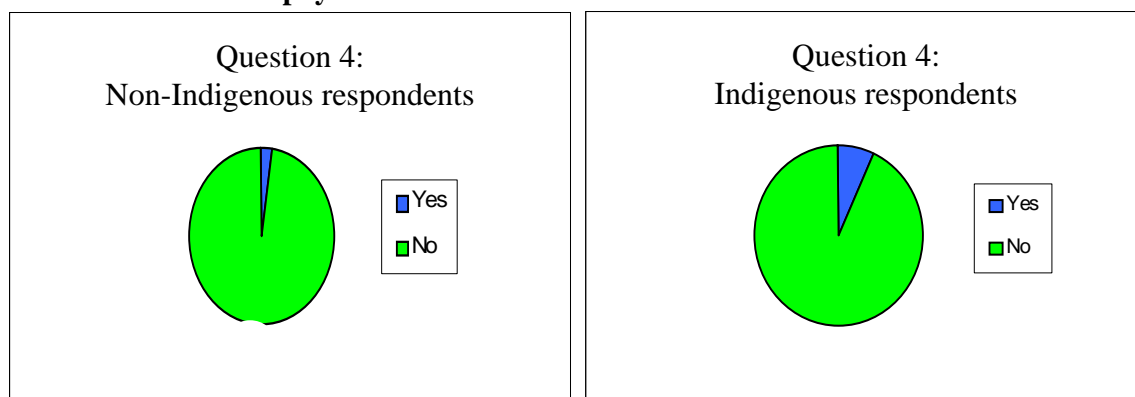
With Indigenous respondents, the stolen wages campaign and its affiliates was the main source of knowledge (78 respondents). Both media and other knowledge sources were close in numbers (60 and 63 respondents respectively), while, government was again last with only 17 respondents (Figure 3).

Figure 3: Indigenous responses to question 3, part B: How did you learn about stolen wages as an issue?



With regards to the actual offer, 97% of non-Indigenous respondents felt that the offer was not fair, whereas 93% of Indigenous believed that the offer was unfair (Figure 4).

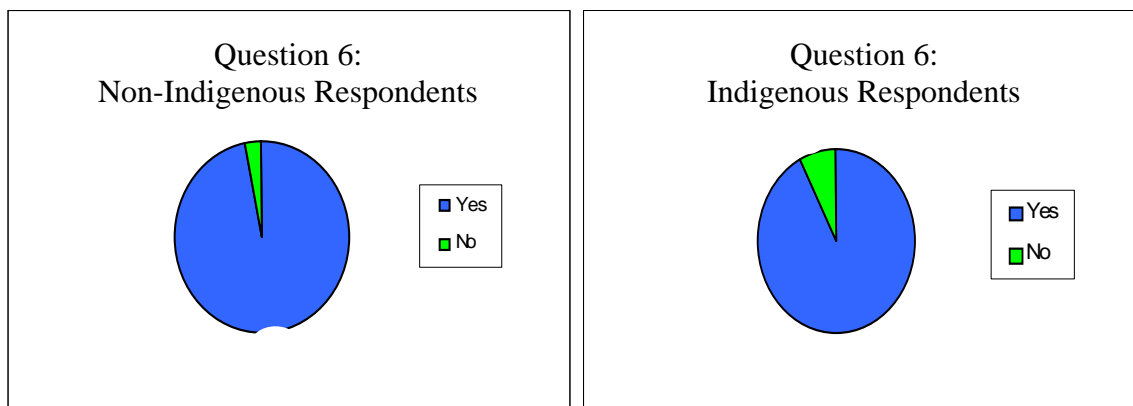
Figure 4: Responses to Question 4: Do you think the Queensland Government's payment offer as it now stands is fair?



When asked whether individual claimants should receive the entire amount of the offer, 74% of non-Indigenous respondents believed that they should. In comparison, 84% of Indigenous respondents answered affirmatively to this question. Almost all non-Indigenous respondents, (94%) believed that payments should be based on what

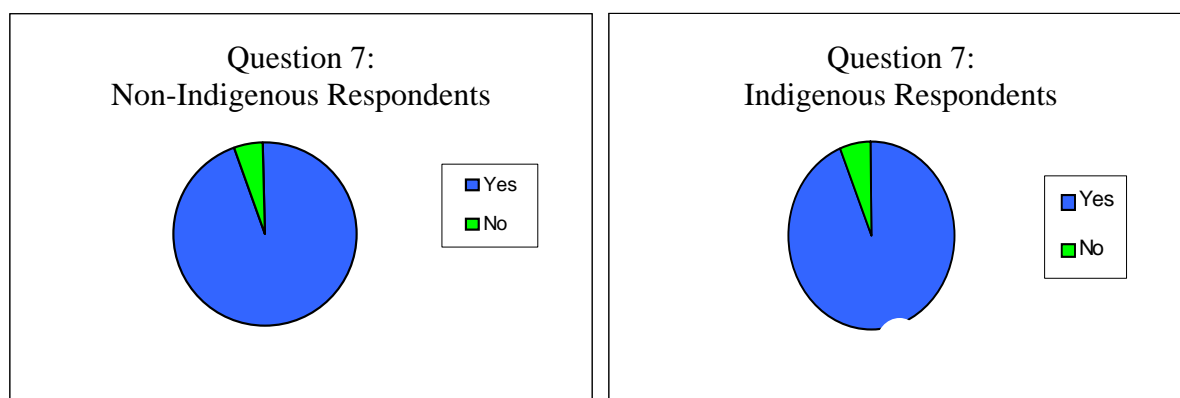
individual workers are owed; however, fewer Indigenous respondents (84%) believed that payments should vary based on individual claimants (Figure 5).

Figure 5: Responses to Question 6: Should any payments from the Government be based on what people are owed?



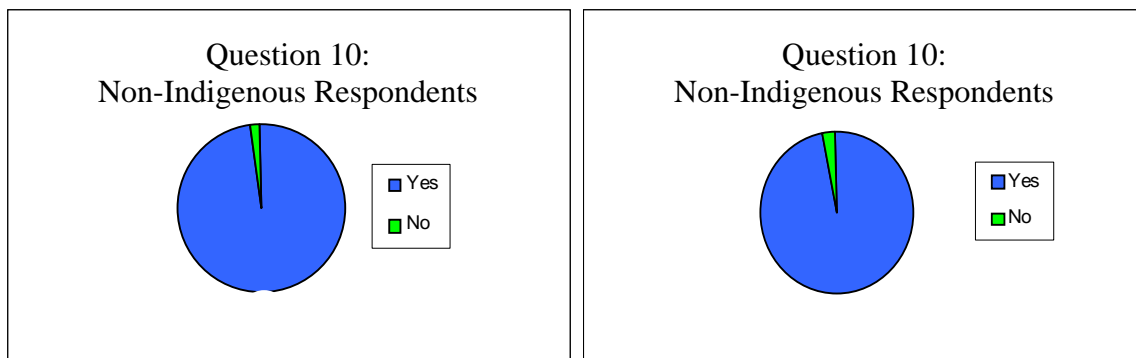
Only 5% of both non-Indigenous and Indigenous participants believed that family members of deceased workers should not be able to claim wages (Figure 6).

Figure 6: Responses to Question 7: Should families be allowed to claim wages and savings owed to deceased workers?



Amongst Indigenous participants, 35% believed that bad government records should make claimants ineligible from receiving money, whereas only 6% of non-Indigenous respondents provided the same answer. When asked about a further inquiry into the amounts of money owed to the Indigenous community, 95% of non-Indigenous and 77% of Indigenous respondents believed that there should be an inquiry independent of the government. Finally, 96% of non-Indigenous and 92% of Indigenous participants felt that claimants should have the chance to tell their story on the public record – if they wanted (Figure 7).

Figure 7: Responses to Question 9: Should claimants have the chance to tell their stories on a public record if they wish?



3.2 – Follow-up Survey

Of the 124 surveys distributed to previous participants, only 21 surveys were returned – 71% were non-Indigenous respondents and 29% were Indigenous. Four out of the six Indigenous respondents (67%) had filed a claim with the Queensland government to receive reparations. Despite these numbers, all participants – both Indigenous and non-Indigenous – were not satisfied by the Queensland offer. Furthermore, every individual surveyed did not believe that the offer was truly made in the “spirit of reconciliation” as the government claimed. Initial reactions of those surveyed include:

- “Surprise that it was recognized by the state Government. Quickly disappointed that it was a one off and did not recognize different circumstances or amounts owing.”
- “It is an admission of their guilt, but not justice”
- “The government’s attitude seemed to be ‘take it or leave it’ – an attitude that will not lead to reconciliation.”
- “I felt it was an absolute insult for our Indigenous peoples. I don’t believe any other group in Australia would have been so demeaned by such a paltry offer/amount.”
- “So disgusted with the offer of lousy \$4,000 for what we worked for.”

Only 2 Indigenous respondents (33%) and no non-Indigenous respondents attended a government sponsored consultation meeting (Figure 8). One non-Indigenous individual was upset because she felt that she was not invited to attend any of the meetings.

Figure 8: Indigenous responses to question 4: Did you attend a government sponsored consultation meeting?



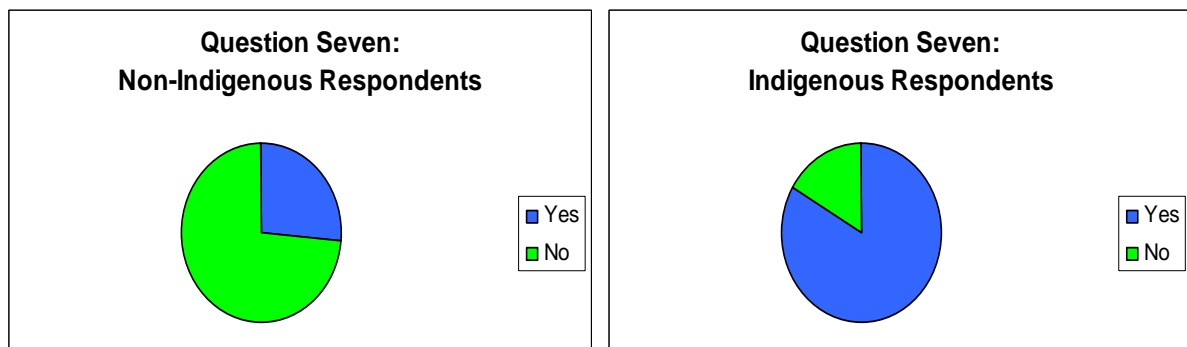
When asked what should be done with the Aboriginal Welfare Fund and remaining amounts from the \$55.4 million offer, 100% of Indigenous participants said they had suggestions. In comparison, only 40% of non-Indigenous respondents had ideas for the proper use of this money (Figure 9). Some non-Indigenous participants said that they had no specific suggestions, but indicated that it should be given to Indigenous organizations that could ensure that it would benefit the community as a whole.

Figure 9: Non-Indigenous Responses to question 5: Do you have any ideas about what should happen to the Aborigines Welfare Fund and any amount leftover from the \$55.4 million offer?



There was a large difference between the two study groups regarding knowledge of the New South Wales Government offer. Only 33% of non-Indigenous respondents knew, while 83% of Indigenous participants had heard of the offer (Figure 10). Every person that knew of the New South Wales offer believed that it was fairer than the Queensland reparations offer.

Figure 10: Responses to question 7: Are you aware of the New South Wales Offer?



When discussing the knowledge basis of the general public on stolen wages, every respondent believed that they were not educated on the issue. One non-Indigenous respondent commented that:

“Educating the public” is very hard as many have closed minds, and with the best will in the world it’s hard for someone, like me, from a comfortable white background, to really grasp how soul destroying the treatment of Aborigines has been. Without that will to understand, “the public” resists educating.

Finally, all respondents believed that there is still a need for the stolen wages campaign to be active throughout Queensland.

3.3 – Meetings

The meetings attended helped place the studies within a larger context. In most instances each gathering discussed the future of the campaign, what needs to be done, and the larger impacts of stolen wages on their communities. At the community meeting the main issue discussed was the “lost generation.” This group is comprised

of today's youth who no longer feel a strong connection with their history and culture and, as a result, have fallen into lives of crime, drugs, alcohol, and homelessness. The group discussed the importance of saving the "lost generation" and several ways in which this can be achieved. Some methods identified include the need for male role models, Aboriginal control over their own organizations, cultural re-education, and the re-unification of the Aboriginal community (Brisbane Community Meeting pers. comm.).

At the May Day celebration, Adrian MacEvoy gave a speech regarding stolen wages on the "alternative platform." In this speech, he discussed the impact that missing, unpaid, and underpaid wages has had on current generations – including lack of business owners, inheritance, and representation in the work force. Furthermore, he discussed the larger system of governance in Queensland that has been "set up on myths and doctrines" in order to cripple Aboriginal populations by stripping them of their land, wages, children, history and children (A. MacEvoy pers. comm.). MacEvoy also discussed the government's reparations offer as a "\$4,000 handshake and an insult" (pers. comm.). As a final point, he discussed the need for individual activism because the government will not voluntarily protect personal rights – for anyone. For this reason, all Australians need to unite against the government and fight for equal rights for all citizens (A. MacEvoy pers. comm.).

At the ANTaR Queensland AGM, Les Malezer discussed the broad topic of human rights, as identified by the UN, and the manner in which it applies to Indigenous Australians. One main problem he identified was that the government ignores the rights of Aborigines as a collective group. The first time that collective rights were recognized was Australia was in the Mabo case – in which the high courts ruled that Aborigines had a collective and inherent right to the land. Additionally, he

spoke of a need for an end to injustices before any reconciliation process is begun or else it will be fruitless. Finally, he agreed with MacEvoy that this is not an issue of political parties but the larger legislative system. For this reason, it is crucial that the people are strong advocates for their own futures and rights. Consequently, it is essential that organizations and individuals maintain a positive outlook with regards to the future of their campaigns (L. Malezer pers. comm.).

Finally, at the ANTaR National Management Committee Meeting the national report and senate inquiry were discussed. Ros Kidd is compiling information for a national report on stolen wages to be published later this year. Each branch of ANTaR is collecting research regarding the extent of stolen wages in their state. While there is extensive knowledge regarding the system of stolen wages in Queensland, and to a lesser extent in New South Wales, the history of stolen wages throughout Australia still needs to be revealed.

Similarly, there is a movement to hold a nationwide senate inquiry into the issue of stolen wages. At this time, the inquiry has not commenced but organizations and individuals are working on gaining support for when it does occur. All branches of ANTaR, both state and national, are contacting senators via a letter mailing campaign to ask for their cooperation to hold the senate inquiry. Additionally, Queensland Senator Andrew Bartlett is advocating for the inquiry within the senate (Management Meeting pers. comm.).

4.0 – Discussion

4.1 – Present Day Impacts

From the 1890s to the 1970s, the Aborigines were disadvantageded and “purposely left behind and are now on a journey to ‘catch-up’” (Kidd 6). There is an evident link between settlement life, stolen wages and the lack of education and employment in today’s society. Unfortunately, the majority of Australians do not recognize this link. For this reason, there is “much talk of Aboriginal failure but little scrutiny of government’s policies and their impacts” (Kidd 8). One reason the majority of Australians place blame on Aborigines is that the government has actively worked to keep the truth about the conditions of settlement life and stolen wages hidden from the general public. Without this knowledge, the public has blamed Aborigines in their ignorance (Kidd 51).

Racism was the driving force behind the “Protection Acts,” much of which still remains today, and is one reason for their lingering effects. While the Acts may have initially been based on good intentions – to protect Aborigines against exploitation in employment – these soon fade and racism became the motivator (Davidoff, unpubl. 38). The main way that this manifested itself was through control over every aspect of Aboriginal lives. This control acted as the main destroyer of Aboriginal culture and society, which is very important when considering today’s “lost generation.” Moreover, their control conditioned Aborigines into a life of dependency and imprisonment. Given the length of time that they lived in this situation, it is understandable that the majority of individuals became institutionalized. After the Acts had ended, it was very difficult for many people to adjust and enter Western society (Davidoff, unpubl. 40).

Economic Implications

This institutionalization is ironic in the sense that the government claimed to be forging economic independence within the Indigenous populations through the “Protection Acts.” Despite this claim, all they truly forged was poverty and dependence (Fitzpatrick 2004). Through these policies they “laid the basis for Aboriginal underclass by taking land, property, capital, economic skills, and employment prospects” (Fitzpatrick 2004). Aborigines in today’s society are trapped in an impossible situation, which is a direct consequence of the government’s racist policies. One cause of this impossible situation is the high rate of unemployment amongst Indigenous communities. On May Day, this was recognized by MacEvoy who discussed the lack of Aboriginal representation in the workforce and union. Moreover, there is an even fewer number of Aboriginal business owners throughout Queensland (A. MacEvoy pers. comm.).

These observations are reflected in the census data from 1996. At that time, the Indigenous unemployment rate was 22.4% compared to the rate of 9.5% in the general population (Davidoff, unpubl. 34). An unemployment rate this high may suggest that Aborigines do not want to work and are lazy; however, this rate represents only those that are actively seeking work. Therefore, it demonstrates that employers are discriminating against Aborigines. This discrimination further increases poverty in the community. It is in this manner that a cycle of dependence is created. When individuals are unable to find work, their poverty increases, forcing them to become dependent on welfare and government benevolence (Fitzpatrick 2004). This dependence fuels stereotypes throughout the general population regarding Aborigines as lazy, making it more difficult for them to acquire jobs.

Social Implications

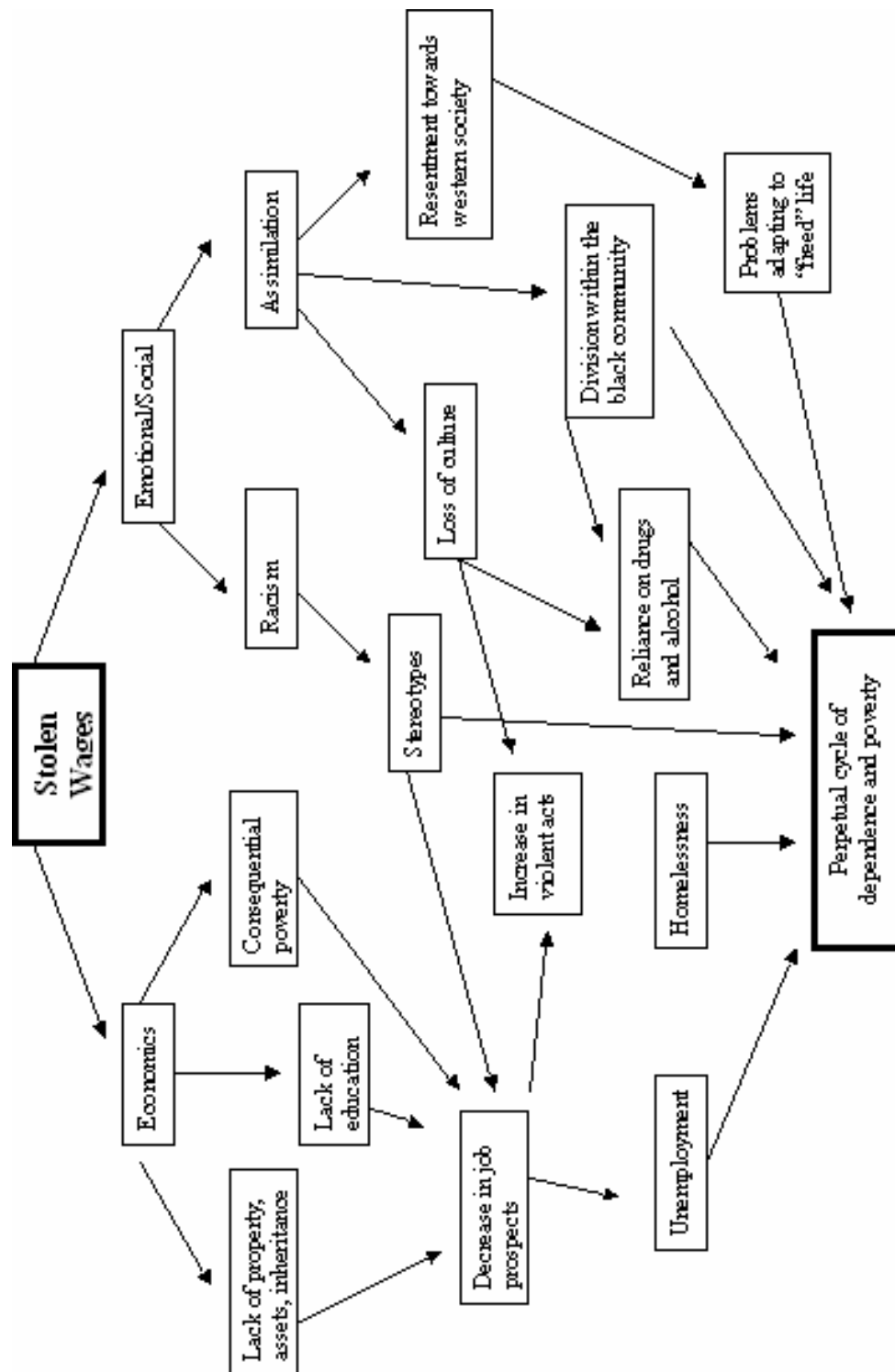
Poverty and economic disparity are not the only outcomes of stolen wages; it is necessary to also account for the social and emotional problems that individuals are forced to handle as a result. Due to the established missions and systems of control, the majority of individuals faced difficulty when first “freed.” For example, they had become institutionalized and had problems coping with their newly found freedom. Despite these tribulations, the government assumed that individuals would quickly and easily assimilate into western society. Les Malezer believes that “personal civil and political rights are being confused with assimilation and are becoming the focus” (pers. comm.). Indigenous people, however, “resented pressure to uncritically adopt ways of people who oppressed and rejected them for so long” (Fitzpatrick 2004). This pressure to abandon their own ways and assume a Western way of life resulted in depression and lack of self-worth.

The pressure to assimilate, lack of education, and high unemployment rates are further compounded by the loss of Indigenous languages and cultures. The main contributor to this loss was settlement life and government control over Indigenous lives. This lack of culture and language is significant because it has produced a wide range of problems throughout the Aboriginal population – including alcoholism, petrol sniffing, homelessness, and committing crimes. These troubles are particularly evident in younger generations, earning them the title of the “lost generation” (Brisbane Community Meeting pers. comm.).

In this situation, there is an evident progression that followed after the installation of the racist policy. First, the victims become emotionally scarred. They are then socialized into dependency, alcoholism, and emotional problems. Next, their institutionalization and abundance of emotional problems fuels stereotypes and allows

non-Indigenous individuals to be racist. Finally, Aboriginal dependency becomes a financial burden on the government; however, the government is the one that created and fueled the burden (Davidoff, unpubl. 42) (Figure 11). This explains why poverty in the Aboriginal community affects the entire economy and Greater Australian society.

Figure 11: Flow chart demonstrating the link between stolen wages and the perpetual cycle of dependence and poverty that has trapped many Aborigines.



4.2 – Surveys

Based on the ANTaR survey, there was no significant difference in the number of non-Indigenous and Indigenous people that had heard of the Queensland Government Reparations offer for wages and savings. These results may not truly reflect the general population, since the pool surveyed was slightly biased. The majority of people that received the survey were members of ANTaR, which would suggest that they are more aware of Indigenous issues. There was, however, a difference in the manner in which each group learned of the issue. A large number of Indigenous respondents learned about the issue from the stolen wages campaign. This demonstrates that the campaign was very successful in educating Aboriginal communities about the issue. While it was third for non-Indigenous communities, a great amount of non-Indigenous individuals also learned about stolen wages from the campaign. Further showing the importance of the stolen wages campaign to educate and raise awareness throughout all of Queensland.

Another significant difference is that many Indigenous participants indicated that they learned about the issue from a family member – often one who had their wages controlled. Because the “Protection Acts” did not directly affect non-Indigenous members of the population this is not a possible source of knowledge. Non-Indigenous respondents that did mark “other” on the survey often indicated that they learned of the issue from Aboriginal friends. This category demonstrates that much of the knowledge regarding stolen wages is spread by word of mouth. Finally, it is important to note that the government was considerably behind all other sources for both groups. As part of the offer, the government was responsible for education on the issue of stolen wages and their reparations offer. One method of education was through government sponsored consultation meetings. Based on the follow-up

survey, however, few Indigenous individuals attend these and non-Indigenous people were not invited. Based on the lack of attendance, the government should have realized the meetings were not a successful method of education and chosen a different technique.

The most important outcome of both surveys is that the vast majority of those surveyed do not believe the Queensland offer is fair. Since the government initially claimed that there was community support for the offer, these results reveal that, in actuality, the support was greatly lacking. Moreover the government recognized that this offer was not complete compensation, but that it was intended to be in the “spirit of reconciliation.” No participants believed that the survey was truly a means of reconciliation. One reason is the presence of three crucial aspects of the offer. These three main areas are the set and capped payment amount for individuals, inability for family members of deceased workers to file a claim, and the indemnity clause. Surveys indicated that the occurrence of these characteristics made the offer much more harsh and tactless. The “spirit of reconciliation” was further tainted by the government’s “take it or leave it” attitude. The significance of these traits is supported by the fact that they are not present in the New South Wales offer, and all respondents viewed this offer as fairer than the Queensland offer.

It is also imperative to look at the extent of public knowledge regarding the issue of stolen wages. Based on the results, it is obvious that the general public is not aware of the issue or the affect that it still has on today’s Aborigines. Some respondents indicated that it is impossible for white Australians to truly understand the impact and devastation that Indigenous people have undergone throughout history; yet, it is still important to increase public awareness of the issue. One method to achieve this is through the collection of oral histories from individuals that lived

under the acts. While this is an idea to be funded by the Aboriginal Welfare Fund, there are no definite plans to begin the project. Given the age of those who need to share their stories it is imperative that this project begins immediately. Almost all Indigenous and non-Indigenous respondents agreed that this project needs to be accomplished. Nevertheless, several individuals indicated that it should not be funded by the Aboriginal Welfare Fund, but rather another sector of the government. All respondents still believed that there was a need for the stolen wages campaign, even though the offer has ended. This campaign needs to continue their education and awareness program to increase the public's general knowledge of the issue.

4.3 – Queensland Offer

There are many organizations that have come out in opposition to the Queensland reparations offer. Some of these include Aboriginal Co-ordinating Council (ACC), FAIRA, SWCWG, ANTaR, National Indigenous Postgraduate Association Aboriginal Corporation (NIPAAC), and many unions throughout Queensland. These, and other, organizations believe that the offer does not justly compensate people who suffered under many decades of government oppression and is not adequate for decades of missing, unpaid, and underpaid wages. The \$55.4 million offer is seen as unacceptable because it is only a fraction of what is really owed (ABC 2002). The ACC estimates that the actual amount owed is closer to \$2 billion dollars (Fitzpatrick 2004). For most people the offer has not been about the amount but having “an honest settlement that acknowledges the value of their work and their pain of deprivation” (Lacey, 2003). Yet the drastically low offer is insulting to the community. Additionally, organizations believe that Parliamentary acknowledgment should happen regardless of whether the offer is accepted by individuals (Lacey 2003).

FAIRA has also charged the government with purposefully misleading and tricking elder members of the community. In 2002, the government hired QAILSS to “consult” with the Aboriginal community via a survey to determine the estimated rate of acceptance. Throughout this period, QAILSS did not do a sufficient job differentiating the consultation offer from the actual offer. The document they provided to those surveyed looked official (Appendix C) and many believed they were filing a claim and would soon receive their money (FAIRA 2002). Even when claimants signed a deed of agreement (Appendix G), they assumed that their money was guaranteed and did not realize that they could be found ineligible

These misleading proceedings continued throughout the period of the offer because the government was evasive in providing complete and accurate information. For example, there was confusion regarding who was eligible for reparations. The presumption made by ANTaR and other organizations was that only individuals that who had their money controlled would be eligible; however, government documents claim that any individual living “under the Acts” was eligible. Additionally, there has been confusion regarding what is covered under the indemnity agreement. Judy Spence said that it only covers wages and savings; however Premier Beattie made a Parliamentary statement that any legal action is covered by the clause (ANTaR 2002).

Finally, the process of government consultation has been continuously misleading. The majority of the “consultation” meetings are poorly attended and unproductive for those present. In most instances, the government representatives fail to provide a legitimate briefing about the offer and the legal issues involved (FAIRA 2002). The lack of attendance was evident based on the results from the follow-up survey conducted as a part of this study. Moreover, the government did not provide potential claimants with access to their own financial records (Lacey 2003). Without

this knowledge it was not possible for individuals to make informed decisions about filing a claim and accepting an offer. This confusing process has left many who have already signed distressed and angered (FAIRA 2002).

In a personal story, Aunty Vera Hill, who accepted the offer, recounts her anger and frustrations with the government. While working on a settlement or in other government jobs, she was never informed of the amount of money she was getting paid. As a result, she never knew how much money she had in the bank or how much went missing. She was very “disappointed and angry about the government’s handling of the issue.” Nevertheless she accepted the offer because “they kept on saying we weren’t getting anything (Howes 26 April 2006). Throughout her application and acceptance period the government never provided answers to any of her questions. Additionally, while signing the Deed of Agreement she asked the lawyer provided by the government what would happen if she did not sign. He was unable to provide her with any information and simply “said he was sitting there making sure we all signed the paper...he was a government person so he couldn’t say much” (Howes 26 April 2006). This example demonstrates the fraudulent method in which the government proceeded with their reparations offer.

In response to these claims, Beattie has directly denied being misleading and confusing (Graham 2002). He does, however, recognize that some aspects of the process were confusing – including an “error in wording [which] made [the] offer available to all who ‘lived’ during the time period” (Graham 2002). Additionally, it is recognized that the amount may not accurately reflect the actual amount owed; however, the fundamental and reconciliatory points appear to be forgotten (Robinson 2003). Moreover, the government claims that the concerted campaigns by community

organizations that oppose the government offer has “caused unnecessary confusion and anxiety among Indigenous people” (Spence 2002).

4.4 – New South Wales Offer

The New South Wales government has recognized that the period in which money was stolen from Aboriginal people from 1900 to 1969 is the “most painful chapter of our history [and] another legacy of misguided paternalism” (New South Wales Legislation 2004). Sylvia Hale has specifically recognized that “generations have lived in poverty because of government policies” (New South Wales Legislation 2004). For this reason, she has committed her government to do everything in its power to ensure that wages are re-paid.

These statements from the New South Wales government demonstrate that they have taken a different approach to the issue of stolen wages compared with the Queensland Government. One important difference between the two offers is that the New South Wales offer does not include the indemnity clause that is present in the Queensland offer. Majority of people saw this clause as detrimental to the offer as a whole, because it extended its effects beyond the area of wages and savings. Another important feature of the New South Wales offer is that there are no set or capped payments for individuals. This characteristic allows for different situations to be considered – including length and type of work. Finally, families are able to file claims for deceased workers. In both states, many individuals that had their wages taken did not pursue legal action because of continuous government promises that an offer would soon be formulated. Many of these people died before the offers were every made; however, their families are still suffering from the effects of missing, unpaid, or underpaid wages. Extending the offer to family members in New South Wales recognizes the widespread effects of stolen wages on current generations.

The differences between the two offers, has resulted in different community responses. While research was not done to gauge the New South Wales response, Queenslanders felt that the offer in their state was insufficient and unjust. Every respondent in the follow-up survey that knew of that offer believed that it was fairer than the one in Queensland. One respondent said, “I don’t know how they could offer Queensland so little and New South Wales so much better than our offer was. We think we should be all treated the same.” Additionally, many participants of the ANTaR survey made comments indicating that the New South Wales offer was fairer and they wish that was available to them.

4.5 – Solutions

The economic, social, and emotional implications of stolen wages and settlement life are deeply a part of Aboriginal lives; therefore, drastic and effective solutions are desperately needed. The Queensland Government reparations offer demonstrates that their solution to the problem is to simply throw a small amount of money to the community without changing their practices or beliefs. This, however, will not work because it is not possible to have a successful reconciliation movement until all injustices have ended (L. Malezer pers. comm.). One reason that these injustices are still present is that Australia has never truly been decolonized and still operates under the same basic beliefs and values from the British colonization era (L. Malezer pers. comm.).

Due to the government’s outlook and actions, many Aborigines have recognized that they cannot rely on the government for any effective solutions (A. MacEvoy pers. comm.). As a result, many communities have formed their own organizations to work towards a cohesive and important solution. One example is the group that came together for the Brisbane Community meeting, in which

representatives from many smaller organizations and dedicated individuals were present. Within this setting, groups and individuals were able to discuss proposed ideas and actions for how to help the “lost generation.”

Regardless of the method, restoring cultural integrity was seen as crucial to saving the “lost generation.” Once the youth have been “brought back to their culture they will be grounded and will then know where they should go” (A. MacEvoy pers. comm.). These efforts have already begun at Musgrave Park Cultural Centre, where monthly “Family Nights” have begun. On these nights, individuals of all ages are able to learn about Indigenous history and culture. This is an opportunity for families to come together, have fun, and learn about their culture. Additionally, “Family Nights” are seen as a starting point for restoring cultural integrity and counteracting the history of systematic oppression. It is hoped that these monthly events will begin to build a sense of self-worth and pride within members of the “lost generation.” Similarly, Musgrave is planning on having local community elders at the cultural centre everyday to continue the process of restoring cultural integrity (Brisbane Community Meeting pers. comm.).

5.0 – Conclusion

5.1 – Stolen Wages throughout Australia

While it is evident that Queensland had the most extensive form of control over Aboriginal wages and savings, each state has a history regarding stolen wages. In New South Wales, the Aboriginal Welfare Board, established under the Aborigines Protection Act 1909, was given power over the earnings, savings and entitlements belonging to many Aboriginal people. Between 1900 and 1969, the Welfare Board placed and controlled sums of moneys in trust accounts in the names of individual Aboriginal people. Withdrawing the money was difficult for Aboriginal workers and required permission from government officials. Workers did receive small amounts of money but the majority of their wages were held by the Aborigines Welfare Board – and subsequently by the NSW Government – in a Trust fund on the individual's behalf. When the Aborigines Welfare Board was disband in 1969, the trust accounts were closed and the remaining funds were transferred to the Department of Youth and Community Services. In 2001, Faye Lo Po, the Minister for Community Services, prepared a Cabinet submission, which revealed that tens of millions of dollars were stolen from Aboriginal people by successive NSW Governments from 1900 to 1970 (Bartlett 2006).

On 11 March 2004, Premier Carr apologized to Aboriginal people who had had their wages and other entitlements withheld by the Aborigines Welfare Board between 1900 and 1969. The Premier also gave, in principle, support to a scheme to reimburse this money. The Government agreed to identify and reimburse Aboriginal people who are owed money from the New South Wales Trust Funds to which an independent panel was set. In October 2004, after consultation with over 500 Aboriginal people and

interested organizations in New South Wales, at various locations, *The Report of the Aboriginal Trust Fund Repayment Scheme Panel* was released. On 15 December 2004 the New South Wales Government announced the establishment of the Aboriginal Trust Fund Reparation Scheme (ATFRS) (Bartlett 2006). The New South Wales branch of ANTaR has been doing research to support the national report. They have also issued guidelines for the repayment scheme and are providing individuals with guidance throughout the claims process (Management Meeting pers. comm.).

Upon the announcement of the \$55.4 million offer from the Queensland Government to Indigenous workers in 2002, Victorian Premier Steve Bracks indicated that his Government was watching the issue with interest. Additionally, the National Indigenous Times reported that interested Victorian groups have met and called for an inquiry into how widespread the practice of holding monies in trust was in Victoria (Bartlett 2006). ANTaR Victoria is working with other local organizations to advance the issue of stolen wages in their state. Part of this work has included research for the national report, and letter writing campaigns to local senator with regards to the senate inquiry (Management Meeting pers. comm.).

South Australia controls were similar to those present in New South Wales. As such, Aboriginal people were made wards of the State and then placed in institutions. Moreover, they were apprenticed out to work and the Government had controls over their wages and savings. Likewise, there is evidence of widespread fraud on the part of employers (Bartlett 2006). The ANTaR campaign for stolen wages in South Australia is currently focused on research to determine the extent for the national report (Management Meeting pers. comm.).

In Western Australia, cash wages and labor contracts for Indigenous workers were far from typical – particularly in the north. Until 1963, any wages received were under the control of the Welfare Boards. Initial research, by West Australian academic Anna Haeblich, shows that Western Australia based its controls on the Queensland legislation. Haeblich also estimates that there are 5,000 potential claimants still alive today. There is oral evidence of hundreds of Western Australians who claim that they worked for the Government for little or no wages (Bartlett). Similar to South Australia, the Western Australia ANTaR branch is focused on research to determine where the issue was prevalent (Management Meeting pers. comm.).

Since the Federal Government governed the Northern Territory until the late 1980s, it has a legal liability for injustices towards the Indigenous population. There is substantial anecdotal evidence from Aborigines in the area who did not receive full pay for their work and that the established Aboriginal Trust Funds were raided by the Government to pay for services provided to Indigenous people (Bartlett 2006). As with many states, ANTaR's activities are currently limited to research to determine the impact of underpaid, unpaid, and missing wages on the Aboriginal population (Management Meeting pers. comm.).

Finally, The National Indigenous Times declared that it was unaware of any records or anecdotal evidence that indicates Indigenous people living in the Australian Capital Territory are owed wages and savings (Bartlett 2006). For this reason, the ACT branch of ANTaR is supporting the national movement. One example is that they are also sending letters to senators with regards to the upcoming senate inquiry (Management Meeting pers. comm.).

5.2 – Suggestions for Future Studies

While the issue of stolen wages has recently gained more attention, there is still a lot of research that needs to be done on the topic. A lot of information is known about stolen wages throughout Queensland; however, research is needed in most states to determine the extent of wage and savings control. Once this research has been completed, it will be necessary to have consultations between the government and local Aboriginal organizations so that an appropriate reparations offer is reached.

New South Wales is the exemption to this research, since the government has already made an offer. In this state, research is needed to determine the public's response to the offer that has been made. This study briefly looked at the reaction amongst Queenslanders to the New South Wales offer, and this examination needs to be continued in New South Wales. Finally, further research is always needed to record oral histories of individuals that lived during the "Protection Era."

Appendices

Appendix A: Exemption Application

Report on Application by Half-caste for Exemption from the Provisions of the Aboriginals Protection and Restriction of Sale of Opium Acts.

QUESTIONS.	ANSWERS.
Name of Applicant	Claude Anderson
Sex	Male
Age	about 50years
Where born	Coomooboolaroo Station, Via Duaringa
State	Queensland
Nationality of parents, father	British
" " mother	Half Caste Aborigina.
Were parents legally married?	No
Is applicant married (legally)?	Single
If so, what is nationality of wife (or husband)?	-----
Has applicant any children? If so, what are their ages?	No
Does applicant (or his family) habitually associate with aboriginals?	No
Does applicant drink?	No not to my knowledge
Or, procure it for other aboriginals?	No
Is applicant educated, to what extent?	Yes a little
Is he (or she) intelligent enough to protect himself in business dealings?	Yes. I consider he is able to manage his own affairs.
Is he (or she) thrifty, and does he (or she) understand the value of money?	Yes he is very thrifty, and quite understands the value of money.
What amount has he (or she) to credit in the Savings Bank?	£75---14---5.
Does applicant live in a civilised manner and associate with Europeans usually?	Yes
Is applicant of good character, steady in employment, and industrious?	Yes
.....?	Yes

10

499

Appendix B: Application Process, based on information provided by DATSIP

INDIGENOUS WAGES AND SAVINGS REPARATION PROCESS HOW WILL IT WORK?

1

CLAIM FORM

People wanting to put in a claim have to:

- Fill in the claim form
- Have proof of date of birth

If you want to put in a claim for someone who has passed away you have to:

- Fill in the claim form
- Have proof of date of birth of the deceased
- Have proof of their date of death

2

ACKNOWLEDGMENT LETTER

Department of Aboriginal and Torres Strait Islander Policy (DATSIP) will:

- Register details of all claim forms received (enter on database)
- Send a letter to each claimant telling them that their claim form has been received
- Tell people what their Claim ID number is in this letter. People will need to tell DATSIP this number whenever they call us for information.

3

ASSESSING CLAIMS

DATSIP will:

- Assess elderly and seriously ill claimants as first priority
- Look for a record of a claimant's wages or savings being controlled under a 'Protection Act'
- Assess the claim as either 'eligible' OR 'ineligible'
- 'Eligible' means the person will be offered a payment and apology
- 'Ineligible' means the person will not be offered a payment and apology

4

ASSESSMENT LETTERS – ELIGIBLE

ELIGIBLE CLAIMANTS

DATSIP will:

- Send a letter to all 'eligible' claimants telling them when a meeting will be held in their area so that they can get independent legal advice
- Provide an EFT form for eligible claimants to give their bank account details on. If the claimant decides to accept a payment after they've had their legal advice, they should send the completed form to DATSIP.

Appendix B: Application Process, based on information provided by DATSIP

INDIGENOUS WAGES AND SAVINGS REPARATION PROCESS HOW WILL IT WORK?

5

ASSESSMENT LETTERS – INELIGIBLE

INELIGIBLE CLAIMANTS

DATSIP will:

- Send a letter to all 'ineligible' claimants telling them why their claim is 'ineligible'
- Give 'ineligible' claimants a Freecall phone number to call to talk about why their claim is 'ineligible'
- Assess the claim again, if 'ineligible' claimants can give more information.

6

LEGAL ADVICE AND 'DEED'

ELIGIBLE CLAIMANTS

DATSIP will:

- Pay for a lawyer to give eligible claimants independent legal advice

After they get their legal advice claimants will:

- Have at least 24 hours 'cooling off' time before they decide if they want to or if they don't want to accept the offer
- After the 24 hours, people can choose to sign the 'Deed of Agreement' accepting the offer of money if they want to

7

PAYMENT AND APOLOGY

ELIGIBLE CLAIMANTS

DATSIP will:

- Receive the signed 'Deed of Agreement' document
- Send out a letter of apology from the Minister to the person who signed the Deed
- Make the reparation payment to the claimant (either straight into their bank account or by cheque)

8

CLAIMS FOR DECEASED PERSONS

- DATSIP will follow the Succession Act in making payments for eligible deceased claimants
- This will mean paying back whoever paid for the funeral
- Then if any money is left it will go to the Public Trustee for paying rightful beneficiaries

For more information see Claim Form and Information Sheet



Appendix C: "Without Prejudice" Document provided by QAILSS

Without Prejudice

Queensland Government Offer

The Queensland Government acknowledges the controls exercised under a series of Acts known as "the Protection Acts" over the wages and savings of Aboriginal and Torres Strait Islanders peoples. This Government is committed to reaching a resolution of these long standing issues and wishes to make an offer for this purpose.

The Offer Is:

1. **Monetary Amount**
The total amount offered is \$55.6m and is a once only offer and a capped amount.
2. **Apology**
A written apology from the Government to all living persons who had their wages and savings controlled and who are eligible to make a claim.
3. **Parliamentary Acknowledgement**
Upon agreement, the Premier will make a **Statement in the House** on behalf of the Government. This Statement will place a public recognition of past injustices on the basis of race on the **Parliamentary record**. The Premier will host a major function to commemorate the occasion at Parliament House.
4. **Government Protocol to Acknowledge Traditional Owners**
A protocol for commencement of all official Government business will be adopted requiring acknowledgment of traditional owners.
5. **Aborigines Welfare Fund**
The distribution of the Aborigines Welfare Fund (currently \$8.6M) to be progressed as a separate issue. This distribution to include, but not be limited to, the development of an oral histories collection relating to this matter, and appropriate signage which recognises the tribal boundaries around country. Other projects may include, for example, a history kit for schools.

Basis for Reparation:

In making this reparations offer the Queensland Government acknowledges that the monetary offer may not meet the expectations of many potential claimants.

The current Government negotiating position is that the reparation offer is being made, not based upon any admission of legal liability, but in the spirit of reconciliation.

Distribution

The Government's formula for distribution is detailed over the page. Other options for distributing the total amount are open to consideration. Proposals regarding distribution should be provided in writing by Friday 9 August 2002 to the Honourable Judy Spence MP Minister for Families, Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services.

Fixed Principles

Agreement on this offer must be consistent with the following principles:

- The reparation funds will be administered by the Department of Aboriginal and Torres Strait Islander Policy;
- Any formula for distribution must:
 - Give priority to older people;
 - Ensure equitable access by potential claimants;
 - Be transparent and accountable; and
 - Be simple and timely.
- The Government requires that any compensation process be completed within three years of an agreement.

Without Prejudice

Appendix C: “Without Prejudice” Document provided by QAILSS

Without Prejudice

Reparation Amounts

The total amount of the package is capped at \$55.6m.

The Government formula and rationale is detailed below. Other options for distribution will be considered.

Categories of Eligible Claimants

Group A Claimants

- Eligible claimants will be people who were:
 - Born up to the end of 1951 and are aged 50 or older in 2002;
 - Lived under the 1897 and/or 1939 Acts; and
 - Are alive at a date to be agreed.
- The proposed reparation payment for these claimants is \$4,000 per person.
- Population estimates indicate there are approximately 11,400 people alive today who may be in this group.

Group B Claimants

- Eligible claimants will be people who were:
 - Born up to the end of 1956 are aged between 45 and 49 in 2002;
 - Lived under the 1939 and/or 1965 acts;
 - Are alive at a date to be agreed; and
 - Are not included in the group above.
- The proposed reparation payment for these claimants is \$2,000 per person.
- Population estimates indicate there are approximately 5,000 people in addition to those in Group A who are alive today who may be in this group.

NOTE: The above estimates were prepared by the Office of Economic and Statistical Research. They include a 6% undercount in census numbers and an assumption that all Aboriginal and Torres Strait Islander people were under the Act.

Indemnity

Payment of the reparation amount will be subject to each person signing an agreement which indemnifies the Government against any common law or other legal actions which may otherwise be available under the *Aboriginals Protection and Restriction of the Sale of Opium Acts 1897*, the *Aboriginals Preservation and Protection Act 1939*, the *Torres Strait Islanders Act 1939*, *Aborigines and Torres Strait Islander's Affairs Act 1965*, the *Aborigines Act 1971*, the *Torres Strait Islander Act 1971*, *Community Services (Aborigines) Act 1984* and the *Community Services (Torres Strait) Act 1984*.

Without Prejudice

Appendix C: "Without Prejudice" Document provided by QAILSS

The Aboriginal Welfare Fund

The wages and savings offer of \$55.4 million is SEPARATE to the sum of \$8.6 million in the Aborigines Welfare Fund

The law related to the Aborigines Welfare Fund **does not allow** for the money to be given to any individual person or group. **The money must be used only for the general benefit of ALL Aboriginal peoples in Queensland.**

The Government is asking QAILSS to consult with Aboriginal people about what to do with the Welfare Fund money.

Set out below are four suggestions for how this money could be used. If you agree with any of the suggestions please place a tick (✓) next to that suggestion. If you have any other ideas about how the money might be used, please write them under the suggestions.

- Develop an oral histories collection from the Elders and other persons about their lives
 - Display signs in towns and communities around the State which recognise the Traditional Owners of the land in that area
 - Provide scholarships for Aboriginal students who want to get higher education (TAFE or University)
 - Develop a school history which talks about the struggle of Aboriginal people in Australia.
- Other suggestions:

SEND To: QAILSS
PO Box 12298, George St. Post Shop, BRISBANE 4003

Name:

Date of Birth:

Address:

Signature:

Date:

Appendix C: “Without Prejudice” Document provided by QAILSS

Advice to Claimants if offer is **REJECTED** (What can happen if you say **NO**)

Claimants who say **NO** to the government’s offer should be aware of the following matters:

The government has said that **this is the final offer and the offer will not be increased and will not be repeated**

People who say no to the offer are entitled to take the government to court if they have enough evidence to prove a case against the government

But a court case can take many years and the government has money to oppose the case, and to delay it. Remember the Mabo case took 12 years to resolve

Even if a person has documentary evidence, a court case will be difficult to win. The government has said that it has legal advice that it would win any such action

Funding a court case will depend on whether ATSIC will give a special grant, and that may depend on legal advice as to whether the case is ‘winnable’. Court cases can be extremely expensive and if the case is lost, the costs of the case may be awarded against the person bringing the case to court.

Advice to Claimants if the offer is **ACCEPTED** (What can happen if you say **YES**)

Claimants who say **YES** to the government’s offer should be aware of the following matters:

Your claim will be checked by the government to see if you belong to either Group A or to Group B

You will be requested to sign a form stating that you will give up any future rights to sue the government about anything to do with being ‘under the Acts’. This is a condition of the government’s offer.

The government will publicly apologise for the wrongs that occurred and each claimant will receive an individual written apology

The government will adopt a protocol to acknowledge Traditional Owners at the beginning of all official government business

Appendix C: "Without Prejudice" Document provided by QAILSS

**Letter of ACCEPTANCE / REJECTION
Queensland State Government Offer of Payment for Unpaid Salaries and Wages**

The STATE GOVERNMENT OFFER of \$55.4 MILLION has been explained to me by the Queensland Aboriginal and Torres Strait Islander Legal Services Secretariat Consultation Team who have explained to me what is being offered; what the conditions are and who is being included.

I have read / had read to me (delete section which does not apply) the document "Without Prejudice" which outlines the Government offer and which sets out the two categories of eligible claimants:

GROUP A CLAIMANTS

Aboriginal or Torres Strait Islander people who:

- Were born up to the end of 1951 and are aged 50 years or older in 2002;
- Lived under the *Aboriginals Protection and Restriction of the Sale of Opium Acts 1897*, and/or the *Aboriginals Preservation and Protection Act 1939*, and/or the *Torres Strait Islanders Act 1939*;
- Are alive at a date to be set by Proclamation
- Had their wages/savings/labour controlled by the government

The proposed reparation payment for these claimants is \$4,000 per person

GROUP B CLAIMANTS

Aboriginal or Torres Strait Islander people who:

- Were born up to the end of 1956 and are aged between 45 years and 49 years in 2002;
- Lived under the *Aboriginals Preservation and Protection Act 1939*, and/or the *Torres Strait Islanders Act 1939* and/or the *Aborigines and Torres Strait Islander's Affairs Act 1965*;
- Are alive at a date to be set by Proclamation
- Are not included in GROUP A claimants (above)
- Had their wages/savings/labour controlled by the government

The proposed reparation payment for these claimants is \$2,000 per person

I (print your name).....

ACCEPT the offer of \$55.4 million made by the Queensland Government

I (print your name).....

REJECT the offer of \$55.4 million made by the Queensland Government

DATE OF BIRTH...../...../19..... PLACE OF BIRTH.....

CURRENT ADDRESS.....

.....STATE.....

COMMENTS.....

SIGNED..... DATED...../...../20.....

BEFORE ME:.....

Print Name:.....

Appendix D: ANTaR Survey Cover letter sent with the surveys

Stolen Wages Campaign Working Group
Media Release 31 March 2005

Survey launched to 'fill the gap'

"Ordinary" Queenslanders will have the opportunity to have their say about what they think of the Government's 'lousy little offer' for Aboriginal peoples' stolen wages over the next few weeks.

A survey developed by the Stolen Wages Campaign Working Group will be widely distributed throughout Indigenous and Non-Indigenous Queensland with teams of volunteers already prepared to 'take them to the streets' to get as wide a response as possible.

The survey was developed after budget submission made to Treasurer Terry Mackenroth in January this year was turned down, despite the State Labor Platform stating the Government should: "establish a formal consultation process to examine the adequacy of the original process and the current reparations package".

Townsville Working Group member Lillian Willis said if the government wasn't going to resource its own party policy then the Working Group would do what it could to fill in the gaps.

"If the government isn't going to fund this we'll prove there's people out there who do know about this issue and are concerned about it," she said.

Aboriginal Shire Councils have also indicated their support with President of the Aboriginal Local Government Association of Queensland Vince Mundraby saying the survey was a necessary "next step" in keeping up the fight.

"The dual purpose of this survey is to find out from the Aboriginal community what they really think of the current offer and for the non-Aboriginal community to have their say as well," he said.

Elder Yvonne Butler, a successful applicant who refuses to claim her \$4000, said the survey was an opportunity to identify how the Aboriginal community really felt about the offer.

"We believe the majority of applicants haven't come forward and this is a chance to try and find out why," she said.

Brisbane-based working group member Tiga Bayles said the general public as well as Aboriginal people could participate in the survey.

"This has been put together to cover the whole community," he said.

"It's important that the government realises this issue is far from settled as far as the Aboriginal community is concerned and there are other people out there - those who know about it - who believe the offer is unfair as well."

For more information or to arrange interviews contact Christine Howes on 0419 656 277

BACKGROUND (from the survey text):

The Queensland Government has made a capped reparations offer of \$55.6 million to Aboriginal & Islander people whose wages and savings were held for them in trust by previous governments. The offer amounts to fixed payments of \$2000 or \$4000 to individual claimants alive after 9 May 2002, which was the day the offer was first made. Families of deceased workers cannot apply. Some elderly claimants were forced to work for more than 20 years with limited access to their wages and savings, most of which have not been repaid. The offer requires claimants to sign an indemnity to say they will not take any further action to recover what might be owed. Even if they have records to prove it, they cannot claim all their money without taking the Government to court. The offer closes at the end of 2005.

Appendix D: ANTaR Survey

**STOLEN WAGES SURVEY April-May, 2005: Please return asap
(mid-June)**

This is not a government survey, this information is for the Queensland Stolen Wages Campaign Working Group which has been meeting since 2003. Please return this survey to ANTaR Qld, 25-27

Cordelia St, South Brisbane, 4101 or fax to 3844 9562 as soon as possible. If you would like to speak to someone about the survey leave a message on 3844 9800.

1. Are you: ___ Indigenous ___ Non-Indigenous

2. Do you know about the Queensland Government's Wages & Savings Reparations Offer for Aboriginal & Torres Strait Islander people? YES / NO

3. When did you first hear about stolen wages as an issue?: ___ less than three years ago ___ more than three years ago

And how? (tick as many as apply): ___ from the Government

___ from the Stolen Wages Campaign or its affiliates

___ from the media (newspapers, radio, etc)

___ other _____

The Queensland Government has made a capped reparations offer of \$55.6 million to Aboriginal & Islander people whose wages and savings were held for them in trust by previous governments. The offer amounts to fixed payments of \$2000 or \$4000 to individual claimants alive after 9 May 2002, which was the day the offer was first made. Families of deceased workers cannot apply. Some elderly claimants were forced to work for more than 20 years with limited access to their wages and savings, most of which have not been repaid. The offer requires claimants to sign an indemnity to say they will not take any further action to recover what might be owed. Even if they have records to prove it, they cannot claim all their money without taking the Government to court. The offer closes at the end of 2005.

4. Do you think the Queensland Government's payment offer as it now stands is fair? YES / NO

5. Do you think the entire amount of the offer should be paid out to individual claimants? YES / NO

6. Should any payments from the Government be based on what people are owed? YES / NO

7. Should families be allowed to claim wages and savings owed to deceased workers? YES / NO

8. Should badly kept or lost government records make people ineligible to make a claim? YES / NO

9. Should a formal inquiry, independent of the Government, be held to audit what is owed? YES / NO

10. Should claimants have the chance to tell their stories on a public record if they wish.? YES / NO

If you wish to make any further comments please do so below or provide another page. If you would like to be kept informed about the Stolen Wages Campaign and/or find out how to access pro bono legal advice, please write your contact details in the space below.

Appendix E: Follow-up Survey; Letter written by Christine Howes

Dear Stolen Wages Survey Respondent,

I am writing to you again because you indicated on last year's Stolen Wages Campaign Working Group's stolen wages survey that you would like to be kept informed. I'd like to thank you again for your interest and participation, and let you know of some recent developments in the campaign.

If you recall, the results were published by the middle of last year and were put to good use in:

- being published either as an insert or as part of media releases which went into Stolen Wages Update 7, Koori Mail, National Indigenous Times and other regional and indigenous media
- lobbying state MPs
- educating people about the issue, and
- being the focus of public meetings in a number of places across Queensland, particularly during the course of a series of coastal regional meetings hosted by ANTaR Qld in November last year

The results were also taken to the State Labour Conference held in Cairns in June last year and State Minister for Aboriginal & Torres Strait Islander Policy, John Mickel, in August last year, but unfortunately with little or no effect in both cases. As you are likely aware the offer closed, without change, at the end of January this year.

However, as you will see from Stolen Wages Update 8, which is enclosed for your information, communities across Queensland have asked the Working Group and ANTaR Qld to continue with this campaign for wage justice.

While being aware of offering any great expectations, I am however also happy to report we have had a good deal of support from Queensland Democrat's Senator Andrew Bartlett. Senator Bartlett is, to my knowledge, the only politician since 2002 to have held meetings on a number of communities primarily for the purposes of getting feedback on the stolen wages issue. Senator Bartlett is also working towards getting a Senate Inquiry up, the terms of reference of which include an examination of how the Queensland State Government's Indigenous Wages & Savings Reparations offer was determined.

I am also happy to report that ANTaR Qld has, for this month only, a very keen student from the United States who is working on a research project for our use which we hope will further develop the results of the survey. Her project is for her own assessment but has been developed in such a way as to be of potential use for the campaign. Her letter to you and another very short questionnaire is also enclosed, please respond to that as quickly as you can to ensure your answers are included.

That's all for now other than to say the Working Group is hoping to hold another meeting in Brisbane sometime around the end of May to assess where we are up to now and where we might be able to go from here. If you would like to be kept informed of time, date and place please indicate same on your response to Kristie.

Thanks & cheers...Christine Howes
President, ANTaR Qld
Ph 0419 656 277

Appendix E: Follow-up Survey

Stolen Wages Survey April-May 2006

This is not a government survey; the results will be used for ANTaR and research purposes only. My name is Kristie Smith and I am an American student studying in Queensland for three months. I am currently conducting an independent study project on the issue of Stolen Wages and working with ANTaR Queensland. For my project, I am looking at the reparation offer from the Queensland government and comparing it to the offer from the New South Wales government. Your help is greatly appreciated for my research. Please return this survey to ANTaR QLD, 25-27 Cordelia St, South Brisbane, 4101 or fax to 3844 9562 by 5 May 2006. Thank you for your participation.

1. **Are you:** Indigenous Non-Indigenous

2. **If Indigenous, did you file a claim?** Yes No

3. **What was your initial reaction to the Queensland Government's Wage and Savings Reparations offer for Aboriginal and Torres Strait Islander people?**

4. **Did you attend a government sponsored consultation meeting?** Yes No

5. **Do you have any ideas about what should happen to:**
 - a. **The Aborigines Welfare Fund?** Yes No
 - b. **Any amount leftover from the \$55.4 million offer?** Yes No

6. **According to the government the offer was made in the "spirit of reconciliation." Do you feel this was achieved?** Yes No

7. **Are you aware of the New South Wales offer?** Yes No

8. **Is this offer fairer than the Queensland offer?** Yes No

9. **Is the general public educated about the issue of stolen wages?** Yes No

10. **Now that the offer has ended, is there still a need for the stolen wages campaign?** Yes No

Name:

If you wish to make any further comments regarding the New South Wales and Queensland offer, please do so below. Additionally, please leave your address if you would like to continue being updated about the Stolen Wages campaign and the upcoming Stolen Wages Working Group meeting in May.

Appendix E: Follow-up Survey Stolen Wages Update 8, sent out with the surveys

Stolen Wages Update 8

February 2006

Queensland elders say the fight will go on...

A series of meetings hosted by ANTaR Qld at the request of elders in communities from Woorabinda to Normanton has indicated loudly and clearly that the fight for stolen wages is far from over as far as they are concerned.

Groups of up to 20 or more elders in each location have told ANTaR members the deadline for the Queensland Government's Indigenous Wages & Savings Reparations offer was irrelevant to them because the offer was discriminatory. They have asked their supporters to continue to campaign for wage justice.

In May 2002 the State Government made a capped offer of \$55.4 million to Aboriginal and Islander people whose wages and savings were withheld by previous governments in Queensland. Individuals who were affected by these practices and alive after 9 May 2002 have been offered a final payment of \$2000 or \$4000 according to age.

The offer closed at the end of January but as of the 23rd of that month only 8654 claims had been lodged and of those 7837 assessed. The Government had initially expected 16-20,000 applications.

According to Aboriginal & Torres Strait Islander Policy Minister John Mickel only 67 per cent of the claims assessed were eligible for a reparation payment.

Mr Mickel said unspent funds - so far only \$17.276 million out of the \$55.4 million has been paid out - would be used to "benefit Aboriginal and Torres Strait Islander Queenslanders".

"Once the claims are finalised, a decision will be made by Cabinet," he said. A number of groups, including senior Aboriginal people from the Fitzroy Basin catchment area around Rockhampton, said they had never had the opportunity to speak to decision-makers about their concerns with the offer and have



SWWG members Russell & Yvonne Butler meeting with Yarrabah elders in January 2006



Normanton elders meeting with SWWG member Lillian Willis in January 2006



Fitzroy Basin Elders Committee, NTEU & ANTaR Qld members meeting at Woorabinda in January 2006

subsequently invited members of Cabinet and local MPs to meet with them on the issue as a matter of urgency.

President of the Fitzroy Basin Elders Committee Margaret Lawton said they were sick of the Government making decisions for them.

"I don't think the government's got the right to tell us what we can or can't get and the time limit on that money," she said.

Normanton elder Fred Edwards, who featured on the Stolen Wages postcard campaign, said they "worked like slaves" for the cattle industry across the Gulf of Carpentaria.

"They wouldn't be here if

it wasn't for us and now the government expects us to just take this lousy offer lying down or something, just like we had to take the rations back then," he said.

Groups in Rockhampton, Woorabinda, Yarrabah, Brisbane, Mareeba and Normanton have asked ANTaR Qld and all the campaign's supporters not to give up the fight, especially in procedural areas of concern such as what will happen to unspent funds and an open and accountable appeals process for the 33 per cent of applicants who had been knocked back. Mr Edwards, who accepted the offer because he felt he was forced to do so, said people who had been knocked back by the government in Normanton had not appealed the decision by the department because the only avenue of appeal was to call the department.

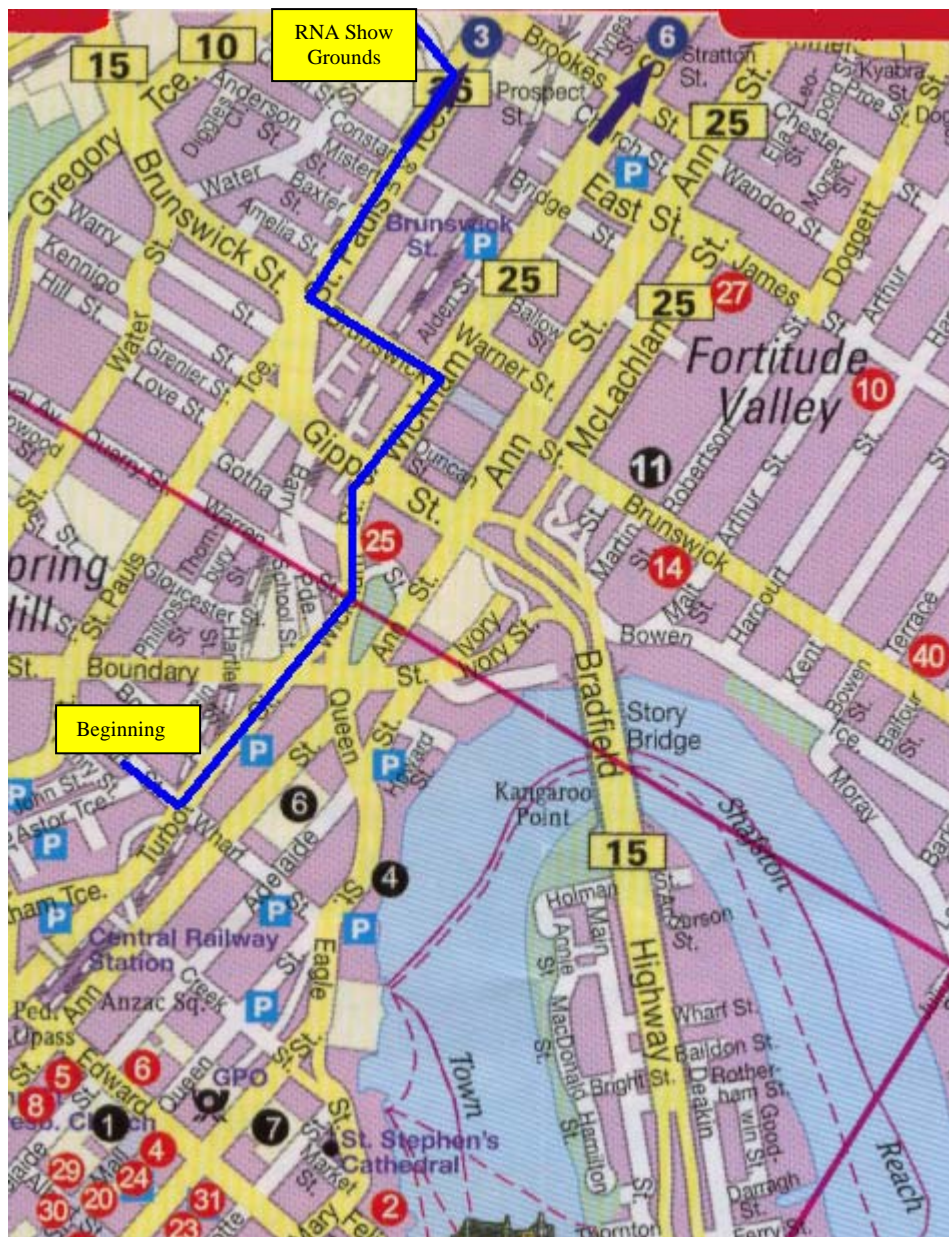
"Why would anyone call the people who turned them down to ask them again for something they didn't think was fair in the first place?" he said.

Mrs Lawton said it didn't matter which way they went because "we're the losers with or without that money".

"We're not letting it rest there, we're going to keep on fighting," she said.

Appendix E: Follow-up Survey
Stolen Wages Update 8, sent out with the surveys

Appendix F: Map of May Day March



(Provided by Brisbane Visitor Centre Information)

March route:

- Assemble at corner of Wharf and Turbot Streets
- Turn left into Turbot Street
- Merge into Wickham Street
- Turn left into Brunswick Street
- Turn right into St. Paul's Terrace
- Turn left into Alexandria Street
- Enter main arena from Alexandria Street

Appendix G: Deed of Agreement

DEED OF AGREEMENT

This Deed is made

BETWEEN:("the Claimant")

of

AND: STATE OF QUEENSLAND ("the State")

BACKGROUND

- A. The State has acknowledged the controls exercised by previous State Governments under or purportedly under the Protection Acts over the wages and savings of Aboriginal and Torres Strait Islander peoples ("the Controls")
- B. The Protection Acts are the:
- Aborigines Protection and Restriction of the Sale of Opium Acts 1897.
 - Aborigines Preservation and Protection Act 1939
 - Torres Strait Islanders Act 1939
 - Aborigines and Torres Strait Islander's Affairs Act 1965,
 - Aborigines Act 1971.
 - Torres Strait Islander Act 1971,
 - Community Services (Aborigines) Act 1984 and
 - Community Services (Torres Strait) Act 1984.
- C. Some Aboriginal and Torres Strait Islander peoples have claimed that the exercise, or purported exercise, of the Controls has caused them to suffer loss of wages and savings.
- D. The State has, in the spirit of reconciliation, made a reparation offer in order to compensate all living Aboriginal and Torres Strait Islander peoples who have suffered loss of wages and/or savings through the exercise, or the purported exercise, of the Controls.
- E. The Claimant is an eligible claimant under the State's reparation offer who wishes to accept the offer.

THE PARTIES AGREE:

1. The State will pay to the Claimant the sum of \$..... within .. days of the date of execution of this Deed ("the Payment").
2. By this Deed, the State makes a written apology to the Claimant for the actions of previous State Governments relating to the Controls.
3. The Claimant acknowledges and agrees that the Payment and the apology contained in clause 2 are made in the spirit of reconciliation, but without any admission of liability by the State.

Appendix G: Deed of Agreement

Executed as a Deed.

Signed, sealed and delivered)

by the Claimant)

this day of)

..... 20.....)

in the presence of:)

.....)
(Signature of witness)

.....)
(Name of witness)

.....)
(Address of witness)

.....
(Signature of Claimant)

Signed, sealed and delivered)

for and on behalf of)

STATE OF QUEENSLAND)

by)
(Name)

the)
(Position)

being duly authorised in this)

behalf, this day of)

..... 20.....)

in the presence of:)

.....)
(Signature of witness)

.....)
(Name of witness)

.....)
(Address of witness)

.....
(Signature)

