

SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE
INQUIRY INTO THE STOLEN GENERATIONS COMPENSATION BILL 2008
ATTORNEY-GENERAL'S DEPARTMENT

Question No.1

Senator Barnett asked the following questions at the hearing on 16 April 2008:

Could the Attorney-General's Department provide any legal advice given in relation to the apology to the stolen generations? If the advice is not provided, please provide reasons for that refusal.

The answer to the honourable senator's question is as follows:

The Attorney-General has indicated that it would not be appropriate to provide the information sought.

Question No.2

Senator Brown asked the following questions at the hearing on 16 April 2008

Has the Attorney-General's Department given any advice on [compensation to the stolen generations] and, in particular, in relation to the Northern Territory and the ACT, ongoing responsibilities of the Commonwealth to the stolen generations for reparation? That is, particular information about whether or not the Commonwealth has direct responsibility to the stolen generations in the territories because it was in control at the time?

The answer to the honourable senator's question is as follows:

The Attorney-General's Department does not have any policy responsibility in relation to the issue of compensation to the stolen generations.

If the question also refers to whether the Department has provided legal advice on this issue, the Attorney-General has indicated that it would not be appropriate for the Department to provide the information sought.

Question No.3

Senator Brown asked the following questions at the hearing on 16 April 2008:

When it comes to the international covenant, particularly on indigenous rights, can you tell the committee what that has to say about the issue of reparations to Indigenous peoples?

The answer to the honourable senator's question is as follows:

The Department understands that the question refers to the International Covenant on Economic, Social and Cultural Rights, which was referred to in evidence to the Committee by Ms Anna Cody of the Kingston Legal Centre.

The International Covenant on Economic, Social and Cultural Rights makes no reference to reparations for Indigenous peoples.