



**Australian Government**

**Department of Families, Housing,  
Community Services and Indigenous Affairs**

**THE SECRETARY**

Box 7788 Canberra Mail Centre

ACT 2610

Telephone 1300 653 227

TTY 1800 260 402

Facsimile (02) 6244 7983

Email [Jeff.Harmer@fahcsia.gov.au](mailto:Jeff.Harmer@fahcsia.gov.au)

[www.fahcsia.gov.au](http://www.fahcsia.gov.au)

Mr Peter Hallahan  
Committee Secretary  
Senate Standing Committee on Legal and Constitutional Affairs  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600


Dear Mr Hallahan

I refer to my letter of 10 April 2008 to the Committee Secretariat and the Department's appearance before the Committee on 16 April in Canberra.

At that hearing the Department agreed to provide certain further information to the Committee. The responses to the Questions on Notice that were taken by Departmental officials at the hearing are attached to this letter.

While the Government's position on compensation to the Stolen Generations is clear and unambiguous, it was evident from the hearing that the Department might be better able to assist the Committee with a more comprehensive explanation on the Government's position. The submission attached to this letter provides that information.

Yours sincerely

  
Dr Jeff Harmer

9 May 2008

**Standing Committee on Legal and Constitutional Affairs  
Inquiry into Stolen Generation Compensation Bill, 16 April 2008**

**Responses to Questions on Notice taken by the Department of Families, Housing, Community Services and Indigenous Affairs**

**Question No: 1 (Hansard Pages 32 and 33)**

The **Chair** asked if the Department could provide to the Committee, examples of public reports and statements made by the Prime Minister or other relevant Ministers that go to the Australian Government's position concerning compensation for the Stolen Generations.

**Answer:**

The following are recent examples of public statements made by the Prime Minister and other relevant Ministers

**Prime Minister, the Hon Kevin Rudd MP**

*(Channel 7 Sunrise Program, 29 January 2008)*

"We will not be establishing any compensation fund. I said that before the election, I say it again. And since the Stolen Generation report came out years and years ago, it has been open for any individual, Aboriginal person affected by that to engage their own legal actions through the courts of their State or Territory. That's fine. But at the level of national Government, we will not be establishing any compensation fund."

*(Age Newspaper 2 February 2008)*

Prime Minister Kevin Rudd has moved to ensure the Government's historic apology to the stolen generations is not misread as opening the way to compensation. "We will not, under any circumstances, be establishing any compensation arrangements or any compensation fund. Absolutely blunt on that," he declared yesterday.

**Julia Gillard, Deputy Prime Minister**

*(Interview with Barry Cassidy, Insiders ABC TV, 17 February 2008)*

The Government has made its position perfectly clear here, and that is that there will be no compensation fund. We do want to move forward with Indigenous Australia, and we are prepared to invest, to increasingly invest in link-up services for the Stolen Generation, to put people back in contact with their families, if that's possible.

**Jenny Macklin, Minister for Families, Housing, Community Services and Indigenous Affairs**

*(ABC News Online 7 January 2008)*

"What we will be doing is putting the funding in to health and education services, and providing additional support for services needed for counselling, to enable people to find their relatives," she said. "We think the best way to give force to the apology is to provide funding to close the gap in life expectancy between Indigenous and non-Indigenous Australians." "So we won't be creating a compensation fund."

*(Article by Jenny Macklin in Herald Sun Newspaper, 8 January 2008)*

"Another group believes that the most important thing is for a national apology to actually occur, so that we can move on to a hopeful, brighter future. The Rudd Labor Government is taking this middle road....." "The Rudd Government will not establish a compensation fund in conjunction with an apology."

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**Question No: 2 (Hansard Page 35)**

**Senator Barnett** asked for advice about FaHCSIA and other agencies' examination of the nature of allegations of medical experimentation on members of the Stolen Generations and how the Commonwealth should respond and, if so, through which agency.

**Answer:**

No part of the Department of Families, Housing, Community Services and Indigenous Affairs is aware of, or been provided with any information with respect to medical experimentation on members of the stolen generations.

The Department of Health and Ageing has conducted preliminary investigations with Northern Territory and Commonwealth agencies. No obvious evidence of medical testing has been revealed. The Department has consulted with:

- Australian Institute of Aboriginal and Torres Strait Islander Studies;
- NT Archives;
- NT Department of Health and Community Services;
- NT Centre for Disease Control;
- National Health and Medical Research Council;
- Therapeutic Goods Administration; and
- National Centre for Epidemiology and Population Health.

A number of experts in leprosy treatment in the Northern Territory have also been quoted in the media offering alternative explanations, and have not been supportive of the claims.

The Department of Health and Ageing will engage a researcher to undertake a literature review and examine historical records both in Canberra and the Northern Territory. This will ensure the scope of the investigation is defined before any detailed investigation of primary records is undertaken.

**Question No: 3 (Hansard Page 35)**

**Senator Barnett** asked for information on the Government's plans for (1) existing funding and (2) ongoing funding for the Link Up Services into the future in each State and Territory and specifically in relation to Tasmania.

**Answer:**

The Australian Government funds eleven Link Up services across the country to provide support, guidance and assistance to Stolen Generations members forcibly separated from their families and to trace and reunite with their families. Link Up services also provide counselling for Stolen Generation members. Funding of \$6,435,949 (GST excl) was allocated for this purpose in the 2007-08 financial year. Funding is ongoing and provided on an annual allocation. A list of existing service providers is at **Attachment A**.

The Australian Capital Territory and Tasmania do not have a Link Up service. Outreach services are provided from: the Victorian Aboriginal Child Care Agency in Melbourne, Victoria, to

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Tasmania; and the Link Up NSW in Blue Mountains, New South Wales, to the Australian Capital Territory.

The Government has committed an additional \$15.7 million over four years to enable 1000 Stolen Generation members to reunite with their families through Link Up services and fund an extra 20 Bringing Them Home counsellors. States and Territories are being asked to fund another 20 counsellors and focus these in areas of need.

The Link Up funding was allocated in April 2008 to support, on a national basis, twelve new Link Up caseworkers, five new administrative support workers and two new State Coordinators. These positions were allocated to states and territories in the following way:

<b>Jurisdiction</b>	<b>Positions</b>	<b>Locations</b>
W.A.	One caseworker	Kimberley Stolen Generation Aboriginal Corporation
	One caseworker	Wangka Maya Pilbara Aboriginal Language Centre
	Two caseworkers	Yorgum Aboriginal Corporation
S.A.	One caseworker	Nunkuwarrin Yunti Incorporated
N.T.	One caseworker One coordinator One admin support	Central Australian Stolen Generation and Families Aboriginal Corporation
	One caseworker One admin support	Northern Territory Stolen Generation Aboriginal Corporation
Qld.	One caseworker One admin support	Link Up (Qld) Aboriginal Corporation
N.S.W.	Two caseworkers One admin support	Link Up (NSW) Aboriginal Corporation
Vic.	One caseworker One admin support	Victorian Aboriginal Child Care Agency

A twelfth caseworker position will be filled in 2009-10 and a second state coordinator position in 2010-11. Their locations have not yet been determined.

The additional Bringing Them Home counsellor positions have yet to be allocated.

**Question No: 4 (Hansard Page 36)**

**Senator Bartlett** asked if the Department could check whether there has been any formal request, pressure or inquiry towards state governments about whether they are pursuing compensation for the Stolen Generations or whether they are being asked, encouraged or requested to think about it.

**Answer:**

The Department of Families, Housing, Community Services and Indigenous Affairs has not had any such communication with any State or Territory Governments.

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**Question No: 5 (Hansard Pages 36-37)**

**Senator Brown** asked that the Department request the Minister for Families, Housing, Community Services and Indigenous Affairs to provide the committee with any written or oral communication between the Department and the Minister relating to not giving compensation to the Stolen Generations.

**Answer:**

Communications of a policy nature between Ministers and their Departments are in-confidence and it would not be appropriate to disclose their nature.

**Question No: 6 (Hansard Page 37)**

**Senator Barnett** asked whether either Department had undertaken any specific programs, initiatives or actions as a result of the federal parliamentary resolution to say sorry and apologise to the Stolen Generations.

**Answer:**

The Department of Families, Housing, Community Services and Indigenous Affairs has continued working with the key Stolen Generations organisations – the National Sorry Day Committee and the Stolen Generations Alliance – to ascertain priorities to address their specific needs.

The Department is working with a smaller working group formed from these two organisations to contribute to the organisation and promotion of Sorry Day 2008, provide advice to Government on the impact of policies on Stolen Generations members and their families and suggest initiatives for improving policies and services for Stolen Generations members and their families.

The Department is supporting activities to promote Sorry Day 26 May 2008 at the national and local levels.

## DETAILS OF LINK-UP SERVICE PROVIDERS

## Western Australia

SERVICE PROVIDER	CONTACT	ADDRESS	POSTAL ADDRESS	HEALTH REGION	PHONE	FAX	EMAIL
Great Southern Aboriginal Health Service (part of Great Southern Division of General Practice)	Avonia Donnellan (Coordinator) Joanne Woods (LU Research Officer)	144 Albany Hwy ALBANY WA	PO Box 5223 ALBANY 6331	Great Southern & SE Coastal	08 9842 8453  08 9842 2797	08 9842 8463	<a href="mailto:adonnellan@gsgpn.com.au">adonnellan@gsgpn.com.au</a>
Kimberley Stolen Generation Aboriginal Corporation	Mark Bin Bakar (Chairperson) Rosie Sahanna (Coordinator) Frank Parkes (Snr Caseworker)	28 Barker Street BROOME 6725	PO Box 2775 Broome 6725	West Kimberley	089193 6502	089193 7352	<a href="mailto:whaddayow@westnet.com.au">whaddayow@westnet.com.au</a> <a href="mailto:rosie.ksgac@iinet.net.au">rosie.ksgac@iinet.net.au</a>  <a href="mailto:raelene.ksgac@iinet.net.au">raelene.ksgac@iinet.net.au</a> <a href="mailto:frank.ksgac@iinet.net.au">frank.ksgac@iinet.net.au</a>
Ngnowar Aerwah Aboriginal Corporation	Les Evans (Administrator) Graeme Trust (Coordinator) Graham Williams (Caseworker)	60 Great Northern Hwy WYNDHAM 6740	PO Box 250 Wyndham 6740	East Kimberley	08 9161 1496  Graeme - 0428-141-192	08 9161 1510	<a href="mailto:BSF_Linkup1@ngnowar.org">BSF_Linkup1@ngnowar.org</a>  <a href="mailto:secretary@ngnowar.org">secretary@ngnowar.org</a>
Yorgum Aboriginal Corporation	Jade Maddox (CEO) Lionel Gregory (Coordinator) Melbourne Hart (Caseworker)	176 Wittenoom St EAST PERTH 6004	PO Box 236 NORTHBRIDGE 6865	Metro, South West, Goldfields, Wheatbelt, Midwest & Murchison.	08 9218 9477	08 9221 0487	<a href="mailto:jmaddox@yorgum.org.au">jmaddox@yorgum.org.au</a> <a href="mailto:lgregory@yorgum.org.au">lgregory@yorgum.org.au</a>
Wangka Maya Pilbara Aboriginal Language Centre	Fran Haintz (CEO) Carley Morrell (Coordinator) Jane Bin Saad (Caseworker) Brett Derschow	12 Leek Street SOUTH HEDLAND 6722	PO Box 2736 South Headland 6722	Pilbara & Gascoyne	BSF Office 08 9172 3275  WMPALC 08 9172 2344	BSF Office 08 9172 2355  WMPALC 08 9140 2388	<a href="mailto:wangkamaya@kisser.net.au">wangkamaya@kisser.net.au</a>  <a href="mailto:wmlucoordinator@wangkamaya.org.au">wmlucoordinator@wangkamaya.org.au</a> <a href="mailto:wangkamayalinkup2@kisser.net.au">wangkamayalinkup2@kisser.net.au</a> <a href="mailto:wmlucaseworker2@kisser.net.au">wmlucaseworker2@kisser.net.au</a>

- o **Note:** The Great Southern Division of General Practice, Albany has the BSF Contract and the program is delivered through the Great Southern Aboriginal Health Service in Albany. All BSF contact is to be directed to the Great Southern Aboriginal Health Service.

## DETAILS OF LINK-UP SERVICE PROVIDERS

<b>VICTORIA</b>  Victorian Aboriginal Child Care Agency Co-operative Ltd	139 Nicholson St East Brunswick VIC 3057	P.B. 494 Northcote Plaza Northcote 3070 Vic	Tel: 03 8388 1855 Fax: 03 8388 1898  Email: vacca@vacca.org	Lance James, Coordinator <a href="mailto:lancej@VACCA.ORG">lancej@VACCA.ORG</a> Angela Swindle, Caseworker <a href="mailto:angelaswindle@vacca.org">angelaswindle@vacca.org</a>
<b>QLD</b>  Link Up (Qld) Aboriginal Corporation	6 Cordelia Street STH BRISBANE QLD 4101	PO Box 5487 WEST END QLD 4101	Tel: 07 3255 0855 Fax: 07 3255 2099 Email: <a href="mailto:contact@qld.link-up.org.au">contact@qld.link-up.org.au</a> 1800 number: 1800 200 855	Delma Roe (Coordinator) <a href="mailto:delma.roe@qld.link-up.org.au">delma.roe@qld.link-up.org.au</a> Helen Bnads (Caseworker) <a href="mailto:Ramona.smith@qld.link-up.org.au">Ramona.smith@qld.link-up.org.au</a>
QLD also has an outreach office in Cairns.				
<b>NT Central</b>  Central Australian Stolen Generations & Families Aboriginal Corporation	86 Hartley Street ALICE SPRINGS NT 0870	PO Box 744 ALICE SPRINGS NT 0871	Tel: 08 8953 3899 Fax: 08 8953 6684  Email: <a href="mailto:sg@central.link-up.org.au">sg@central.link-up.org.au</a>	Scott Lonard (Coordinator) <a href="mailto:scott.lonard@central.link-up.org.au">scott.lonard@central.link-up.org.au</a> Charlie Ward (Caseworker) <a href="mailto:charlie.ward@central.link-up.org.au">charlie.ward@central.link-up.org.au</a> <a href="mailto:sg@central.link-up.org.au">sg@central.link-up.org.au</a>
<b>NT North</b>  Northern Territory Stolen Generations Aboriginal Corporation	Unit 2 / No.5 Goyder Road, PARAP NT Darwin	PO Box 703, SANDERSON, NT 0813	Tel: 08 8981 7900 FAX: 08 8981 7933	Jackie Baxter Rosie Baird <a href="mailto:rbaird2@bigpond.com">rbaird2@bigpond.com</a> Cynthia Sariago
<b>NSW</b>  Link Up (NSW) Aboriginal Corporation	5 Wallis Street LAWSON NSW 2783	PO Box 93 LAWSON NSW 2783	Tel: 02 4759 1911 Fax: 02 4759 2607 Email: <a href="mailto:linkup@nsw.link-up.org.au">linkup@nsw.link-up.org.au</a> 1800 Number: 1800 624 332	Glendra Stubbs (Manager) <a href="mailto:glendra@nsw.link-up.org.au">glendra@nsw.link-up.org.au</a> 0417 270 395 John Westbury (Caseworker) <a href="mailto:john@nsw.link-up.org.au">john@nsw.link-up.org.au</a>
<b>SOUTH AUSTRALIA</b>  Nunkuwarrin Yunti of South Australia	182-190 Wakefield Street ADELAIDE SA 5000	PO Box 7202 HUTT STREET SA 5000	Tel: 08 08-8223 5217 Fax: 08 8223 6086	Kay Goodman-Dodd Program Manager <a href="mailto:kaygd@nunku.org.au">kaygd@nunku.org.au</a> Jay Dean, (Caseworker) <a href="mailto:cheryleec@nunku.org.au">cheryleec@nunku.org.au</a>