

Our ref: BR03/1638

Mr Neil Laurie  
Clerk of the Parliament  
Parliament House  
Alice and George Streets  
BRISBANE QLD 4000

Dear Mr Laurie

I refer to an e-petition tabled in Parliament on 29 April 2003 concerning the Queensland Government's Indigenous Wages and Savings Reparations Process.

The Queensland Government has made an historic \$55.4 million offer to Indigenous Queenslanders who had their wages and savings controlled under successive state governments from 1897 to 1972. We are the only jurisdiction in the country to offer reparations for the control of Indigenous peoples' wages and savings.

Since coming to office in 1998, the Beattie Government has sought to resolve this long outstanding issue and deliver some overdue justice to the traditional owners of this land. In the period May to July 2002, the Queensland Aboriginal and Torres Strait Islander Legal Services Secretariat (QAILSS) visited more than 100 locations providing information on the Government's offer to Indigenous people and gauging the level of in-principle support for the offer. It would never have been possible to consult with every affected individual and the Government has accepted the QAILSS report of a 96% acceptance rate from persons who have responded to the QAILSS survey of potential claimants.

I recognise no amount of money could ever suitably compensate Indigenous people who have suffered, in many cases, decades of discriminatory and disabling government practices. While the Government is not accepting liability for those past practices, it abhors their occurrence and acknowledges that reparation is necessary, as is an apology, to encourage healing and reconciliation.

We have also resolved to address the legacy of decades of disadvantage, with new legislation and funding to fight the unacceptable incidence of alcohol abuse and violence in Indigenous communities and new programs to improve educational and health outcomes and foster economic prosperity.

I acknowledge the manner of control of Indigenous wages and savings did provide the opportunity for fraud and there are at least three cases on file where fraud was found or suspected, resulting in convictions and in one case, termination of employment. However, not every Indigenous Queenslander had their accounts defrauded. Nor is there any evidence to suggest that hundreds of millions of dollars was lost or stolen, as has been claimed.

The Government acknowledges that an injustice was perpetrated and it was a wholesale injustice. Injustice, however, does not equal illegality and these matters have not been tested at law.

What the Beattie Government has determined to do is make what we believe is a fair and reasonable offer of reparation, including: a written apology to each eligible individual; parliamentary acknowledgment; new government protocols for acknowledgment of traditional owners; and progression of the distribution of remaining monies in the Aborigines Welfare Fund, currently more than \$8.9 million. It should also be noted the \$55.4 million reparation does not include the \$8.9 million in the Welfare Fund.

Before an eligible Indigenous person signs an indemnity, they will be offered independent legal advice. This will help them make informed decisions on whether or not to accept the offer. I have also stated that the indemnity will be narrowed to control of wages and savings issues only. Those that reject our offer are free to pursue legal action if they choose.

The Government is making this offer, not because of legal precedent, but from a sense of justice and a determination to remove the final impediment to the achievement of true reconciliation in Queensland. We do so in good faith.

Yours sincerely

Judy Spence MP  
**Minister for Aboriginal and Torres Strait Islander Policy**