

Indigenous Queenslanders could miss out on returned stolen wages

By Tony Moore
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More than 4600 First Australians who have registered to recoup millions of dollars in stolen wages are set to miss out.

These are real wages earned by about 20,000 First Australians — stockmen, cattle property workers, kitchen hands and pearl divers working mainly in the outback and north Queensland.



Many of the Queenslanders seeking stolen wages worked as stockmen on cattle properties.

One of more than 12,500 official claimants was Townsville elder Yvonne Butler, who campaigned to get the Australian Senate to hear the story of stolen wages in Queensland. She shared her experience in July 2006 and granted permission for it to be retold before she passed away two years later.

When she began her campaign in the 1990s, there were more than 20,000 First Australians who could claim. Today, 12,542 have lodged a claim.

Mainstream Australia still did not believe First Australians' wages were kept and never returned, she said. "The ignorance of decent Australians of our plight is testament to our lack of resources and the effectiveness of the government in burying its shameful past," she said at the time.

Ms Butler's people were from the Warrungnu tribe near the Herbert River Gorge, west of the north Queensland town of Cardwell. She first lodged a claim on her own behalf

and for her father, stockman "Jubilee" Jackson, her mother Rita Jackson, three sisters, her uncle and grandfather.

"I grew up hungry," Ms Butler said in her submission to the Senate.

"My hunger and malnutrition were a direct result of my family not being paid their full wages and entitlements." She spoke of eating scraps from a local hotel near the town of Mount Garnet on the Atherton Tablelands.

"When my mother worked at Lucey's Hotel as a laundress, she would occasionally bring home some scraps which would almost be the only good food I ever had."

Her stories of undernourishment, only seeing her father several times a year when he returned from droving and lengthy Atherton Hospital stays are shattering.



More than 12,500 Indigenous Queenslanders, many of whom worked as cattle stockmen, are now seeking wages withheld from them by the Queensland government.

She tells of Aboriginal children rushing home from school with brown envelopes to donate money to starving children in Africa.

"We used to run home and find little coins we could donate," she said.

"We didn't realise that we were starving children then.

"We had thin grey blankets in winter and slept on a damp floor. The men crushed ant beds to make the soil harder for the flooring of the shack. There were no mattresses and the windows were opened with a stick. At the other end of the shack was a wood stove."

Her long investigation identified that her wages for work as a governess, cook and cleaner - as well as her mother's and father's wages - went to the Mount Garnet police station.

Sometimes they got "pocket money" from the local police, sometimes they didn't. In her submission, she tells of police records being burned, archivists confirming "Aboriginal" records were lost, and police being convicted of thieving Indigenous wages.

Later she learnt her grandfather had by 1947 accumulated 623 pounds (about \$43,035 in today's Australian dollars) in wages, which her family never received.

"I am offended by the Queensland government's reference to any reparations as being taxpayers' money," she told.

"No taxpayers' money is being sought. What is being sought is the return of moneys and assets obtained through these moneys, in a similar manner as to current legislation operating in all states of Australia regarding the confiscation of the proceeds of crime," she said.

Within a week, one of Australia's largest class actions to return hundreds of millions of dollars in hard-earned wages to Aboriginal and Torres Strait Islanders will close.

August 28 is closing day.

Between 1937 and 1972, 12,542 Indigenous and Torres Strait Island Queenslanders reported that their wages were withheld by the Queensland government.

However, seven months after a \$190 million Queensland government settlement was agreed, 4600 have still not provided a photo ID and a bank account to receive their stolen wages.

The reasons are complex.

Respected First Australian Noel Pearson, whose uncle Hans Pearson began the successful stolen wages class action in 2016, highlighted why the issue was so important.

"If you want to understand Indigenous disadvantage today, it has its roots back then," he said in a 2016 radio interview.

"This is as important as Mabo. There is a precedent here of a fundamental cornerstone justice like Mabo because of the opportunity cost that he has forgone and that an entire generation has forgone."

Mr Pearson wanted \$145,000 in wages he earned from various cattle properties until he stopped work in the late 1960s.

Four years later Grant Thornton Lawyers were chosen to deliver the wages to the thousands of Indigenous Queenslanders who had their wages withheld.

Last year, the Queensland government agreed to a \$190 million settlement fund to repay First Australians.

There were more than 10,000 claimants by July 2019, when an in-principle settlement was reached with the Queensland government, Rosalind Kidd said.

Dr Kidd served as an expert witness into the inquiry into underpaid wages on Palm Island, which ultimately resulted in compensation from the Queensland government of \$40 million to underpaid workers.

"My personal ambition was to have the case fought in the courts - six weeks had been allocated - so that it would play out nightly on the news and the public might finally realise what had been happening for so many decades," Dr Kidd said.

"But, of course, this is absolutely not my call to make.

The lead claimants chose to accept the Queensland government's offer of \$190 million settlement, rather than risk possibly losing in court, having possible damages awarded against them, and dragging this shameful saga out for possibly several more years.

Dr Rosalind Kidd

"You would appreciate that distressing numbers of elders have already passed on having never known a legal victory or accessed their missing money."

Now time is running tight.

August 28 is the last day bank account details can be provided to receive a settlement, with some claimants more than 100 years old.

Settlement lawyer Anthony Beven said elders, not the Queensland government, had set the deadline.

"There is no extension. There is no second round. There will be no 'give it to us on August 29'.

"If it is posted to us on August 28, it is too late. We must receive it on August 28."

Mr Beven said his team had taken big steps to contact the 12,542 people who had lodged claims.

"We have made community visits to all the main Aboriginal communities in Queensland, regular fortnightly emails to everyone, written twice to all claimants by snail mail, done radio interviews, done newspaper stories in *The Australian* and in

the *Koori Mail*, local newspapers in Indigenous community areas, telephone calls," he said. Repaying stolen wages to Indigenous Queenslanders

- 12,542 individual Indigenous people have made a claim.
- There are 14,501 cases where family members are claiming for deceased claimants
- 4600 people have not provided a bank account with a photo ID
- Elders have told lawyers this information must be provided by August 28, 2020.
"Unfortunately the elders have told us that 7½ months is long enough and we shouldn't delay the payments," Mr Beven said.

The cost of finding the claimants and identifying their details comes from the \$190 million settlement fund.

"Every day that my staff have to be on the phone trying to locate people where there is already 100 people trying to locate them adds to the administration costs that reduces the amount of money that is paid to people," he said.

"The elders say the people who have done the right thing are now just having their money reduced.

"They say 7½ months is more than long enough for people to provide a bank account and a driver's licence."