

Thursday, 13 March 2014

885. Hon Robin Chappie to the Minister for Aboriginal Affairs.

Regarding the Stolen Wages Reparation Scheme WA, in which Teresa Nungatcha's application was refused on the basis that she was not born prior to 1958, I ask:

- (a) on what basis was the year 1958 selected as the cut-off between those applicants who are eligible to receive *ex gratia* payments and those who are not;
- (b) can the Minister please explain how it is fair, just and legal under human rights and discrimination laws, for one group of people (those born prior to 1958) to be eligible for the scheme while another group (those born shortly after 1958) are not, even though both groups received the same treatment;
- (c) will the Minister apologise, in writing, to Teresa Nungatcha and other Aboriginal people who were taken from their families as children and sent to Charles Perkins Hostel, where they worked for no pay or benefits until they could leave, or they ran away:
 - (i) if no to (c), why not; and
 - (d) will the Minister revise his decision regarding *ex gratia* payments to Ms Nungatcha, or will he establish a new scheme under which Ms Nungatcha's application can be considered:
 - (i) if yes to (d), what steps will he take; and
 - (ii) if no to (d), why not?

(a) State legislation that provided the frameworks for Government control over wages applied during the period 1905 to 1972. Aboriginal people born prior to 1958 would be of working age, that is 14 years or older, during the period that practice of withholding wages occurred.

(b) Refer to (a).

(c) No.

(i) The State Government's response to the issue of stolen wages was largely based on advice from the Stolen Wages Taskforce. It should be noted that the State Government invests heavily in measures to improve outcomes for Aboriginal people. These investments are to a large degree, based on recognition that the disadvantage experienced by many Aboriginal people is a result of discriminatory legislation and policy that existed during the period 1905–1972.

(d) No.

(i) Not applicable.

(ii) The Scheme will not be reviewed or reopened. It should be noted that application to the Stolen Wages Reparation Scheme does not affect the legal rights of any applicant that may choose to pursue other courses of action.

