

Our ref: MC05/0286

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 24 February 2005 concerning Petition No. 389-04 received by the Queensland Legislative Assembly in regard to Indigenous 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 accepted the QAILSS report of a 96 per cent acceptance rate from persons who responded to the QAILSS survey of potential claimants.

In February 2003 the Queensland Government made an historic \$55.4 million offer to Indigenous Queenslanders who had their wages and savings controlled under successive state governments from 1897 until the 1980s. We were the first jurisdiction in Australia to offer reparations for the control of Indigenous peoples' wages and savings.

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.

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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 acknowledgement; and new government protocols for acknowledgement of Traditional Owners.

Independent legal advice is offered before an eligible Indigenous person signs an indemnity. This will help them make informed decisions on whether or not to accept the offer. 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

JOHN MICKEL
Minister for Energy and
Minister for Aboriginal and Torres Strait Islander Policy