



# Unfinished Business

Progress Report to Parliament

JULY 2018

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## Glossary of terms

<b>Advisory Committee</b>	Stolen Generations Advisory Committee
<b>AHO</b>	Aboriginal Housing Office
<b>Bringing them home report</b>	Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families, Human Rights and Equal Opportunity Commission, Sydney
<b>CBACH</b>	Children of the Bomaderry Aboriginal Children's Home Incorporated
<b>Coota Girls</b>	Coota Girls Aboriginal Corporation
<b>DPC</b>	Department of Premier and Cabinet
<b>FACS</b>	Department of Family and Community Services
<b>Healing Fund</b>	Stolen Generations Healing Funding
<b>KBH</b>	Kinchela Boys Training Home
<b>KBHAC</b>	Kinchela Boys' Home Aboriginal Corporation
<b>OCHRE</b>	Aboriginal Affairs NSW Opportunity, Choice, Healing, Responsibility, Empowerment strategy
<b>OEH</b>	Office of Environment and Heritage
<b>OOHC</b>	Out-of-home care
<b>SGOs</b>	Stolen Generations Organisations

## Minister's foreword



I had the honour in 2016 to serve on the General Purpose Standing Committee No. 3, which was tasked with inquiring into and reporting on reparations for the Stolen Generations. Through this inquiry I heard from many survivors about the 'unfinished business' that still needs to happen to

support Stolen Generations survivors to heal from the legacy of the forcible removals. The parliamentary inquiry recommended financial and non-financial reparations be made to Stolen Generations survivors.

In December 2016 the NSW Government announced it accepted the vast majority of the parliamentary inquiry recommendations, and committed \$73 million to deliver financial reparations, collective healing responses and other initiatives. The NSW Government response was a commitment to take action and acknowledged the real and heartbreaking trauma caused by the wrongful past government policies and practices of removing Aboriginal children from their kin and country.

The delivery of the NSW Government's response is underpinned by a commitment to listen to and be guided by the voices of survivors, and to changing the way NSW Government does business with survivors. The response forms part of a broader NSW Government's commitment in OCHRE to advance the dialogue in NSW about trauma and healing and to begin developing responses informed by evidence of good practice and the real-life experiences of Aboriginal people.

To support this, a Stolen Generations Advisory Committee has been established, comprised of survivors from the state's Stolen Generations Organisations and NSW Government officials. The Advisory Committee has been a way to shine a light on issues specific to survivors, and to consider how the NSW Government can best work with the survivor

organisations to progress these. This Committee is the first formal mechanism for the Stolen Generations Organisations to speak collectively with officials from across government about the issues impacting them, and to ensure any actions by the NSW Government are informed by their voices.

Through the Advisory Committee, the survivor representatives have told us the priorities they want NSW Government to progress, and this has guided the focus of the delivery of the response.

Much has been achieved since the NSW Government announced its response to the parliamentary inquiry. One of the key priorities for the survivors was for financial reparations to be delivered quickly to survivors – many of whom are ageing. In July 2017, the Stolen Generations Reparations Scheme commenced, providing monetary payments and apologies to Stolen Generations survivors. Aboriginal Affairs has also been working closely with the Stolen Generations Organisations to provide financial and non-financial support, recognising the unique needs these survivor-led organisations have, and to support them towards receiving funding for collective reparations.

This Progress Report to Parliament outlines the work the NSW Government has undertaken to progress its commitments, and explains the areas where further action is being taken. Under each theme in the report the survivors have responded and shared their views. They are holding Government to account, to drive us to deliver on our commitments.

The NSW Government is committed to ensuring a close working relationship with the Advisory Committee continues, to improve the relationship between government and survivors.

Finally, and importantly, I would like to acknowledge the tireless work of Stolen Generations survivors in advocating for, and driving, the NSW Government Response. Survivors, particularly the NSW Stolen Generations Organisations, have played a critical role in ensuring we continue to improve the way government works with and supports survivors.

**Sarah Mitchell MLC**

THE NSW GOVERNMENT IS COMMITTED TO ENSURING A CLOSE WORKING RELATIONSHIP WITH THE ADVISORY COMMITTEE CONTINUES, TO IMPROVE THE RELATIONSHIP BETWEEN GOVERNMENT AND SURVIVORS.



## Stolen Generations Organisations Foreword

We, the Stolen Generations Organisations (SGOs), appreciate the opportunity to speak collectively and directly with NSW Government officials to ensure the government can support the needs of survivors.

The Stolen Generations Advisory Committee is the first opportunity we have had, in a formal way, to provide feedback, highlight concerns and identify solutions to government to progress change for survivors.

We are experts in our field because of our unique experiences, and we are best placed to provide advice on the impacts of the Stolen Generations. It is important we tell our own stories in our own voices and not have other people tell our stories for us,

especially on issues impacting survivors and their families. The Stolen Generations Advisory Committee has given us a place to do this.

We ask for the Advisory Committee be extended beyond the two-year period, to ensure our voices continue to be heard on the work Government still needs to do.

A lot has been achieved in the past year towards reparations for survivors and progress is being made after so many years of waiting. We particularly commend the NSW Government for listening to us when we called for individual reparations to be made quickly, with the Stolen Generations Reparations Scheme being operationalised within six months.

But we recognise the many Stolen Generations survivors who passed away in the 20 years since reparations were first recommended in the *Bringing Them Home Report*. For them and their families, the Reparations Scheme was delivered too late.

We have significant concerns the criteria of the Reparations Scheme do not recognise the people who were removed from their families under assimilation practices by the Child Welfare Department, police or other people, rather than the Aborigines Welfare Board. This has caused further trauma to individuals and fractured family groups due to people being treated differently based on the circumstances of their removal, and the Reparations Scheme needs to address this. We are concerned the NSW Government's assimilation practices continued beyond 1969, and the Scheme should take account of this.

The Bringing Them Home report was a watershed moment in our nation's history. But 20 years later it's not just about bringing Aboriginal people home; it's also about keeping them home. We are deeply distressed by the rate Aboriginal children today continue to be removed from their families. As survivors of the Stolen Generations, our voice and perspective on child protection issues are important, and we could play a unique role in supporting the restoration of families.

As survivors we understand our own healing needs, and support each other in our individual and collective healing journeys, and for our families and our descendants. We ask the Government to work with us in a way that respects our expertise, and to fund us to continue our work to heal ourselves and our families, and supports us to connect with other services providing this support.

We continue to highlight the need for more emphasis by government on rebuilding families, and more assistance be given to the SGOs to support the needs of descendants and families of Stolen Generations survivors. We particularly recognise the impact on descendants of Stolen Generations survivors, who live with the effects of intergenerational trauma on mental health, physical health, incarceration rates and other issues.

We need better relationships with government agencies to do this. Information and advice from government needs to be presented in a clear and accessible way for us to continue to be involved in decisions impacting on the lives of Stolen Generations survivors and descendants. And we need continued and more proactive engagement from government agencies, to deliver a coordinated response to survivors.

We recognise government agencies have said they will work more closely with us, and we acknowledge the support Aboriginal Affairs has given us, and the commitment they have shown to changing the relationship between government and survivors. We ask the Commonwealth Government follow this same approach.

The three levels of government – State, Commonwealth and local – must work together to make systems of support available for survivors easier to identify and navigate.

We have a significant and historic role to play as the voice of the survivors of the Stolen Generations and we want our contribution to *Unfinished Business* to be our legacy to current and future generations.

**THE THREE LEVELS OF GOVERNMENT – STATE, COMMONWEALTH AND LOCAL – MUST WORK TOGETHER TO MAKE SYSTEMS OF SUPPORT AVAILABLE FOR SURVIVORS EASIER TO IDENTIFY AND NAVIGATE.**

# Introduction

## Overview

The Unfinished Business Progress Report to Parliament summarises the NSW Government's progress to date in implementing its commitments to Stolen Generations survivors and their families made in response to the General Purpose Standing Inquiry into Reparations for the Stolen Generations - the Unfinished Business Report.

The Progress Report was prepared by the NSW Government in consultation with the NSW Stolen Generations Organisations (SGOs) through the Stolen Generations Advisory Committee (the Advisory Committee) to provide transparent information on how the Government's commitments are progressing.

To ensure the voices of survivors continue to guide government on the implementation of Unfinished Business, the views of the SGO survivor representatives on the Advisory Committee, and their priorities now and in the future, are captured in this report. Therefore, the report is structured to consider the two components of the Advisory Committee – the government departments' work progressing the NSW Government commitments, and the views of the SGO representatives.

Elements of the NSW Government's Response have been prioritised in consultation with SGOs, recognising survivors play a critical role in the implementation of the response, and it was neither practical, nor good practice, to work across all NSW Government commitments immediately.

In the past 18 months there have been significant achievements in delivering reparations for the Stolen Generations, with the commencement of the Stolen Generations Reparations Scheme in July 2017 providing individual payments and apologies to Stolen Generations survivors. However, there is still substantial work ahead to continue addressing the ongoing trauma survivors continue to experience, and to support individual and collective healing for Stolen Generations survivors, their families and descendants.

## NSW Government Response to Unfinished Business

Unfinished Business, the NSW Parliament General Purpose Standing Committee's report on its inquiry into Stolen Generations reparations, was tabled in Parliament on 23 June 2016, making 35 recommendations towards reparations.

In December 2016, the NSW Government provided its response to Unfinished Business - which accepted the majority of the General Purpose Standing Committee recommendations and officially acknowledged the enduring trauma caused by the historic government policies and practices of removing Aboriginal children from their families, communities and culture. The NSW Government's reparations commitments, totalling \$73 million, includes both individual and collective reparations to Stolen Generations survivors.

The NSW Government response took a thematic approach, to provide meaningful and holistic driving principles for reparations. These are:

- Recognition, acknowledgement and apology
- Monetary reparations
- Collective Healing
- Tailored Supports
- Guarding against repetition
- Cultural renewal.

To ensure consistency with the NSW Government Response, the Unfinished Business Progress report is structured according to these themes. The status of each individual commitment is listed at Appendix 1.

## Stolen Generations Advisory Committee

The NSW Government response recognises the important role the four SGOs in NSW – Coota Girls' Aboriginal Corporation, Kinchela Boys' Home Aboriginal Corporation, the Children of Bomaderry Aboriginal Children's Home Incorporated and the Stolen Generations Council NSW/ACT – have in supporting survivors and descendants. The response committed to continue engaging with these survivor organisations, including through the Stolen Generations Advisory Committee. Further information on each organisation is provided at Appendix 2 to the report.

The Advisory Committee has been established to ensure the voices of survivors inform the implementation of the NSW Government's response. Through the Advisory Committee, representatives from the four NSW SGOs work with government officials from the departments responsible for delivering services or support impacting Stolen Generations survivors and their families.

The Advisory Committee was officially appointed in May 2017 to initially operate for two years. The four SGOs in NSW, and relevant government departments were invited to nominate Advisory Committee representatives to who could best represent their organisation or department. Each

representative works to ensure they present the views of their membership and their Board. The Advisory Committee Chair is Jason Ardler, Head of Aboriginal Affairs NSW. A membership list is provided at Appendix 3 to this report.

The Advisory Committee has met four times since it was established, with additional survivor-only pre-meetings held in December 2017, March 2018 and June 2018. An out-of-session meeting between the survivor representatives and the federal Minister for Aged Care and Indigenous Health, the Hon Ken Wyatt AM, MP took place in April 2018. Throughout this time the Advisory Committee has met with officials from across government, as well as experts and Ministers. The Advisory Committee receives information on priority issues such as child protection and aged care, to ensure representatives hear directly from survivors about the issues they are concerned about.

The Advisory Committee has continued to learn and adapt in its operation. The structure of meetings has developed to ensure survivors can best work together to advocate to government. To support this, the SGO Advisory Committee representatives requested an independent facilitator be appointed. Grant Sarra Consultancy has been contracted to undertake this role. The SGO representatives now caucus one day prior to the formal meeting, to discuss issues and priorities in preparation for meetings with the government officials present.

Through this process, the survivors have identified their priority actions to work on with government. These are related to services for Stolen Generations survivors, such as the need for integrated and holistic aged care and health care responses, and more recognition of Stolen Generations survivors' role in helping to address child protection issues.

The Advisory Committee is not only focussed on ensuring survivors are heard, it is also focussed on working with survivors in ways that respect and value healing. This includes working to grow survivors' trust in government, and valuing the experiences and expertise of survivors. This is a new way of doing business, and has not been done in any other jurisdiction in Australia.

## Implementation of Unfinished Business by Theme

### Recognition (acknowledgement and apology)

The NSW Government made commitments to deliver responses to both individually, and publicly, recognise and apologise for the impact of past policies and practices that separated Aboriginal children from their kinship systems and culture.

#### Public statements and truth-telling

In May 2017, on the 20th anniversary of the tabling of the Bringing Them Home Report, the Minister for Aboriginal Affairs, the Hon Sarah Mitchell MLC, spoke in Parliament to publicly recognise and acknowledge the historic wrongs of past government policies of forcible removal. The Premier, the Hon Gladys Berejiklian MP also issued a public statement, and spoke directly with Stolen Generations survivors who were present in Parliament.

Aboriginal Affairs and the Department of Premier and Cabinet are seeking an acknowledgement of Aboriginal culture and heritage at the beginning of each new Parliament, with the aim for this to occur at the commencement of the next new Parliament in March 2019. This project will engage with the Advisory Committee and a broad range of Aboriginal organisations and peak bodies.

#### Memorials and keeping places

The NSW Government committed to work with the SGOs to establish memorials and keeping places, to provide sites of remembrance for survivors, and to recognise and educate the public about the history of the Stolen Generations and survivor's experiences.

The NSW Government is currently developing a discussion paper on a Stolen Generations Keeping Place or Museum based in Sydney, and this will be provided to the SGOs for consideration.

**THE ADVISORY COMMITTEE IS NOT ONLY FOCUSSED ON ENSURING SURVIVORS ARE HEARD, IT IS ALSO FOCUSSED ON WORKING WITH SURVIVORS IN WAYS THAT RESPECT AND VALUE HEALING**



Kinchela Boys Home Aboriginal Corporation has also received funding from Aboriginal Affairs to support a scoping study into a Museum to be located near Kempsey.

Throughout 2018 further discussions will take place on the scoping for memorials, keeping places and museums, including in the context of the Healing Fund.

### **Central Station Memorial**

Transport for NSW has committed to installing Stolen Generations memorials within the Central Station precinct, in recognition of the importance of Central Station for survivors, as for some it was the last location they saw their siblings.

Staff from Transport for NSW met with the SGO Advisory Committee representatives to hear their initial views on the design and location of the memorial within the precinct. Based on this discussion, Transport for NSW has committed to install a memorial plaque acknowledging the Stolen Generations, located at the entrance of Platform 1, anticipated to be installed by December 2018. In addition, Transport for NSW has committed to memorial plaques at local train stations of significance to survivors – for example, at Kempsey Railway Station.

Transport for NSW is also considering other commemorative options within the precinct to tell the stories of Stolen Generations survivors.

Transport for NSW will continue to consult with the SGOs to ensure cultural protocols are maintained and that survivors are involved in decision-making.

### **Personal apologies**

As part of the Stolen Generations Reparations Scheme, Stolen Generations survivors who receive a Reparations Payment can choose to receive a personalised apology from the NSW Government, based on a statement they provide – either in writing, pre-recorded or in person. This apology recognises and apologises for the harm the person experienced as a consequence of their removal from their family, their community and their culture, and is written to address the individual's circumstances.

As of 30 June 2018, of the Stolen Generations survivors who have received Reparations Payments, 147 have chosen to receive a personalised apology. Of these, 57 people have already received their apology. Aboriginal Affairs is working with the remaining people to support them to provide information to inform their personalised apologies. Some survivors have chosen to do this in person

and appropriate trauma informed and culturally safe arrangements are currently being made for these meetings, which will commence in July 2018.

The Advisory Committee provided advice that survivors need to be given time to consider whether they want to receive a personalised apology, and the content of their personal statement, as this can be an emotional and painful experience. This advice has been incorporated into communications on the apology, to make it clear survivors do not need to rush these decisions, and can nominate to receive a personalised apology at any point during the life of the Reparations Scheme. It is noted as well that all people who receive monetary reparations do receive an apology with their payment, however, this does not address the individual circumstances of the person's removal.

### **Education**

Public knowledge and awareness of past forcible removal practices and their impact on survivors is an important component of achieving reparations. The NSW Government has syllabus content on the Stolen Generations taught as part of history in NSW schools. The Advisory Committee met with a representative of the NSW Education and Standards Authority and was provided with information on the content in the syllabus materials for NSW History in Years 7 – 10 containing reference to the Stolen Generations. The NSW Education and Standards Authority has welcomed further discussions with the SGOs on this curriculum content in the future.

### **Stolen Generations Organisation Representatives Comment:**

Truth-telling is more than making statements in Parliaments. Survivor's experiences must be known and understood by the wider population. While some action has been taken in terms of personal apologies and public statements, more work needs to occur to develop memorials in prominent locations. All levels of government should be involved in commemorating Stolen Generations survivor's experiences, and this should include local government.

The SGO representatives have also said they would like to see smaller, local memorials, for example, at regional train stations in the towns where the former homes were. The SGOs have requested to have greater input over how the sites of the former homes are used. The SGO representatives have asked whether the NSW Government could facilitate increased control or ownership of the former sites of these homes to the respective SGOs for use as Keeping Places.



## Monetary Reparations

One of major priorities for the NSW Government in 2017 was the delivery of monetary reparations to Stolen Generations survivors. The Stolen Generations Reparations Scheme provides ex gratia payments of \$75,000 to Stolen Generations survivors who were removed by, committed to, or otherwise came to be in the care of the Aborigines Protection or Welfare Boards under the Aborigines Protection Act 1909 up until the Act was repealed on 20 March 1969. Survivors who are eligible to receive monetary reparations are also eligible to receive a \$7,000 funeral assistance fund payment to assist with the cost of funerals.

The Aborigines Protection Act in NSW gave the Aborigines Welfare and Protection Boards wide-ranging control over the lives of Aboriginal people, including the power to remove children from their families and place them in care under the policy of assimilation. These policies were discriminatory and unjust, as they focused on removing children from their families due solely to the fact they were Aboriginal. These children were placed in Board homes, other state or non-state run homes or were adopted or fostered. Survivors suffered significant long-term harm from the resulting loss of family community, culture and identity.

Historically there has been no legal recourse for survivors to claim compensation for the act of removal as the decisions of the Board to remove Aboriginal children were permitted under the Aborigines Protection Act. The repeal of the Act represented the end of the government's assimilation policies, and meant children were no longer able to be removed from their families solely on the basis of Aboriginality. The Reparations Scheme is designed to provide ex gratia payments to Aboriginal people who were removed as children from their families and communities under the NSW Government's official policies of Aboriginal 'protection' (up until 1937) and 'assimilation' (from 1937 to 1969), in recognition of the harm caused.

The Reparations Scheme commenced in July 2017, and will operate for five years. The Scheme was established quickly, in recognition of the advanced age of the survivors. Prior to the Scheme's formal commencement, Aboriginal Affairs undertook a fast-tracked application process for Stolen Generations survivors removed into the care of the Aborigines Welfare Board who had received settlements in a Stolen Generations legal action (referred to as the Group Action) and who, therefore, had already provided sufficient documentation of their removal. By the end of June 2017, 118 survivors had received Reparations Payments through this fast-track process.

The Stolen Generations Reparations Scheme is designed to place minimal evidentiary burden on claimants. Aboriginal Affairs undertakes searches of the Aborigines Welfare Board records for evidence of a claimant's removal by the Board. Aboriginal Affairs also seeks records directly from the Department of Family and Community Services (FACS), so the applicant does not have to apply separately for these records. Where further information is required to support an applicants' claim, Aboriginal Affairs staff call the applicant prior to sending written requests, to ensure the applicant understands what information Aboriginal Affairs already has and what further information may help support their claim.

Aboriginal Affairs has worked to ensure claimants can receive support through the application process, should they choose to do so, by establishing an arrangement with Legal Aid NSW for the provision of advice and support, as well as Legal Aid NSW announcing a free Wills service for survivors.

Aboriginal Affairs has also worked with FACS, the Australian Tax Office and the Commonwealth Department of Social Services to ensure Reparations Payments are not taxed, do not impact Centrelink payments or eligibility for a claims for NSW social housing assistance, nor current tenancy arrangement (including the calculation of their rent payable under the rent subsidies).

The NSW Government continues to respond to the feedback from applicants and the SGOs, to adapt processes where necessary to try to ensure the process is accessible and fair.

The NSW Government is aware of the concerns raised by survivors regarding Aboriginal children who were removed by the Child Welfare Department, with no involvement of the Aborigines Welfare Board, prior to March 1969. Aboriginal Affairs is undertaking research to better understand the issues raised. The results of this research will be used to consider whether there is any further information that can be taken into account when assessing claims, to determine whether a person's situation fits within the intent of the Stolen Generations Reparations Scheme.

As of 30 June 2018, over 1100 Reparations Scheme applications have been received, and over 70 per cent of applications have been finalised. Of these, over 330 people have been found eligible for a Reparations payment, with \$24 million paid in Reparations alone.<sup>1</sup> An additional \$2.1 million has also been provided in Funeral Assistance Fund payments.

**AS OF 30 JUNE 2018, OVER 1100 REPARATIONS SCHEME APPLICATIONS HAVE BEEN RECEIVED, AND OVER 70 PER CENT OF APPLICATIONS HAVE BEEN FINALISED.**

Approximately 160 applicants have been found to be out scope for the Scheme as the applicants were born after the Aborigines Welfare Board was abolished in March 1969 or were removed within other jurisdictions. A further 300 people have been assessed as unsuccessful for a Reparations payment because they did not meet the Scheme criteria.

### **Stolen Generations Organisation Representatives Comment:**

The SGO representatives are pleased the Scheme has commenced and payments processed quickly for many survivors. However, for the survivors who passed away in the 20 years since the Bringing Them Home report was published (and Reparations were recommended in NSW) the Scheme was implemented too late. This can be particularly painful for the descendants of survivors who have passed away, as descendants cannot make claims to the Scheme.

The SGO representatives all strongly feel the Stolen Generations Reparations Scheme does not adequately recognise the experience of all survivors. The Scheme does not include Aboriginal people who were removed by the Child Welfare Department or the police, and this exclusion is causing additional trauma and compounding the feelings that their experiences are not recognised by the government. For survivors who are eligible, the trauma can come from where their family members are not eligible for the Scheme because of different circumstances of removal. This creates division and further trauma within family groups. The SGOs strongly advocate the Scheme criteria be reconsidered on this basis.

The SGOs are concerned about the March 1969 cut-off (which aligns with the date the Aborigines Welfare Board was abolished and the NSW Government's assimilation policy formally ended). The SGOs state the government's assimilation practices

<sup>1</sup> This includes the 118 claims that were fast-tracked prior to the Scheme's commencement.

continued beyond March 1969, and they seek acknowledgement the removal of Aboriginal children extended beyond the abolition of Aborigines Welfare Board in 1969.

The Funeral Assistance Fund payment of \$7,000 does not always adequately cover funeral costs, particularly in situations where survivors want to be buried back on country. The SGOs would like the Funeral Assistance Fund payment amount to be increased in recognition of this.

In addition, there is currently no funding for survivors who passed away prior to the Stolen Generations Reparations Scheme to be repatriated back to country. A Stolen Generations survivor's repatriation program should be funded in a similar manner to the current Commonwealth Government program for Indigenous Repatriation, which funds the return Aboriginal ancestral remains held in overseas museums or collections back to country. The SGOs advocate the repatriation of survivors back to country would fit with the objectives of program, which 'recognises repatriation helps promote healing and reconciliation for Aboriginal and Torres Strait Islander peoples'.<sup>2</sup>

## Healing

The NSW Government Response committed funding to two main collective reparations initiatives:

- To establish a grant-based Stolen Generations Healing Fund to support priority collective healing initiatives for the Stolen Generations. The NSW Government has allocated \$5 million over ten years, with \$500,000 allocated each financial year from 2017-18 onwards.
- To provide reparations funding to support the SGOs to continue their important work to support survivors and descendants.

Both of these initiatives are funded for ten years, in recognition that as well as urgent support required for ageing survivors, longer term approaches are also required to address intergenerational issues.

### Stolen Generations Healing Fund

The Stolen Generations Healing (the Fund) is still in the scoping phase. Aboriginal Affairs initially anticipated the Fund would commence late in 2017, however this has been delayed as other priority work, as identified by survivors, has been progressed. The focus of activity to date has been on working with the SGOs to assist them to build their capacity to continue their important work delivering survivor led

approaches to support Stolen Generations survivors to collectively heal.

The Fund requires careful design to ensure it complements, and does not duplicate, the work of the four SGOs. It is important to take the necessary time to ensure the design of the Healing Fund is iterative in its approach and evolves according to the needs of survivors, as informed by survivors. Aboriginal Affairs will seek advice from key stakeholders, including the Advisory Committee and the SGOs, on the design and scope of the Fund. It is expected the first funding submissions will be received before the end of 2018.

### SGO funding

Direct funding will be provided to SGOs in accordance with reparations principles in recognition of the hurt and suffering caused to the survivors of the Stolen Generations as a result of past government policies of assimilation and specifically the act of forcible child removal.

Reparations funding provided to SGOs is intended to support collective healing self-determined and led by the survivors, for the survivors and the intergenerational benefit of their descendants and families. Reparations funding is not intended as project funding. However monetary reparations are public expenditure, which requires accountability and transparency to survivors and to the NSW Government to ensure funds are used consistent with the purpose of reparations and collective healing for the benefit of Stolen Generations survivors.

Aboriginal Affairs worked with the Stolen Generations survivor organisations to scope and develop SGO Funding Guidelines, to ensure they establish the reparations principles outlined above. The SGO Funding Principles and Guidelines were finalised in February 2018. These establish baseline requirements for governance and public accountability for the release of the Reparations funds.

The SGOs are currently working to develop governance and accountability documentation to enable them to commence negotiations for long-term reparations funding agreements.

In the interim, the NSW Government has been providing financial and non-financial transitional support to the SGOs, including funding meetings and other capacity building support. For example, each organisation has had the opportunity to access consultant support to develop their governance and strategic capabilities.

<sup>2</sup> Australian Government Policy on Indigenous Repatriation, viewed at [arts.gov.au/documents/australian-government-policy-indigenous-repatriation](https://arts.gov.au/documents/australian-government-policy-indigenous-repatriation)



### **Stolen Generations Organisation Representatives Comment**

The SGOs are pleased reparations funding will be made available to the four survivor organisations in NSW, as well as the governance and capacity building support received to-date.

The SGOs reiterate that SGO funding is reparations funding and not operational or project funding, and should not influence or impact on funding decisions by other funding bodies, including the Commonwealth Government.

The SGOs request the NSW Government consider the scope for headstones for survivors and their ancestors to be considered as part of the Stolen Generations Healing Fund, or to consider making alternative funding sources available for this – such as through the NSW Heritage Council.

Healing is important not only for survivors, but for descendants – who experience the impacts of intergenerational trauma. The SGOs want to see healing supports and service supports available to descendants of survivors.

### **Tailored supports**

The NSW Government response recognised specialised service responses are required to address the unique needs of survivors as a result of the trauma, abuse and lack of, truncated or poor education many survivors experienced as a result of their removal. The NSW Government has committed to improving NSW service responses for survivors, such as housing supports, and advocating with the Commonwealth for improvements in areas such as aged care, health care and social and emotional well-being counsellors and programs.

Ensuring survivors have access to appropriate tailored services that are trauma informed and culturally competent has been a key focus of the Advisory Committee discussions, and there is significant work required on behalf of all levels of government to further understand the scope of the improvements the NSW Government can make to best support survivors. Through the Advisory Committee, discussions have commenced with the Commonwealth on improvements required to the design and delivery of key Commonwealth services – particularly aged care services and policies.

## Housing

FACS has committed to deliver priority access to Aboriginal Housing Office (AHO) housing for survivors. AHO staff met with each of the SGOs, to discuss the housing needs of Stolen Generations survivors involved with each group. The AHO will continue to work closely with the SGOs to examine how to facilitate priority access to Stolen Generations survivors, where this is needed. FACS has worked directly with SGOs to deal with specific situations of survivors experiencing housing instability.

FACS continues to prioritise the provision of stable housing to ensure better outcomes for Aboriginal people, especially those who are impacted by disadvantage, and this includes the intergenerational trauma associated with the forced removal of children.

## Commonwealth supports - Aged Care, Health and Social and Emotional Well-being Counsellors

The Advisory Committee met with officials from the Commonwealth Department of Health to discuss ageing responses in September 2017 and March 2018. The Advisory Committee is pleased the Minister for Indigenous Health and Aged Care, the Hon. Ken Wyatt AM, MP, was able to meet and hear the SGO representatives' views on the importance of tailored, culturally appropriate and holistic aged care services to ensure survivors needs are met and addressed quickly. The advancing age of many survivors makes these issues crucially important.

The SGO representatives have discussed with the Commonwealth, including Minister Wyatt, the inadequacies in the current design of the aged care system, which mean survivors risk being re-institutionalised in aged care facilities, which could re-traumatise survivors. The SGOs are concerned services cannot always easily be accessed, with survivors having sometimes long wait times to receive home care support in the aged care system, with no mechanism for a survivor to be prioritised for support. Service providers are not always culturally safe in the way they deliver services, and the ageing needs and issues facing survivors are not fully understood or sensitively managed.

Trauma has caused lifelong impacts on the health of survivors, and survivors often have increased health needs. The SGOs raised with Minister Wyatt they want the capability and scope of a health card for survivors for subsidised health supports to be further explored. The Commonwealth Department of Social Services has started to undertake analysis of current services available to survivors. The department has advised, considering the likely age of survivors, many may already be eligible to receive a pension or other Commonwealth benefit, and would therefore already qualify for a concession card. However, due to current eligibility criteria, not all survivors hold concession cards.

The SGOs have raised issue and concerns with the design of the Social and Emotional Wellbeing program. The SGOs have requested information from the Commonwealth on the funding of Social and Emotional Wellbeing, including a geographic breakdown of the location of Social and Emotional Wellbeing counsellors in NSW and any positions unfilled. The Commonwealth has provided some additional information on this, but further clarification is required about the Commonwealth commitment and the description of this funding.

## Stolen Generations Organisation Representatives Comment

The SGO representatives have found the speed of response and quality of information provided by government on services and supports available to survivors has often not addressed specific SGO requests. This has a significant impact on the SGOs' ability to provide quality and informed advice and to support survivors within their organisations who are trying to access services. The SGOs want government to improve the quality of information provided through the Committee.

Often the onus has been placed on the SGOs to engage with government, without adequate recognition of the structure and capacity of SGOs as small, survivor-led organisations, with members experiencing individual or collective trauma. SGOs would like government to take responsibility for cultural competency and trauma informed engagement, and take the lead on engaging with and supporting SGOs, and to have more continuous and meaningful engagement with the SGOs.

**ENSURING SURVIVORS HAVE ACCESS TO APPROPRIATE TAILORED SERVICES THAT ARE TRAUMA INFORMED AND CULTURALLY COMPETENT HAS BEEN A KEY FOCUS OF THE ADVISORY COMMITTEE DISCUSSIONS.**

The SGOs want more government agencies to commit funding so the SGOs are resourced to deliver their specialist expertise. It would build each organisation's capacity and foster a deeper relationship with NSW agencies willing to provide services tailored to the needs of survivors.

The SGOs feel the way Aboriginal Affairs works with the survivor organisations demonstrates good practice, and other government agencies and jurisdictions should follow this model, including the Commonwealth. All organisations need to work with SGOs in a trauma-informed way, and work to rebuild the trust of Stolen Generations survivors.

The SGO representatives advocate for holistic supports for survivors. The SGOs want to see levels of government working more collaboratively with each other, and are frustrated at the lack of coordination across NSW Government, as well as with the Commonwealth.

The survivor representatives on the Advisory Committee have further identified improvements to health and aged care as two areas requiring urgent progression. Stolen Generations survivors have unique ageing needs that need to be better understood and sensitively managed, and addressed in a holistic way. The aged care system needs to be designed in a way that is tailored to survivors, and delivers integrated and holistic supports. Survivors should receive priority access to services, such as Home Care packages and health services, and should have dedicated staff who are sensitive and respectful, and understand the ageing needs specific to survivors. The SGOs ask the Commonwealth to prioritise funding to meet the aged care needs of survivors.

The SGOs representatives wish to meet directly with officials from the Aged Care Assessment teams, both at the policy and NSW operational level, to better understand and influence how assessments are currently made, and to discuss options for a direct point of contact so survivors with critical needs can readily access aged care services.

The SGOs ask the Department of Prime Minister and Cabinet to develop a consistent way of working with all SGOs, including the personnel involved. The Commonwealth needs develop

## THE SGOs WANT MORE GOVERNMENT AGENCIES TO COMMIT FUNDING SO THE SGOs ARE RESOURCED TO DELIVER THEIR SPECIALIST EXPERTISE

a greater understanding of the importance of taking a healing approach in the way it works with survivors, with recognition of the impact of trauma on the SGO Boards.

The SGOs have raised that the information provided by participating agencies on services and supports for survivors does not always adequately address the questions raised by the Advisory Committee. For example, clarifying information has been sought from the Commonwealth regarding the Indigenous Advancement Strategy funding arrangements for the Social and Emotional Wellbeing counsellors in NSW, including the location of the currently funded counsellors, whether there are any positions vacant and whether there has been any change in these numbers over the life of the Indigenous Advancement Strategy. The information to-date has not clearly addressed the SGO representatives' queries.

The SGOs have concerns about the Commonwealth Governments' design and implementation of the Social and Emotional Wellbeing program. The SGOs request ongoing support from NSW Government to advocate for Commonwealth support to ensure survivors are funded to deliver, and be involved in, survivor-led social and emotional wellbeing approaches. The SGOs have raised this via the Advisory Committee.

The SGO representatives raised ongoing difficulties with service delivery and access to trauma informed services across all levels of government. The level of support currently available is not always appropriate and does not always meet the needs of their members.

## Guarding against repetition

Guarding against repetition of past government mistakes and harmful practices that saw Aboriginal children separated from their kinship systems and culture is an important part of the NSW Government making reparations to survivors.

## Early intervention and prevention

The NSW Government under Unfinished Business has committed to continue the current early intervention programs and initiatives agreed to as a result of the Out-of-Home Care (OOHC) review in NSW (Tune Report). This includes the NSW Government's Targeted Early Intervention reform, which aims to have a proportion of all early intervention programs funding directed to Aboriginal service delivery. This increased investment will prioritise Aboriginal-led community controlled organisations, and Aboriginal organisations, and where capacity is limited, non-government organisations with Aboriginal staff delivering services to Aboriginal people.

The FACS Strategic Plan makes a strong commitment to address the over-representation of Aboriginal children in the child protection system through the Aboriginal Outcomes Strategy. It specifically shows a commitment to improve access to early intervention services for Aboriginal families. Specifically, the continuing high rates of removals of Aboriginal children and young people is a key focus of the Permanency Support Program reform, which implements many of the recommendations of the Tune Review. As the Permanency Support Program is implemented and evaluated there will be many opportunities for continuous improvement to ensure services for Aboriginal children and families are providing positive outcomes.

In 2016-17, 20% fewer Aboriginal children entered into OOHC care as compared to the year before. This is the largest reduction of entries into care in the past decade. But there is still much more to be done to ensure this trend continues.

The NSW Government is undertaking an Independent Review of Aboriginal Children and Young People in OOHC, to examine the reasons for the disproportionate number of Aboriginal children and young people in OOHC in NSW, and offer strategies to address this. This review is underway and ongoing.

The Minister for Family and Community Services, the Hon Pru Goward MP, appointed Professor Megan Davis, Pro Vice-Chancellor Indigenous, and Professor of Law, University of NSW, to chair the Independent

Review. The Advisory Committee met with Professor Davis in March 2018, which provided an opportunity for the unique perspective of Stolen Generations survivors to be considered in the Review.

FACS recognises and welcomes the input and expertise of the Advisory Committee, the SGOs and specifically, survivors themselves. FACS wishes to develop a stronger relationship between the SGOs and the department. In March 2017 representatives from FACS met with the individual Boards of three of the SGOs, to have initial discussions about how to develop a relationship between FACS and the SGOs outside of the Advisory Committee structure. In June 2018 Michael Coutts-Trotter, Secretary, Department of Family and Community Services, met with the Advisory Committee. Mr Coutts-Trotter agreed to hold a workshop between the SGOs and officials from across FACS, to develop an ongoing relationship between FACS and the SGOs and to ensure survivors voices are heard in the policy development and implementation of the NSW child protection system.

## Stolen Generations Organisation Representatives Comment:

The SGOs are deeply distressed by the current high rates of Aboriginal children in the Out-of-Home care system. For the survivors, it is not just about 'bringing them home' but it is about 'keeping them home'. The continued removals indicate the mistakes of the past are continuing on today. The removals not only disconnects children from their families and their culture – they also cause more intergenerational trauma. For survivors, witnessing the removal of children is re-traumatising.

The SGO representatives want FACS to hear their voices and advice about the removal of Aboriginal children today, from their lived experience as Stolen Generations survivors. The survivors have a valuable role to play in supporting family restoration, developed from their past-experiences. Survivors want additional support to enable them to be leaders in supporting their families to heal and rebuild, and to break the cycle of intergenerational trauma.

The SGOs want to inform not only the development of early intervention and child protection policy, but also to be able to have influence at how this is implemented at the local level. The SGOs raised that the implementation of culturally appropriate and effective child protection responses is often related to the skills and values of the regional management and staff in the local area. The SGOs acknowledged that whilst policies may be improving, this does not always filter down into implementation.

**FOR THE SURVIVORS, IT IS NOT JUST ABOUT 'BRINGING THEM HOME' BUT IT IS ABOUT 'KEEPING THEM HOME'**





The SGOs want to continue to speak directly with FACS, and the commitments in Unfinished Business do not provide any additional funding or any specific relationship with survivors to enable this. The SGOs have valuable experience and expertise to provide to FACS, and should be resourced for this.

The SGOs have requested a more formal and ongoing relationship with FACS involving representatives from FACS who have the authority to make decisions and implement change to ensure survivors have a place at the table when decisions about child protection are made in the future.

### **Trauma informed public sector**

The SGO representatives have advised services provided for Stolen Generations survivors need to be delivered in a way that is sensitive to the trauma and impacts that many survivors continue to experience. A key part of this is ensuring the workforce understands the impacts of the past forcible removal policies and practices. Across the workforce staff have to develop the capability to work with people who are dealing with the impacts of trauma.

The NSW Government has committed to establish a bespoke e-learning training package, including mandatory information about the impacts of past forcible removal policies and practices on Aboriginal communities, to build a trauma informed public sector workforce. The NSW Public Service Commission is leading this work, and a cross-government working group has been established to guide the development of the training package. The development of a trauma

informed workforce will take a holistic approach by including the experiences of Stolen Generations survivors, as well as Aboriginal communities and families not directly affected by past government assimilation policies but who also suffer from the effects of intergenerational trauma.

During the design process, the Public Service Commission will consult with the Advisory Committee and more broadly. Discussion outcomes from the OCHRE Healing Forums will also inform the final product.

### **Stolen Generations Organisation Representatives Comment:**

Any training package must be developed in direct consultation with the SGO representatives. The training must provide information about the impacts of the NSW Government's forcible removal policies. The SGOs look forward to meaningful consultation with the Public Service Commission in 2018 on the e-learning training package.

### **Cultural Renewal**

The Standing Committee Inquiry into Reparations for the Stolen Generations highlighted the loss of connection to culture and identity that many survivors experienced as a result of their forcible removal. The NSW Government committed to support survivors and their descendants to best access records about their Aboriginal identity and their family history, and to support cultural renewal activities such as Aboriginal languages.

## THE NSW GOVERNMENT ALSO COMMITTED TO WORK WITH ABORIGINAL ORGANISATIONS TO IDENTIFY RECORDS THAT MAY ASSIST SURVIVORS AND DESCENDANTS IN THEIR PROOF OF ABORIGINALITY

### Improved Records access

The NSW Government Family Records Service provides access to records of the Aborigines Welfare and Protection Boards. The service was established in 2002 in response to recommendations of the Bringing Them Home report, which highlighted the need to support members of the Stolen Generations to reconnect with their family and community and to re-establish links to their Aboriginal cultural heritage. Aboriginal Affairs is committed to working with Stolen Generations survivors to improve and streamline access to former Aborigines Welfare Board records.

The NSW Government has undertaken a review to improve the Family Records Service for survivors, their descendants and families and others with a public interest, and consider the Family Records Service in the context of the implementation of NSW Government commitments made under Unfinished Business. This includes issues such as right of reply and the recording of survivor testimonies. Aboriginal Affairs will discuss this further with the SGOs and with the Advisory Committee in 2018.

Aboriginal Affairs recruitment for a qualified Aboriginal Historian has not yet been successful. In the interim Aboriginal Affairs is developing history projects to undertake the activities an Aboriginal Historian would have delivered. This work includes research into the former sites.

The NSW Government also committed to work with Aboriginal organisations to identify records that may assist survivors and descendants in their proof of Aboriginality. This work has not yet commenced.

*Information on the process for finding records for the purposes of the Stolen Generations Reparations Scheme are addressed under section 2.2 – Monetary Reparations.*

### Support for Aboriginal Languages

The NSW Government Response to Unfinished Business recognised the Aborigines Welfare Board

systemically and deliberately undermined the speaking of Aboriginal Languages. In recognition of the importance of languages to the whole community, the NSW Government committed to develop legislation to recognise and protect the importance of Aboriginal Languages.

On 24 October 2017, NSW became the first jurisdiction in Australia to enact an Aboriginal Languages Act recognising the importance of language revival to Aboriginal culture, identity, and social wellbeing. The Act has been assented and is expected to commence once funding is secured and a Trust will be established to oversee the implementation of the Act.

The establishment phase has commenced, with the convening of an Aboriginal Languages Establishment Advisory Group, selected via an open EOI process, to provide advice and guidance to support the establishment of the Trust. The Group held its first meeting in April 2018.

An Aboriginal Languages Act Interagency Working Group has also been setup to support the establishment of the Trust.

### Stolen Generations Organisation Representatives Comment

The Stolen Generations Reparations Scheme is raising increased interest in family records and family histories. SGOs are concerned about the time involved for people accessing records from the Aboriginal Affairs Family Records Service, and have advised that the wait time to receive records can cause distress and additional trauma. The SGOs are reporting that many applicants to the Reparation Scheme are being asked to provide additional information, and believe they need to seek access their Aborigines Welfare Board or Child Welfare (held at FACS) records. Applicants need clearer information outlining this is not the case, as Aboriginal Affairs undertakes record searches for applicants.

SGOs have reported an increase in people advising they would like to access family trees, a service that is no longer funded under Commonwealth Native Title Services. The SGOs ask the NSW Government to explore other funding sources for this service.

The SGO representatives raised that survivors want access to a full set of Government records relating to them – including hospital, justice and child welfare records, and any records held by churches or by private individuals.

## Next steps

Over the next two years, the NSW Government will focus on progressing priority components of its response to Unfinished Business.

A key priority is designing and establishing the Stolen Generations Healing Fund to support collective healing initiatives for survivors.

Aboriginal Affairs will continue supporting the SGOs in their ongoing work to progress healing and advocate on behalf of survivors.

In addition, the NSW Government will work with survivors to consider options for memorials and keeping places in Sydney, as well as the Transport for NSW memorials in Central Station.

The NSW Government will continue to implement the Stolen Generations Reparations Scheme, which will include further research to better understand the issues raised by SGOs and how this might be taken into account when assessing claims. Another priority for the Reparations Scheme is to progress personalised apologies to the survivors who have chosen to receive one. This is in addition to the apology already provided by the Minister for Aboriginal Affairs when the Reparations Payment was made.

Work will commence within the next 12 months to consider and implement improvements to the Family Records Service, and will include considering right of reply for survivors regarding the records. Aboriginal Affairs will continue to discuss with SGOs access to other government and non-government records, through the Family Records review process.

FACS will set up a two day workshop between the SGOs and relevant officials. The purpose of the workshop will be to have in-depth discussion on child protection issues and to create an ongoing relationship between FACS and the SGOs.

A focus of the Advisory Committee will be driving discussions on aged care and health care and child protection issues, as these are areas survivors have stated require urgent action. This will include continuing advocating to the Commonwealth Government, through the Advisory Committee for improvements in areas of their responsibility – such as health and aged care and the Social and Emotional Wellbeing program – and investigating where the NSW Government can influence or make improvements in these areas.

The Commonwealth Department of Prime Minister and Cabinet has committed to hold a workshop with all four SGOs, to discuss the SGO concerns regarding the Social and Emotional Wellbeing program program.

Consideration of the NSW Government response to the Human Rights and Equal Opportunity Commission *Bringing Them Home Report* recommendations will be considered by the Advisory Committee in the future.

The government representatives on the Advisory Committee will work to improve the relationship between departments and the SGOs to best address the survivor representative's concerns. This will include providing better information to the SGO Committee members.

The Advisory Committee will further discuss ongoing public reporting to ensure it can continue providing advice on the delivery of Unfinished Business and deliver public information on the work of the Advisory Committee. To continue its important work, the SGOs have recommended the Advisory Committee be extended beyond the initial two-year term and a second report to Parliament be provided at the end of this two-year period.

## Conclusion

Significant initiatives have been implemented over the past 18 months to recognise and address the devastating harm caused by past-governments' assimilation policies. However, the NSW Government recognises no financial or non-financial measures can ever undo this harm, and survivors and their descendants will continue to live with the impacts of their experiences.

The SGO representatives commend that reparations are finally being made to survivors, and the SGOs are being recognised and resourced by the NSW Government to continue their important role in providing support by survivors for survivors. However, as outlined in this report, there is much more work to be done to continue to progress healing, and to ensure survivors' unique needs are addressed and supported in a culturally sensitive and trauma informed way.



# Appendix 1

## Status of NSW Government Commitments in response to Unfinished Business

This table provides a progress status for each individual NSW Government commitment that was made in the NSW Government Response to the Unfinished Business Report. The table does not include the recommendations that were not accepted by the NSW Government.

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<b>Advisory Committee</b>	<p><b>Recommendation 1</b></p> <p>The Advisory Committee will be established initially for two years with a focus on implementation of the Government's response. Committee to be appointed by the Premier and Minister for Aboriginal Affairs and will include two representatives from each Stolen Generations Organisation.</p>	<b>Aboriginal Affairs NSW</b>	<p><b>Commenced</b></p> <p>The Stolen Generations Advisory Committee was formally appointed at the end of May 2017. To date the Advisory Committee has met four times, with the Stolen Generations Organisations (SGOs) representatives meeting out-of-session three times.</p>
<b>Stolen Generations Reparations Scheme</b>	<p><b>Recommendation 2</b></p> <p>The NSW Government will establish a Stolen Generations Reparations Scheme, providing ex-gratia payments of up to \$75,000 to those removed by the Aborigines Welfare Board up until the time the Board was repealed in 1969</p>	<b>Aboriginal Affairs NSW</b>	<p><b>Commenced</b></p> <p>In July 2017 the Stolen Generations Reparations Scheme commenced.</p> <p>Prior the Scheme's formal commencement, Aboriginal Affairs fast-tracked payments to 118 Stolen Generations survivors who were removed into the care of the Aborigines Welfare Board who had received settlements in the Stolen Generations legal action, and who, therefore, had already provided sufficient documentation of removal.</p> <p>As of 30 June 2018, the Stolen Generations Reparations Scheme has received over 1100 applications. Of these, over 330 people have been approved for a payment, totalling over \$24m paid in Reparations Payments alone. 160 applicants have been found to be out scope for the Scheme as the applicants were born after the Aborigines Welfare Board was abolished in March 1969 or were removed within other States' jurisdictions. A further 300 people have been assessed as unsuccessful for a Reparations Payment because they did not meet the Scheme criteria. Of the applications received, 70% have been finalised.</p>
<b>Financial Support to Stolen Generations Organisations</b>	<p><b>Recommendations 8, 26, 27, 30</b></p> <p>Financial support for the independent Stolen Generations Organisations (SGOs) will be provided over the next ten years (funding will vary between the Organisations depending on role/function).</p> <p>This funding will assist the SGOs to undertake collective healing initiatives, including to increase capacity for these organisations to facilitate reunions for survivors, and towards the recording of testimonies and the development of educational materials that can be used by the broader community.</p>	<b>Aboriginal Affairs NSW</b>	<p><b>Scoping – In Progress</b></p> <p>Aboriginal Affairs provided interim financial and non-financial transitional support to the SGOs, while the Stolen Generations Organisations Funding Principles and Guidelines were being developed.</p> <p>The Stolen Generations Organisations Funding Principles and Guidelines were finalised in February 2018. These establish baseline requirements for governance and public accountability for the release of the Reparations funds.</p> <p>The Organisations are currently undertaking work to develop governance and accountability documentation to enable them to commence negotiations for long-term funding agreements.</p>

<sup>1</sup> The General Purpose Standing Committee Inquiry into Reparations for the Stolen Generations – the Unfinished Business report, can be accessed at [parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=1645#tab-reports](http://parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=1645#tab-reports)

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<b>Healing Fund</b>	<p><b>Recommendations 3, 26, 27, 30</b></p> <p>A grant-based Stolen Generations healing fund will be established to support priority healing initiatives, such as healing centres, keeping places, memorials, survivor reunions, the recording of testimonies and the development of educational materials that can be used by the broader community.</p>	<b>Aboriginal Affairs NSW</b>	<p><b>Scoping – not yet commenced</b></p> <p>The Stolen Generations Healing Fund is currently being scoped and designed by Aboriginal Affairs. Aboriginal Affairs will seek advice from key stakeholders, including the Advisory Committee and SGOs on the design and scope of the fund from June 2018. In particular, Aboriginal Affairs will be working to ensure the Stolen Generations Healing Fund is designed in a way that complements, and does not duplicate, the work of the SGOs.</p> <p>The Healing Fund is expected to be open to receive first funding submissions before the end of 2018.</p>
<b>Central Station Office for Coota Girls</b>	<p><b>Recommendations 3, 8</b></p> <p>The NSW Government, through Transport for NSW, has offered premises at Central Station to the Coota Girls, for four years due to the upcoming redevelopment of Central Station, for their important work in supporting survivors and their families.</p>	<b>Sydney Trains</b>	<p><b>Complete</b></p> <p>Transport for NSW has refurbished office space within the Central Station precinct for the use of Coota Girls.</p> <p>Transport for NSW has signed a licence agreement with Aboriginal Affairs for use of the space, and Aboriginal Affairs worked closely with Coota Girls to support them to meet the requirements of Transport for NSW in the licence agreement.</p> <p>In June 2018 Coota Girls entered in a sub-licence agreement and took up occupancy of the space. Coota Girls have advised it will be used for a peer support network and keeping place.</p>
<b>Scholarships</b>	<p><b>Recommendation 4</b></p> <p>Aboriginal Affairs will scope existing scholarship programs available to Aboriginal people in NSW and work with Stolen Generations Organisations to explore and advocate access for survivors and descendants.</p>	<b>Aboriginal Affairs NSW</b>	<p><b>Not yet commenced</b></p> <p>Mapping of existing scholarship programs for Aboriginal people in NSW has not yet commenced, and is anticipated to be commence in 2019.</p>
<b>Advocate with the Commonwealth for better health care services</b>	<p><b>Recommendation 5</b></p> <p>The NSW Government will advocate with the Commonwealth Government regarding recommendation 5 (below):</p> <p><i>The NSW Government seek the support of the Australian Government to create a health care card for Stolen Generation survivors, similar to other Commonwealth health care cards, that will provide better access to medical services (including mental health services) and reduced costs of medication and gap fees payable under Medicare.</i></p>	<b>Department of Premier and Cabinet</b>	<p><b>Scoping – further work required</b></p> <p>The Advisory Committee has received information from the Commonwealth Department of Health and met with Minister Ken Wyatt, Minister for Indigenous Health and Aged Care.</p> <p>The SGOs want to hold further meetings with the Commonwealth to further explore options for subsidised health care supports for survivors. The Department of Social Services advised it has started to identify current services available to survivors.</p>
<b>Trauma-informed workforce</b>	<p><b>Recommendations 6, 29</b></p> <p>The NSW Government will establish a bespoke e-learning training package, including mandatory information about the impacts of past forcible removal policies and practices on Aboriginal communities, to build a trauma informed public sector workforce. The training package will be developed with Aboriginal people, including Stolen Generations survivors</p>	<b>NSW Public Service Commission</b>	<p><b>Scoping – planning</b></p> <p>Scoping and review of existing training products and providers has begun, including NSW government programs, tertiary and independent providers. Subject matter expertise is being identified and engaged. The PSC will consult with each SGO directly, as well as via the Advisory Committee.</p>

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<b>Social and Emotional Well-being counsellors</b>	<p><b>Recommendation 7</b></p> <p>The NSW Government will advocate with the Commonwealth Government regarding recommendation 7 (below):</p> <p><i>The NSW Government request the Department of the Prime Minister and Cabinet to consider amending the role and title of Social and Emotional Wellbeing Counsellors to ensure there is a clear focus on the provision of support to Stolen Generation survivors and their families.</i></p>	<b>Department of Premier and Cabinet, Commonwealth</b>	<p><b>Scoping – further work required</b></p> <p>Preliminary discussions on the role and location of Social and Emotional Well-being Counsellors have been had via the Advisory Committee.</p> <p>The SGO representatives have requested information on the Social and Emotional Well-being Counsellors but have reported that information to-date has been insufficient. At the June 2018 Advisory Committee the Commonwealth committed to hold a one day workshop to further discuss the SGOs concerns and issues regarding the Social and Emotional Well-being program.</p>
<b>Statement in Parliament for the anniversary of the tabling of Bringing Them Home</b>	<p><b>Recommendation 9</b></p> <p>The Premier will make a statement on the anniversary of the tabling of the Bringing Them Home Report in May 2017.</p>	<b>Department of Premier and Cabinet, Aboriginal Affairs NSW</b>	<p><b>Complete</b></p> <p>In May 2018 a statement was made by Premier and Minister for Aboriginal Affairs on the anniversary of the tabling of Bringing Them Home. The importance of recognising the 20th anniversary of Bringing Them Home was also promoted to Local Government via Local Government NSW.</p>
<b>Acknowledgement of Aboriginal culture and heritage in Parliament</b>	<p><b>Recommendation 10</b></p> <p>The Premier and Minister for Aboriginal Affairs will request that the Speaker of the Legislative Assembly and the President of the Legislative Council acknowledge and promote Aboriginal culture and heritage at the commencement of each new Parliament.</p>	<b>Department of Premier and Cabinet, Aboriginal Affairs NSW</b>	<p><b>Commenced</b></p> <p>The Department of Premier and Cabinet (DPC) has undertaken research on the process for establishing the acknowledgement. The NSW Government is committed to having an acknowledgement ready for the next new Parliament in March 2019. Aboriginal Affairs will lead discussions with relevant stakeholders on the wording of the acknowledgement.</p>
<b>Central Station Memorial</b>	<p><b>Recommendations 11, 12, 13</b></p> <p>The NSW Government will work with Stolen Generations Organisations to explore the development of a memorial as part of Central Station Precinct re-development, as well as a Keeping Place/Museum based in Sydney.</p> <p>The Stolen Generations healing fund will assist with the establishment of other memorials and keeping places.</p>	<b>Transport for NSW</b>	<p><b>Scoping</b></p> <p>Transport for NSW, Sydney Trains and NSW TrainLink Aboriginal representatives are managing the Stolen Generation Memorial project. Initially this will involve a memorial plaque on Platform 1.</p> <p>Transport for NSW is currently considering additional memorial and commemorative options for within the precinct. Consultation with SGOs commenced in September 2017, and will continue, to ensure cultural protocols are maintained and so that survivors continue to drive the outcomes.</p>
<b>Investigation of former AWB sites to locate remains of any Aboriginal children</b>	<p><b>Recommendation 14</b></p> <p>The Office of Environment and Heritage (OEH) and Aboriginal Affairs will work with Stolen Generations Organisations to implement recommendation 14 (below):</p> <p><i>The NSW Government work with relevant organisations to investigate and search the sites of the former Cootamundra Aboriginal Girls' Training Home, Kinchela Aboriginal Boys' Training Home and the Bomaderry Aboriginal Children's Home to locate the remains of any Aboriginal children.</i></p>	<b>Office of Environment and Heritage</b>	<p><b>Not yet commenced</b></p> <p>A start date for this research is yet to be determined and will occur in consultation with the SGOs.</p>

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<b>Funeral Assistance Fund</b>	<b>Recommendation 15</b> The NSW Government will establish a Stolen Generations funeral fund. The fund will provide payments of \$7,000 to contribute to the costs of funerals for Stolen Generations survivors.	<b>Aboriginal Affairs NSW</b>	<b>Commenced</b> The Funeral Assistance Fund commenced in July 2017, as part of the Stolen Generations Reparations Scheme. Those who receive a Reparations Payment can choose to receive a funeral assistance fund payment at the time of their Reparations payment, or can choose to defer the payment, to be paid to a nominated family member when required. A total of \$2.1 million has been paid in Funeral Assistance Payments. This includes funeral assistance payments for deceased survivors.
<b>Improved access to records for proof of Aboriginality</b>	<b>Recommendation 17</b> The NSW Government will work with Aboriginal organisations to identify records that may assist survivors and descendants in proof of Aboriginality.  The NSW Government will also improve access to family records, which may assist survivors and their descendants meet documentation requirements for proof of Aboriginality.	<b>Aboriginal Affairs NSW</b>	<b>Partially commenced</b> Confirmation of Aboriginality is issued by Aboriginal organisations, based on their own processes for undertaking this service. Aboriginal Affairs has not yet commenced discussions with these organisations to consider how support could be provided to survivors who do not yet have confirmation of their Aboriginality.  Improvements to records held by Aboriginal Affairs, as part of the Family Records Review, may assist survivors to meet the documentation requirements for proof of Aboriginality.
<b>Social Housing</b>	<b>Recommendation 18</b> Family and Community Services will explore priority access for survivors as part of its development of an Aboriginal Social Housing Policy. To ensure that Stolen Generations survivors and their descendants are able to access housing when required, the Aboriginal Housing Office (AHO) and the Department of Family and Community Services are committed to working closely with the Stolen Generations Organisations, other non-government organisations, Aboriginal communities and alliances to provide the information and resources that will assist Aboriginal people become and remain housed.  The AHO through its goal of creating 1,000 new housing opportunities, will continue to provide stable housing to ensure better outcomes for Aboriginal people who are impacted by disadvantage, including intergenerational trauma associated with the forced removal of children. The AHO currently provides the housing component in partnership with agencies that support Aboriginal young people leaving care and women exiting the justice system	<b>Aboriginal Housing Office, Department of Family and Community Services</b>	<b>Scoping – in progress</b> The AHO has committed to deliver priority access to AHO housing for survivors. The AHO has met with each of the SGOs to discuss the housing needs of Stolen Generations survivors involved with each group.  The AHO will continue to work closely with the SGOs to examine how to facilitate priority access to Stolen Generations survivors, where this is needed.  The Department of Family and Community Services (FACS) continues to prioritise the provision of stable housing to ensure better outcomes for Aboriginal people, especially those who are impacted by disadvantage, and this includes the intergenerational trauma associated with the forced removal of children.



Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<p><b>Improved aged care services for Stolen Generations survivors</b></p>	<p><b>Recommendations 19, 20</b></p> <p>The NSW Government will work with and advocate that the Commonwealth Government adopt recommendations 19 and 20 (below):</p> <p><i>The NSW Government, in consultation with Stolen Generation survivors, partner with the Australian Government to identify and deliver innovative and culturally appropriate aged care services for Stolen Generation survivors. The NSW Government explore opportunities for Stolen Generation survivors to better access existing aged care facilities.</i></p>	<p><b>Department of Premier and Cabinet, Commonwealth</b></p>	<p><b>Scoping – further work required</b></p> <p>The Advisory Committee has received information from the Commonwealth Department of Health and met with Minister Ken Wyatt, Minister for Indigenous Health and Aged Care.</p> <p>The SGO representatives have requested to meet with the Aged Care Assessment teams at the policy and local level, to understand and influence how Stolen Generations survivors can receive priority access to aged care supports that are tailored and appropriate. This will be a focus area for discussions via the Advisory Committee.</p>
<p><b>Incarcerated Stolen Generations survivors in overseas jurisdictions</b></p>	<p><b>Recommendation 21</b></p> <p>The NSW Government will work with and advocate that the Commonwealth Government adopt recommendation 21 (below):</p> <p><i>The NSW Government encourage the Australian Government to negotiate the return of incarcerated Stolen Generations survivors from overseas jurisdictions.</i></p>	<p><b>Department of Justice NSW, Commonwealth</b></p>	<p><b>Scoping</b></p> <p>The Department of Justice has undertaken to investigate any available avenues for the SGOs to influence current situations of survivors or their descendants who are incarcerated in overseas jails.</p>
<p><b>Improved access to coordinated services</b></p>	<p><b>Recommendations 22, 23</b></p> <p>The resourcing of Stolen Generations Organisations will enable advocacy for the needs of survivors and descendants.</p> <p>Aboriginal Affairs will work with Service NSW and Stolen Generations Organisations to establish points of contact.</p> <p>Resourcing will also be provided to Stolen Generations Organisations (via responses to recommendations 3 and 8) to enable advocacy for the needs of survivors and their descendants.</p> <p>The NSW Government will also respond to this recommendation through the planned establishment of a Child Protection Academy by Family and Community Services to build and sustain the capability of a world-class and professional workforce.</p>	<p><b>Aboriginal Affairs NSW, Services NSW</b></p>	<p><b>Partially commenced</b></p> <p>Discussions have commenced via the Stolen Generations Advisory Committee to understand the needs of survivors and to improve access to services. See responses for 'Improved aged care services for Stolen Generations survivors', 'Social Housing' and 'Advocate with the Commonwealth for better health services'.</p> <p>Work has not yet commenced with Service NSW to establish points of contact.</p> <p>The Department of Family and Community Services (FACS) has been unable to progress the Child Protection Academy work at this stage.</p> <p>For information on resourcing for SGOs, see response for 'financial support to Stolen Generations Organisations'.</p>

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<b>Cultural renewal – languages</b>	<p><b>Recommendation 24</b></p> <p>The expansion of the Aboriginal Language and Culture Nests is dependent on the evaluation of OCHRE initiatives, and cannot be resourced at this time. In recognition of the importance of Aboriginal languages to the whole community, the NSW Government will develop legislation to recognise and protect NSW Aboriginal languages, and consult on the establishment of a NSW Aboriginal Languages Centre to support language revival in Aboriginal communities</p>	<b>Aboriginal Affairs NSW</b>	<p><b>Commenced</b></p> <p>While the NSW Government did not accept the Standing Committee recommendation to expand the number of Language and Culture Nests, the NSW Government is investing significantly in Aboriginal languages in NSW, including through the NSW Aboriginal Languages legislation, passed in Parliament in October 2017.</p> <p>In addition, the first stage of the independent evaluation of the OCHRE Aboriginal Language and Culture Nests is on track. Field work and data collection have been completed and validation of findings with Aboriginal communities will soon commence. Pending community agreement, the evaluation report will be published in the second half of 2018.</p>
<b>Improved access to Family Records</b>	<p><b>Recommendation 25</b></p> <p>The NSW Government will:</p> <ul style="list-style-type: none"> <li>• Streamline access to the former Aborigines Welfare Board (AWB) records;</li> <li>• Establish a new ongoing role of Aboriginal Research Historian to contextualise the AWB records and enable links to be made with contemporaneous information from Stolen Generations survivors; and</li> <li>• Build capacity within Aboriginal Affairs to refer those accessing files to other support services.</li> </ul>	<b>Aboriginal Affairs NSW</b>	<p><b>Scoping – further work required</b></p> <p>Aboriginal Affairs has commenced a review to improve the Family Records Service for survivors, their descendants and others with a public interest, including in the context of the Government's commitments in Unfinished Business. The outcomes of this Review will be discussed with the Advisory Committee and SGOs.</p> <p>Aboriginal Affairs recruitment for a qualified Aboriginal historian has not yet been successful. Alternate arrangements for progressing history projects within the remit of this role have been made.</p>
<b>Stolen Generations survivor reunions</b>	<p><b>Recommendation 27</b></p> <p>The NSW Government will work with and advocate that the Commonwealth Government adopt recommendation 27 (below):</p> <p><i>The NSW Government request the Department of the Prime Minister and Cabinet to provide additional funding to Link-Up NSW so that it can provide an increased number of reunions for Stolen Generation survivors each year.</i></p> <p>See response to Recommendations 3 and 8.</p> <p>Financial support for the Stolen Generations Organisations will be provided over the next 10 years that will increase capacity for these organisations to facilitate reunions for survivors.</p> <p>The establishment of a Stolen Generations healing fund (\$5 million over 10 years) will support priority healing initiatives including survivor reunions.</p>	<b>Department of Premier and Cabinet, Commonwealth</b>	<p><b>Scoping</b></p> <p>The Commonwealth has provided some information to the Advisory Committee on Link Up services and funding.</p> <p>The SGOs have advised that they would like to be built up to achieve similar funding levels as Link Up.</p> <p><i>See response for 'Stolen Generations Organisations Funding' and 'Healing Fund'.</i></p>

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<b>School curriculum</b>	<b>Recommendation 28</b> Existing History curricula already includes the Stolen Generations for all year 7 to 10 students.	<b>NSW Education Standards Authority</b>	<b>Complete</b> The Advisory Committee recommended that the history of the Stolen Generations be a compulsory component of secondary school curricula. The NSW Government has accepted this recommendation, noting that the content is already part of the school history curricula for years 7 -10. The Advisory Committee met with a representative from the NSW Education Standards Authority in March 2018, and were provided information on this content.
<b>Improved early intervention services for the child protection system</b>	<b>Recommendation 31</b> The NSW Government will continue the operation of current early intervention programs and will proceed with the initiatives agreed to as a result of the review of out-of-home care in NSW (Tune Report).	<b>Department of Family and Community Services</b>	<b>Commenced</b> FACS will increase its investment into Aboriginal service delivery under the Targeted Earlier Intervention program. Targeted Earlier Intervention services are aimed at children, young people, families and communities who are potentially vulnerable or have known vulnerabilities, including those experiencing crisis. Targeted Earlier Intervention services focus on community strengthening, improving safety, wellbeing and family functioning. The increased funding will go toward Aboriginal service delivery with a preference for Aboriginal community-controlled services. FACS is working on major changes to child-protection and out of home care practice and culture. These changes are known as the Permanency Support Program. The Permanency Support Program focuses on: <ul style="list-style-type: none"> <li>• doing everything possible to support Aboriginal children’s safely at home or restore Aboriginal children to families and kin as quickly as possible</li> <li>• providing support to families after a child is returned to their care.</li> </ul> FACS is also investing in evidence-based programs to keep children and families together. An additional 450 places per year for Aboriginal families are available in intensive family preservation and restoration services.

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<p><b>Improvements to the Aboriginal and Torres Strait Island Child Placement Principles</b></p>	<p><b>Recommendation 32</b></p> <p>The NSW Government will introduce a new client management system, Child Story, to support caseworkers in implementing the Aboriginal placement principles and, as part of the Improving Aboriginal Child Protection and Out-of-Home Care Outcomes research project, test frontline worker understanding of the Aboriginal Child Placement Principles and review systems/ procedures.</p> <p>The NSW Government will also work with the Secretariat of National Aboriginal and Islander Child Care to implement a national reporting and compliance framework.</p>	<p><b>Department of Family and Community Services</b></p>	<p><b>Scoping</b></p> <p>FACS is trying to improve the involvement of Aboriginal family and community members in decision making. Improved consultation with family and community helps to widen circles of support for parents and children, and make sure all possible placement options with Aboriginal family are being considered.</p> <p>FACS is working in partnership with Grandmas Against Removal NSW, the NSW Ombudsman's Office, AbSec and the Aboriginal Legal Service to implement the Guiding Principles for Strengthening the Participation of Aboriginal Community in Child Protection Decision Making (the Guiding Principles).</p> <p>Among other things, the Guiding Principles support the establishment of Local Advisory Groups in Aboriginal communities around NSW. Local Advisory Groups offer FACS an opportunity for meaningful engagement with key Aboriginal community members, ensuring that child protection policies and practices are responsive to the cultural needs of Aboriginal people.</p> <p>In addition, Professor Megan Davis has been appointed by the Minister for Family and Community Services to chair an independent review into Aboriginal and Torres Strait Islander Children and Young People in Out Of Home Care (OOHC) in NSW (Davis Review). The review considers the case files of around 1200 Aboriginal children, with the aim to:</p> <ul style="list-style-type: none"> <li>• improve the implementation of the Aboriginal Children and Young People Placement Principles</li> <li>• identify the reasons for the high and increasing rates of Aboriginal children and young people in OOHC; and</li> <li>• develop strategies to reduce the number of Aboriginal children and young people in OOHC and entering care including improving pathways to family reunification.</li> </ul> <p>A report is due to Government in 2018.</p> <p>Professor Davis met with the SGO representatives on the Advisory Committee to ensure that their views are considered in the review.</p> <p>FACS has also committed to arrange a two day workshop with the SGOs to discuss in detail child protection issues and to start developing an ongoing relationship with the SGOs.</p>

Description	Standing Committee Recommendation number <sup>1</sup> and related NSW Government commitment	Responsible Portfolio	Progress status
<p><b>Review of the redesigned Care Plan for Aboriginal and culturally and linguistically diverse children and young people in care</b></p>	<p><b>Recommendation 33</b> The NSW Government will review the Family and Community Services care and cultural plan one year after implementation and will develop a monitoring and evaluation framework.</p>	<p><b>Department of Family and Community Services</b></p>	<p><b>Delayed</b> Care and cultural planning is a key element of the Permanency Support Program. The care and cultural plan is now built into ChildStory (the new IT system for caseworkers). The evaluation of the new care and cultural plan was delayed because of the introduction of the plan into ChildStory. The evaluation of the care and cultural plan has now been incorporated into the wider evaluation of the Permanency Support Program. The evaluation of the Permanency Support Program will take place over three years with an initial report due by the end of 2018.</p>
<p><b>Unfinished Business Progress Report to Parliament</b></p>	<p><b>Recommendations 34, 35</b> The NSW Government will establish a Stolen Generations Advisory Committee for an initial period of two years to support the implementation of the NSW Government Response to the Standing Committee's recommendations, including an Implementation Report to Parliament in 2018. This report will also consider the commitments made in the NSW Government response to the Bringing Them Home report in 1999.</p>	<p><b>Aboriginal Affairs NSW</b></p>	<p><b>Complete</b> The Progress Report will be tabled in Parliament in 2018. The Advisory Committee will provide advice on the potential for a future Progress Report. This will be considered by Government in conjunction with the potential for an extension of the Advisory Committee.</p>

## Appendix 2

### Stolen Generations Organisations

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#### **Children of Bomaderry Aboriginal Children's Home**

The Children of Bomaderry Aboriginal Children's Home was formed to provide support, information and networking opportunities for Aboriginal members of the Stolen Generations, particularly those who were placed at or forcibly removed to, or by duress sent to the Bomaderry Aboriginal Children's Home.

#### **History of the Children of Bomaderry Aboriginal Children's Home**

The Bomaderry Aboriginal Children's Home is associated with former Home children now known as the Stolen Generations. The Bomaderry Aboriginal Children's Home has strong social significance for the former residents and for the families and communities from whom the children were removed. Former residents have strong memories and feelings from their time spent in the home and some speak of a sense of healing when they return. The Home buildings provide a tangible link to the past for former residents and an opportunity to find answers to things they previously did not understand or were not told.

The Bomaderry Aboriginal Children's Home is the only former Home for Aboriginal babies and young children run by Christian Missionaries in NSW. It was in operation for longer than any other Aboriginal Children's Home in NSW (from 1908 until 1988) and was the first home to be established for Aboriginal children in NSW in the 20th century.

As well as its association with the United Aborigines Mission (UAM), the Aborigines Protection Board and the Aborigines Welfare Board; the Home is also associated with Kinchela Boys' Home and Cootamundra Girls' Home where the children were transferred when they reached a suitable age for training as labourers or domestic servants.

The former Bomaderry Aboriginal Children's Home is heritage listed and provides tangible evidence of the social and religious theory of the twentieth century whereby the lives of Aboriginal people were controlled by the Government with the assistance of Christian Missionaries. By institutionalising children at an early age in the Bomaderry Home the United Aborigines Mission indoctrinated young Aboriginal

children into their particular Christian world view whilst assisting the Aborigines Welfare Board in bringing about the assimilation of "half caste" Aboriginal people.

#### **Kinchela Boys Home Aboriginal Corporation (KBHAC)**

KBHAC seeks to reconnect members of the Stolen Generations to their families, clans and communities. It aims to help members of the Stolen Generations take control of their future by working to restore and reconstruct cultural identity, pride and self-worth. Just as importantly, it addresses those issues that affect Stolen Generations' families and communities across the generations. KBHAC encourages and supports Aboriginal men and their families in developing sustainable healing programs that address the legacy of physical, sexual, psychological and cultural abuse in the Kinchela Boys' Home, including intergenerational impacts.

KBHAC was established by the survivors of the Kinchela Aboriginal Boys Training Home (KBH), which was located in South West Rocks near Kempsey on the Mid North Coast of New South Wales. KBH was created by the NSW Aborigines Protection Board and directly run and managed by both the Aborigines Protection and Welfare Boards from 1924 to 1970. KBH was one of the more notorious homes examined in the National Inquiry. It was the only Aboriginal boys specific home in NSW.

KBHAC's origins date to 2001 when some of the KBH survivors approached World Vision Australia to assist them in reuniting the men and help develop an organisation for the KBH men and their families. This led to the 'Y Project', which included healing workshops in both Wreck Bay and Picton NSW. After the workshop in Picton, a small taskforce was established with the purpose of identifying key issues for the Kinchela survivors and ideas about what to do in the future. In 2002 the first office was opened in Redfern. It was also in 2002 that KBHAC incorporated and, importantly, this was the year when the 'Journey Home to Kinchela' took place. This event was the first time most of the former KBH inmates returned to Kinchela since their departure from KBH in their youth. It was also the first time many of the KBH survivors' family members had visited the site.

KBHAC membership is open to all KBH Survivors, their descendants and immediate family members. The organisation works to empower KBHAC members to take control of their future and assist them to improve the quality of their lives. Healing for the KBH Men comes in the knowledge that their work in establishing and growing KBHAC is a way to support one another. More importantly, KBHAC is a legacy they want to leave for their families who have also suffered the effects of the Men's experiences at KBH. Their trauma has been the result of trying to support the KBH Men and yet being the victims of the behaviours instilled during their time at KBH, including alcohol and substance abuse, domestic violence and social and emotional disconnection.

### **Coota Girls Aboriginal Corporation**

The Coota Girls Aboriginal Corporation established by a group of former residents of the Cootamundra Domestic Training Home for Aboriginal Girls, and founded in 2013. The Coota Girls Aboriginal Corporation aims to meet the social, emotional and spiritual wellbeing and support needs of former residents, their families and descendants in a practical manner.

### **History of the Cootamundra Domestic Training Home for Aboriginal Girls**

In 1912, the Cootamundra Domestic Training Home for Aboriginal Girls was established as a training institution for Aboriginal girls who had been removed from their families under the Aborigines Protection Act 1909 – 1969.

The Home acted as a place to hold and train Aboriginal girls until they turned 15 years old and could be put out to work as domestic servants. Aboriginal girls from across NSW were placed in the Home after the forcible removal from their families under the Act. Children were commonly removed by police officers and their parents were prevented from maintaining contact with them. The children remained under the control of the Board until they were 18 years old.

When placed in Cootamundra Girls Home, the children were not allowed to know anything about their families or their Aboriginal heritage. Some of their names were changed and they were punished for speaking in language. Children were told they were unwanted and rejected or their parents had passed away. The children were taught to reject their Aboriginality and to fear and avoid Aboriginal people.

At the Home the children were taught to clean, cook, sew, wash and iron. Many were subjected to harsh treatment, including abuse as well as neglect, with lasting effects on their health and wellbeing.

Several generations of Aboriginal women passed through Cootamundra Girls Home during its 55 years of operation.

### **Stolen Generations Council NSW/ACT**

The Stolen Generations Council of NSW & ACT is made up of members of the Stolen Generations, and a special category of membership provided for descendants of Stolen Generations members and for Aboriginal and non-Aboriginal people who are dedicated advocating for recognition and reparations for Stolen Generations survivors. Their members' include Aboriginal children removed from their families under assimilation, protection and welfare. This includes those who were removed from their families from missions and reserves by police and Child Welfare officers in situations where this was known and supported by the Aborigines Welfare or Protection Boards.

In addition to those in the Aboriginal Welfare Board homes, the Council's membership includes people who were removed to non-government and church homes, those run by the former Child Welfare Department, as well as people who were fostered and adopted. The Stolen Generations Council NSW/ACT has been involved in advocacy for legal action for Stolen Generations survivors at a state and national level.

## Appendix 3

### Stolen Generations Advisory Committee Members

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#### Stolen Generations Organisations (SGO) Representatives

- Aunty Christine Blakeney, Children of Bomaderry Aboriginal Children's Home Incorporated
- Mr Matthew Byers, Children of Bomaderry Aboriginal Children's Home Incorporated\*
- Uncle James (Michael) Welsh, Kinchela Boys Home Aboriginal Corporation
- Uncle Lester Maher, Kinchela Boys Home Aboriginal Corporation
- Aunty Fay Mosely, Coota Girls Home Aboriginal Corporation
- Aunty Doreen Webster, Coota Girls Home Aboriginal Corporation
- Aunty Matilda House, Stolen Generations Council NSW/ACT
- Aunty Elaine Hughes, Stolen Generations Council NSW/ACT
- Mr Richard Dawes, Stolen Generations Council NSW/ACT (alternative representative)\*

#### Government (ex-officio) representatives

- Mr Jason Ardler, Aboriginal Affairs NSW
- Ms Amy Persson, Department of Premier and Cabinet\*
- Mr Jennifer Mar Young, Department of Family and Community Services
- Ms Shane Hamilton, Aboriginal Housing Office (Family and Community Services)
- Ms Geraldine Wilson Matenga, Ministry of Health
- Ms Kate Connors, Department of Justice\*
- Mr Leon Donovan, Department of Prime Minister and Cabinet (Commonwealth)

*\*formal appointments pending*

#### Further information on the Advisory Committee

The Advisory Committee had a few membership changes in the year it has been operational.

Two SGO Advisory Committee representatives left in mid-2017 – Aunty Isabel Reid and Aunty Wilma Moran (in a shared position) from Coota Girls Aboriginal Corporation, and Ms Marjorie Campbell from the Children of Bomaderry Aboriginal Children's Home was replaced by Mr Matthew Byers in March 2018. Additionally, Mr Loga Chandrakumar from Department of Premier and Cabinet was replaced by Ms Amy Persson, also in March 2018, and Ms Michelle Vaughan from the Department of Justice has been replaced by Ms Kate Connors.

Aboriginal Affairs has offered for all SGOs to nominate alternative members, to attend if the other representatives are unavailable. The Stolen Generations Council NSW/ACT nominated Mr Richard Dawes as an additional Advisory Committee member, and Aboriginal Affairs is awaiting a response from the other Organisations. Once these are received, all new Advisory Committee nominees will progress for formal appointment.



# Unfinished Business

Progress Report to Parliament – July 2018