

UNFINISHED BUSINESS:

Report into the reparations for the stolen generations

The NSW Government response to the General Purpose Standing Committee report into Reparations for the Stolen Generations – Unfinished Business – was tabled in the NSW Parliament on 2 December 2016.

The Response recognises the profound and enduring adverse effects of past Government practices on Aboriginal people and involves the following initiatives:

Stolen Generations Advisory Committee

A Stolen Generations Advisory Committee will be appointed by the Premier and the Minister for Aboriginal Affairs and will include representatives from each of the Stolen Generations Organisations and senior NSW Government officials.

The role of the Committee is to advise the Premier and Minister for Aboriginal Affairs on any matters related to the Stolen Generations and to monitor and review the implementation of the NSW Government's response to Unfinished Business.

It is expected that nominations will be invited in January 2017 with the first meeting of the Committee to be held in February 2017.

Stolen Generations Reparations Scheme

It is estimated that approximately 1,079 children born after 1925 were removed by or committed to the care of the Aborigines Welfare Board up until its abolition in 1969.

The children were placed in Aboriginal Children's Homes, other government and non-government run homes or were adopted or fostered. Survivors suffered significant long-term harm from the resulting loss of culture, identity, family and community.

The NSW Government will establish a Stolen Generations Reparations Scheme, to provide payments of up to \$75,000 for the act of removal or committal of Aboriginal children by the Aborigines Welfare Board, in recognition of the harm caused.

The Scheme will be implemented in two phases, commencing in July 2017:



Phase 1 – Payments will be fast tracked to survivors who have participated in the Stolen Generations Group Action and who, therefore, have already provided sufficient documentation of their removal.

Phase 2 – The Scheme will then be publicly advertised, inviting anyone who was removed by or committed to the Board up until it was repealed in 1969 to apply to the Scheme. To ensure survivors have sufficient time to make a claim, the Scheme will be operational for a minimum of five years.

The eligibility requirements for applicants will take into account that the Aborigines Welfare Board's records are incomplete due to loss, deliberate destruction and poor record keeping practices. Official Board records, and evidence in the form of statutory declarations, oral evidence and other documentary sources, including photos and corroborative evidence from other survivors, will be accepted.

The Reparations scheme will not make payments for personal injuries as a result of physical mistreatment and sexual abuse. Compensation for physical mistreatment and sexual abuse are currently being provided through the legal action initiated by Stolen Generations survivors (Stolen Generation Group Action). Stolen Generation survivors may also be eligible for compensation through the recently announced Commonwealth Redress Scheme for survivors of institutional child sexual abuse. The Commonwealth scheme is expected to be established in 2018.

Healing

The forced removal of Aboriginal children by the Aborigines Welfare Board under the *Aborigines Protection Act* had individual and widespread impacts on families and communities.

Separated parents, children and siblings experienced trauma that has been passed down to descendants and continues to be felt today.

The children removed by the Board suffered an enduring loss of culture and belonging, with many also suffering severe abuse and neglect.

Past Government actions have only responded to the symptoms of trauma. The NSW Government recognises the urgent need for sustained and meaningful support to address the intergenerational impacts of forced removal, particularly due to the advancing age of many survivors.

The NSW Government will provide direct financial resourcing to the four Stolen Generations Organisations to support timely and flexible healing activities, in a manner determined and led by survivors. Healing initiatives may include peer to peer support for survivors, healing gatherings and reunions, and recording of testimonies.

In addition the NSW Government will establish a Stolen Generations Healing Fund to provide flexibility and the ability to innovatively respond to developing priorities and strategies based on emerging needs and community readiness.

The Fund will become operational during the 2017-2018 financial year.

Health, Aged Care and Link-Up services

The NSW Government will engage with the relevant Commonwealth Government agencies to negotiate improved access to support services for Stolen Generation members, including aged care, health care cards, social and emotional wellbeing counsellors, and additional funding to Link-Up NSW. As these are Commonwealth programs and/or responsibilities, the NSW Government must work with the Commonwealth in order to pursue these outcomes. These negotiations will commence early in 2017.

Funeral Assistance

Removal of children from their families and communities has contributed to entrenched economic disadvantage, resulting in members of the Stolen Generations being unable to afford the cost of their own funerals.

The NSW Government will establish a Stolen Generations Funeral Assistance Fund. The Fund will provide payments of \$7,000 to contribute to the costs of funerals for members of the Stolen Generations.

Stolen Generations Organisations and NSW Government agencies will develop the guidelines and procedures for the Fund.

Stolen Generations members will be able to apply for assistance from the Fund from January 2017, however funds will not be released until July 2017, when the Fund will officially open.

Family Records Service

The NSW Government will work with Aboriginal organisations to identify records that may assist survivors and descendants in proof of Aboriginality, as well as streamlining access to Aborigines Welfare Board records, and establish a new role of Aboriginal Research Historian to contextualise these significant historical records.

You can find a copy of *Unfinished Business* at <http://bit.ly/2feyKLy>

The NSW Government response can be found on the [Aboriginal Affairs NSW website](#).

For more information please contact Aboriginal Affairs on 1800 019 998 or via email to enquiries@aboriginalaffairs.nsw.gov.au.