



Speech by

Hon. JUDY SPENCE

MEMBER FOR MOUNT GRAVATT

Hansard 12 November 1998

MINISTERIAL STATEMENT
Underpaid Workers on Palm Island

Hon. J. C. SPENCE (Mount Gravatt— ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (10.05 a.m.), by leave: I am pleased to inform the Parliament of a Government initiative to repay a long-overdue debt to a group of Aboriginal people. Last week I visited Palm Island in north Queensland to meet a group of people who have waited two decades for justice. They were formerly employed by the State Government, when they asked for nothing more than any Australian worker: a fair day's work for a fair day's pay. But, for some years between 1975 and 1986, because they were Aboriginal, they were paid less than award wages by the then Government.

This act of bigotry was not merely immoral. After the Commonwealth Racial Discrimination Act came into force in 1975, it was also unlawful. But the National Party Government continued to discriminate until 1986. Last week, during a gathering which was low key and not publicised at the request of the people concerned, I apologised to them on behalf of past Queensland Governments, and made some recompense for historic wrongs. In all, 14 people had justifiably sought back pay and an apology from the Government, although not all continue to live on the island and one has died since lodging the claim. I congratulate them for their patience and perseverance, and thank FAIRA Aboriginal Corporation for acting on their behalf. While I understand that the \$7,000 paid to each person will never make up for the hurt of the past, I felt privileged to be the Minister who could shake hands with the Palm Islanders and say sorry. We will publish apologies in newspapers this weekend.

I was proud to take a very different approach from the former Minister. He turned down an historic opportunity to show grace and dignity when granting recognition to another group of Palm Islanders who were also underpaid. That group of elders fought for a decade through the Human Rights and Equal Opportunity Commission. When they finally won their case in 1996, Commissioner William Carter, QC, said the discrimination was "based wholly and solely on the fact that the relevant workers were Aboriginal". "Because of their Aboriginality they were to be dealt with differently; by reason of their race alone they were perceived as lacking an entitlement to the enjoyment of a fundamental human right, namely, the right to equal pay for equal work", Commissioner Carter said. Commissioner Carter recommended that each of the workers receive \$7,000 plus a statement of regret. But the former Minister forced them to seek an order from the Federal Court, dragging those old people into another legal arena. Imagine how they must have felt, being told after winning a 10-year battle in the Human Rights Commission that they had to go another round. The recommendations came to the former Minister in September 1996, but it was not until April last year, after reaching a settlement, that he visited Palm Island and apologised.

Unlike the previous Government, we do not arrogantly try to deny the legacy of historic wrongs. We know that unless we act with maturity and salve old wounds, we leave the healing to our children. This Government recognised that the original applicants blazed a trail for other underpaid workers. The 14 who followed made their applications in May 1997, and their cases were very similar to those of the original applicants.

We recognise that there may be other people, many of them elderly, who have similar claims. We do not want to force them to navigate a legal maze. In line with the Government's commitment to social justice, my Department of Aboriginal and Torres Strait Islander Policy and Development is now

developing options for handling claims like those lodged by those underpaid workers. We know that the past can never be erased, but we will work to make amends for the anguish caused by our predecessors.
