



Speech by

Hon. JUDY SPENCE

MEMBER FOR MOUNT GRAVATT

Hansard 9 June 1999

MINISTERIAL STATEMENT

Underpayment of Aboriginal and Torres Strait Islander Employees

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) (9.56 a.m.), by leave: Last week Cabinet made a decision which will go some way to redressing past injustice and smoothing the path to reconciliation in Queensland. Cabinet agreed that the Department of Aboriginal and Torres Strait Islander Policy and Development will work with the Foundation for Aboriginal and Islander Research Action, known as FAIRA, on a process that will see compensation paid to former State Government employees who were unlawfully underpaid.

The Cabinet decision owns up to the past by acknowledging that thousands of Aboriginal and Torres Strait Islander people formerly employed by the Queensland Government were paid less than the award wage, simply because of their race. It will deliver justice to the workers whom the National Party Government of the day continued to underpay after 31 October 1975, in full knowledge that the Commonwealth Race Discrimination Act made this action unlawful. It will also be fair to the taxpayers of today, who had a bill for compensation foisted upon them by an administration that deliberately and discriminately flouted the law.

There has been some alarmist, irresponsible talk in the past week, suggesting that Cabinet has flung open some imaginary floodgates which held back a tide of compensation claims. The truth is that the Government has taken a practical, rational approach to an issue which the previous Government spent hundreds of thousands of taxpayers' dollars seeking to deny.

The way was shown by the Human Rights and Equal Opportunity Commission in 1996 when it found that a group of Palm Islanders were unlawfully discriminated against and should each receive \$7,000. That sum was compensation for racial discrimination, not an attempt to deliver the precise back-pay owing to individual claimants.

Since the initial six Palm Islanders were grudgingly paid by the previous Government in 1997 I have delivered cheques to 14 others, and another 380 claims have been lodged with the Human Rights and Equal Opportunity Commission. It was clear that these marked the beginning of a concerted campaign for wage justice and that any attempt by the Government to contest these claims would do little more than enrich the legal profession.

I stress here that the process of compensation to be established by the Government and FAIRA will cover only people who were underpaid by the Queensland Government between 31 October 1975 and 29 October 1986. The latter date marked the completion of the transfer of most of the work force to Aboriginal and Torres Strait Islander community councils. It will apply only to people alive on 31 May 1999, not the families of people deceased before that date. People who are eligible for the payment and who choose to take it will forgo their right to seek redress through the courts.

I stress that this compensation has nothing to do with the Welfare Fund and none of the payments will come out of the fund. Even so, the department and FAIRA calculate that some 3,500 people will be eligible. It is worth recalling that not all reserves were administered by the Government.

Officers from the department and representatives of FAIRA are working closely to establish an administrative process to identify eligible recipients. They will produce an application form and begin a community education process, which will include visits to communities. Because of the large number of

people involved and the remoteness of many of these communities, we expect the process will take two years to complete.

In closing, I thank the Aboriginal and Torres Strait Islander workers for their patience towards their former employer. They were the people who made the reserves tick, yet they were treated as somehow less worthy than non-indigenous people in similar roles. Some of them have waited more than 20 years for wage justice, displaying a depth of tolerance from which we could all learn.
