

Ministerial Statement **Kyam Maher MLC**

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STOLEN GENERATIONS SCHEME

A person's place in the world – where they've come from, their heritage and their culture – is one of the most fundamental aspects of the human identity. It gives us a sense of belonging that informs the very foundations of who we are and how we see ourselves.

For many Aboriginal Australians, cultural identity can stretch back for hundreds, even thousands of generations.

For members of the oldest living culture on the planet, it is possible to place yourself in a context that stretches back further than most of us can imagine.

But there are many Aboriginal Australians who know little of where they came from... because they have been denied the opportunity to know.

Forced removals of Aboriginal children from their families, which occurred for many decades of our history in every state and territory of our nation, broke apart thousands of important legacies of history and culture.

This is not even to mention the unspeakable human tragedy that forced removals wrought upon Aboriginal people.

For those who are parents, merely imagining the loss of your child is capable of reducing you to tears.

But you don't have to be a parent to have a tremendous amount of empathy for anyone who loses a child to a tragedy – to an illness, or to an accident.

I'd venture to say that we've all known someone, or heard the story of someone, who has experienced the terrible suffering of losing a child. And, imagining ourselves in their place, we easily get a sense of the unbearable grief that it would cause. Even just a hint of that profound sense of loss is painful.

It is that loss and grief that too many Aboriginal families have endured.

The brutality of that act – of stealing a child away from their family – is almost too great to comprehend. It goes against our most fundamental human values. It is, quite simply, unthinkable.

Unthinkable:

Knowing that past governments were not only complicit but in many cases were the direct perpetrators of cruel acts that ripped Aboriginal families apart, often never to be reunited...

Knowing what this has done to families, to entire communities, to an entire people...

Knowing that we as a nation robbed thousands of children of the fundamental human right to grow up in an environment of love and belonging...

Knowing that we as a nation desecrated and denigrated tens of thousands of years of Aboriginal history by denying those children the opportunity to know their cultures, their languages and their identities...

Knowing that we as a nation condemned them to lives of hardship and deprivation in the institutions to which they were taken...

Knowing that we as a nation deprived them of the freedom to live their own lives, instead forcing them to live the lives that were chosen for them...

And most disturbingly of all, knowing that successive governments in our nation were capable of endorsing the act of ripping crying children out of their crying mothers' arms... and leaving them with absolutely no power to do anything about it.

It's a disturbing part of our history that shouldn't be forgotten.

Imagine that you can't speak English, and some strangers show up with a truck and take your child with no court order, giving no explanation that you can understand and leaving you with no documentation of what they've done... leaving you with no trace of the children that only moments before, were a crucial part of your family and of the future history of your ancient culture. Now they're gone, and you have no idea where.

You don't have a phone, and even if you had one, you wouldn't know who to call. Even if you knew who to call... you might not speak English, so you wouldn't be able to talk to anyone.

This is how powerless many Aboriginal mothers were when their children were taken away.

In today's society, the bare fact that it all happened beggars belief.

But it happened... it happened in our State, and all across our nation, not even so long ago. Well within the lifetimes of honourable members in this place.

It is essential that we acknowledge the effect that forced removals of Aboriginal children have had, not only on the individuals, families and communities who suffered directly, but on the whole Australian community.

Whether we accept it readily or deny it stubbornly, forced removal policies are a glaring stain on our national identity.

And the suffering caused by these policies is far from being limited to the individuals who were directly affected – whole communities were devastated.

The life of a nation is much longer than the lives of its generations.

Long after the last person who was forcibly removed from their family as a child has passed away, the harmful effects of these policies on our community will remain.

The suffering caused by forced removals manifests itself in many ways in our shared social life – in ways that we can prove, and in ways that we cannot. The damage to Aboriginal culture as a whole is in many ways untraceable... but it is undeniable.

We cannot change our history, but we can face up to it, and we can do what is within our power both to change the way that our history is regarded and to ensure that we create a better future – especially for the Aboriginal South Australians who were affected by forced removals, and for their children, and their children's children.

Over the past couple of decades, we as a society have taken many steps in the direction of taking responsibility for the grave wrongs of the past.

23 years ago next month, Prime Minister Paul Keating acknowledged this in his Redfern speech that:

“we took the traditional lands and smashed the traditional way of life.

We brought the diseases. The alcohol.

We committed the murders.

We took the children from their mothers.”

Prime Minister Keating then established the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families.

Two days after this “Bringing Them Home Report” was tabled in Federal Parliament in May 1997, the then South Australian Minister for Aboriginal Affairs, Dean Brown, led this Parliament in saying sorry. He said:

“To the children who were taken from their mothers and fathers, to the mothers and fathers who watched in pain as their babies and children were taken from their side or from their schools. To those people, we apologise.”

More than a decade passed before Federal Parliament did the same thing.

Kevin Rudd said on behalf of a nation in recognising - *“The hurt, the humiliation, the degradation and the sheer brutality of the act of physically separating a mother from her children is a deep assault on our senses and on our most elemental humanity.”*

That apology had a profound impact of properly acknowledging and recognising the immense pain that these wrongs have caused for those who have suffered, and those who continue to suffer.

Today we take another step in the direction of facing up to past wrongs.

The State Government has today announced a Stolen Generations Reparations Scheme including ex gratia payments for South Australian Members of the Stolen Generations.

I wish to acknowledge members in this Chamber, particularly those who serve on the Aboriginal Lands Parliamentary Standing Committee, who have championed this cause.

I want to thank the Shadow Minister for Aboriginal Affairs, the Member for Morphett Dr Duncan McFetridge.

On this, and a range of issues, Duncan and I worked very closely together and in constructive way that I think most people would hope and expect the political process to operate.

Most of all though, I want thank members of South Australia's Stolen Generations who have patiently shared their stories, hopes and visions with me this year.

Meetings facilitated by the Aboriginal Legal Rights Movement, meetings with small groups, and meetings with individuals have been difficult and emotional this year but extremely helpful in guiding the development of this scheme.

This scheme encompasses some elements found in a Bill that the Liberal Party has previously introduced and also incorporates elements of the Reparations scheme Tasmania introduced.

THE SCHEME

Under the "Next Steps – Stolen Generations Reparations Scheme" South Australian members of the Stolen Generations who were forcibly removed from their parents will be eligible for an ex gratia payment of up to \$50,000.

An application will be made to an Independent Assessor and individuals will be able to meet with and speak directly to the Independent Assessor about their experiences. Many have told me of the importance of recognition for what happened.

The Independent Assessor will provide advice to the government about making a payment and the level of payment. Any individual who receives an offer will be provided with \$1000 to seek legal advice about whether to accept the offer. If the offer is not accepted, an individual can still pursue legal action through the courts.

The scheme will commence operation on 31 March 2016 and individuals will have 12 months to apply. The government has set aside up to \$6m for individual reparations.

The second part of the scheme will extend to the broader Aboriginal community, with a \$5m whole-of-community reparations fund.

Many members of the Stolen Generations have made it clear to me that while individual compensation is important, it's not the only – or even the most important – element of the next steps.

Although a number of ideas have been put forward already, we will continue to listen to the community on what and how we can best recognise the grief, the loss and the pain whole communities have endured.

No amount of money will ever be enough to undo the wrongs of the past but it's an offer we will be making to those members of our community stolen from their families by past governments as recognition of these wrongs.

We have said sorry. Now it is time to take the next steps.

The next steps to recognising the pain and loss that were caused.

The next steps to making South Australia a more inclusive place.

The next steps on from saying sorry.