

ADDITIONAL COMMENTS BY AUSTRALIAN GREENS

1.1 The Australian Greens support the intent of the Stolen Generation Compensation Bill 2008. We strongly believe all the recommendations of the Bringing Them Home report should be implemented including the provision of compensation in recognising the harm suffered by those Indigenous people taken from their families.

1.2 We support the findings of the Majority Report and do not need to repeat in detail the evidence brought before the Committee. We are disappointed the majority Senators do not recommend the Bill or an amended version of the Bill be supported. While we welcome the Government's commitment to "closing the gap" and its apology to the Stolen Generations, these actions should not be at the expense of the provision of reparations for those individuals, their families and communities that have been harmed by the forcible removal policies of past Governments.

1.3 While we support the intent of this Bill, we have a specific concern about the \$20 000 cap on compensation. We do not believe it is appropriate for such a low cap to be placed through legislation on the compensation to be received. The level of reparations should be determined by the Tribunal.

1.4 We would prefer to see the Government introduce a broader, more responsive reparations scheme. We were impressed with the proposal put forward by the Public Interest Advocacy Centre (PIAC) and the Australian Human Rights Centre (AHRC). The Reparations Tribunal proposed by PIAC/AHRC has three key functions:

- provide a forum for Indigenous peoples affected by forcible removal policies to tell their story, have their experience acknowledged and be offered an apology;
- provide reparation measures in response to applications through appropriate reparations packages; and
- make recommendations about government and church activities that affect contemporary Indigenous child separation and measures that might be taken to heal the past.¹

1.5 We particularly support the specific function of the tribunal providing a forum for stories to be told and experiences acknowledged. We also support the broad remit for reparations packages which can include individual and family compensation as

1 PIAC/AHRC, *Submission 69*, p. 56.

well as other measures to "support individuals, groups and communities to move on with their lives in a positive way."²

1.6 The submission from PIAC/AHRC detailed the extensive consultation that informed the development of their proposal. It is also a proposal that has carefully considered international experience and practice.

1.7 As the Majority report concludes "the issue of reparations for the stolen generation needs to be addressed as a matter of urgency." The Government needs to act now to introduce a reparations scheme for the Stolen Generations.

Recommendation 1

1.8 That the Government moves as a matter of urgency to introduce legislation providing for full reparations, including financial compensation, to members of the Stolen Generations.

Senator Bob Brown

Senator Rachel Siewert

Australian Greens

² PIAC/AHRC, *Submission 69*, p. 56.