

Deadline looming for Stolen Wage claimants

By CHRISTINE HOWES



This Friday, August 28, is the last day claimants registered to BELAW's Stolen Wages class action – Hane Pearson v the

State of Queensland – can make sure their details are correct for payment by December 6 this year.

The Stolen Wages Class Action proceedings claimed the Queensland "Protection Acts" in force between 1939 and 1972 required the wages of Aboriginal and Torres Strait Islander workers be paid to the protector or superintendent of an Aboriginal or Torres Strait Islander district, reserve, settlement or mission.

Mr Pearson claimed the monies were paid to the protector or superintendent on "trust" and that the Queensland Government breached its duties as trustee by failing to repay that money to the workers.

He won. On January 17 this year, the Federal Court appointed Anthony Beven and Tony Jonsson, from business advisor Grant Thornton Australia in Cairns, to administer the \$190 million Settlement Distribution Scheme.

Last week, as the deadline approached, there were still 4,783 claimants and registered representatives who hadn't provided proof of identity or bank account details, Grant Thornton partner Anthony Beven said.

Mr Beven said the original court orders were that they had to make the payments within six weeks of the January decision.

"We've extended it until December 6, and the Court approved that," he said.

"So if we were to have gone from the database as it was in January, there probably would have been many, many thousands more people without IDs, bank account details and addresses."

"We've just had seven and a half months of very busy times of our staff updating, correcting the database, looking for lost claims, so six weeks to 11 months was a big improvement.



Lily Rysinge and Gehmat Pedro (front) are with Grant Thornton Australia staff members Halejah Wacando and Shavi Kanagaratnam. The firm has been working to identify and register eligible Stolen Wages claimants. The deadline for registering is this Friday, August 28. Phone 1300 591 545 for more details.

"But in the back of my mind every day we extend, every plane trip we take, is money we're taking out of people's pockets, and it's a balancing exercise.

"At the end of the day, the less amount of money we have to use in contacting people the better and we've tried our best but it's a balancing exercise around what is appropriate, given that we're using people's money."

He said that since he last spoke to the *Koori Mail* the numbers of

those who might have missed out had come down significantly, even though there were some remote communities they hadn't been able to get to.

"I think as of two weeks ago it was about 5,700, so it's come down a thousand in two weeks, but it's a law of diminishing returns," he said.

"It's easy to get the first thousand and the harder ones are left to last, so if we extended it for six months I wouldn't expect we'd be getting a thousand every

fortnight – I think we're getting close to the end of the road on being able to track down people."

He also said he didn't believe coronavirus had played a role.

"Our office has been open every day, it hasn't shut for one minute during COVID here in Cairns," Mr Beven said.

"And when COVID restrictions were introduced for Aboriginal and Torres Strait Islander communities, we just changed tack. We started to write to people via post, and post

was still getting to people.

"We've then devoted more of our resources to telephone – just calling people and answering people's queries, and also emails.

"We still had a regular stream of people updating their details right throughout COVID, including visiting our office, contacting us, email, faxing, so I don't think COVID's had a major impact."

He said since the restrictions had lifted they had been to every community they intended to visit apart from Lockhart River.

"We were originally scheduled to do Lockhart River as part of a group of communities to reduce the costs, but we've looked at visiting Lockhart River by itself and unfortunately with the timeframes we're operating under now and the cost (means) we're looking at other options," Mr Beven said.

"We're going to have a dedicated person here in Cairns all week and we're trying to look at other options with either the Justice Group or the Council."

He said they had also applied to the Federal Court for directions about what they should do for those who had died since registering their claim.

"There's a number of suggestions," he said.

"Under the *Queensland Succession Act*, if someone passes away after registration and they don't have a will, the law is we pay that money to the public trustee.

"But we appreciate that if the public trustee administrators that money there would be an amount that would be eaten away or eroded by fees.

"So we've put an option to the court where someone has passed away after November 21, 2019, we've got the option of inserting a spouse or a child, to represent the family in relation to the person that's passed away, if they contact us."

"That's the option we've put to the court. There's advantages and disadvantages in both options, and the court will weigh all those up and then make a decision."

To contact the Stolen Wages administrators, email stolenwages@granthornton.com or phone 1300 591 545.