



*This Q & A factsheet is part of a series Reconciliation Australia is producing aimed at informing the community and stimulating conversations about the issues that affect us all.*

## **The Apology to the Stolen Generations**

13 February 2011 marks the third anniversary of the Apology to the Stolen Generations. Why was the apology important? Have there been compensation claims and what is the Government doing to assist members of the Stolen Generations? Here are some straightforward answers to these questions and more.

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10. Does the Apology mean that reconciliation has been achieved?

### **1. Who are the Stolen Generations?**

The term „Stolen Generations“ refers to Aboriginal and Torres Strait Islander Australians who were forcibly removed, as children, from their families and communities by government, welfare or church authorities and placed into institutional care or with non- Indigenous foster families. The forced removal of Aboriginal and Torres Strait Islander children began as early as the mid-1800s and continued until 1970.

Many of these removals occurred as the result of official laws and policies aimed at assimilating the Aboriginal and Torres Strait Islander population into the wider community.

The 1997 Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, conducted by the Human Rights and Equal Opportunity Commission, found that between 1 in 10 and 3 in 10 Aboriginal and Torres Strait Islander children were forcibly removed from their families and communities in the years 1910 to 1970.

The Western Australian and Queensland Governments have confirmed that during that period of time all Aboriginal and Torres Strait Islander families in their States were affected by the forced removal of children. It is not possible to know precisely how many children were taken because government records of these removals are poor and many government files are inaccurate. Much of what is known about these policies and their effects comes from the personal testimonies of those involved.

The Stolen Generations should not be confused with other government policies that aimed to help Aboriginal and Torres Strait Islander children in remote areas attend school, with their parents' full consent. It should also not be confused with the removal of Indigenous and non-Indigenous children from dangerous circumstances under welfare policies that continue to apply today. It's important to understand that the term 'Stolen Generations' refers to those children who were removed on the basis of their race alone. In contrast to the removal of non-Indigenous children, proof of neglect was not always required to remove Aboriginal and Torres Strait Islander children. That one of their parents was of Aboriginal or Torres Strait Islander descent was enough.

## **2. How do we know their stories are true?**

All State and Territory governments have acknowledged past practices and policies of forced removal of Aboriginal and Torres Strait Islander children on the basis of race. As part of this formal acknowledgement, all State and Territory governments have apologised for the trauma these policies have caused.

The report of the Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, the Bringing Them Home report, contains extensive evidence of past practices and policies which resulted in the removal of children. It also details the conditions into which many of the children were placed and discusses the devastating impact this has had on individuals, their families and the broader Aboriginal and Torres Strait Islander community.

The Inquiry took evidence from Aboriginal and Torres Strait Islander people, government and church representatives, former mission staff, foster and adoptive parents, doctors and health professionals, academics, police and others. It received over 777 submissions, including 535 from Aboriginal and Torres Strait Islander individuals and organisations, 49 from church organisations and 7 from governments.

## **3. Why was it important to apologise to the Stolen Generations?**

The Bringing Them Home report found that the forced removal of Aboriginal and Torres Strait Islander children from their families and communities has had life-long and profoundly disabling consequences for those taken, and has negatively affected the entire Aboriginal and Torres Strait Islander community. For many of the children, removal meant that they lost all connection to family,

traditional land, culture and language and were taken to homes and institutions where they were often abused, neglected and unloved.

“It never goes away. Just ‘cause we’re not walking around on crutches or with bandages or plasters on our legs and arms, doesn’t mean we’re not hurting. Just ‘cause you can’t see it doesn’t mean... I suspect I’ll carry these sorts of wounds ‘til the day I die. I’d just like it to be not quite as intense, that’s all.”  
(Confidential Evidence 580, Queensland Bringing Them Home Report.)

The reality of Australia’s Stolen Generations is not a thing of the distant past. Children were being inappropriately removed from their families by Australian authorities until 1970. Many people affected by the tragedy of the Stolen Generations are still alive today and live with its effects.

The Bringing Them Home report suggested that the first step in healing is the acknowledgment of truth and the delivery of an apology. The release of the report was followed by a wave of apologies to the Stolen Generations by state parliaments, judges, churches, civic associations, trade unions and ethnic groups. However, it remained the responsibility of the Australian Government, on behalf of previous Australian Governments who administered this wrongful policy, to acknowledge what was done and apologise for it.

“This issue is a ‘blank spot’ in the history of Australia. The damage and trauma these policies caused are felt every day by Aboriginal people. They internalise their grief, guilt and confusion, inflicting further pain on themselves and others around them. It is about time the Australian Government openly accepted responsibility for their actions and compensate those affected.”  
(Archie Roach and Ruby Hunter in Buti A, Bringing Them Home the ALSA Way).

#### **4. Why did Australians of today apologise for something they weren’t responsible for?**

Individual Australians did not provide the Apology. The Apology was provided by the Australian Government in recognition of policies of past governments. Similarly, the former Australian Government apologised to Vietnam veterans for the policies of previous governments. No individual Australian was asked to take personal responsibility for actions of past governments.

#### **5. What does the Apology mean to non-Indigenous Australians?**

Following on from apologies already made by all State and Territory governments and the churches, an official apology to members of the Stolen Generations by the Australian Government was an important step towards building a respectful new relationship between Indigenous and non-Indigenous Australians. Respectful relationships are essential if we are to solve persistent problems.

In this way, the Apology lays the groundwork for us to work together more effectively towards achieving better outcomes for Aboriginal and Torres Strait

Islander Australians. It was an important starting point in healing the wounds of the past and an historic step forward for our nation that we can be proud of. The Apology was not an expression of personal responsibility or guilt by individual Australians but it does reflect our Australian values of compassion, justice and a fair go, and allows the victims of bad policy to feel that their pain and suffering has been acknowledged. It's important that Australians understand the background to the Apology so they understand why it's a step towards reconciliation. It's this understanding that will realise the great potential of this historic moment to move our nation forward.

"These days I don't understand why it should be such a big deal to say sorry for the injustices that have been done to Indigenous people. I know some people feel differently but, to me, saying sorry just feels necessary as a first step towards moving forward together" (Daniel Johns, lead singer of Silverchair).

## **6. Why should we apologise when many Aboriginal and Torres Strait Islander people are actually better off because they were removed from bad circumstances?**

It is true that some Aboriginal and Torres Strait Islander children were removed from their families on genuine welfare grounds. It is also true that some children who were removed gained access to some advantages (such as increased educational opportunities), but evidence shows that the overwhelming impact of the forced removal policy was damaging. Some people involved in the removal of children because of their race genuinely believed they were doing the right thing. As we now know, they were not.

The predominant aim of the forced removal of Aboriginal and Torres Strait Islander children from their families was to absorb or assimilate children with mixed ancestry (who were called 'half-castes') into the non-Indigenous community. As Brisbane's Telegraph newspaper reported in May 1937: "Mr Neville [the Chief Protector of WA] holds the view that within one hundred years the pure black will be extinct. But the half- caste problem is increasing every year. Therefore their idea is to keep the pure blacks segregated and absorb the half-castes into the white population. Perhaps it will take one hundred years, perhaps longer, but the race is dying."

The Bringing Them Home report found that many children were removed solely on the basis of skin colour. Proof of this is in the fact that in many families children with paler skin were removed while their darker skinned siblings were left with the family.

The suggestion that Stolen Generations children were better off can only be assessed against the evidence of deprivation, neglect and abuse suffered by the children in the homes or institutions they were removed to.

Almost a quarter of witnesses to the Bringing them Home Inquiry who were fostered or adopted reported being physically abused. 1 in 5 reported being

sexually abused. 1 in 6 children sent to institutions reported physical abuse and 1 in 10 reported sexual abuse.

## **7. Has the Apology led to claims for compensation from members of the Stolen Generations?**

The Bringing Them Home report recommended the establishment of a national compensation fund for people affected by the forcible removal of Aboriginal and Torres Strait Islander children. The idea of the fund would be to offer reparation to those affected and avoid the courts having to deal with costly individual litigation. The United Nations Human Rights Committee has also recommended the Australian Government adopt a mechanism to compensate victims of the Stolen Generations. The Apology itself did not refer to compensation and the current Government has ruled out offering compensation to members of the Stolen Generations.

There has not been a rush of compensation claims following the Federal Government's apology and those of State and Territory governments. However, the Tasmanian Government set up a compensation fund for members of the Stolen Generations in that State with \$5 million in capped payments that was then divided among eligible people and their families. The governments of Queensland and Western Australia established 'redress' funds to provide monetary and emotional support to people who were abused as children in State care though they were not specifically addressed to members of the Stolen Generations.

On August 1st 2007, 50-year-old Bruce Trevorrow was awarded \$525,000 which made him the first member of the Stolen Generations to be awarded compensation by a court in SA.

The ruling was facilitated by enough evidence found in records which backed Bruce Trevorrow's claims. Many other members of the Stolen Generations cannot access records because they were destroyed or lost.

The SA government did not contest the ruling as such and considered establishing a compensation fund for the Stolen Generations, similar to the one created by the Tasmanian government in 2006.

In June 2011 Neville Austin became the first victim of the Stolen Generations in Victoria to gain compensation.

Mr Austin became a ward of the state because his mother fell behind in payments for the St Gabriel's Babies Home where he had been put when his mother gave him up because she could not properly look after him.<sup>1</sup>

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<sup>1</sup> <http://www.creativespirits.info/aboriginalculture/politics/compensation-for-stolen-generation-members>

## **8. What has the Government done for members of the Stolen Generations since the Apology?**

On 13 February 2009, the first anniversary of the Apology, the Australian Government announced its intention to establish a Healing Foundation to address trauma and aid healing in Indigenous communities, with a particular focus on the Stolen Generations. \$26.6 million over four years was allocated in the 2009-2010 Budget to establish the Healing Foundation, which was incorporated in October 2009. Since this time, the Healing Foundation has provided funding and support to various community-driven Aboriginal and Torres Strait Islander healing initiatives, and has been working to promote public awareness of healing issues. The Foundation will also conduct education and training initiatives, and engage in research and evaluation to investigate best practice in healing initiatives. "Reconciliation for me is about recognising the past. Acting in the present. And building a better future." (The Hon. Paul Lennon, former Premier of Tasmania).

In 2007, the Western Australian government set up the Redress Scheme, offering compensation for the "Forgotten Australians" which included members of the Stolen Generations. The scheme was open for applications from May 2008 to April 2009.

Redress WA had a total budget of \$114 million, \$90.2 million of which was set aside for ex-gratia payments. Initially the government offered a maximum of \$80,000, but due to a "large number of [severe] claims" lowered that amount in late 2009 to \$45,000.<sup>2</sup>

### **Case Study: Canada's 'Common Experience Fund'**

Canada's Indigenous population shares some of the experiences of Aboriginal and Torres Strait Islander Australians. From the early 1880s, Indigenous Canadian children were removed from their homes on the basis of their race and placed in church-run, government funded residential schools. From 1920 until early 1970 this removal was experienced by practically all Indigenous children. These schools were created to encourage assimilation and to suppress Indigenous culture and language.

The United Church of Canada recently apologised for this "horrendous period of Canadian history" and the Canadian Government also extended a formal apology in the form of an action plan. The action plan included a statement of reconciliation in which the Canadian Government recognised and apologised for "the single most harmful, disgraceful and racist act" in their history. The apology led to a range of lawsuits and helped Ottawa's Government to come to a settlement with First Nation representatives. As a result of the settlement, the Canadian Government provided a \$1.9 billion compensation fund for the 'common experience' of all people who were affected by the removal of Indigenous children. All residential school survivors are entitled to

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<sup>2</sup> <http://www.creativespirits.info/aboriginalculture/politics/compensation-for-stolen-generation-members>

apply for the 'common experience payment'. If the applicant is successful they receive a standard \$10,000 in compensation and a further \$3,000 for each year they were placed in the school. The Government has also provided an extra \$3 billion in compensation to survivors who suffered sexual and physical abuse in the residential schools.

### **9. Why was the word 'sorry' important as part of the Apology?**

The word „sorry“ holds special meaning in Aboriginal and Torres Strait Islander cultures. In many Aboriginal communities, sorry is an adapted English word used to describe the rituals surrounding death (Sorry Business). Sorry, in these contexts, expresses empathy, sympathy and an acknowledgment of loss rather than responsibility.

During the 2007 election campaign, then Opposition Leader Kevin Rudd also recognised the significance of the word sorry: "... simply saying that you're sorry is such a powerful symbol. Powerful not because it represents some expiation of guilt. Powerful not because it represents any form of legal requirement. But powerful simply because it restores respect."

### **10. Does the Apology mean that reconciliation has been achieved?**

An apology from the Australian Government to the Stolen Generations is one important step in working together to achieve reconciliation between Aboriginal and Torres Strait Islander peoples and non-Indigenous peoples. It is important because it removes a barrier to us establishing a better relationship as Indigenous and non-Indigenous fellow Australians. Closing the life expectancy gap involves consistent, long term action by governments and by all Australians, in health, education, housing, employment etc. as well as in building respectful relationships that generate better outcomes for us all.

Aboriginal academic Marcia Langton suggested that a formal apology would achieve two things: firstly it will aid in the restoration of a sense of dignity and legitimacy to those who have suffered, and secondly it will acknowledge the serious harm done by previous governments to a class of people on the grounds of their race.

"True reconciliation between the Australian nation and its Indigenous peoples is not achievable in the absence of acknowledgment by the nation of the wrongfulness of the past dispossession, oppression and degradation of the Aboriginal peoples." (Sir William Deane, Governor-General of Australia, 1997).

The Stolen Generations Alliance has said the Apology should be backed up with a national education campaign and a parliamentary inquiry to resolve all outstanding issues, including compensation payments. "The level of dysfunction that remains in the community as a result of the removal policy is way beyond an apology," Alliance co- convener Jim Morrison claims.

Former Prime Minister Kevin Rudd has also said that “unless the great symbolism of reconciliation is accompanied by an even greater substance, it is little more than a clanging gong”.