

# TRANSCRIPT

## LEGISLATIVE ASSEMBLY LEGAL AND SOCIAL ISSUES COMMITTEE

### **Inquiry into Responses to Historical Forced Adoptions in Victoria**

Melbourne—Friday, 4 June 2021

*(via videoconference)*

#### **MEMBERS**

Ms Natalie Suleyman—Chair

Ms Michaela Settle

Mr Brad Battin—Deputy Chair

Mr David Southwick

Ms Christine Couzens

Mr Meng Heang Tak

Ms Emma Kealy

#### **WITNESS**

Mr Ian Hamm, Chair, Board of Directors, First Nations Foundation, and Chair, Stolen Generations Reparations Steering Committee.

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**The CHAIR:** First of all, I would like to acknowledge the traditional owners of the land on which we are meeting. I pay my respects to the elders both past and present and the Aboriginal elders of other communities who may be here today.

I now declare open the public hearings for the Legal and Social Issues Committee's Inquiry into Responses to Historical Forced Adoptions in Victoria.

I would like to welcome Ian Hamm, the Chair of Stolen Generations Reparations Steering Committee.

My name is Natalie Suleyman. I am the Chair of this committee and the Member for St Albans, and I would like to introduce the committee members that are here today: first off, Christine Couzens, MP, the Member for Geelong; we have also Brad Battin, who is our new member and the Deputy Chair and who is the Member for Gembrook, here as well; we have Meng Heang Tak, the MP for Clarinda; also Michaela Settle, MP, the Member for Buninyong; and David Southwick, MP, the Member for Caulfield.

All evidence taken by this committee is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, including on social media and other platforms, those comments may not be protected by this privilege.

All evidence given today is being recorded by Hansard, and you will be provided with a proof version as soon as it is available. Any verified transcripts, any handouts et cetera will be placed on the committee's website as soon as possible unless confidentiality has been requested.

I now invite you to provide a brief opening statement to the committee, which will be followed by questions from the members. Can I again air from the outskirts: thank you very much for being here under the circumstances we find ourselves in. I now invite you to present to the committee.

**Mr HAMM:** Thank you, Natalie, and this will be a short presentation because I think question and answer is probably the best way of dealing with this. But to give you an overview of where we are in Victoria at the moment, there is actually some newly developed data from the Healing Foundation and the Australian Institute of Health and Welfare which was released the day before yesterday in Canberra. Currently resident in Victoria are over 2500 stolen generations people—living in this state today—and through some work we have done separately with developing the Victorian redress package we think approximately 1000 of those are actually people who were removed here in Victoria. Now, the reason for the difference with those figures is Victoria actually had a lot of people removed from interstate who were removed to Victoria. There were schemes that were conducted on behalf of the commonwealth, there were private schemes, there were people who were removed from New South Wales and Queensland and ended up in Victoria. So we have got this large population, and when you consider the size of the Aboriginal community here in Victoria, that is actually quite a large part of it. It is about 5 per cent of it, I think it would be, so it is a significant part of the community.

In terms of some demographic profiling of that community, the bulk of us are aged over 50 now. In fact I think we are all basically eligible for aged care next year. I have to say, I like to think of myself as a young 57-year-old, but apparently I am eligible for aged care. But we are I guess—most of us—over 60, and the aged care issue is becoming a big one for the Aboriginal community now. Being able to access those services is going to be incredibly important, but it has to be done in a way which responds to the needs of the stolen children and particularly residential aged care because, like it or lump it, I think the recent royal commission into the aged care system demonstrated that it can be somewhat institutionalising where people's welfare is not the most paramount thing. That is what happened to stolen children when they were young—put in institutions and traumatised by that. So to have that at the end of life and beginning of life is something we are keen to avoid.

I think one of the issues, getting back to the childhood, is the result of forced removal and forced adoption—well, not forced adoption; forced removal, of which adoption was one of the options that happened to people. In terms of what we are looking at with the state redress package that we are developing, we are looking at the act

of removal itself, not what happened as a result of that removal. Now, in other jurisdictions—such as New South Wales, South Australia and Tasmania, where they have done stolen generations redress packages—New South Wales, for example, started off looking at: what was the result of somebody's removal? Was somebody adopted? Was somebody institutionalised as a ward of the state and therefore in a boys home or girls home—the Cootamundra girls home and the Kinchela boys home being the most infamous examples in New South Wales? So what was the effect of the removal? And they calculated compensation based on the result of removal. They have since reviewed that and thought about, 'Well, really we shouldn't be trying to judge the impact of that, virtually say to somebody, "Your pain is not as bad as somebody else's. Your trauma on a scale of trauma comes in here as opposed to somebody who's here or here"'. To the person this happened to, the removal has resulted in loss of connection to family, community and culture, and the effects of that play out in different ways, but it was the act of removal which is the one consistency across all of this.

That is the approach we are looking at here in the Victorian model. It was the act of removal rather than the consequence of removal that we have taken the view that we are going to look at, because we should not be pitting people's stories against each other and making a subjective value judgement against it. So we are focusing on that, because everybody's story is different and every one has a different impact. That was one of the things which, in the approach we have taken, was a very key factor in how we have thought about this.

The other part of it too is that when it comes to compensation it has to be an amount which will—there are two drivers behind the financial component which we are considering as the committee. Bear in mind we are finalising the draft, so anything I say is 'We're thinking about stuff', but what we are thinking about is that compensation has to do two things. One, it is acknowledgement that what happened to Aboriginal people and to stolen children in particular was such a traumatic and life-altering or life-coursing event that our community and our society have to make a significant financial acknowledgement of that. That is how our society works; that is really how it does. If somebody has been wronged, the courts will award compensation to them, or there will be a fine if somebody has broken a criminal law—that kind of thing. We think of that.

The other part of it is the financial compensation, should a person be eligible, should be enough to make a significant impact on the remainder of their life. It should be enough so that they can actually afford some of the comforts that with a lot of stolen generation people—their salt of life that they quite frankly have not had up to date, being from the point of removal, all through their childhood and their adulthood, which a lot of people have struggled with. I refer you to the Healing Foundation report. If you have a look at that, you will see how stolen generations people have worse life outcomes than the broader Aboriginal community, which has worse life outcomes than the general Australian community. So this financial figure has to be at a level which will provide some level of life outcome that people previously just have not had. Forgive me; I have been travelling for 10 days and I just got back to Victoria last night. So that is primarily our thinking.

The third part is: this is not to retraumatise people. We are thinking about: what is the appropriate level of justification or evidence that a person would need to provide to be eligible for accessing the financial component of the scheme which we are proposing? But again, we want to make sure that we do not retraumatise people. The evidence on the stolen children and how these have passed down through our community—and honestly, in Victoria the Aboriginal community tends to know everybody because we are a relatively small community. There are approximately 60 000 of us here; of those, we have a proportion who have moved here from interstate. So if you look at the community, which has been generations in Victoria—and this goes back really to precolonisation—everyone kind of knows everyone. If they do not know you, they know your family, they certainly know your community, they know your traditional owner origins. So a lot of that lends itself to a range of different ways that people can place themselves in the Aboriginal community and also place their story—what happened to them. So we are looking at the appropriate evidentiary levels, but as I said, they are based around not wanting to retraumatise people.

The wider thing that we are looking at is that it is not only about those who were taken. As I said, we have over 2700 people resident in this state, if not more. I think it might actually be around 3000—I have got to recheck those figures—but it is a significant amount of people who were stolen. We cannot say to those who were removed interstate who now live in Victoria, 'Sorry, we're not going to do anything for you'. That is not what we are going to do. One of the things we have looked at is that there is quite clearly a financial component. That has to be an emphasis. There is the service component too—the access to services and supports for stolen generation people. We believe that anybody resident in the state of Victoria who has a stolen generation background should be able to access services that are provided by the state. That is just a given. So if

somebody, say, was removed from New South Wales—came here as a child and has basically been in Victoria ever since—even though their removal happened interstate, they live here, they are an active part of our community, they belong to the Victorian Aboriginal community. We have a fundamental, moral obligation to look after those people, and we should respond to that. So we are looking at the services we provide to be open to all Aboriginal people who have need of service response to stolen generations' issues.

One of the big issues that flows on from that is not only those who were taken but their children and their children's children and their great-grandchildren—the intergenerational effect. I think you will find with any of these forced separations of anybody, or adoptions of any nature to be honest, there is the intergenerational effect, and particularly if people when they were young had no great role models of parenting or did not experience it in childhood, their capacity to be a good parent and to give their children the childhood they never had is greatly diminished. That is just an evidentiary fact built up through whole bunches of data and, again, repetition of this. One of the things we have found in the Aboriginal community is this has not so much rippled down the generations, this has been a tsunami effect across the Aboriginal community for those who were taken. So where you have a child who was forcibly removed or separated from their family and community and culture and the circumstances they grew up in, you will find that their capacity for being the parent they want to be is diminished, and so their children grow up having a diminished capacity and their children experience that.

So with a lot of the Aboriginal statistics you see today—for example, at the moment we speak of at this time in Victoria we have more Aboriginal children being placed in out-of-home care than we have ever had before—there is a distinct, real and actual connection with a lot of those children to an ancestor being removed, and when I say 'ancestor' I mean parent, grandparent, great-grandparent. I do not mean way, way, way back, generations ago; I mean now, in living memory, some of those people who are still alive. That is actually a real thing. So part of our service response we are thinking about with the redress package is we have to also provide services that address the issues of the succeeding generations whose life course has been directly influenced by the removal of that ancestor.

Just to wind up this presentation, because I would like to get to questions, on Wednesday I was at the National Press Club, where the Healing Foundation launched their *Make Healing Happen* report, and it was the latest evidence and up-to-date data on stolen generations across Australia and about the response to that—a four-pronged response about what should happen. That night I got a message very late, or early Thursday morning, that James Savage, who was born Russell Moore, had passed away in a United States prison. James Savage—Russell Moore—was taken from his mother at birth when he was a week old. He was from Swan Hill; his mother Beverly was from Swan Hill, and she never knew what happened to her son. He was adopted by an American couple who went back to the United States, and he did not really fit in. He was not liked. He was quite dark skinned, but he was also not black—at least not American black. James had a lot of issues: there was alcohol, there was drugs and he was living homeless. He committed a crime. Someone died as a result of that, and he was sentenced to life in prison without parole. He died yesterday, less than two days ago, in a US prison. His life course was determined when he was a week old, and it ended the other day.

The thing that makes that poignant for me, given I went through the same adoption home, Salvation Army adoption home, and he was adopted 10 months before me: I often think if Charlie and Mary Hamm, my adopted parents, had turned up 10 months earlier and his adopted parents had turned up 10 months later, that would have been me in a prison in the United States and Russell Moore would have become Ian Hamm and he would be the one sitting here today. That is the lottery of what the removal of children and the subsequent outcomes have been. So that for me is probably the most personal and poignant thing that I can think of right now. I might come to this later, but I had an adopted sister who died a few months ago. She was 52 years old. She never came to terms really with trying to find her place in the world, and I think that is true. That can be true of any adoptees, but it is particularly true for the Aboriginal stolen children as well.

I will end my submission there and happy to take questions from the committee.

**The CHAIR:** Thank you so much, Ian, for sharing your experiences with us today. I know that committee members will have a number of questions. Chris, I will start with you. Thank you.

**Ms COUZENS:** Thanks, Nat. Thank you so much, Ian, for your presentation today. We really appreciate it, and I know how busy you are. I want to congratulate you and the team on the work that you are doing. It is so important. I am on Wadawurrung country today and want to pay respects to elders and ancestors.

Again, a huge thank you to you. I could listen to you for many hours on the evidence you are finding on the stolen generations, so thank you—and the importance of the redress scheme. I just wondered whether you can go into a little bit of detail about what you see as being the process for a claim from the stolen generation.

**Mr HAMM:** Yes. We are basically going to keep it really simple. As I said, the evidentiary stuff we are going to keep low. Quite often people are able to access some documents and that kind of stands straight up. So in my own example I have got my own adoption papers and all of that stuff, so that is quite clear. There are those who cannot access records, but nonetheless they have their own story, their own connection, their own narrative of what happened, and often there are people who can support that. It may be that they have got family who recall, 'Yes, this is this person. We recall when they were removed', or they were part of a whole family that were removed. There are a number of families where all the children were taken and they have come together again as adults, so they can support each other. We are looking at a fairly low bar of evidence because we do not want to retraumatise people.

The other part we have found too is that one of the reasons the low bar of evidence works is because people do not come forward and say they are stolen if they are not. That is just not something that happens within the Aboriginal community. I think perhaps because of the impact of it honesty works in this case, so we are prepared to work with that. Access—there are people whose records are not accessible because they are church records, for example. Now, there were a lot of institutions, particularly smaller charities or smaller institutions, which operated at the time which are no longer in existence, but people are holding those records of those organisations and not releasing them for fear of something, so trying to get those can be difficult. We are not going to force people to prove who they are at an unreasonable level.

The other part of what we are doing around claims too is if a person comes forward and says, 'I am stolen generation but I don't know where to start to show that I am', one of the recommendations we are going to do is say the administration of the scheme—it will be their task to try and find documents rather than the applicant themselves. That is something they did in New South Wales and it worked very well. So people would come forward and say, 'I was in the Cootamundra girls home', for example, 'but I've got no evidence of that'. There is provision made in the New South Wales administration to go and find those documents, and we are going to be proposing the same thing, not recommending. We are thinking about proposing that in the Victorian scheme as well to ease the burden on people because they have had enough trauma in their lives and trying to navigate the bureaucracy—having been a bureaucrat for 32 years and an executive for 20 of them, I know how difficult it is from the inside, so for people on the outside that is not something we going to put them through. We feel that should be something as part of the response: supporting people to find who they are.

**Ms COUZENS:** And will there be counselling services attached to that as well?

**Mr HAMM:** Connecting Home, for example, the organisation I am Chairman of, we provide a wraparound service because one of the things we have found is that people do not have a single issue; they have lots and lots of issues. Counselling or support through any of these processes is critically important. So that is one of the things which we have said needs to happen: when people start on this journey, there need to be supports for them that they can access should they wish to, and those services have to be provided in a way and in a form that works for those individuals. And they will all be different. Probably one of the most complex things with this is making sure the services that are provided are appropriate for each individual case. You can group them, but I think we will find there is a bit of a spectrum with that.

There are also existing services at the moment. So there is Connecting Home, for example. Link-Up provide the connection service for people. The Koorie Heritage Trust provides the family history service. There are the federally funded Bringing Them Home counsellors. Now, that is not to say all those services are operating at their optimum and peak and meeting demand, but there is a base to build from. So I think, Christine, what we can do is use that as a way of expanding to what we need, because we do feel that there will be a significant increase in the need for services. Because, look, even when we were taking community consultation, I was actually surprised at the amount of people who came forward and attended those. But then when I saw the data for the Australian Institute of Health and Welfare and the data we developed in the course of putting together the report for all the Victorian government, the significant increase in those who identified as stolen generation said to me, well, there are a lot of people now coming forward to have their voice heard.

**Ms COUZENS:** Yes. And in your view, what is important in a redress scheme? You know, what barriers can prevent the effective implementation of a redress scheme?

**Mr HAMM:** I think if you are trying to put barriers in front of a redress scheme, it is easy to do, but I think, look, some of the barriers are going to be more conceptual ones. The role of this scheme is to respond to the need of this community and to acknowledge what happened to this community. That is a fairly clear-cut thing. I think part of the barrier—not a barrier so much, but this is going to be a complex and difficult issue to deal with. Having the right people running it—who get this conceptually, what their role is—is going to be critically important. So the role of this should not be to minimise the exposure of the state, because the state will not be exposed to anything it isn't to already; that is a fundamental starting point for this. A critical part of that is having the right people with the right conceptual understanding.

The second part is having it go long enough for people to be able to feel that they can come forward to access services and to, if they qualify, access—or to explore if they qualify for—financial compensation. As we have seen from the data which was recently released, across Australia there has effectively been a doubling of known stolen generations people. And I had actually somebody ask me on the radio the other day about these new stolen generations people, and I said, 'These people are not new stolen generations. They were always there. We just didn't hear their voices before, and now we can hear them'. So that aspect—it has taken a lot time for people to come to terms with their own ability to even speak their own story. So I think one of the things we need to ensure is that we run this long enough to give people the time to say, 'I can do this. I'm strong enough now. I'm okay with this'. And then obviously think of this as what we are doing is supporting people come to terms with the life that they have lived. It is not a process that they have to fit into which has a start point, an end point and a time line that has to be dealt with. That is going to be critical too.

So I think that, look, they are just some starting points. But I think building up the capacity of the response system around counselling, as you say, other responses—trying to make sure that what response we do have, as in the provision of services or counselling or whatever else it might be, is built around the person rather than the standalone silo approach of different services. One of the things the Stolen Generations Taskforce in 2000 that was commissioned under Keith Hamilton—who was the Minister for Aboriginal Affairs at the time, in the first Bracks government—clearly noted was that this needs to be focused on responding to the needs of the person, not expecting them to run around all the different services and make them fit together, because quite clearly they will just drop off. I know that for a fact because I was on that task force, and that was one of the very clear recommendations we made.

So I think building the system around that and ensuring we have a case management approach for people and that they are not the ones who are trying to connect all the services but that that is done by a case management approach—they in my view are some of the prime things we need to think about about reducing barriers or about access for people.

**Ms COUZENS:** Yes. Look, I am interested in your view. When I talk to Aboriginal community, particularly elders and the stolen generation, the questions around those that have passed—I do not know if you have looked at that at all and whether that is part of what is being considered under the redress scheme. So I would be interested to get your take on that.

**Mr HAMM:** Yes. We have thought about that, and one of the issues for us was not knowing how many people might be eligible for this and being aware that whatever the government puts towards this, it is a finite amount of money in terms of compensation. We fundamentally have gone down the path—and it was based on not only our own thinking around this but also the experience of other jurisdictions—for those who were removed who have passed away, the concept of financial compensation for their children or their children's children is one that we have spoken about. We probably have not arrived on a specific conclusion yet, but I think it is fair to say that our focus has been on those who were taken—without indicating where this might finally land. We are conscious of how far do you go down the succeeding generations and ensuring, if you did go down the path of providing access to financial compensation for the children of the stolen children, for example, how is that managed within families? How is equity ensured? How does this not become something which may buy into an existing family dispute—or cause one, which would actually be more traumatic? So we are thinking about those things as well. But one of the things that is on our mind is that there will be a finite amount of resource available, and where do we put that to have the greatest effect? But certainly the children of the stolen children, they are very much front of mind for us in the access to services and supports.

**Ms COUZENS:** Great. Thanks, Ian.

**The CHAIR:** Thanks, Christine. David and Michaela have their hands up. I might start with Michaela and then go to David.

**Ms SETTLE:** Thank you, and thank you, Ian, for your contribution and all the work you do. I am also on Wathaurong country, though a little further away from Christine. The question I have for you is—obviously this committee has heard a lot about the need for a redress scheme for forced historical adoptions, and I guess a lot of that is driven by the mothers. I am curious that the stolen generation redress scheme obviously is not able to cover the mothers whose children were stolen. Do you see issues for us as a committee in trying to create a redress scheme that does include the mothers?

**Mr HAMM:** I do not see a problem with that, because for every child there was a mother. One of the reasons—and these are some of the blunt facts about being Aboriginal—we have not put a lot of emphasis on the mothers is, given our age, there are hardly any mothers left in our community. They have passed away. As I said, I am at the younger end of being one of the stolen children, and I turn 57 in a few weeks. If there are mothers who come forward to say, ‘I had my child taken’, there is going to be such a small number of them our scheme will contemplate responding to them.

Now, in terms of what you are dealing with, absolutely you should be dealing with that. That should be something that is responded to because the tremendous pain—I see the pain of those who were taken, but I equally know the equity of pain that would have been with the mothers as well. Because I know of stories of women who lost their children, of people who did meet their mothers who have since passed away. My own mother I never got to meet. She died in 1966. She would have been 26 years old when she died, and there are things in my family where one of my aunties told me she never quite got over me. So I think, yes, that does need to be looked at in the issues you are addressing. How do we measure the loss of a child for a mother, particularly when it is something that did not have to happen? If a child dies young, that is a terrible, terrible thing, but that is not as the result of a societal expectation. Often people talk about ‘It’s the result of government policy’. Government policy only reflects societal expectation, so it is society that did this, and I think that that needs to be acknowledged and these mothers need to have that acknowledged—what happened to them and the loss of their child.

**Ms SETTLE:** I guess what is interesting to try and weed out is you said earlier that almost honesty will work in your situation because anyone saying they are stolen will be. How do we manage in looking at a redress scheme with the possibility that some people willingly gave up their child—but obviously a lot of women did not in this forced adoption inquiry? I am just trying to work out how we manage it. I can understand from your perspective that the honesty situation will work, and I am not even suggesting anyone would be dishonest, but who do we go to? Do we go to every adoptee, or—

**Mr HAMM:** Yes. Well, one of the things is people coming forward to access it, because even though we think there will be 1000 people eligible under the scheme we are proposing here in Victoria and the way we have set it up, I would be very surprised if a full 1000 people came forward to access it. So that is a starting point. So really it is about people coming forward as opposed to trying to find people. That is one thing.

The other part is in terms of voluntary relinquishment—as I said, societal expectation and the pressure placed on people to relinquish. So while there may be a form that says, ‘I give up my child’, what was the pressure placed on that person to give up their child? What was the coercion put on the mother by their parents, by the hospital, by the welfare agencies? That was a societal expectation, in our case, from 1900 right through to the early 70s. The notion of an unwed mother was not something people would do, and there were stories of those who did keep their children who were single parents, and they will all tell you how difficult it was. So you can see how societal expectation put great pressure on people.

I think part of it, if you are looking at how you manage this, is yes, there will be documentation. Some of it may be contradictory to what people say. One of the things that we are looking at doing with our system is having a panel of assessors with a review mechanism in there as well, but the primary thing of that assessment panel is to try and ensure that we hear the stories that are being told rather than have just simply an application-based process. So where an application on paper might not look great, once you talk to people you actually get a real feel for it. So I think they are things that you need to think about—the human interaction part of whatever you

are proposing might be a way of addressing the issue at hand here, because certainly I would say people will find this difficult enough to deal with. And, look, a lot of people—and this is why we think in the Aboriginal community people have come forward now—have just put it out of their mind. People have just blocked it out because they just cannot deal with thinking about it or talking about it. Finally they might be able to do it. So I think building it around the human experience rather than the process to get to an end is going to be the critical factor.

**Ms SETTLE:** Thank you, Ian. Thank you.

**The CHAIR:** I will move on to David.

**Mr SOUTHWICK:** Thank you, Chair. Thank you very much, Ian, for your presentation today. I am just interested to know, in your deliberations with the committee in terms of arriving at a redress scheme, in terms of what you would be looking for, has the committee looked at the national redress scheme? And what differences or what concerns do you have about that in terms of things that may or may not have been working in terms of the national redress scheme addressing the issues to do with child abuse?

**Mr HAMM:** Yes. So, look, we did look at the national redress scheme. There were a few issues I suppose with it for us that we thought we would prefer to avoid. One of those again was the compensation formulas that they used. I think one of the issues with the national redress scheme—it is actually not an issue—is trying to do this on a national basis has thrown up a whole bunch of complexities for them. So in one sense we were lucky we were sticking to a jurisdiction.

The other thing, I suppose, that we looked at was the role of subsidiary organisations. As I said before, some of these removals happened by organisations who were acting on behalf of the state or acting of their own volition, but nonetheless it occurred in Victoria. Now, the national redress scheme has got organisations signed up to it. What we contemplated, David, was: should we only be dealing with those removals which were just directly as a result of the action of the state as opposed to those that happened in Victoria but on behalf of the state? I mean, I go to church organisations because they are the most obvious ones—where a church organisation was involved and the state really did not get involved until the formal welfare department got involved towards the tail end—and we just thought, ‘You know what? If it happened in the state of Victoria, it should be within the jurisdiction of responsibility of the state government of Victoria because that is what governments do, and if at a later point the state wants to pursue the organisation who actually did the removal, that is entirely up to the state’. In fact personally I think that is the thing that the state should do. Whether that is in the report or not, we are yet to arrive on that. But I suppose they were probably a couple of the prime things for us.

I guess a lot of it is more in the detail, which is around: what sort of support do you provide people, how do you provide it, how do you ensure efficiency and effectiveness of the process without making it all about the process but it is applicant-focused? There are all those types of mechanical things I think, David, which we have tried to take into account from the national redress experience.

**Mr SOUTHWICK:** Following on from that, in terms of the state-by-state scenario, you addressed in your presentation those that have come into Victoria from other states and supporting those individuals. What about those that have moved out of Victoria? Do you have a handle on numbers in terms of how many would be out of Victoria? And then responsibility: obviously there is the initial compensation, but there is responsibility for the ongoing management and support. Given that you said before about the responsibilities should be managed for those from other states that are now living here, how do you propose the vice versa?

**Mr HAMM:** Yes. So the way we thought about that, David, was—and we did really think about this, and we looked at the evidence that we knew, and we also knew about the incredible intelligence you get from the Aboriginal community itself, because the blackfella network is just the best bush grapevine in Australia—there were not a lot of people who were removed from Victoria interstate, so we know the numbers are not great in that regard. And Victorians who were removed at some stage or who may have moved interstate as an adult, they are numbers that we think are not great also. There were a couple of things we thought about there. So if the act of removal happened in Victoria, then a person should be eligible for the compensation component.

One of the things that we have seen in other jurisdictions, and we focused on this ourselves, is the access to services really needs to be where people live. So if, say, somebody was stolen in Victoria and for whatever



reason they moved to Queensland in their 20s and they have lived there ever since and they are, I do not know, 60 now, services need to be provided to them where they live. Now, that to our way of thinking should be the jurisdiction of the government where they live, because Queensland has stolen generations' issues. It is not just a bunch of Victorians who moved up there, as it were; they have got a lot of stolen generations with their own state. These people are part of the Queensland community and these people contribute to the Queensland community. The state of Queensland needs to respond to that, for example. So that is how we have contemplated that, because if we tried to provide services to people in those jurisdictions, it would be (a) difficult to do. I mean, it is not to say that we would not support them as best we could, but predominantly we will be looking in the state of Victoria. But we would hope that the way Victoria responds, and New South Wales has responded and South Australia and Tasmania, would encourage other jurisdictions to look at taking a responsibility for those people who live in their state, whatever their background, because they are their citizens. Actually, now you raise it, David, it may mean—and I am hoping this happens here; Victoria's benchmark is here—that it actually causes Tasmania, South Australia and New South Wales to revisit their schemes to say, 'You know what? We need to up the ante a bit on a few things to do with our schemes'.

**Mr SOUTHWICK:** Great. Thank you very much.

**The CHAIR:** Any other questions, committee members? No? I might just have a concluding question in relation to some of the challenges that you have experienced with the redress scheme. If you would just like to, I suppose, identify some of the challenges, perhaps that would be able to assist us.

**Mr HAMM:** Yes. The biggest challenge has been this is an enormously emotive area for everyone—for people being on the committee, for people we speak to, for people who are the children of the stolen children and so forth. This is one of the most difficult areas for people to deal with. Maybe because I was a senior bureaucrat for 20-odd years or something I tend to cope with it, but a lot of people do not, and that is a difficulty of this. One of the other biggest challenges is providing the opportunity and hoping people come forward to speak, and they did in our community consultations. I have to be honest: I was not expecting the numbers that we got. I think we got nearly 200 people to participate—either participate in our community consultations or provide a written submission or emailed submission and so forth—which I found an extraordinary number. I have always found stolen generations people to be reluctant to speak in a forum or provide things in writing, but they will sit down and talk to you one on one, and yet people came out. That was a surprisingly good challenge. I give great credit to the other committee members. Some of our committee members attended all the consultations, and particularly with their own backgrounds that was an enormous load to carry. I cannot recommend them highly enough for what they did.

I think one of the challenges will be when we put the report together. This is where it is hard for people—to separate their own story or own issue from looking at this at a population level and in a subjective way. That is really hard when people have to put aside their own experience to be able to focus on the bigger picture. And the committee members have done that. I have to say I wish I was half the person that some of them are. Some of them have had a pretty rough time for most of their lives, but the opportunity to do this was really good.

I think one of the big challenges I can see coming when the government announces the scheme—however they take our report and modify it and come up with the scheme—will be how we respond to that and how that response is led by those that this is about. There will be those who have a crack at it; I have no doubt about that. There will be those who say, 'We weren't there. Why are we doing this?', 'We're not responsible for this', 'How come we should be carrying the can?'. I think we need to have an approach to responding to that because I see that as a challenge coming up, which again I think will have the potential to just cause hesitancy and pain and trauma and stuff again for those who were taken. I think they are probably some of the challenges that we have had and some of the challenges going forward.

And to be honest, even with a redress scheme and world's best practice, this does not end for people. It is not something you get over; it is something you just get used to. That is where I put myself. In the past couple of days—it is funny when you talk to journos sometimes, they are better than your therapist, you know? But that thing of 'You don't get over it, you just get used to it'. It does not change who I am. It will be with me always. My prime consideration is that I do not pass this on to my children. I think that is a challenge for everyone too, that this does not stop until the day you die and the best you can do is ensure that your children do not carry the baggage which you have.

**The CHAIR:** Well said. Committee members, I take it there are no further questions at this point. Just on behalf of the committee, Ian, thank you so much for being here. We acknowledge that you are very busy, and we are absolutely honoured that you have taken the time, in particular in these challenging circumstances in Victoria, to provide us with valuable information for us in our inquiry. Again, can I thank you so much for the work that you are doing and you continue to do. I know that the committee members today have really been able to take some information and evidence for the work that we are doing. The next step will be that we have got a number of other public hearings to continue, and then we will deliberate on all the evidence and submissions to prepare the final report, which will be tabled in August in Parliament. We truly do hope that it is a step forward in some way in addressing past wrongs. As you rightly said, it is still within you, and I just really hope that this report does some justice to everybody who has submitted and taken the courageous step of speaking out and telling of their experiences. So thank you so much again, Ian, for being here with us. And I look forward to your report as well.

**Mr HAMM:** Thank you. It has been a pleasure. Thank you for asking me to give evidence.

**The CHAIR:** Thank you. Take care.

**Witness withdrew.**