



# Stolen Generations Reparations Package

## Conversation guide for organisations supporting applicants

**This information is to support organisations in their conversations with community and contains key messages and common questions**

### Key messages

- Applications are now open
- The application process is quick and accessible
- You do not need your own records and you do not need to retell your story
- Support services are available, including counselling, legal and financial advice
- You're eligible if you were first removed in Victoria, even if born somewhere else or currently living interstate
- Our team is available to help you apply

### Who is eligible to apply

The Package is available to people who:

- are an Aboriginal and/or Torres Strait Islander person
- have been removed by a government or non-government agency in Victoria prior to 31 December 1976, while under the age of 18 years
- have been first removed in Victoria
- have been separated from their family for a period of time that resulted in the experience of loss of family, community, culture, identity, and language.

You cannot apply on behalf of someone who has passed.

### What supports are available

To ensure applicants are supported throughout the reparations process, support to access legal advice, financial counselling, trauma informed counselling and disability support services are

available. Applicants and support organisations can contact us for more information.

### Advance payments

Eligible applicants who are terminally ill or critically ill, may be eligible for an Advance Payment of \$20,000.

They will need to complete the application form and ask their doctor to complete the medical form available on our website.

### For further support and assistance

The information you may need to consider can be confronting or disturbing, and may cause sadness or distress. Funding is available for trauma-informed counselling. Please call 1800 566 071 for information.

24 hour support can also be accessed by contacting:

- VAHS Yarning SafeNStrong: 1800 959 563 (<https://www.vahs.org.au/yarning-safenstrong/>)
- Lifeline (24/7): 13 11 14 (<https://www.lifeline.org.au/>).

### Find out more

- 1800 566 071
- [stolen.generations@justice.vic.gov.au](mailto:stolen.generations@justice.vic.gov.au)
- [www.vic.gov.au/stolen-generations-reparations-package](http://www.vic.gov.au/stolen-generations-reparations-package)
- PO Box 24053 Melbourne VIC 3001

## FAQs

### Application process

#### Do I need my records to apply?

No, you do not need to have a copy of your records to apply. In the Application Form, we will seek your permission to search for records on your behalf with agencies that hold this information including the Department of Justice and Community Safety the Department of Health, Department of Families, Fairness and Housing, the Public Records Office of Victoria and the National Archives of Australia.

You have the option of providing us with copies of records about your removal if you have them. You do not have to provide this, but it may help speed up the processing of your application. We are seeking evidence that shows:

- You were removed from your family
- That you were removed before 31 December 1976 (for example, a record with a date of removal)
- That you were first removed in Victoria (for example, a record stating where you were initially removed from)
- The time period of your removal (for example a record showing you were adopted, or a record that showed you were removed for more than three months).

#### Do I need to retell my story to apply for the Package?

You do not need to re-tell your story to apply for the Package.

When you submit an Application Form, you will be asked to give us permission to search government and other records on your behalf:

- If you have given your consent, we will request information from record-holding agencies to support your application. We will contact you if further information is needed in this process. We may seek expert assistance in locating, collating, or interpreting the records if we consider this would be of assistance in assessing your application.
- If you do not provide consent, you will need to provide copies of your records to support your application.

If you are found to be eligible for the Package, you will be offered an opportunity to record your story, but you do not have to. We will not have access to this recording unless you choose to share it with us.

### Eligibility

#### What if I have applied for or received payment from another scheme

You can apply for the Package even if you have already applied to, or received payment from, another reparations or redress scheme. This includes other states' Stolen Generations redress schemes and the National Redress Scheme.

#### Why is the Package limited to removals before 31 December 1976?

The design of the Package was driven by the Stolen Generations Reparations Package Steering Committee. The Committee considered the history of Stolen Generations policies in Victoria. Based on this they made an initial recommendation that to be eligible for the Package, you were removed before 31 December 1976. Part of the reason for this date were the changes to Commonwealth and State laws that ended many policies of removal based on race as well as the establishment of the Victorian Aboriginal Child Care Agency at the end of 1976 which helped create greater community input into "child protection" decisions. You can read the Steering Committee's final report here: <https://www.vic.gov.au/stolen-generations-reparations-steering-committee-report>.

#### If I was born interstate, am I still eligible?

The eligibility for the package is based on the state you were first removed from. You do not need to have been born in Victoria to be eligible for the Package. If you were born interstate, and you meet the Eligibility Criteria, including that your first removal took place in Victoria, you are still eligible to apply.

If you were removed from another state or territory, you may be eligible for similar packages. You can find more information here: <https://www.vic.gov.au/stolen-generations-reparations-package>

## What if I was removed in another state or territory?

If you were first removed from family in another state, you will not be eligible to apply to the Package.

However, if you were first removed in Victoria but later removed in another State, you are still eligible to apply to the Package (if you meet the Eligibility Criteria).

Other states and territories operate similar redress schemes.

For information on the New South Wales Stolen Generations Reparations Scheme and Funeral Assistance Fund, visit the Aboriginal Affairs NSW Government website

[<https://www.aboriginalaffairs.nsw.gov.au/healing-and-reparations/stolen-generations/reparations-scheme/>] or call 1800 019 998.

For information on Territories Stolen Generations Redress Scheme (Northern Territory, Australian Capital Territory before self-government, and Jervis Bay Territory) visit the National Indigenous Australians Agency [<https://territoriesredress.gov.au/>] or call 1800 566 111

## Application processing

### How long will my application take

Processing of applications will commence by June 2022 with Advance Payments to terminally and critically ill applicants commencing before this. Applications will be prioritised for the elderly and applicants with poor or declining health.

You can start accessing support services including counselling, legal advice, and financial counselling before processing commences.

The length of time to process an application will vary based on the individual experience of each applicant. Factors include the length of time needed to seek records about your removal (if required), whether further information is needed from you and whether the Independent Assessment Panel seeks further detail before making a decision.

You will be contacted by the department once you have submitted an application and a support

coordinator will be able to discuss the next steps with you for your application.

### Who decides if I am eligible

Your application will be reviewed and assessed by an Independent Assessment Panel (Panel) chaired by a Stolen Generations person and comprise a majority of Aboriginal and/or Torres Strait Islander people.

The Panel will also include members with experience in relevant areas including an understanding of Stolen Generations history and experiences, policy, law, advocacy, and state and national redress schemes.

The Panel will decide if your application is eligible or not eligible for the Package based on the Eligibility Criteria. If the Panel decides that your application is eligible, the Department will work with you to settle the details of your individual reparations package.

If the Panel decides that your application is not eligible, the Department will provide you with information on the decision, an option to seek a review of that decision, and available support.

For more information on eligibility, please refer to the Stolen Generations Reparations Package Guidelines or contact us.

## Supporting someone to apply

### Can I help someone to apply

You can give permission for a friend, family member or support worker to help you apply for the Package. This person is called a nominee.

A nominee can submit your application on your behalf, however it must be signed by you.

A nominee can:

- share and receive information about your application, including personal information about you
- fill out the application for you. However, you must sign it and they cannot sign for you.

To appoint a nominee, both the applicant and the nominee need to complete a Nominee Form

Both of you need sign the form and it needs to be witnessed by a third person.

A nominee cannot:

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- sign your application for you
- make decisions about your application
- make decisions about the contents of your Package
- withdraw an application.
- receive payments made by the Package. All payments go directly to the applicant.

You can withdraw or change your nominee at any time by contacting us.

Please include your completed nominee form when you submit your application.

### How will applications be made from prison or custody

Applications can be made from prison by mail using a special Application Form for people in custody. The department will also conduct outreach into Victorian prisons to provide information about the Package and application forms.

Please contact us for more information.

### What if the applicant passes away

If an applicant to the Package passes away before their application is finalised we will work with their next of kin on the next steps about their application. If you are the next of kin you can contact us to commence this process

If the applicant who has passed is later found to be eligible, the reparations payment can be paid into their estate.

The Funeral Fund provides eligible applicants with up to \$10,000 to cover the costs of a funeral, headstone, or plaque and/or repatriation of their Stolen Generations family member. It is administered by Connecting Home Limited. For more information see [firstpeoplesrelations.vic.gov.au](http://firstpeoplesrelations.vic.gov.au).

## Design of the Package

### What is in the Package?

If your application is successful, you can choose the content of your Package.

You can select one or more from the following financial and restorative reparations:

- a lump sum payment of \$100,000

- a personal apology from the Victorian Government
- supported access to healing programs such as family reunions, reconnection to Country and language programs
- an opportunity to record and share your story and experience
- access to trauma-informed counselling
- access records held by the State about your removal.

You can change or add the content of your Package at any stage until the Package closes by contacting us.

### Who designed this Package?

The Package was designed by the Stolen Generations Steering Committee which consisted of Stolen Generations, their descendants, and community-controlled support organisations. This community-led process ensured Aboriginal leadership and decision-making in the design of the Package.

The Steering Committee heard from more than 400 members of the Stolen Generations and their families to inform the design of the Package.

The Steering Committee's Final Report was provided to Government in July 2021 with a total of 56 recommendations. The government has accepted the Final Report's recommendations relating to the package design (Part One), and also committed to a whole of government response to Part Two of the Final Report. This will form part of the future work of the department.

You can access the Steering Committee's Final Report [here](#).

To ensure continued Aboriginal leadership in the implementation and delivery of the Package, the Department has established the Stolen Generations Advisory Committee (Advisory Committee).

Wotjobaluk woman Aunty Annie Moore and Gunaikurnai man Christopher Gorrie chair the Advisory Committee.

Other members are:

- Sandra Lee Barber, Dja Dja Wurrung, Yorta Yorta and Wemba Wemba woman
- Daria Atkinson, Wemba Wemba/Yorta Yorta First Nations woman

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- Gina Bundle, Yuin woman
- Eva Jo Edwards, Boonwurrung/Bunurong, Mutti Mutti and Yorta Yorta woman
- Tracey Evans, Traditional Owner Victoria - Eastern Maar Gunditjmara
- Rod Jackson, Palawa man
- Kath Apma Penangke Travis, Imarnte woman of the Arrernte peoples.

Members of the Advisory Committee were chosen through an open expression of interest process.

Members have deep ties into communities across Victoria. Their advice to the department will call on their lived experience of Stolen Generation policies and professional backgrounds. Their leadership will help make sure the process continues to be community led.

### Will these payments impact my Centrelink or other entitlements

#### ***Social security income test treatment of payments under the Package***

Payments from the Victorian Stolen Generations Reparations Package will not be counted as income for social security payments. This means that the initial lump sum amount will not have any effect on the social security payments you may receive.

While the initial lump sum payment will not affect social security payments, any on-going income generated by the lump sum is counted under the income test, and any assessable asset produced from the lump sum is counted under the social security assets test.

You will still need to report these payments to Services Australia. You can contact the Services Australia Indigenous Call Centre, or your regular payment line, to advise of the payments. Please find contact details of the Indigenous Call Centre below.

The Indigenous Call Centre can be contacted on 1800 136 380 from 8 am – 5 pm, Monday – Friday.

#### ***Other entitlements and taxation***

We are working with agencies to exempt payments from impacting on your eligibility for other entitlements and taxation. Similar exemptions have been granted for redress schemes in other states and the same is expected for this Package. We will provide applicants with further advice before payments are made.