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**EXCLUSIVE**

## Cook Government set for landmark court showdown over stolen wages just days after Voice referendum

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Barbara Moore and Glenys Yarran are fighting to be paid what they are owed after working 'like slaves' in their childhood. Credit: The West Australian



WA will find itself at the centre of another flashpoint over race relations just days after the Voice referendum, with revelations the Cook Government will be dragged to trial over its stolen wages compensation offer.

The deal affects thousands of Indigenous people who worked for little or no pay across five decades.

The West Australian can reveal that recent mediation talks have stalled and the class action has been listed for a trial before Federal Court Justice Bernard Murphy from October 16 to November 10.

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Australia will vote on the Voice referendum on October 14.

Shine Lawyers is representing up to 14,000 people – including children – who worked in WA on farms, cattle stations and in institutions from 1936 and 1972.

Youngsters were often forcibly removed from their families to work, and even wrongly dubbed “orphans”.

At the time, they were classified as a “controlled native” under now-defunct laws first established by the Native Administration Act 1905-1936 (WA). The Act gave the Department of Native Welfare the power to hold up to 75 per cent of earnings in a complex network of Government-controlled trust accounts.

Mediation with the Cook Government started in 2021 but an out-of-court settlement has so far proved elusive.

The stolen wages case will be the second flashpoint for the State during the Voice campaign after Premier Roger Cook had to backdown on controversial cultural heritage laws in the face of sustained heavy criticism.

Many experts say the furore weighed heavily on the early days of the Yes campaign on the referendum.



**INVESTIGATION** CLASS ACTION

**‘I demand we be paid, as a slave, a servant and a maid’**



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Class action participant Barbara Moore – who through her teens slogged away in laundries, worked “like a servant” on farms and a poultry business after being separated from her family – has been “just waiting”.

“We could end up like our elders: we could die in the time that they make an agreement,” Ms Moore told The West.

“A lot of us people are getting sick now.”

Sadly, Ms Moore, 72, is one of those in ill health.

“Why aren’t they believing us?” she asked.



 Barbara Moore says her first priority, should she receive a payment, is putting headstones on her family's unmarked graves. Credit: Simon Santi/The West Australian

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“Are they waiting for all of us to die? I don’t know why they’re holding back on this.

“They should pay us now. It’s time. Enough is enough. This rightfully belongs to us.”

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The mother-of-five and grandmother-of-16 described the stalemate as “very, very, very disappointing”.

“I don’t think we should go to trial,” she adds.

“It’s been very sad and very hard for us, living all this over again.

“It’s brought a lot of things up. We were taken away and all the hardship that we’ve been through.



**OPINION** EMMA GARLETT

**My Nanna was a slave and it’s time WA paid what she was owed**

Emma Garlett



“And the Government is just sitting back, not acknowledging the truth, that this actually happened to our people.

“I actually sat there and I cried. I could not hold any more tears back.”

Aboriginal Affairs Minister Tony Buti said he couldn’t discuss the mediation, as it was confidential.

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“The State Government continues to work cooperatively with all parties with the intent to resolve the matter by agreement,” he said.

Shine Lawyers class action practice leader Sarah Thomson said the firm remained hopeful a resolution with the Cook Government could be reached “and avoid the need for the expense and trauma of a trial”.

Ms Moore said her first priority, should she receive a payment, is putting headstones on her family’s unmarked graves.

In the 2023/24 State Budget, the WA Government set aside \$4.1m for the State Solicitor’s Office for the WA Stolen Wages class action, listing it as among “high-priority” court actions.

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