

THE NORTHERN TERRITORY STOLEN GENERATIONS CLASS ACTION

Class Action Notice

This notice has been approved by Order of the Honourable Justice Beech-Jones made on 23 September 2022.

A class action has been brought in the Supreme Court of New South Wales by Eileen Cummings against the Commonwealth of Australia (who is the defendant). The case is called **Cummings v Commonwealth of Australia** and it is about Aboriginals and Torres Strait Islander children who were removed from their families in the Northern Territory between 1931 and 1973 and their carers and siblings.

This notice is being sent by email and put up online. If you have received it by email, it is because you have registered your interest in the class action with Shine Lawyers.

This class action is not the same thing as the Commonwealth's Territories Stolen Generations Redress Scheme which has been open for applications since 1 March 2022. The Redress Scheme only covers people who were removed and who are still alive (or who have passed away following the announcement of the Redress Scheme on 5 August 2021). The Redress Scheme does not cover people who were removed and passed away prior to 5 August 2021 or close family members of people who were removed. The Commonwealth has agreed to settle the class action for people who are not eligible for the Redress Scheme.

Eileen was removed from her family at Mainoru Station in 1948. When the Redress Scheme was announced by the Commonwealth, Eileen and other removed children like her who were still alive were eligible for the Redress Scheme. One of the rules of the Redress Scheme is

that you cannot bring any claim against the Commonwealth about your removal if you accept a payment under the scheme.

Eileen has accepted a payment under the Redress Scheme and cannot be the plaintiff in the class action anymore. Eileen is asking the Court to let her stop being the plaintiff. Shine Lawyers have found another person who is willing to be plaintiff so that the matter can be settled. That person is Natalie Ellis. Natalie's mother was removed from her family at Elsie Station in 1941. She passed away in 2014. Natalie is asking the Court to appoint her the new plaintiff. This will allow the parties to finalise their agreement to settle and ask the Court to approve that agreement.

This notice is for your information and to keep you updated - you do not need to do anything. You will get more information soon about the settlement.