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A handwritten signature in blue ink that reads "Sia Lagos".

Registrar

Important Information

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Seventh Report of the Administrator in accordance with the Settlement Distribution Scheme dated 30 August 2024

Minnie McDonald v Commonwealth of Australia

Federal Court of Australia

No. VID 312 of 2021

17 April 2026

17 April 2026

PRIVATE AND CONFIDENTIAL

Associate to the Chief Justice
The Hon. Justice D S Mortimer CJ
305 William Street
Melbourne VIC 3000

BY EMAIL ONLY: vicreg@fedcourt.gov.au

Dear Hon. Justice D S Mortimer CJ

**In the matter of Minnie McDonald v Commonwealth of Australia
The Federal Court of Australia | No. VID 312 of 2021**

I refer to Clauses 46 and 48 of the Settlement Distribution Scheme in relation to the captioned proceeding and attach the seventh report of the Administrator.

Should you have any questions please contact me on 03 9671 8335.

Yours sincerely



Julia Kaye

Partner, Deloitte SRT Pty Ltd
On behalf of the Administrator of the Settlement Distribution Scheme

cc. Sarah Thomson, Class Actions Practice Leader, Shine Lawyers
Paul Barker, Senior Executive Lawyer, Australian Government Solicitor
Brendon Jacomb, Chief Lawyer, National Indigenous Australians Agency
Emma Colantonio, Chief Investment Officer, Litigation Lending Services Limited
Liz Harris, Costs Assessor, Ovid Consulting
Michael McCarthy, Legal Adviser to the Administrator, Hutton McCarthy

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SEVENTH REPORT OF THE ADMINISTRATOR
MINNIE McDONALD V COMMONWEALTH OF AUSTRALIA

A. BACKGROUND

1. This is the Seventh Court Report prepared by the Administrator pursuant to clauses 46 and 48 of the Settlement Distribution Scheme (the **Scheme**) in the captioned proceeding and covers the period from 17 February 2026 to 16 April 2026 (**Seventh Court Report**).
2. The background to this matter is set out in the first Court Report of the Administrator dated 1 May 2025 (**First Court Report**) and is not repeated here.
3. The second Court Report of the Administrator was dated 1 July 2025 (**Second Court Report**).
4. The third Court Report of the Administrator was dated 1 September 2025 (**Third Court Report**).
5. The fourth Court Report of the Administrator was dated 30 October 2025 (**Fourth Court Report**).
6. The fifth Court Report of the Administrator was dated 19 December 2025 (**Fifth Court Report**).
7. The sixth Court Report of the Administrator was dated 19 February 2026 (**Sixth Court Report**).
8. All defined terms in this Court Report have the meaning as set out in the Deed or the Scheme.

B. PROGRESS OF THE ADMINISTRATION OF THE SCHEME

9. During the period from 17 February 2026 to 16 April 2026 (the **Relevant Period**), the Administrator has completed the following activities to progress the Administration of the Scheme:
 - The majority of the Settlement distribution payments (9,189 payments) were made. Details of the four payment tranches can be found at Section K below.
 - Approximately 29,658 calls were made to our hotline, of which approximately 21,302 were handled via the Interactive Voice Response (**IVR**), and 1,135 calls were answered by our contact centre team. Up to the 25 February 2026, calls which were not able to be answered live were directed to voicemail (10,572 for the period) and received a call back from our contact centre team.
 - Total call volume for the Relevant Period decreased following the commencement of final distribution payments in February 2026.
 - As of 26 February 2026, to align with the majority of final distribution payments being made, the Administrator scaled down coverage of the hotline by ceasing the handling of inbound calls. From that date, all calls have been diverted to voicemail and responded to if they relate to outstanding payments.
 - In addition to handling inbound calls from claimants, 592 outbound calls were made during the period. These were in response to voicemails where additional information to support claims was required from claimants.
 - In accordance with Section U of the Settlement Distribution Scheme, the review process was completed by Independent Counsel, Ms Carla Klease. Details on the review process is set out in Section J below.

- Meetings were held with the Costs Assessor, Ms Liz Harris, to discuss the Costs Reports provided for approval, and an onsite file review was conducted by Ms Harris on 26 February 2026.
 - Legal advice was sought from Hutton McCarthy regarding various items within the Administrator’s remit; in particular, in relation to cases where review was requested or other information was received impacting the eligibility assessment.
10. Between February 2026 and March 2026, a number of community stakeholders have come forward to the Administrators and to Shine Lawyers expressing concerns including that some claimants did not know about the Scheme, could not register, or encountered issues. The Administrators are proactively working with Shine Lawyers, the Commonwealth, and relevant community stakeholders to work through the issues raised, including how they should be resolved. In the event further directions or Orders are required from the Court, the Administrators will work with the Parties to seek those accordingly.

C. LIVING CLAIMANTS

11. The position in relation to Living Claimants remains unchanged since the Sixth Court Report.

D. DECEASED CLAIMANTS

12. Where claims were received from claimants who were alive at the time of Registration and died before the date of Distribution, the provisions in Section R (clauses 53 to 59) of the Deed were applied.
13. 133 parental claims were received from claimants who were alive at the time of Registration and died before the date of Distribution and assessed by the Administrator as below:

Administrator’s determination	Count
Eligible claims	114
Ineligible claims	9
Duplicate claims	10
Total	133

14. 53 self-claims were received from claimants who were alive at the time of Registration and died before the date of Distribution and assessed by the Administrator as below:

Administrator’s determination	Count
Eligible claims	44
Ineligible claims	5
Duplicate claims	4
Total	53

15. 9 spousal claims were received from claimants who were alive at the time of Registration and died before the date of Distribution. All 9 claims were assessed as eligible.
16. Please note that movement in these cases is due to updated information the Administrator has received with regards to the deceased status of claimants.

E. DESCENDANT CLAIMS

16. Out of the total of 13,142 registrations received by the Administrator, a total of 11,521 descendant claims were received, being 361 spousal claims and 11,160 parental claims. These were assessed by the Administrator as below:

Administrator’s determination	Count
Eligible claims	10,140
Ineligible claims	394
Duplicate claims	985
Withdrawn by claimant	2
Total	11,521

F. INTERIM PAYMENTS DISTRIBUTED

17. The position in relation to Interim Payments Distributed remains unchanged since the Sixth Court Report.

G. NUMBER OF ELIGIBLE CLAIMANTS

18. The Administrator has determined 8,242 of the registrants to be Eligible Claimants, being 1,203 living Eligible Claimants and 7,039 deceased Eligible Claimants as at the Effective Date.

19. In total, over the period of Administration, the Administrator has requested \$94,356,000 from the Commonwealth for 5,242 additional eligible claimants. Of this, a total of \$94,320,000 has been requested and received by the Administrator as of the date of this report. The remaining \$36,000 for two additional Eligible claimants identified during the period was requested from the Commonwealth on 20 March 2026 and is yet to be received by the Administrator.

H. NUMBER OF INDIVIDUALS NOTIFIED AS BEING INELIGIBLE

20. The position in relation to the number of individuals who were notified as being ineligible remains unchanged since the Sixth Court Report.

I. DISTRIBUTION STATEMENTS

21. The Administrator has sent a total of 11,372 Distribution Statements in relation to the 8,242 Eligible Claimants:

- In total, 8,901 distribution statements were sent via email, 2,448 distribution statements were sent via post and 23 distribution statements via SMS (where email or postal addresses were not provided).
- During the Relevant Period, the Administrator issued two additional Distribution Statements, for newly assessed Eligible claimants.

J. REVIEWS

22. The position in relation the number of reviews received (47) remains unchanged since the Sixth Court Report.

23. During the period one case previously escalated to the Independent Counsel, Ms Carla Klease, was reviewed and the Independent Counsel’s final & binding review determination was sent to the claimant.

K. SETTLEMENT ENTITLEMENT DISTRIBUTIONS

24. The first tranche of Settlement Entitlement payments (for 1,399 claims) was made on 12 February 2026, totalling \$13,249,802.17.
25. The second tranche of Settlement Entitlement payments (for 3,983 claims) was made on 19 February 2026, totalling \$25,216,179.06.
26. The third tranche of Settlement Entitlement payments (for 4,752 claims) was made on 24 February 2026, totalling \$55,579,538.90, with 2 re-attempted payments.
27. The fourth tranche of Settlement Entitlement payments (for 309 claims) was made on 18 March 2026, totalling \$2,666,423.90, with 110 re-attempted payments.
28. The fifth tranche of Settlement Entitlement payments (for 145 claims) was made on 31 March 2026, totalling \$1,501,153.91, with 33 re-attempted payments.
29. The sixth tranche of Settlement Entitlement payments (for approximately 61 claims) totalling \$855,647.05, with 17 re-attempted payments, is expected to be made during the week commencing 20 April 2026,
30. The remaining Settlement Entitlement payments (607) are expected to be made as soon as possible in the coming weeks, as soon as outstanding details for claimants become available.

L. STATUS OF SETTLEMENT FUND

31. The balance of the Settlement Fund as of 10 April 2026 is \$9,119,088.75.
32. Interest earned on the Settlement Fund as of 10 April 2026 is \$2,705,856.53.
33. Total payments made from the Settlement Fund as of 10 April 2026 is \$142,332,047.

M. COSTS INCURRED BY THE ADMINISTRATOR

34. The Administrator incurred costs of \$3,265,757 (excluding GST) for the period from 18 November 2024 to 28 February 2026. These costs were \$359,865 (excluding GST) over the total approved budgeted cost of \$2,905,892 (excluding GST), due primarily to cost overruns in relation to servicing the hotline over the period of Administration. To align with the approved costs, the Administrator has capped its costs at \$2,905,892 (excluding GST) and only the remaining amount available in the approved budget of \$678,243¹ (excluding GST) was submitted to the Costs Assessor for approval.
35. A final Costs Report limiting our request for funds to the amount available in the approved budget of \$678,243 (excluding GST) was shared with the Costs Assessor for review and approval. In her report dated 14 March 2026, Ms Liz Harris approved costs to the amount of \$678,243 (excluding GST).
36. A final payment of \$746,067.30 (including GST) is to be made to the Administrator once funds are received from the Commonwealth for the balance of costs not covered by the interest earned on the Settlement Fund account. We have calculated approved costs in the amount of \$490,624.67² to be in excess of the interest earned on the Settlement Fund Account as set out below.

¹ Refer to Administrator's Costs report dated 4 March 2026

² Note, the request made to the Commonwealth on 20 March 2026 was for the amount of \$551,052.62, as the March interest was not included in the calculation. As this amount has not been paid to the Administrator, the adjusted excess of \$490,624.67 will be requested from the Commonwealth.

	Amount \$
Total interest earned to March 2026	\$2,705,856.53
Total costs approved (including GST)	\$3,196,481.20
Approved costs not covered by interest earned	\$490,624.67

37. The fees of the Legal Adviser to the Administrator, Hutton McCarthy, total \$12,133 for the period to 16 April 2026; and \$185,731.60 for the duration of the Administration to date.
38. The fees of the Independent Counsel, Ms Carla Klease KC, total \$3,877.50 for the period 15 January to 31 March 2026.

N. PAYMENTS MADE FROM THE SETTLEMENT FUND

39. Set out below is a summary of total payments made from the Settlement Fund during the relevant period:

	Amount \$	Amount \$
Total payments made to 16 February 2026		\$40,551,969
Payments to claimants:		
Second tranche	\$23,730,263	
Third Tranche	\$55,103,741	
Fourth Tranche	\$2,610,585	
Fifth Tranche	\$1,471,489	
		\$82,916,078
<i>Payments against funders' costs:</i>		
Litigation Funder commission and premium	\$18,864,000	\$18,864,000
Administrator's costs		
Deloitte costs paid	\$0	\$0
Total payments made to 16 April 2026		\$142,332,047

O. LIMITATIONS

40. This report has been prepared to provide an update to the Court in accordance with clauses 46 and 48 of the Settlement Distribution Scheme dated 30 August 2024.
41. A copy of this report has been made available to Shine Lawyers as representatives of the Applicant, Minnie McDonald, to the AGS as representatives of the Commonwealth, to the Respondent, the National Indigenous Australians Agency, to the Litigation Funder, Costs Assessor and the Legal Adviser to the Administrator. In all other respects this report is confidential.
42. This report has been prepared for the sole purpose of updating the Court on the progress of the Administration in this matter and should not be relied upon by any other party for any other purpose.
43. Neither Deloitte, nor any of its employees or agents, accept any liability or responsibility for loss suffered by any party as a result of the circulation, publication, reproduction, or other use of this report.

44. In preparing this report, we have considered the registration documents and supporting materials provided to us by Shine Lawyers as of 19 December 2025. Other than performing the required eligibility assessments as set out in clause 43 of the Scheme, we have not otherwise been asked to, nor have we conducted, an audit or otherwise verified the completeness and accuracy of the material made available to us. Accordingly, we do not accept any responsibility for any errors that result from reliance thereon.
45. This report should not be construed as expressing opinions on matters of law, which are outside our expertise and for the Court to determine. However, it necessarily reflects our understanding thereof.

Dated: 17 April 2026



Julia Kaye

Partner, Deloitte SRT Pty Ltd

On behalf of the Administrator of the Settlement Distribution Scheme