

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
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File Title:	MINNIE MCDONALD v COMMONWEALTH OF AUSTRALIA
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink, reading "Sia Lagos".

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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Form 59

Rule 29.02(1)

Affidavit

No. VID312 of 2021

Federal Court of Australia

District Registry: Victoria

Division: General

MINNIE MCDONALD

Applicant

COMMONWEALTH OF AUSTRALIA

Respondent

Affidavit of: Sarah Jayne Thomson

Address: 13/160 Ann Street, Brisbane Queensland 4000

Occupation: Lawyer/Practice Leader, Shine Lawyers

Date: 11 July 2025

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I, **Sarah Jayne Thomson**, of 13/160 Ann Street, Brisbane, Queensland, affirm:

1. I am a legal practitioner employed by Shine Lawyers Pty Ltd trading as Shine Lawyers (**Shine**). I am a Practice Leader in the Class Actions team. I have had the day-to-day

Filed on behalf of (name & role of party) Minnie McDonald (Applicant)
Prepared by (name of person/lawyer) Sarah Thomson
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conduct of this proceeding since 10 February 2023, under the supervision of Ms Vicky Antzoulatos, Joint Head of Class Actions at Shine and the solicitor on the record for the Applicant.

2. I make this affidavit from my own knowledge unless stated otherwise. Where I depose to matters based on information provided to me by another person, I believe that information to be true and correct and I have set out the source of that information. Where I give opinions, they are based on my training, study and experience.
3. This affidavit adopts the terminology used in the Fourth, Fifth and Sixth Affidavits of Vicky Antzoulatos respectively sworn 2 December 2024, 16 December 2024 and 17 February 2024, in relation to engagement with stakeholders in the conduct of the outreach program, and the Deed of Settlement (**Deed**) dated 30 August 2024, including the Settlement Distribution Statement (**SDS**) which is Annexure A to the Deed.
4. I also refer to matters contained in my affidavit affirmed 4 July 2025, providing Shine's quarterly report to the Court in respect of the progress of the Registration Process (**Shine's Reporting Affidavit**).
5. I endeavoured to obtain the specific instructions of the Applicant, Minnie McDonald, in relation to the matters the subject of this affidavit but was not able to speak with her due to her unavailability over the telephone. I do, however, believe it is consistent with her prior instructions to Shine Lawyers to make sure everyone has a good opportunity to register in the Registration Process.

Purpose of Affidavit and summary

6. Order 4(b) of the orders dated 16 September 2024 (**16 September Orders**) requires the Applicant (through Shine) to conduct a physical Outreach Program to various communities and towns listed in the annexure to those orders "which can reasonably be reached" for the purpose of conducting the Registration Process. The Registration Process is for the purpose of:
 - (a) notifying group members of the requirement to register; and
 - (b) provide assistance with registering to group members to allow them the opportunity to participate in the settlement.
7. Shine are conducting the Registration Program and Outreach Program in compliance with the undertaking provided by Ms Antzoulatos dated 6 March 2025 (**Undertaking**) a copy of which was exhibited to Shine's Reporting Affidavit and marked "SJT-19" and are seeking to act consistently with the reasons of the Court in the judgment dated 17 April



2025 (**Judgment**) at paragraph 572, in respect of Shine engaging community stakeholders to conduct the Outreach Program.

8. The Registration Date is 31 August 2025.
9. The purpose of making this affidavit is in support of the Applicant's interlocutory application filed 11 July 2025 (**Application**) seeking an extension of the Registration Date.
10. This Application is brought because I am concerned that many group members will miss out on the opportunity to register if the Registration Deadline is maintained as 31 August 2025 and the relief in the application is not granted.

Reasons for need to extend Registration Deadline

11. I refer to Shine's Reporting Affidavit, and in particular to paragraphs:
 - (a) 19 to 24, concerning Lutheran Care's progress;
 - (b) 25 to 30, concerning Urupuntja's progress;
 - (c) 31 to 37, concerning ARDS' progress;
 - (d) 38 to 39, concerning the timing of Redgum's work;
 - (e) 40 to 43, concerning the timing of YIMBA's work;
 - (f) 44 to 51, concerning NAAJA's inconsistent approach to engagement;
 - (g) 57 to 59, concerning Laynhapuy's inability to conduct work;
 - (h) 62 and Table 2, concerning the number of communities scheduled to be visited by Lutheran Care, Urupuntja, ARDS, Redgum and YIMBA in July and August 2025;
 - (i) 63 and Table 3, and 64 to 66, concerning the number of communities which were previously hoped to be allocated to NAAJA, but which are currently not allocated, but which may be able to be allocated to Redgum and/or YIMBA (or other stakeholders), if more time is allowed; and
 - (j) 72 to 106 providing an update on the Registration Process.
12. That gives rise to a number of concerns for me:
 - (a) there are a significant number of Pre-Settlement Registration Forms that have not yet converted to Registration Forms, and therefore 3,310 persons who previously registered an interest who presently do not stand to receive anything (which I believe is not due to lack of interest);



- (b) based on the rate that complete and incomplete Registration Forms continue to be received by Shine, it appears that information about the settlement continues to reach group members by word-of-mouth and I consider more time is required for notice to spread this way. Further information is provided about this in paragraphs 75 to 80 of Shine's Reporting Affidavit;
 - (c) Shine has continued to work with key community stakeholders to provide community registration sessions as part of the Outreach Program. It has become apparent that further time is required to allow these stakeholders to conduct registration sessions in all the communities which are required to be visited as part of the Outreach Program. Further information is provided about this in paragraphs 8 to 71 of Shine's Reporting Affidavit; and
 - (d) following completion of the Outreach Program, Shine will require time to review and attempt to correct any deficiencies in Registration Forms pursuant to clause 7(d) of the SDS, before those registrations can be provided to the Administrator. Further information is provided about this in paragraphs 81 to 93 of Shine's Reporting Affidavit.
13. The matters raised above lead me to believe it is in the interests of Group Members as a whole to extend the Registration Date. I consider that a minimum three-month extension will give group members a better opportunity to register, which accommodates their characteristics and vulnerabilities. This would result in the Registration Program being conducted over 14 months.
14. I consider extending the Registration Date will have the effect of allowing more group members to:
- (a) hear about the settlement and the need to register to be considered for compensation;
 - (b) complete their registrations (whether for the first time or to finalise an existing Pre-Settlement Registration Form); and
 - (c) provide any supporting documentation or further information needed to finalise their registrations and be in the best position possible to be considered eligible for compensation.
15. I am concerned that the current progress of the Registration Process means that without an extension to the Registration Date far fewer group members in this proceeding will receive compensation than occurred in the WA Stolen Wages Class Action in which the Registration Process is now complete.



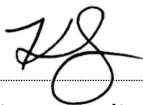
Costs

16. I am unable to provide an estimate as to the potential cost of any extension to the Registration Date beyond the estimates provided in the Fourth Antzoulatos Affidavit at [32] (with reference to the original budget annexed to the First Antzoulatos Affidavit at VA-4: Tab 1), as this will depend on how many additional registrations are received and the level of assistance claimants need from Shine to rectify and or complete their Registration Forms.

Sworn by the deponent)
at Brisbane in)
Queensland)
on 11 July 2025)
electronically before me:)



Signature of deponent



Signature of witness

Kate Gough
Solicitor

Level 13, 160 Ann Street, Brisbane Qld 4000