



TRANSCRIPT OF DAY 3 – WURREK TYERRANG

PROFESSOR ELEANOR BOURKE, Chair
DR WAYNE ATKINSON, Commissioner
MS SUE-ANNE HUNTER, Commissioner
DISTINGUISHED PROFESSOR MAGGIE WALTER, Commissioner
PROFESSOR THE HON KEVIN BELL AM QC, Commissioner

FRIDAY, 29 APRIL 2022 AT 10.05 AM (AEST)

DAY 3

MR TONY McAVOY SC, Senior Counsel Assisting
MS FIONA McLEOD SC, Senior Counsel Assisting

Transcript Produced by
LAW IN ORDER PTY LIMITED

ACN 086 329 044

T: 1300 004 667

W: www.lawinorder.com.au

Yoorrook Justice Commission


LAW IN ORDER
Where work flows.

YOORROOK JUSTICE COMMISSION (YJC) OFFICER: If we can all stay standing for a minute's silence for the passing of a prominent community member and part of cultural protocol. Thank you. Please be seated. The Yoorrook Justice Commission has now resumed.
5 Thank you.

CHAIR: Good morning, everybody. Thank you for that moment's silence. It's important that we remember them who have given us the legacy that we continue on and help understand the work we are doing today. Today, we are continuing with the evidence of Uncle Johnny Lovett. Counsel.
10

MS McLEOD: Thank you, Chair. Good morning, Uncle Johnny.

JOHNNY LOVETT: Good morning.
15

MS McLEOD: Uncle, I want to start this morning by a conversation with you about citizenship and your exploration of the issues around your citizenship. So just to frame this, you were born in 1947.

JOHNNY LOVETT: Yes.
20

MS McLEOD: And that was one year before the *Australian Citizenship Act* came into force.

JOHNNY LOVETT: Yes.
25

MS McLEOD: So could you tell the Commission about your exploration of these issues and your understanding of what the legal issues are?

JOHNNY LOVETT: Yes. I had my law team, Campbell Law in Adelaide, working with me on the compensation for dad at the very - that's sort of - that's how I come to be with Campbell Law.
30

MS McLEOD: So a conversation about soldier compensation.

JOHNNY LOVETT: Yeah, compensation for the repatriation. And down the track, I suppose - you will notice over the last day or so I sort of - my mind goes everywhere, I guess, and - and I talked to Tim about - because it was very, very heavy in me mind always - I was going to bed for it for years and waking up with it in the morning for years. I don't do that now. You know, it's sort of - I'm past that stage now but it was constantly there.
40

So, you know, when I thought about the soldiers, dad and them, not getting any - sort of - any soldier settlement and compensation and things like that, and I sort of started to delve into it a bit, and I sort of come to realise that - maybe they - you know, weren't even Australian citizens in the beginning, to be over there. And because of the Acts of 1901 and 1900 Federation and Constitution and things like that, and where people Aboriginals were excluded, if you were excluded from that, I thought to myself, how you can be part of the Australian citizenship thing, you know?
45

And I sort of took it to Tim and we talked about it and he was a little bit reluctant at first to, you know. And then we started talking deeper on it and things like that. And he started
50

looking at a few things. And then he put a team together and researched all the Acts, and that's how this came about.

5 MS McLEOD: Could I just ask those assisting to bring up the opinion that Mr Tim Campbell prepared for you.

JOHNNY LOVETT: Yes.

10 MS McLEOD: You are happy to share that?

JOHNNY LOVETT: Yeah.

MS McLEOD: Yes. Bring that up on the screen.

15 JOHNNY LOVETT: Annexure J?

MS McLEOD: Yes. So that's up on the screen now, and if you want to have a look at it, it's in the folder behind tab Annexure J. And you will see in the overview there it commences with these words:

20

"This opinion examines whether or not John Lovett (born 1947) of Hamilton, Victoria, a Boandik Gunditjmara Aboriginal man, is an Australian citizen. It concludes that he is not an Australian citizen."

25 And is it fair to say in summary that that conclusion comes because of a view that the *Australian Citizenship Act* does not apply retrospectively?

JOHNNY LOVETT: Yes.

30 MS McLEOD: So it does not apply before people born before that Act came into force?

JOHNNY LOVETT: Yes.

MS McLEOD: Yes. And so what did do you with this opinion?

35

JOHNNY LOVETT: Well, I - firstly, you know, Tim and a research team done this for a couple of years.

MS McLEOD: Yes.

40

JOHNNY LOVETT: And other people who have been in law as well. So it wasn't just a - it just wasn't a weekend exercise of, yeah, we'll do it this - you know, just to try and satisfy me. It was something that - because Tim sort of - you know, he sort of had his concerns, and so he put a team of researchers together along and got information from other people, and they done the research over a two-year period. And counter Acts and the Acts and the counter Acts and all that sort of thing and the conclusion was that I wasn't a - an Australian citizen.

45

50 So I - I then said to Tim, you know, I'm not just going to have this to hang on the fence or hang on the wall, you know. I might as well flush this down the toilet if that's all I'm going to do with it, you know. I want to push it as far as I can push it, because if I was - if I'm not an

Australian citizen, then my father and others who went and fought in wars definitely weren't either. So that's really what sort of spurred me on.

5 And - and I think also, you know, that the question has been about Aboriginals ceding their sovereignty, you know, since 1788 and all that sort of thing. And that's weighed heavy on a lot of people and the Aboriginal community and Aboriginal people and the ways of life of Aboriginal people, you know. And it's - it's conflicted with our existence and sometimes the dos and the don'ts and the cans and the can'ts with us. You know.

10 MS McLEOD: So just to explore that, what does it mean to you to have an advice that says you're not a citizen in terms of the claim that you've ceded sovereignty over traditional lands?

15 JOHNNY LOVETT: It means a great deal to me. It means that I am still a sovereign person. The laws of this country do not override or is a burden to me, in a sense. I'm quite willing to give up my pension, if that's what they want but they will have to come up with a little bit more money, because I want compensation out of that. You know.

MS McLEOD: I understand.

20 JOHNNY LOVETT: So I - look, there's going to be people who are quite comfortable being in the situation they are, and that's - that's good and well for them. For me, I - I'm pretty proud to be a sovereign person, and I don't disrespect anyone for anything - being anything else. Under the Acts of Australian law, people will fall into the category of being Australian citizens from 1948 onwards. I escaped by about two days.

25 But I - back to your question, how I feel about it, I feel pretty strong about it. And, you know, I think we're here today because of the injustices of Aboriginal people and that's been committed to Aboriginal people for a long, long time. And we're still seeing some Royal Commissions that have been done. I think there was a Royal Commission probably way back
30 in the 1800s about Aboriginal people. And that didn't improve too much the lot for Aboriginal people lifestyles.

MS McLEOD: Are you speaking about a United Kingdom or an imperial parliamentary
35 inquiry back in the 1800s?

JOHNNY LOVETT: Well, shortly - you know, if that's where they included Aboriginals into their system, then I think that that probably should be included. If they made that rule there and we're still - people are still under that rule today, then yes.

40 MS McLEOD: What did you do with your letter, Uncle? Did you send it on to a Minister?

JOHNNY LOVETT: Yes. I - Dan Tehan is a local member of Parliament where I come from.

45 MS McLEOD: Yes.

JOHNNY LOVETT: So I took it to his office. I didn't have a meeting face-to-face with Dan over it. I left it there and he looked it and he reviewed it and he sent it on to someone in
50 Parliament. I just don't know who. But - - -

MS McLEOD: The Immigration Minister at the time?

JOHNNY LOVETT: Yeah, I think it was Hawke, yeah. And Hawke actually sent it on to someone else.

5

MS McLEOD: Okay.

JOHNNY LOVETT: He didn't make - he didn't make comment on it at all.

10 MS McLEOD: Did you get a reply from the Department of Home Affairs at all in response to your sending on that - or Mr Tehan sending on that opinion?

JOHNNY LOVETT: From Michaelia.

15 MS McLEOD: Before that, I was - - -

JOHNNY LOVETT: Before that. I got a sort of reply to Tim in regards to me that said, well, you know, it's - Mr Lovett under the circumstances couldn't be - could not be a non-Australian citizen.

20

MS McLEOD: Yes. Now, you have mentioned - - -

JOHNNY LOVETT: But they didn't say why.

25 MS McLEOD: Right. You mentioned it was sent on to Michaelia Cash.

JOHNNY LOVETT: Yes.

MS McLEOD: So this was recently, when she was Attorney-General?

30

JOHNNY LOVETT: Yes. Okay. And is Attorney-General. And did you get a letter back from her?

JOHNNY LOVETT: We - yeah, and it took some time to sort of get a letter, because in this - we sort of went on to talk about Thoms and Loves. This is in the High Court. And their situation. And we didn't find that there was a parallel in their situation and mine. I didn't live anywhere else, or my parents didn't come from anywhere else other than Australia. So Michaelia Cash then sent a letter back to Tim on - in regards to me and said, "Look, there is a court - there is a case in the High Court at the moment" and the Montgomery case, the Montgomery case. It's where someone from New Zealand came into Australia, stayed with an Aboriginal group in Queensland. They adopted him as such as an Aboriginal person.

35

40

MS McLEOD: Yes.

45 JOHNNY LOVETT: He got into a bit of strife, and they tried to deport him back to New Zealand and he said, "You can't because I'm Aboriginal." So, they referred to that and said, "We can't really make comment until this situation in the High Court now is - you know, is settled."

50 MS McLEOD: So it hasn't gone any further than that.

JOHNNY LOVETT: And it hasn't gone any further than that.

5 MS McLEOD: Okay. How do people react when you say to them that, in your view, you are not an Australian citizen? Your friends?

JOHNNY LOVETT: I have four good old mates of mine, and they're non-Aboriginals, and we meet every week, and we talk about everything. We call ourselves the G5 and we talk about everything. And when I told them, they were horrified. They said, "That can't be right." I said, "Why can't it be right?" You know? And they said "Well, no, that can't be right." And I said, "Why? You don't think that I don't want to be a non-Australian citizen?"

10 So the conversation sort of got a bit - because, you know, the bush lawyers come out in them. And I said, "Look, let's say this. Take all the Aboriginals out of Australia. There's only white fellas sitting now. And over the hill comes three men. One is Japanese, one is German, and one is Chinese. They just conquered Australia. Taken Australia. Now who do you want to be? Japanese citizen, German citizen or a Chinese citizen?"

20 They were horrified of being either of those. So I said, "Someone took away my identity, you know, by making me someone I'm not." When I was born in 1947, my birth certificate would have said John Lovett, John Maxwell Lovett Aboriginal. The word "Aboriginal" was taken off my birth certificate. It was done in Western Australia. And the government took it off because they thought it was an insult to Aboriginal people. Why would such a proud thing be an insult to me? Or other people?

25 MS McLEOD: In terms of sovereignty, what would you like to see in terms of representation on an international level for First Nations people?

JOHNNY LOVETT: I would like to see an Aboriginal government.

30 MS McLEOD: An Aboriginal government.

JOHNNY LOVETT: I would like to see an Aboriginal government, yes. I think the closest we've ever come was ATSIC. Because - and I say that we had - we had the opportunities to make decisions about ourselves for ourselves, by ourselves. And I think for a long time it - it proved to be pretty - a very good thing for Aboriginal communities. Some who are for it, some who are against it, but that's life, you know. There will be an election soon to see which two governments will be best to handle this country. So, you know, there is always for and against, I'm saying.

40 MS McLEOD: Just to confirm, you run tours as part of your work?

JOHNNY LOVETT: I do Aboriginal cultural tours, yes --

45 MS McLEOD: Yes. And on the side of your four-wheel drive, you have a flag that you've designed.

JOHNNY LOVETT: I do.

MS McLEOD: Could you bring up Annexure K, please? Is that the flag that you've designed?

JOHNNY LOVETT: I did, yes.

5

MS McLEOD: And you've included the kangaroo and the emu?

JOHNNY LOVETT: Yeah.

10 MS McLEOD: How are the kangaroo the emu significant in terms of Aboriginal culture?

JOHNNY LOVETT: They are probably two of the most strongest totems when it comes to lore.

15 MS McLEOD: Yes.

JOHNNY LOVETT: Aboriginal lore.

MS McLEOD: They are currently on the Australian crest.

20

JOHNNY LOVETT: Yes.

MS McLEOD: So how do you feel about that?

25 JOHNNY LOVETT: Well, I've asked the question, who gave them permission to put it there? And I've never been told an answer. So, you know, that is a pretty - those two animals are so very important to Aboriginal people through lore. It's such a strong, strong thing and yet here it is, bandied around as if it was a - it's, "Now because we came in 1788, we can now not only take the country, but we can take the totems that are very strong to Aboriginal
30 people", yeah.

MS McLEOD: So you mentioned the writing the letter to Mr Tehan and that going on to other Ministers. Have you had other dealings with State and Federal Ministers?

35 JOHNNY LOVETT: We've had - no, not really.

MS McLEOD: The Minister for Veterans Affairs in relation to your father?

40 JOHNNY LOVETT: Warren Snowdon, yeah. He - had a few letters from Warren Snowdon, yes. Yeah.

MS McLEOD: But still no resolution of the issue about your father's -

45 JOHNNY LOVETT: No, at one point, he was very adamant that, no, nothing can be done because the Commonwealth met in 1944 and handed that area of soldier settlement over to - to the states. So the state was responsible. The state was saying, "No, we're not responsible. The Commonwealth's responsible." So there was a bit of a handball game going on. So I've had a few meetings with - with Mr Jennings before he retired, as Minister for
50 Aboriginal Affairs.

MS McLEOD: The State Minister?

JOHNNY LOVETT: The State Minister. And actually, on the day that retired, I was supposed to have a meeting on the Tuesday, the day after. It never happened, of course.
5 Yeah.

MS McLEOD: Just coming back to your music, you shared a couple of songs with us yesterday, thank you very much for that. You've been a singer for 63 or so years. Yeah. What - how has music - why is music important to you? Where did you get your love of
10 music?

JOHNNY LOVETT: I - my father was very musical. All my family was very musical. But when I grew up in the bush, I - my mother bought a guitar for me for £10. I couldn't play at that time. But I learnt to play, and by the time I was 14 I was playing lead guitar at a country
15 music live show over 3HA radio station. So every singer that walked through that door, black or white, I was their lead guitarist at 14. So - and I couldn't read music. So I played from the ear and I still - today is still a lot of playing by ear.

But the thing is that, yeah, so it meant a lot to me. Music meant a lot to me because I listened
20 to all the old songs, you know, the old hillbilly songs and - and you heard the stories of how they lived and things like that. And we weren't living much - any different to what they were. So there was a - there was a parallel for me there in country music. The hard times, the bad times and the good times, you know. They were all there.

The Hank Williams, the old Hank Williams and Hank Snow all those old singers, and Dean
25 Aldrey - Dean Aldrey and Roy Rogerson, they were part of what I grew up with, you know. And - and some of the old mob that used to sort of wander around the countryside, the Aboriginals from Fram and all that, Framlingham Mission, and I would be up around - I remember Archie Walker was a great guitarist, still is, and I went to school with Bevan, he
30 was another great guitarist.

And so there was - I found music wherever I went, you know. It didn't matter where I went, what state I was in, there was always music there and it was always a coming together thing for people. So it was a very strong - because, you know, it was something that brought us
35 together, you know. So it was a very strong thing for me and I - I couldn't imagine my life without it, you know.

MS McLEOD: Does some of the music - some of the music you've written and some of the music that you sing has been passed down to you, the songs.
40

JOHNNY LOVETT: Yeah.

MS McLEOD: So could you tell the Commission about those?

JOHNNY LOVETT: Yeah. Marty Robins was a great singer and then there was an old man from Framlingham who used to walk around and visit different families, and he'd come through home and come down the bush. And he used to sing 'Devil Woman'. That was a great
45 song. And he loved singing that and he thought he was a Marty Roberts too. He was pretty good. But, you know, so - you know, I remember that song and I might have been - you
50 know, pretty young then when he come and done those songs.

And my brother-in-laws, they were - they were singers as well and guitar players. And all my family sang except mum. And she didn't play an instrument much either. But - so I was always surrounded by music, you know, and these people coming from different parts would sit down, and we'd sit down, and you know, have a fire going outside. The house that we lived in had a big old tin chimney out the front, of course, and it was warmer to sit around outside around that chimney than it was inside, because the heat from the tin would come out, you know. And we spent most our time sitting outside on a kerosene drum tin or, you know, just playing and just around that chimney. So.

5

10

MS McLEOD: The bands that you've - you've been a solo artist and also a band member.

JOHNNY LOVETT: Yeah.

15

MS McLEOD: And the bands include Black Opal, Wild Wood and Lovett or Leavitt.

JOHNNY LOVETT: Lovett or Leavitt, yeah.

20

MS McLEOD: We might bring up a photo of you performing at a country music concert, which is Annexure L. Just while that's coming up, you've had some success in the country music field?

25

JOHNNY LOVETT: Yeah, I won a major award in South Australia in 2010, I think it was. Yeah. I've been to Tamworth a lot. That was at Burrum there, New South Wales, that one where the photo is now. Wild Wood was a band that I formed in Shepparton-Mooroopna, actually, with a - with a couple of old mates up there. Colin - cowboy. Cowboy Charles. Aussie James. Casey Hatton was the drummer, and I was the lead guitarist. Yeah. So we formed that one up there and Wild Wood was up there.

30

Lovett or Leavitt, I've sort of picked up - I've got - my band now today is Lovett or Leavitt but I haven't got - I'm the only Aboriginal in it, you know. They left. And - so the other - Lovett or Leavitt, wild Wood and, of course, we had Black Opal which was the family band and we played - we played everywhere. And we played Melbourne, Western Australia and we - Harry Williams was doing a national country music show in Perth and we played there. We came equal first over there. So we played around a lot and done a lot of cabarets and things. And - but we went up to - when Rumbalara was first starting off and the social clubs and that, we went played to raise money for them. We played funerals for Aboriginal people who died.

35

40

MS McLEOD: This is around Shepparton.

JOHNNY LOVETT: Yeah. So we - yeah, we done it all.

45

COMMISSIONER ATKINSON: You backed Jimmy Little.

JOHNNY LOVETT: Hey?

COMMISSIONER ATKINSON: You backed Jimmy Little.

JOHNNY LOVETT: We backed Jimmy Little. I - when he came to Mooroopna, I was always Jimmy Little's lead guitarist, yeah.

5 MS McLEOD: In 2018, you were inducted into the Victorian Aboriginal Honour Roll, and part of that recognition was your music career.

JOHNNY LOVETT: Yeah.

10 MS McLEOD: Can I ask you, do you sing in language?

JOHNNY LOVETT: No, I don't, no. When we do the Maralinga song, because it - we ended up having it done in language and in English, and my partner, she sings, and she has asked permission to be able to sing in Pitjantjatjara. She is not Pitjantjatjara. She's Western Desert. But they have given her permission to sing the song in language. And I've spoken to them and said to them, you know, "It's now time for you to take the song completely out - take my English out of it, and create your own thing with it." And there's a dance now that they created when they have corroborees in the APY Lands, and they do a dance to that song, the Maralinga song. They do a dance to that, yeah.

20 MS McLEOD: So you wrote the song 'Maralinga' about 50 years ago.

JOHNNY LOVETT: Yeah.

25 MS McLEOD: This is a place in South Australia you spent some time about - spent some time around there. Could you tell the Commissioners about your song 'Maralinga' and the time you spent out there?

30 JOHNNY LOVETT: Yeah. I - I wrote the song 'Maralinga', and for a long time I kept it to myself - and sang it everywhere, but I - and then I thought, "Well, now it's time to let it go and give it back to the people that it really belongs to. It's not my song anymore." So I was talking to a - Tony Kelly from native title in Victoria, and he knew someone who was working with Rose Lester in South Australia, and that was Yami Lester's daughter.

35 So I got on to Rose, I got her number and I got on to Rose and I told her about the song I wrote because I wanted to talk to her dad about it. Because Yami Lester was probably the face of Maralinga when he lost his eyesight. And he became the face of Maralinga for the push, when they was pushing for it, for compensation and all that.

40 MS McLEOD: Just a reminder, Maralinga is the place where the British tested nuclear bombs in the 1950s.

JOHNNY LOVETT: Yeah, that's right. Yeah.

45 MS McLEOD: And what was the impact of the Aboriginal communities of that testing?

JOHNNY LOVETT: Pretty devastating. Pretty devastating. And just on that, recently, after I got to know people when was living in South Australia and I was travelling around and meeting up with people and - and there was a family called Maparal family and they - they were still in the desert when they were looking for them, after the explosions. And the

woman, she's still alive today, and she tells the story of - they seen eyes in the night-time and it was this vehicle driving around.

5 And they heard noises and they thought that the vehicle motor was a - was a monster looking for them making noises, looking for them. So eventually - they - they were camping near where one of the craters were, and actually I think they were drinking water from around there. And they ended up getting - they put them in the car, in the four-wheel drive, truck, whatever it was - type thing it was. And they were completely naked. They were still completely naked.

10 And they drove them back to where they were set up in the desert to shower them and all that, give them - clean them up and wash them down for radiation purposes. And she was sitting in the car and they were driving, and the trees were coming past and she - as they were driving, and she thought that the trees were running past the car. You know. So - so devastating for them. There was 22,000 body parts stolen out of the morgues and infirmaries and hospitals and sent to Britain for testing.

20 There's a book called 'Maralinga' written by Frank Walker, and in that book there's a person who speaks about it is Avon Hudson. He lives in Balaclava. I met him. He was a soldier there. And when they was driving the bombs, they stand on the parade ground in shorts, short sleeve shirt, socks and boots. And when they was firing the rockets from - the rocket range over towards Ernabella, they were ordered to make fists with their hands and put it in the socket of their eyes and turn their backs, and each and every one of them seen the skeleton of their hands after the flash.

25 And he - he's pretty bad with cancer. His son's pretty bad with cancer. His grandchildren are bad with cancer. And they put it down to smoking, you know. And it took a long time for Britain to come to an agreement to clean up Maralinga, and it was that bad that they didn't - the vehicles that were there, they just dug a hole and buried them. There was too - too much radiation in them to bring them out, that area. And today the radiation - when I went to Yalata to do that Maralinga song with the band, Avon Hudson said to me, don't go anywhere near Maralinga.

35 Because I was supposed to go down on the Thursday. He said "Don't go there. " He said it is as bad today as it was back then. So, you know, there's another issue. And, apparently, I just learnt today that the Aboriginal - Victorian Aboriginal Legal Service was structured - - -

COMMISSIONER BELL: The Victorian Aboriginal Advancement League.

40 JOHNNY LOVETT: Yeah, Advancement League, sorry, was structured out of Uncle Doug Nicholls being over there, seeing that and coming back to put that together.

MS McLEOD: And the campaign for land rights inspired by that.

45 JOHNNY LOVETT: And the - yeah. And there's a connection to that too as well.

MS McLEOD: You have been - sorry, I should go back. Did you spend some time out there?

50 JOHNNY LOVETT: Yeah, I - I - Troy Cassar-Daly was doing a show out there, and the Maralinga organisation in Ceduna asked me could I do - go out there with my band and

support Troy. I said yeah. So we went out. He done a half hour show, and he flew in by plane and I drove in by car. That was the difference in the pay. But the thing was that we done the show at Maralinga, at - sorry, Oak Valley, and it was so good for the Yalata band, because they all have families all through that APY land, you know. And people seeing each other.

5

The funny thing about it was that, you know, I just love those people so much that when we was just travelling out - Joanne and I drove out in the car, and then the drummer turned up and I said, "How did you get here?" He said, "I just jumped in the car. There was a car coming this way." So he just jumped in it. "Are you going to Oak valley?" "Yeah." "Move over, then, I'll get in and get a ride with you." And that's the way it was with the whole band getting there to do the show, you know. It was unreal.

10

So they were there on time and we done the show and, you know - and it was good. But, yeah, so, you know, I - and that's why say to them now that this song no longer - take the English out now and it's completely your song. I don't have it anymore.

15

MS McLEOD: Why is it important to you that the right people own that song now and the rights to that song?

JOHNNY LOVETT: I think it's the same as native title, putting the right people on the right land. It's the same principle with me. Yeah. That's the only way I can sort of explain that. It belongs to them. It's theirs. That - as I said, it's no longer mine.

20

MS McLEOD: Do you have a concern that Aboriginal culture belongs to those that it truly belongs to? And it's not used by others?

25

JOHNNY LOVETT: Yeah. Yeah. I do. I sort of - I miss what I don't have very much. I miss the song and the dance and the language and the lore.

30

MS McLEOD: L-o-r-e, lore.

JOHNNY LOVETT: Yeah. And I miss the opportunity of being loreman to my - but that may change, yeah. So, yeah, it's just so much has - and I know that, you know, things will be different today, tomorrow and then the next week and the next month and the next year. But our customs and traditions from 60,000 years ago haven't changed, you know. It's always been there. And sometimes it's not being used simply because we're not allowed to use it, because there's laws that don't concern us at all that stops us from doing that.

35

And that's why I said to Tim, I don't just want this to put on the wall and be a conversation point, you know. I want it to be something that'll be work - that can work. And I don't put me hand up as being the only sole sovereign person around. There's a big mob of us. And, you know, I want them people to have the opportunity to be able to think about it and think maybe, yeah, maybe we can be like he's doing, you know what I mean? And that's - yeah.

40

MS McLEOD: The music, you were saying, is a way to express yourself?

45

JOHNNY LOVETT: Yeah.

MS McLEOD: When we finish today, are you happy to play for us the Maralinga song?

50

JOHNNY LOVETT: Yeah.

MS McLEOD: Okay. The Gunditjmara people song that you sang yesterday, when did you write that song?

5

JOHNNY LOVETT: A bit funny, this one, because I wrote it in the George Wright Hostel here in Fitzroy, two streets down. Yeah.

MS McLEOD: So tell us about that song and what you were doing at the time of the hostel?

10

JOHNNY LOVETT: I was working in Aboriginals Hostels here. I was the first manager of that George Wright Hostel here in Fitzroy. And then I got a bit of a - well, first of all, I wrote the song. And we used to do a bit of singing because Archie Roach was my projects officer. He worked for me, Archie.

15

MS McLEOD: At the hostel.

JOHNNY LOVETT: At the hostel, yeah. So I had - I had eight staff there and he was one of the eight staff. So we would sit around singing and all that in the kitchen and, you know, and all that sort of thing. And I ended up writing the song. I was feeling a little bit homesick for my own country. So I wrote the Gunditjmara come back to your land song, yeah. Gunditjmara People. And I went home and managed the Lake Condah Mission, yeah. So it has sort of been - it's been a - yeah.

20

MS McLEOD: You mentioned the hostel yesterday. What was the situation - what prompted you to set up that hostel?

25

JOHNNY LOVETT: Well, it was set up by - it was set up by Aboriginal Hostels Limited. And a position was advertised and I put me hand up for it and I got it. And - but the thing was, it wasn't completely ready to take in residents. It wasn't completely finished. I walked around with a lantern or a light around that place at night because there was no electricity connected. I was in and out of the city nearly every day to try and get it happening.

30

Hostels Limited -- was in Smith Street here. And, you know, they sort of wasn't doing a great deal about it in a hurry. And as I might have spoke about, the painter that was there, he was under contract, and I said, "If you don't finish before that contract runs out, mate, you're going to miss out on some money. You're not getting paid. So you want to do what you are supposed to be doing." --

35

MS McLEOD: Did he hurry up a bit?

40

JOHNNY LOVETT: Yeah, he hurried up a bit and - because he was doing about three jobs at once, this bloke. And so - and so we got it going and we got it opened. And then it was - it was there for the purpose of the parkies that used to drink across the road here in the park. And they were sleeping there and they was - I think they may have invented that word now they call couch surfing and all that sort of thing. You know.

45

They were - and if they weren't doing that, they would go and sleep in an empty house. And there was a concern that - for their safety as well. So the hospital - the hostel was sort of established out of those sort of things and - and the Aboriginal hostels here in Victoria at the

50

time, they give me complete and full running of the place. We was the only hostel in Australia that served three hot meals a day. All the rest had continental breakfasts, sandwiches for lunch and a hot meal for tea, dinner.

5 That didn't - that wasn't the case with us. And all the organisations here, this one here, the health centre, the Aboriginal Legal Service, VACCA and all them, they used to come and eat here at the hostel. So we'd feed our people first, make sure that they were fed and then we'd have meals available for \$2 a meal. And it was packed. It used to be packed, yeah. And so it became a pretty important part of Fitzroy itself then, you know.

10 And it was named after a bloke called George Wright who was one of the parkies. And when I look at this place here and I see Charcoal Lane and I think, "Well, this is not the Charcoal Lane I know." There's another Charcoal Lane, and it's between Smith Street and -- Street and that's where Charcoal Lane was down there. And as a young person, I used to - I worked at a factory there and I used to open at 5 - it was a wood scouring factory, and I used to open it at about 5 o'clock in the morning.

15 My sister would cut me the sandwiches and I would go and give it to the parkies in the laneway and then go to work. One of them seen her up the street and said, "Gee, Johnny had some nice sandwiches yesterday." So she said, "I will cut your lunch tonight," she said. "Do you think you need some more sandwiches than what you get?" And I said, "Yeah, I'm getting a bit hungry." She said, "You're not even eating them. You're taking them to Charcoal Lane."

20 So yeah, when I sort of came here - this is the first time I had seen Charcoal Lane here, you know, when I came the other day. And I thought, yeah, well, this is not the Charcoal Lane I know. And that man that hostel was named after, he was always in that Charcoal Lane. Him and others.

25 MS McLEOD: Are you still connected to supports for people sleeping rough?

JOHNNY LOVETT: Not - not where I am at the moment sort of thing in Hamilton, you know. Everyone seems to be a bit stable. But I - I - when things sort of - when there's a little bit of involvement with the police and the community, I go and poke my head in. Not that I - I just poke my head in. People know me, sort of thing. And the police know me and - so I - you know, I got a good rapport with them, you know, so I just sort of make it my business to - I use my status as an Elder of the community to do it. Yeah.

30 So, you know, I - yeah, I'm concerned about the community, and our community now is a lot different. There's people from all over the place in our community. It's growing. And a long time ago, there wasn't too many Aboriginal people in Hamilton, and there was only a couple of us born in Hamilton Hospital. No smiles? Yeah.

35 MS McLEOD: I just want to come back to your tours that you're running.

40 JOHNNY LOVETT: Yes.

MS McLEOD: And it's an - your company is called Budj Bim Tours.

45 JOHNNY LOVETT: No, mine is eagle Aboriginal.

MS McLEOD: I'm sorry.

JOHNNY LOVETT: Yeah.

5

MS McLEOD: Okay. We've got a couple of photos and charts and things about the tours you're running, so we might bring them up. They are in the folder at Annexure N and O. So Annexure N is some charts showing some local bush food and medicine. While we bring that up, just might get to you talk about what you do on your tours and what you're trying to teach people in your folder in Annexure N. Do you have there the Aboriginal plant usage - behind N?

10

JOHNNY LOVETT: Yes.

15 MS McLEOD: So just tell us about that, the bush tucker and the - - -

JOHNNY LOVETT: Yeah, yes, the bush tucker plants that you see there, a Yam Daisy and the - part of the Water Ribbon down there in the bottom left-hand side. And that's the Yam Daisy flower and the Yam Daisy root. And, of course, there's - a lot of these plants now are - have because of the cloven hoof animals, so cows and sheep and things like that. But there's some parts where you can sort of find them if you have a look, you know.

20

And they were the diets of our people, of my people, you know. Very much so, with the fish and the kangaroo and stuff like that. So we had - we had a vegetable for our meals as well, you know. It wasn't just a kangaroo and fish, you know. So we had - we had Yam Daisies and things like that. And the Gum off the Wattle tree was a dual-purpose sort of a food. It could be eaten and it was also used - mixed with wood ash to - to cement spearheads and things like that, and axe - stone knives - handles to make stone knife handles out of it.

25

And I - I seen a beautiful big bit of a gum the other day and I took it home to the grand kids and I said, "Poppy just ran to the lolly shop." I said, "You go down there for your lolly shop." I said, "I go for the bush for mine." And they had a taste of it, the daughter I was telling you about, and they liked it. Yeah, they liked it. But, yeah, they weren't, you know, real keen on it. But, yeah, so, you know, we certainly did have a lot of food, if you knew where to look.

30

And in those days it was plentiful, because there was no - no cloven hoof animals to destroy it. The kangaroo was soft pawed and the emu. So, you know, it was - it grew pretty plentiful. And, of course, it was not only the cloven hoof animals. It's when they started ploughing the paddocks and things like that, the land and that, and then, you know, that would have done a lot of damage to all those things as well.

35

MS McLEOD: And you're interested in teaching people about the bush foods and - - -

JOHNNY LOVETT: Yeah. Yeah, I think - you know, I think - and there's a - there's a bit of a change in people, and non-Aboriginal people too, is that - you know, there's a bit of a - an eagerness to know about those, because there's a lot of vegetarians around and things like that, you know. And they really get a kick out of some of this that we - that we use and things like that. I haven't - COVID stopped me from doing a lot with me tours, and I don't - I don't ask for any funding from any government organisation. I just operate out of me own pocket and - which is pretty hard.

40

Yoorrook Justice Commission

And I hope to sort of bring in a bit of bush tucker cooking and stuff like that, you know. Yeah. Kangaroo and stuff like that and fish, and do overnight camps at different spots and, yeah. So that's a little bit further down the track. I've had a talk to the Victorian Tourist
5 Commission, and they have given me a bit of a hand with brochures. That's all that I need from them, you know. I don't need any funding from them either.

MS McLEOD: And you have also had some conversations with University of Melbourne about scholarships?
10

JOHNNY LOVETT: I did, for - yeah, a long time ago when I was approaching AAV for compensation for dad and I wanted to do the Herbert Lovett Leap into Law program. And there was a lot of interest from Mark Rose who was out there at Melbourne Uni and - and others, the state. Even - even AAV was pretty keen on it. But I think when I sort of persisted
15 on what I was doing with them, that they dropped it like a hot potato, and sort of - I don't know if they thought, "Maybe if we do this then we're recognising that we could be liable for some sort of compensation to this man", you know.

So the idea was to do a - set up a law degree with the Leap into Law and some of the things I stipulated was that, you know, if - whoever got the law degree and done their law, they would
20 have to come back and do at least a couple of years at local level for the Aboriginal communities in the south-west. And then after that, they could go and do whatever they wanted, but they needed to come home and represent their people. Yeah. But that didn't eventuate either.

MS McLEOD: Uncle, you have been interested in so many different areas and pursued so many different reforms for Aboriginal people. What would you like to see happen next?
25

JOHNNY LOVETT: I would like to see - I would really like to see an Aboriginal
30 government. And I think there's a - there's Aboriginal people around today who are in government, who work in government, and I don't think that they're given the benefit of - of what they know by the wider government. And you see them sometimes - and even the Minister for Aboriginal Affairs, Ken Wyatt, I watch Parliament a bit, and I don't know - I think I've seen him answer two questions. Two questions have been directed at him at
35 Parliament time. And I wonder why that's the case, you know.

So there's not a lot of issues that come his way when he sits there that he can - he can - he can explain to the wider community from anything. And I think with an Australian
40 Government - and all you would be dealing with is Aboriginal issues, and that would be the true sense and true worth of a Minister for Aboriginal Affairs at that level. I really do believe that. And we have - we have the Aboriginal Legal Services that could be more in tune with the Aboriginal people.

And I know that organisations find it a little bit hard to really put their two bobs worth in
45 when they get funded by an organisation - a government organisation. And there's that old saying, "People that bite - they won't bite the hand that feeds them." And I think in some cases, that is actually pretty close to the mark.

MS McLEOD: And so you are talking there about community organisations or like Legal
50 Services not being able to speak up?

JOHNNY LOVETT: Yeah. Yeah. I think they are nobbled a bit, yeah. I believe that. And - and I think that, you know, the government, I would say - and I could be wrong; I'm not that - I'm not that wise. But they control a hell of a lot of big money that should be
5 Aboriginal money and that is labelled as Aboriginal funding and in different areas. And I don't think that they want to sort of empty their coffers too much because they want to hang on to the - to what they'd like in regards to Aboriginal people, you know.

10 It's - I always thought in my mind that a Minister of Aboriginal Affairs is in there for the position of the betterment of Aboriginals' lives and conditions and all that sort of thing. And I thought Aboriginal Affairs Victoria was part of that. But then it's sort of playing more towards the - the Aboriginal Protection Board than it is the Aboriginal Helping Board, you know.

15 MS McLEOD: Uncle, we might have a short break and we will come back just for the final questions, and the Commissioners may have some questions too. But we will set you up in the meanwhile to sing - so you can sing the final song for us. Okay?

20 JOHNNY LOVETT: All right. Not a problem. Thank you.

MS McLEOD: Chair, is that a convenient time for a break?

ADJOURNED 10:59 AM

25 **RESUMED 11:21 AM**

MS McLEOD: Thank you, Chair. Uncle Johnny, the Commissioners may have some questions for you now. And through you, Chair, I would invite you to ask those questions.

30 CHAIR: Thank you. Shall I go first? Johnny, we heard you speak about the role of Aboriginal people working with government, including the Minister For Aboriginal Affairs, who you have noted has only had two questions, to your knowledge, but sits there where we can see him every time Parliament is televised. Do you think there should be a greater - a
35 change in the way Aboriginal people participate in government from that passive presence that appears from the outside?

40 And what I'm getting at is, I feel - I heard you talking about Aboriginal people giving so much but, once they get into government, not being able to give in the way that enhances and comes from a cultural place as a contribution to society generally, Australian society or Victorian society. Can you talk a little bit more about your feelings about how that should
45 change?

50 JOHNNY LOVETT: Yes. You know, I - I sort of sometimes think that there's an old word that's often used and the word is "window-dressing". And I think that sometimes the government does a fair bit of window-dressing using Aboriginal people to do it for them, you know, and put them in positions. And, you know, we've spoken before about - just a while ago probably, the Minister For Aboriginal Affairs always sits in a position where he's very, very focused on national TV at Question Time and things like that, but very little is said or very little is asked of him to express his concerns as the Minister For Aboriginal Affairs about Aboriginal people, the welfare and the future and the past and the present.

So I think that, yeah, that departments could be more forthcoming in their - in their respect for us as the Traditional Owners of this country. We were in no one else's country but our own. Everyone is in our country, and we need to be able to - to have strong expressions of how our future and, for our younger generations, the past history that we have and, you know, the education that's put out there about us as a people is handled by those who are in the position and have the responsibility of doing it. And I think that's long overdue, and I think there is a change that's needed to be done about it.

CHAIR: Thank you. Thank you for prompting that question.

COMMISSIONER ATKINSON: Thank you. My question probably follows on from that and the question is in reference to the Letters Patent - and I'm particularly focusing on the section of the Letters Patent that says:

"The State of Victoria acknowledges the importance of non-discrimination, uncovering truth, providing justice and reparation, and supporting the wellbeing and preventing further harm to First Peoples."

Quite a strong statement, up front in the Letters Patent. So I think, you know, that covers a lot of the things that you - you have shared with us in regards to that part of the Letters Patent. I was putting that question for your comment.

JOHNNY LOVETT: Yeah, I - look, when I sort of - when I had a glance through the Letters Patent of Victoria, I was pretty impressed about some of the wording in it and their expressions of concern, that expressions of concern in regards to how Aboriginal people are treated and, you know, the systemic injustices that keep coming and that have been around for 234 years and is ongoing. And some of the - the things that have happened - we can take Aboriginal deaths in custody - it's an ongoing issue.

It's an ongoing issue. I don't see it stopping at any point in time very soon, unless something really, really is done about the situation it's in and we are in, you know. It's - it sort of hurts to be fighting as long as I've fought for some of the things that I would like to see for Aboriginal people, for my father, for my uncles, other black fellas who served this country and other people who have put their hand up.

And, you know, I think more responsibility needs to be given by Aboriginal people - not given by, but given to Aboriginal peoples in Parliament who work there. They need to take the shackles off them and give them a little bit more of a freedom as to what they can do for their people in the positions that they are in and stop making them look like they are only there for the money, you know. And let them be there for the responsibility as well.

It's - it's okay being Aboriginal, but it's not okay to be there for the - for the free ride, you know. And the responsibilities go with being an Aboriginal in positions you are - you have. And I was a pretty heavy drinker in my past, and I was talking to you just a while ago about my sobriety today. And I had been to a few AA meetings and things - didn't do too much for me, but my culture did a hell of a lot for me. You know.

I do eat and sleep my culture. And that's how I've sustained in the areas that sobriety that I've got and that's how - that's how I've handled my - my issues. I jump in my four-wheel drive

when I've got problems and I - and I drive for 300 Ks around my country, and I probably do that three times a week. You know. And it's just so refreshing to be out there. It's so strong to be out on strong country. You know. And you feel that - I felt it in your country when I was throwing a rod in on the Murray River, you know. I felt the strength there, too, and I know how much you people feel.

So for an Aboriginal person, no matter where they may go - they may not be on their own country, but there's a sense of - of strength when they are on other people's country as well. And I think that's what we are about. And I think that's what we are about, yeah.

COMMISSIONER ATKINSON: Thank you, Johnny.

COMMISSIONER WALTER: Uncle Johnny, thank you for your wonderful testimony over the last two days. Just before we had the break, you were talking about the large amount of money that is allocated and is listed, things - in things like sort of the Productivity Commission as expenditure on Aboriginal issues. And you also alluded to a lack of accountability for those monies as to who actually gets those monies and what is done with those monies.

I would be really interested in your views on what sort of systemic changes you would like to see to have more Indigenous governance over monies - public monies that are supposedly spent on our behalf.

JOHNNY LOVETT: Yeah, it's a bit of a shame when we have a department such as Aboriginal Affairs and other Aboriginal title organisations within government that don't fully have Aboriginals in place to push the barrow. There's always a white fella at the head of the table who wants to feed us what they want to feed us. And when you cut the cake and the crumbs are still on the table, that's what we end up with. We end up with the crumbs.

And, you know, we really, really need to be able to be responsible for our own affairs. And there's a lot smarter people around than me who fit into that - like a hand in a glove, you know what I mean? And there's people who have worked with government departments who would be very, very, very helpful for us to have within our structure and Aboriginal structure because they know the process of dealing with governments and things like that.

And I sort of just shoot from the hip and I - I - my temperament wouldn't allow me to be able to - to work within that structure, you know, because there's - I'm a little bit raw I guess, and there will be a lot of more people who will be able to be more - have better ways of handling things than what I would. And I think, you know, when you talk about - I don't know exactly how much money goes into the coffers of government for Aboriginal issues and Aboriginal peoples and housing and whatever else, but I would imagine it to be in the trillions. I would imagine it to be a mega load of money that goes in there, but I don't have a - I don't have a figure.

But I imagine it would be one hell of a lot of money, and there is so little spent on Aboriginal communities and Aboriginal people, you know. I think for a long time, we as Aboriginal people, you know, we - we've been part of the system, and the system hasn't allowed us to be part of it, you know, so to speak. It was "do as I say, not do as I do", sort of thing. And I think that's what's happened with the policies on Aboriginal people from the beginning.

And the policies, of course, became the Acts of Parliaments that came out of Britain and, of course, there was no Aboriginals in Britain so I don't know how we're supposed to fit into that criteria. So I can't help but think the best solution for us is if we did have a government of our own. I can't really go past that and, I mean, there are a lot of non-Aboriginal people who would be willing to support with advice and things like that as well. We're not truly isolated from the wider community, in a sense. We are isolated from government, in a sense.

Ms MCLEOD: Okay. Uncle - - -

10 CHAIR: May I ask a further question?

Ms MCLEOD: Yes.

15 CHAIR: Uncle Johnny, do you see treaty as a possible way forward for our people when you are thinking about self-government?

JOHNNY LOVETT: I think it's - I think it's a fantastic way forward. I think what's been created here in this state today - this can be a blueprint for the whole of Australia, I think. And I truly and souly believe that. And I know that there's certain states that are really keeping a close eye on what's happening here, you know. I really know that. People who have said to me, you know, "What you're doing - what are you mob doing over that way?" And when you tell them about it, they say, "Yeah, that's what we need to be looking at, hey."

25 So, you know, there's a - there's a lot of - probably more so than we realise - focus on what's happening here today, and youse are having more meetings and things like that and I'm sure people will be still interested in - you know, for having a look at which way this is going to go.

30 CHAIR: Thank you.

COMMISSIONER BELL: I will ask a question, if I may. Uncle Johnny, I would like to join with Commissioner Walter in thanking you for your evidence yesterday and today. But I wanted to ask you a question about rough sleeping or homelessness, and you worked managing a hostel so that rough sleeping people in this very vicinity would have a roof over their head and be safe and have food. How significant is the issue of homelessness, in your view? Would you call it a systemic injustice? And what do you think should be done about it?

40 JOHNNY LOVETT: Yes. I - look, I think there's probably two parts to that, and one is the homelessness that's around for Aboriginal people and the housing structure that is in place now may not be - have the best policies in regarding what Aboriginal people are eligible to be given houses and things like that. And, you know. And the other is our aged - our aged people. You know, Rumbalara has got a lovely set-up for Aboriginal Elders up there.

45 And then you go down to my way and then - then some of the mainstream aged care hostels or places, Aboriginal people go there, but we need a place of our own, you know. A - my sister was very instrumental for ACES here in Melbourne, Iris Lovett Gardiner who is my sister, and she fought pretty hard, her and a few others, Fay Carter and all them, they all fought pretty hard for ACES. And I think that, you know, Rumbalara has got a medical area.
50 My sister is in it at the moment. I couldn't wish her to be in a better place than where she is.

So we need to have things that - you know, that mainstream society has, you know. And with - and given to us without always an issue of who's going to pay the bill. You know. We can pay our own bills if we're given our own money that's being used by other people.

5

MS McLEOD: Uncle Johnny, just one question that follows the answer you gave to Commissioner Atkinson. What would you like to see for Aboriginal returned servicemen and their families? People like your father and uncles?

10

JOHNNY LOVETT: I would really like to see a Royal Commission. I think there is two areas that really have lacked the whole issues is one is the soldier settlement for Aboriginal people, returned soldiers and veterans of the First and Second World War, and the other is the whole situation of Stolen Generation, you know. It's so close to an act of genocide that if ever you are looking for an interpretation of what genocide is, it's it. That's it.

15

They removed families from their family. They removed kids from their families. They broke that cultural connection, language, song and dance, spiritualism, lore, religion, farmed them out to non-Aboriginal people. Taken to orphanages, where they was told their mothers and fathers were dead when they were still alive. And, you know, nothing has ever been done.

20

And the Charter for Human Rights - Australia signed off as one of the very first countries to sign off on it and has never enacted on it at all in regard - you know, refugees coming here and they built places for them and they find billions of dollars in an instance.

25

Remote areas have still got 20 people living in the same house. They were doing that before the COVID came and they are still doing it today in the remote areas. You know. So, yeah, I think two areas that really, really need, you know - I would love to see and I hope that I live to see a Royal Commission into both those areas.

30

MS McLEOD: Thank you, Uncle. I have a message from Commissioner Hunter that she's asked me to read to you with a question. Uncle Johnny, thank you for the grace and humility with which you've shared your statement so courageously. You talk about the loss - loss of land, language, culture and connection to mob and belonging - yet your story is one of understanding, family and culture and connection. How have you managed to stay connected, and what does being connected give you as an Aboriginal man?

35

JOHNNY LOVETT: I've been pretty lucky. I had a beautiful father. I had lovely uncles and aunties. I've travelled. My travel hasn't just took me to motels as I was travelling here and there. Sometimes it was, you know, sleeping in the bush, you know, as well. And the people that I've met in me travels were sincere, honest, and they had nothing more to give me than friendship and warmth. Welcomes, you know. And I had nothing to give them except my - trying to learn from them.

40

My culture has helped me to what I am today, as I spoke about it earlier, about my sobriety. That comes from my culture. I - I've met some beautiful people, Aboriginal people who have very, very strong connections to their culture in song and dance and tradition. We may have lost that here in the south-west or in Victoria or other places of New South Wales and wherever elsewhere settlement came pretty early, but we haven't lot of our Aboriginality. It hasn't been taken from us. And only us can reinforce of who we are. We can reinforce it in the way we do things, the way we think about things.

50

And as I said earlier, I jump in my four-wheel drive and I drive 300 Ks in a day, and I do that three times a week just to go out there and think, and look and just be on country, you know. And I would love to be doing that with me tours and making money, but I'm not. But it's just as a rewarding to me as if I was doing that anyhow. But I'm getting more out of doing that for me as an Aboriginal person to keep me where I am.

And I know there's a lot of Aboriginal people around everywhere that, you know, that are just as strong as me and stronger. You know. That have a great interest in the future of what we have got as a First Nations people. Yeah.

MS McLEOD: Yes. Thank you, Uncle Johnny. Just before I invite you to come and sing us the final song, I will just check with Commissioners if there's any further questions.

CHAIR: No.

MS McLEOD: I tender the statement of Uncle Johnny Lovett, which will be Exhibit 2-0, and the attachments will be 2-1 through to 2-15. I tender the statement.

CHAIR: Thank you. Thank you.

EXHIBIT 2.0 STATEMENT OF UNCLE JOHNNY LOVETT

EXHIBITS 2-1 THROUGH TO 2-15 ATTACHMENTS OF STATEMENT OF UNCLE JOHNNY LOVETT

MS McLEOD: Uncle.

JOHNNY LOVETT: I will just move my chair over a little bit, I guess. This is a song I wrote about Maralinga, all them many years ago. And when I met up with Yami Lester, for the first time and he talked to me and there's parts in the book of Frank Walker, a book called 'Maralinga', where Yami speaks. And when the black mist was coming through the country, and they could see the stickiness on the - on the leaves of the trees, and - where he was living around and - it was like - like a mist and it was - the resin on the leaves were sort of black. And Yami went - he went blind the next day. And lost his sight in one eye. And this is the song I wrote about it many years ago.

(Sings)

Maralinga is a desert place
Of red and arid sands
Where people from the Dreamtime had wandered on their lands
Now the land is not a feeding place for any living man
But they'll give it back, back to the blacks and let them do the best they can
The blast has killed the natural food and poisoned all the grass
The presentation of this land is just a government farce
The land is not a feeding place for any living man
But they will give it back, back to the blacks and let them do the best they can
Stark burnt trees and wasteless plains linger in the --
Presentation of it all is just a government farce
Oh, the land is not a feeding place for any living man

Yoorrook Justice Commission

So they will give it back, back to the blacks and let them do the best they can
Maralinga is a desert place of red and arid sands
Where people from the Dreamtime had wandered on their lands
The land is not a feeding place for any living man

5 So they will give it back, back to the blacks and let them do the best they can
The blast has killed the natural food and it poisoned all the grass
The presentation of this land is just a government farce
Maralinga's not a feeding place for any --
But they give it back, back to the blacks and -- do the best they can.
10 They give it back, back to the blacks and let them do the best they can.

I would like to apologise. I had forgotten some of the words in there. It was pretty hard to
sing, actually, for me today under the circumstances. But, yeah, it was a song that was written
from the heart and - given back to - from the heart and soul of what I felt about their struggle.
15 You know, that they get a better future - and that compensation be paid, you know, to them as
well, but - that we have as Aboriginal people. And we should take our hats off and - to
ourselves, because we have survived one hell of a lot of things that have been thrown at us
over 234 years, and today we see a big issue on COVID in that, before white settlement, we
didn't even have the common cold.

20 So many things in a lifetime and we've survived. And we'd still like to keep surviving. And
we've got a lot more people who will carry on the battle, and there's some good
non-Aboriginal people who support, but, at the end of the day, we really need to run our own
race, you know. We need to have - be in control of our own destiny in life and run it the way
25 that we need to run it, with connection to country, culture, and each other.

CHAIR: Thank you. Thank you, Uncle Johnny. Thank you so much.

30 MS McLEOD: That's the evidence of Uncle Johnny Lovett. Thank you.

CHAIR: Thank you.

JOHNNY LOVETT: Thank you.

35 MS McLEOD: Before we adjourn, can I thank you, Uncle Johnny, for that and ask
Commissioner Atkinson to have a few words here.

COMMISSIONER ATKINSON: Thank you very much. Well, on behalf of all the
Commissioners, legal counsel and staff it's been a wonderful honour and pleasure, Johnny, to
40 have you come and share your story with us. We have picked up your story line when we
came on Country and you took us around and shared that with us. And you brought the story
lines here with you to share with us. You have done it most admirably and with cultural
integrity, and it's been a wonderful experience for all of us, I'm sure. So, on that note, I would
like to share some nice little gifts with you to take away, of course, and back to country. Back
45 to your country and family, and we wish you all the best.

JOHNNY LOVETT: Thank you very much. They will be very much treasured. Thank you.

50 COMMISSIONER ATKINSON: Thank you.

ADJOURNED 11:54 am UNTIL 10 AM MONDAY, 2 MAY 2022