

Yoorrook Justice Commission**BALERT KEETYARRA OF UNCLE KEVIN COOMBS****Introduction**

- 1 My full name is Kevin Richard Coombs. I was born in Swan Hill in Wemba Wemba Country on 30 May 1941.
- 2 I am an Elder of and identify as Wotjobaluk from my father's side, but I also have connections with Wemba Wemba and Wiradjuri.
- 3 I have previously:
 - (a) played competitive wheelchair basketball at the local, national and international level for over 30 years, including:
 - (i) competing in five Paralympic Games as part of the Australian men's wheelchair basketball team, including the first Paralympics in Rome in 1960;
 - (ii) as captain of the Australian men's wheelchair basketball team at the Paralympics in Germany in 1972;
 - (iii) competing at the Commonwealth Games in New Zealand in 1974, where we won the silver medal;
 - (iv) competing at the Silver Jubilee Games at Stoke Mandeville (United Kingdom) in 1977 as team captain;
 - (v) leading the Australian Paralympics team as captain at the Paralympics in Holland in 1980;
 - (vi) competing at the Far Eastern South Pacific Championships in Hong Kong, where we won the gold medal;
 - (vii) leading the Australian men's wheelchair basketball team at the Gold Cup (World Championship Games) in 1983;
 - (viii) leading the men's wheelchair basketball as captain and competing at the Paralympics in Stoke Mandeville (United Kingdom) in 1984;

- (b) helped to set up the Paravics, which later became Disability Sport and Recreation Victoria;
- (c) been appointed to the National Committee for International Year of the Disabled as a representative of Aboriginal people;
- (d) been the first manager of the Koori Health Unit (in the Victorian Government's Health Commission of Victoria) and worked in the unit for over 10 years;
- (e) helped to establish and coordinate the Koori Alcohol and Drug statewide program, including setting up sobering up centres around the State;
- (f) been appointed the Chairman of the Committee for World Wheelchair Basketball Championships in 1986;
- (g) been appointed to the Board of Aboriginal Hostels by Robert Tickner, former Commonwealth Minister for Aboriginal Affairs, in 1990;
- (h) been appointed to the National Indigenous Advisory Committee to the Sydney Organising Committee for the Olympic Games in 2000;
- (i) carried the torch for the Sydney Olympics and the Sydney Paralympics in 2000;
- (j) been one of the Elders at the historic sitting of the Victorian Parliament in 2000, when politicians from all parties committed themselves to the process of Aboriginal reconciliation;
- (k) been appointed an ambassador of the National Indigenous Strategy for Literacy and Numeracy;
- (l) sat as an Elder on the Koori Court in Broadmeadows and at the Children's Court in Melbourne and Heidelberg since the program's establishment in 2003;
- (m) been appointed to the Disability Advisory Committee and as a member of the Commonwealth Games Indigenous Committee for the 2006 Commonwealth Games in Melbourne;
- (n) been presented with various awards, including the Order of Australia Medal in recognition of my service to sport for the disabled and to Aboriginal welfare;
- (o) had a street named after me in the Sydney Olympic Precinct for my achievements in sport;
- (p) been inducted to the Basketball Hall of Fame, the Victorian Indigenous Honour Roll and the Australian Paralympic Hall of Fame;

- (q) been appointed as Ambassador of the Collingwood Football Club Barrowan Indigenous Program in 2020;
 - (r) been appointed as Ambassador of the Collingwood Football Club Wheelchair Football Team in 2022;
 - (s) been a member or patron and supporter of a number of organisations, including the Ngwala Willumbong Co-operative Drug and Alcohol Recovery Centres, the Koorie Heritage Trust, the Victorian Aboriginal Health Service, the Onemda VicHealth Koori Health Unit, the Poche Centre for Indigenous Health, and the Murrup Barak Melbourne Institute for Indigenous Development at the University of Melbourne.
- 4 I have worked with Counsel and Solicitors Assisting to prepare this *balert keetyarra* ahead of the Elders' Truth-Telling *wurrek tyerrang* (hearings) for the Yoorrook Justice Commission (**Yoorrook**).
- 5 This *balert keetyarra* sets out details of the experiences I have had over the course of my life as an Aboriginal person, stories of other Aboriginal people that I believe it is important be told, as well as some thoughts about things that could be changed to improve the lives of Aboriginal people. My *balert keetyarra* covers the following:
- (a) my family history and early life, including my great grandfather's time on Ebenezer Mission;
 - (b) the lifechanging accident that turned me into a paraplegic;
 - (c) my introduction to wheelchair basketball through a rehabilitation program;
 - (d) my competitive sporting career, including my experiences travelling overseas and representing Australia in numerous Paralympic Games and other competitions;
 - (e) my working life, including working in the public service to set up Aboriginal health services and drug and alcohol programs for Aboriginal people;
 - (f) my involvement with the Koori Court; and
 - (g) what I think needs to change, including my thoughts on Treaty and constitutional recognition of Aboriginal people.
- 6 I have previously contributed to a number of books, videos and other recordings about my life and issues faced by Aboriginal people, including:
- (a) a book entitled '*A Fortunate Accident: A Boy from Balranald*' (2005) (**Annexure A**);

- (b) an interview of me conducted by Steve Dow for the Koorie Heritage Trust, published in June 2020 (**Annexure B**);¹
- (c) a documentary video entitled '*Understanding Uncle Kevin Coombs*' (2015), directed and produced by Lee Matthews and part-funded by the Office of Aboriginal Affairs Victoria (**Video Documentary**);
- (d) an interview of me conducted by Robin Poke for the Australian Centre for Paralympic Studies oral history project, recorded in August 2009 (**Robin Poke Interview**);²
- (e) an interview of me conducted for an episode for the podcast entitled 'Grow Bold with Disability', hosted by Peter Timbs and Tristram Peters;³
- (f) a panel discussion hosted by Jon Faine with me, Marcus Stewart and Carissa Lee as part of the Australian Broadcasting Corporation's The Conversation Hour entitled 'Victorian Treaty talkback forum', broadcast in May 2019 (**The Conversation Hour: Victorian Treaty talkback forum**);⁴ and
- (g) an interview of me conducted by Kurt Fearnley on his podcast entitled 'Kurt Fearnley's Tiny Island', published in August 2019 (**Kurt Fearnley Podcast**).⁵

7 This *balert keetyarra* at times refers to, and is supported by, these key information sources. I would like Yoorrook to consider these additional materials.

8 During the course of preparing this *balert keetyarra*, some questions have arisen, which I understand may be the subject of requests for documents (Notice(s) to Produce). Given the possibility that further documents will become available, I have been advised by the Solicitors Assisting that:

- (a) additional documentation relevant to this *balert keetyarra* may be tendered in future; and
- (b) it is possible that I will be recalled at a later *wurrek tyerrang*.

¹ Steve Dow, *Interview with Uncle Kevin Coombs* (Koorie Heritage Trust, 2020). See: <https://korieheritagetrust.com.au/wp-content/uploads/2020/06/15-Essay-Kevin-Coombs.pdf>.

² Robin Poke, *Interview with Kevin Coombs* (Australian Centre for Paralympic Studies, 2009). See: <https://nla.gov.au/nla.obj-219076205/listen>.

³ Grow Bold with Disability, *Growing Bold and Disability within the Aboriginal Community with Uncle Kevin Coombs* (Feros Care and Black Me Out Productions, 2020). See: <https://www.feroscare.com.au/grow-bold-podcast/season-two/episode-8-growing-bold-and-disability-within-the-aboriginal-community>.

⁴ ABC Radio, *The Conversation Hour: Victorian Treaty talkback forum* (2019). See: <https://www.abc.net.au/radio/melbourne/programs/theconversationhour/the-conversation-hour/11140392>.

⁵ Kurt Fearnley, *Kurt Fearnley's Tiny Island: Uncle Kevin Coombs* (2019). See: <https://podcasts.apple.com/au/podcast/kurt-fearnevs-tiny-island/id1450747449?i=1000446129201>.

Early life

My family

- 9 My great grandfather, Albert Coombs, was born in Antwerp in the Wimmera, and lived part of his life on Ebenezer Mission on Wotjobaluk Country in north-western Victoria, near Horsham, also in the Wimmera. He was a bit of a radical. He kept getting kicked off the mission by management because he and my family kept writing to the Victorian Parliament between 1871 and 1875 asking for more money and larger grants of land so the community could be more independent and self-sufficient.
- 10 My grandfather, Jack Coombs, was raised on the Ebenezer Mission but moved with his family to Balranald when the mission closed in 1900.⁶ When my parents were living on the mission, they all had to attend church on Sundays. One Sunday, my parents were talking to each other in language, and both were struck by a churchgoer, who screamed at them “*You will not speak that heathen tongue in this place*”.
- 11 One thing I am particularly proud of is that my grandfather and his brother fought in World War I, in Fromelles on the Western Front, for six years. Aboriginal people were not allowed to enlist. My grandfather went to sign up in Horsham and was knocked back, so he travelled down to Bendigo and changed his name to sign up the second time. He enlisted under Alfred Jackson Coombs, and not Albert Wallace, which was his birth name. His brother was able to enlist straightaway though.
- 12 I think it must have been pretty tough for an Aboriginal bloke to be in a foreign country. When my grandfather’s brother came back from the war, he actually had severe post-traumatic stress. He was gassed. He didn’t want to be around people. He didn’t want to mix with people. My grandfather was awarded the Victory Medal and the British War Medal. Photographs of the coin that was minted with details of my grandfather’s military service are at **Annexure C**. It makes me proud to show my children and grandchildren my grandfather’s armed forces file.
- 13 Even though my grandfather and his brother served in World War I like other Australian men at the time, they were treated pretty poorly when they got back. People that went to the First World War were told that they would get a block of land, a soldier settlement. And I’m still waiting for ours.⁷ Other soldiers got land when they came back from the war, but not Aboriginal soldiers.
- 14 My parents were Cecil Rex Coombs and Rosie Clayton. My mum was from Moulamein in southern New South Wales. A photograph of my parents on their wedding day in Moulamein in 1935 is at **Annexure D**.

⁶ Annexure A, 1.

⁷ The Conversation Hour: Victorian Treaty talkback forum, 20:51–21:06.

- 15 We lived in Swan Hill. There were five of us children and I was the middle child. My dad was a woodcutter and a drover. My mum died when I was five years old, and it looked like we could be headed towards the institutions, those terrible orphanages that they had at the time. My mum's next sister down, Tibby Murray, was a tough little woman and she said to my father and all us children, "*Come with us, we will take over and look after you*", and we went to live with her and her husband Ridley Murray in Balranald.⁸ The story goes that two went to bed, and seven woke up!
- 16 Life in the bush was a terrific experience for me. I spent time with my siblings, cousins and friends enjoying ourselves – doing all the bush things bush kids like to do, like shooting, fishing and swimming. As well as having fun, we were always expected to work at my Uncle Ridley's timber yard and sawmill. We also used to go to Sunday school at the Balranald Aboriginal Mission.
- 17 When my parents went to school, there was an Aboriginal school and a school for white kids. When I went to school, all the kids were there together. But Balranald was a pretty racist town in those days, and I did experience racism as a kid. I remember there was a café in town on the main street and we were only allowed to go in the side door. We were yelled at if we went in through the front door. And we wouldn't get served if we went through the front door. And when we went to the movies, the Saturday afternoon movies, we had to sit on one side of the theatre – the Aboriginal side. We couldn't mix.
- 18 Further details regarding my grandparents, my parents and my early life are set out in Chapter 1 of **Annexure A** and in the Video Documentary.

My accident and my introduction to sport

My accident

- 19 When I was 12 years old, I had an accident that changed my life forever. While I was out shooting rabbits along the Murrumbidgee River with my cousins Ray and Alex Murray and Noel Edwards, Noel accidentally shot me in the back. The bullet hit my spine and paralysed me.
- 20 It was an accident. It was me and I was 12. And my oldest cousin, he was 14. And there's two young kids, they were cousins too. They were 9 years old. They were sort of tagging along in the floodwaters shooting rabbits. Saying, "*We can just gut 'em and hang them up*", so that the rabbitohs that come the next day pick them up. And that's how we used to make a few dollars and cents. Because there were so many rabbits you could just herd them into a bend in a river and just fence them off and you'd get two or three hundred a pair. Which is a lot of rabbits.

⁸ Video Documentary, 01:39–02:23.

- 21 Walking through the floodwater, we were getting a bit tired; gotta go to higher ground. I said let's sit down and talk about where we're going to go. I didn't take any notice of these two young blokes coming up, these two 9-year-old kids.
- 22 We heard him pick my gun up and I thought to myself "*I think I've left a bullet in the bloody gun*". And "*click click*", turned it around like that. It was about a foot away. *Bang*. He said that with his mouth and he hit me in the spine through me ribs and messed me pretty hard. But I was very lucky because I stood up and just hit the ground and he got that much of a shock. Noelle Edwards his name was. God bless him. He got that much of a fright, he wet himself. And I'll never forget the look on that kid's face.
- 23 My uncle's nephew, Stewart Murray, turned up in his Vauxhall car, and he drove through paddocks and fences to get me to hospital. And the engine ended up falling out of the car, just on the outskirts of Balranald. Then Stewart got out of the car and ran from one end of Balranald to the other to get to the hospital to get someone to come and get me.

Hospitalisation

- 24 I was taken to a hospital in Swan Hill. Stewart Murray stayed with me on the ambulance ride to the hospital. They were running around like chooks with their heads chopped off, trying to find out what blood group I was. When I had to have a blood transfusion, we found out I had the same blood type as Stewart's, and the doctor just pumped blood from him to me.
- 25 I spent a lot of time in hospital after my accident. The doctors at the hospital in Swan Hill did their best, but they didn't know how to look after paraplegics in any hospitals. If you had a spinal injury in those days, you only lived for about five weeks. I ended up with a huge bed sore and I became so sick they had to send me to the Royal Children's Hospital in Melbourne. My bed sore was so bad that when the nurse at the Royal Children's Hospital took the dressing off, she threw up and then fainted.

Rehabilitation

- 26 After three months at the Royal Children's Hospital, I was transferred to the Royal Austin Rehabilitation Hospital. Back then, it was called the Hospital for the Incurables. There wasn't a lot of sensitivity about disabilities in those days.⁹
- 27 I spent the first 12 months at the Austin lying on my stomach recovering from bedsores.
- 28 It was hard being in the hospital. I was so heavily involved with my family and community back home in Balranald, and then I didn't see another black face for two years. That was pretty hard for a 12-year-old kid. Travel was difficult for my family, both in terms of distance and finances.

⁹ Annexure A, 9.

There was no dole or Aboriginal organisations to support them. When they did visit it was so great to see them but so upsetting when they had to go, for them and for me.¹⁰

- 29 After a while at the Austin, I became really depressed. Sister Hilda Thomas, a stern and strong-willed matron, had heard of the well-known Aboriginal pastor, Sir Douglas Nicholls, and took it on herself to get in touch with him. Sir Doug came out and brought with him his son-in-law, Stewart Murray, who'd first saved me after my accident. It was just great to see another black face. They were terrific the way they challenged me to fight on. There's more to life than lying around in bed feeling sorry for yourself. That's the message they put across to me.¹¹

Introduction to sport

- 30 For the first few years that I was at the Austin, there was no specific program for people with spinal injuries. But in 1957, the Spinal Injuries Unit was established and I was one of its first patients. It was run by David Cheshire, an English doctor and ex-Spitfire pilot in World War II, who had worked with Sir Ludwig Guttmann, the man who started the wheelchair sports movement back in 1945.
- 31 The sports program was compulsory. David Cheshire was training you to get out of the hospital and go to work. I took up basketball and discovered I was good at it. It made me feel that I was someone; it gave me a reason to get out of bed every morning.¹²
- 32 Further details regarding my accident, my stays in hospital and my introduction to sport are set out in Chapters 2, 3 and 4 of **Annexure A**, as well as in the Video Documentary.

Competitive sporting career

- 33 The first Australian wheelchair basketball championships were held in Melbourne in 1960 and they selected a team from those championships to go to the first Paralympic Games in Rome in 1960. Bruno Moretti, another Victorian, and I had a very good tournament and we were selected as part of the first Australian team to go to the Paralympics.
- 34 When I think back, the other people I was in hospital with became my family, and wheelchair basketball opened a lot of doors to me in work and in my personal life. I became recognised as that Aboriginal bloke who was a basketball player; they didn't just see me as disabled.¹³
- 35 It took us five days to fly to Rome. It was my first time out of Australia and first time on a plane. It was also the first time ever that disabled people had travelled by air and the spinal injuries experts didn't know how we were going to cope on such long flights. We broke the flight up with

¹⁰ Annexure A, 11.

¹¹ Annexure A, 12.

¹² Annexure A, 13.

¹³ Annexure A, 16.

overnight stopovers – first from Melbourne to Perth, then from Perth to Singapore in a Super Constellation turbo prop jet, then from Singapore to Athens and finally from Athens to Rome.¹⁴

- 36 I was 19 when I went to the first Paralympics and it was great to be part of the first Australian team. But on the downside, because I was Aboriginal, I had to fly out on a British passport. We weren't allowed Australian passports in those days.¹⁵ You gotta remember it was 1960. We didn't get any rights until 1967. We were flora and fauna. It was hurtful to not be seen as Australian, even when representing my country. I was shocked. For a bloke representing his country, I've gotta go out on a British passport! I'm not British. I'm Australian. It still sticks in me guts a bit.¹⁶
- 37 When we were in Singapore, I was wheeling down the street with 'Australia' written on the back of me t-shirt, part of our uniform. And all these people came up and talked to me and asked me "*How did you get into that country?*" It was because of the White Australia Policy. They thought I was Indian, like a lot of them, and they wanted to know how I got into Australia.¹⁷ Arthur Calwell, the Minister for Immigration in the Curtin government, said "*Two Wongs don't make a white*". When he was Minister, he was encouraging white people migrating to Australia. He didn't want black people coming in.
- 38 I didn't go to the 1964 Paralympic Games in Tokyo because I had some health problems and plus I was trying to get out of the hospital and organise myself somewhere to live and a job. And I was playing around, I'd discovered women.
- 39 In 1964, I helped to set up the Paravics, which later became Disability Sport and Recreation Victoria, which is still operating today.¹⁸
- 40 I made a comeback to competitive sport in the late 1960s. We were supposed to go to Mexico City for the Games, but they didn't want disabled people performing sports at that altitude so they moved them to Israel. The Paralympics were held in Macabee Village on reclaimed swampland outside Tel Aviv that reminded me of the country round Balranard. One of my few experiences of racism happened at these games. We went to a little bar in the Macabee Village and one of the South African team said in a very loud voice "*Are they opening bars for niggers now?*" I didn't want a punch on there.¹⁹ But I was pretty upset. My teammate Billy Mather Brown wanted to stop him there and then, but instead we told our team manager, Kevin Betts. The next day, Kevin went around and grabbed him by the shirt and told him never to speak to me like that again. The bloke was very apologetic and embarrassed.²⁰

¹⁴ Annexure A, 17–18.

¹⁵ Annexure A, 18.

¹⁶ Video Documentary, 09:29–10:12.

¹⁷ Robin Poke Interview, Session 1, 42:39–44:12.

¹⁸ Video Documentary, 08:18–09:28.

¹⁹ Growing Bold with Disability Podcast, 14:05–14:09.

²⁰ Annexure A, 29–32.

- 41 In 1972, I was captain of the men's wheelchair basketball team when we went to the Paralympics in Heidelberg, Germany.
- 42 In 1974, I was captain of the Australian men's wheelchair basketball team at the Commonwealth Games in Dunedin, New Zealand. We won the silver medal.
- 43 In 1977, I competed at the Silver Jubilee Games at Stoke Mandeville. At the opening ceremony, I met Prince Charles. I was team captain and I had to present Prince Charles with a gift. I said to Charles "*I got one of these presents for you*". I didn't know anything about security. I reached under my chair to bring out this 'Jack O'Toole' racing axe, which I gave him, and I said maybe you can trim a few of those trees up at Windsor Castle. They (security) nearly dived on me. Later on, I saw a documentary about the Royals, and I saw the axe was hanging up in Charles' office.
- 44 In 1980, I was captain of not just the basketball team but the whole Australian team when we went to the Paralympics in Arnhem, Holland.
- 45 In 1983, I competed at the Far Eastern South Pacific Championships in Hong Kong. We won the gold medal.
- 46 In 1983, I was captain of the Australian team at the Gold Cup (World Championship Games) in Halifax, Canada.
- 47 In 1984, I was captain for my fifth and final Paralympics in Stoke Mandeville in the United Kingdom. I was the captain and I met Prince Charles for a second time and gave him an Akubra. I said to him "*Just as well you got those ears, brother*".
- 48 I retired from competitive sport at an international level after the Stoke Mandeville Paralympics, but I kept on playing local competition and national league through most of the 1990s. A photo of the certificate of recognition awarded to me by the International Paralympic Committee is at **Annexure E**.
- 49 Further details regarding my sporting career and achievements are set out in Chapters 4, 5, 8, 9 and 12 of **Annexure A**, as well as in the Video Documentary.

Family life

Leaving hospital

- 50 I was in hospital for 10 years. Even though I was playing competitive sport and had travelled internationally, I had been living in the hospital the whole time.

51 When I was 22, I went to live at the Crippled Children's Society hostel in St Kilda. It was about that time that I went home to Balranald for the first time in 10 years and took my first and last train ride back from Swan Hill.

52 Later, I moved to the John Newman Morris hostel in Kew which was run by the Austin.

53 I eventually moved out of the hostel in Kew into a two-bedroom Housing Commission flat in Harmsworth Street, Collingwood.

Settling down

54 I worked in North Melbourne and had me own Ministry of Housing flat in Collingwood. I'd go down Grattan Street every day. That's when I started chasing girls.

55 I met my wife Linda at Peter Poynton's Pink Pussycat in Grattan Street. That's the name of the pub, opposite Melbourne University, where the old Royal Women's used to be. It had live bands after 6pm on Thursday nights.

56 I used to share an office with this bloke in North Melbourne. He was a part time barman at the Pink Pussycat. He said, "*Come in and have a free beer*". I said, "*Anything for a free beer*". So I went there and after 6pm the band came on. I come in, put me head around the corner, and there Linda was there with her brothers and a couple of nurses that I knew. I didn't know Linda. I knew of her. So, I went over and said g'day. Eyes lit up. Eyes contacted.

57 Linda was a nurse at the Austin.

58 Meeting Linda's grandparents in Watsonia, they were surprised that I was in a wheelchair and that I was black. But they were wonderful people and very supportive of us.²¹

59 In 1969, we got married. We were married in Glenroy by Linda's childhood minister from Sunday school, Bruce Silverwood. When we tracked him down to marry us, we found, coincidentally, that he was running the Aborigines Advancement League.²²

60 Even though we originally thought we wouldn't be able to have children because of my disability, Linda and I had two daughters – Janine and Rose.

Reconnecting with my father

61 At the beginning of the 1970s I got a call to come and pick up my father. It gave me a bit of a shock, because I'd had nothing to do with him most of my life. He was working at a timber mill and the mill had put him into hospital because he was staggering around and losing his balance.

²¹ Video Documentary, 12:41–13:33.

²² Annexure A, 26.

- 62 Some people thought he was on the grog, but he wasn't. It turned out he had Hodgkinson's disease. He stayed with us while he had treatment at Peter MacCallum.
- 63 He used to go out drinking after his treatment. One night he lost his balance walking home and cracked his head on the kerb. The police took him to St Vincent's Hospital. He was using an Aboriginal term to tell them he wanted to go to the toilet. He kept on saying he wanted to have a 'koni', meaning he was constipated, but they weren't culturally aware, so instead they'd given him this stuff to stop him from going to the toilet. His poor old stomach must have been like concrete, and because he was in a bit of pain and throwing his arms around with dementia, they thought he was becoming violent.²³ They wanted to commit him because they didn't understand, but I sorted it out.
- 64 After that accident, my father's cancer went rampant and Peter Mac discharged him and he was transferred back to live in the hospital at Balranald. He was very happy to go back to Balranald; he was going home.²⁴
- 65 Further details regarding my family life as an adult are set out in Chapters 6, 7 and 9 of **Annexure A**, as well as in the Video Documentary.

Working life

- 66 The whole time I was playing competitive sport, I was also working. I had a number of different jobs over the years.

Early jobs

- 67 In around the mid-1960s, I started working at Ransley Glass glassblowing factory in Collingwood.
- 68 When Ransley Glass moved from Collingwood to Springvale, I got a job working at a company called Ability Press in South Melbourne printing Christmas and business cards.
- 69 When Ability Press closed down, I got a job at Collies Inks as a telephone salesman. I worked at Collies for 16 years. After I asked for a pay rise a few times over those 16 years and the response was always "*We're paying you above the rate now*", I decided to hand in my resignation and look for something else.²⁵

²³ Annexure A, 33.

²⁴ Annexure A, 34.

²⁵ Annexure A, 21–28, 37.

Starting to work in government

- 70 After I left Collies in late 1979, I went and joined the Department of Community Services on a 12-month traineeship with the National Employment Strategy for Aboriginals.
- 71 At the end of my traineeship, the National Committee for the International Year of the Disabled approached me to represent Aboriginal people on the committee. I travelled around Australia meeting and talking to other disabled Aboriginal people. Most of my time was spent lobbying politicians to make sure that Aboriginal people got a better deal so far as appropriate housing and health goes with preventable diseases like glaucoma and leprosy.
- 72 My role was to get out and talk to Aboriginal organisations and communities right throughout Australia and make sure they were getting services – that Centrelink was coming to visit, that they were able to access money and pensions.²⁶ One amazing part of that job was travelling to Western Australia and hearing people speaking their own language for the first time. I particularly remember Mowanjum, the Aboriginal community near Derby. It was eye-opening and emotional. It really shattered me.²⁷ It really brought home what we had lost down south.²⁸
- 73 Three-quarters of the way into the year, at Alice Springs, I gave a presentation to the State health ministers and the Federal Minister, Fred Chaney. At the end of my presentation, Bill Borthwick, the Victorian Minister for Health came up to me and suggested I apply for a job in Melbourne. He wanted to set up an Aboriginal health program and he believed that for any program to be successful, Aboriginal people had to be involved in the design and then the implementation. Community based, community controlled – that's what he thought was the way to go.²⁹

Koori Health Unit

Manager

- 74 I eventually got the job of managing and setting up the Koori Health Unit, which was part of the Health Commission of Victoria, an agency of the Victorian Government.
- 75 One of our first major programs was to appoint 18 hospital liaison officers, who were answerable to us, at key hospitals around the State where there were fairly large Aboriginal populations. The program involved putting in a person between the communities and the hospitals, who was trusted and respected by the communities, and who would also try and change the culture of

²⁶ Kurt Fearnley Podcast, 36:20–37:38.

²⁷ Kurt Fearnley Podcast, 36:50.

²⁸ Annexure A, 37–38; Kurt Fearnley Podcast 36:20–37:38.

²⁹ Annexure A, 38.

that hospital.³⁰ A lot of Aboriginal people would not look for medical help because they didn't feel they were listened to or understood or there was too long of a wait.

76 This has been an ongoing problem. In the mid-2000s, the Victorian Minister for Aboriginal Affairs, who had worked with the Koori Health Unit as a researcher in the 1980s, tried to set up a program to make it easier for Aboriginal people coming to hospital to identify as Aboriginal. It was a very hard thing to do, and is still very hard nowadays, because a lot of our people still think if they identify as Aboriginal they will get second class services.³¹

77 The other major program we set up was the Koori Alcohol and Drug Program. We selected 16 drug and alcohol workers together with regional health service public servants and a couple of people from local Aboriginal organisations. One of the recommendations of the Royal Commission into Aboriginal Deaths in Custody was that we bring in sobering up centres, rather than have an Aboriginal person down the street drunk, putting themselves or other people and property at risk.³²

78 One of the motivations for my drug and health work was the way the law treated my brothers. Back then, Aboriginal people weren't allowed in pubs or bottle shops, and so they would buy grog through a white person and then drink it in the park. If you were caught drinking at the park three times in a month, then you got three months in Pentridge.

Drug and Alcohol program

79 After 10 years as the Manager of the Koori Health Unit, I moved into another job within the Koori Health Unit as Coordinator of the Drug and Alcohol Statewide Program that I had been part of setting up. We had about 12 different workers in different parts of the State, selected and managed by community organisations, running six sobering up centres. We were funding them and making sure they were managed properly.

80 I still believe strongly in the concept of sobering up centres. I took over as manager of drug and alcohol programs. It was under that program that the sobering up centres were established. But when I retired, I don't know what happened to them. Maybe they lost funding.

Aboriginal Hostels

81 In 1990, I was appointed by Robert Tickner, the Commonwealth Minister for Aboriginal Affairs at the time, to the Board of Aboriginal Hostels. Apart from my family, this appointment is one of the most important things that has happened to me.

³⁰ Annexure A, 39.

³¹ Annexure A, 50.

³² Annexure A, 41.

82 The hostels provide a home away from home for Aboriginal people. We have different categories of hostels – educational, student and medical, even renal dialysis. Hostels provide somewhere other than friends or relatives' places to stay, saving on overcrowding.³³

Sydney Olympics

83 I was appointed to the National Indigenous Advisory Committee to the Sydney Organising Committee for the 2000 Olympic Games. We were responsible for the Aboriginal content in the Opening Ceremony, highlighting to the world that there are still Aboriginal people in this country.³⁴

84 I was invited to carry that Olympic torch down part of St Georges Road in Thornbury, Melbourne. My section was from Miller Street to Oakover Road and by coincidence this was in front of the big Aboriginal mural at the Aboriginal Advancement League: it made me feel very special.³⁵

85 For the Paralympics, which was three weeks later, I was invited to carry the Paralympic Torch in the stadium during the Opening Ceremony.³⁶

National Indigenous Strategy for Literacy and Numeracy

86 In 2000, the Commonwealth Minister for Education asked a few Aboriginal people with a bit of a profile to act as ambassadors as part of the National Indigenous Strategy for Literacy and Numeracy. Our role was to go around talking in schools, particularly to Aboriginal students and their parents, trying to encourage them to stay on a bit longer at school so they could improve their education, give themselves more options, go for better jobs and perhaps a better life.³⁷

87 I am still passionate about education for Aboriginal people today and have worked with young Aboriginal people through some of my patronages.

Koori Court

88 One of the best programs I've ever been involved in that recognises the importance of identity is the establishment of the Koori Court in 2003.³⁸ My daughter, Rose, was working in the Department of Justice and helped write the policy at the time. I was asked to be an Elder sitting on the Koori Court in the Broadmeadows Magistrates' Court and in the Children's Courts in Melbourne and Heidelberg.

³³ Annexure A, 48–49.

³⁴ Annexure A, 52–53.

³⁵ Annexure A, 53.

³⁶ Annexure A, 53.

³⁷ Annexure A, 57.

³⁸ Annexure A, 61.

- 89 When the Koori Court first started, I was a bit sceptical because I thought it might have been a soft touch, but it's not.³⁹ It's a terrific way of keeping young Aboriginal people out of prison, helping turn a negative into a positive.
- 90 First of all, you have to plead guilty to be heard. You can go into a mainstream court and stand behind your lawyer. But in Koori Court, we don't do that. We aren't interested in that. We're interested in you. Why have you broken the law? Why are you mucking up? Why are you getting pulled up? I said to one bloke, "*You gotta show this court some respect. Otherwise how am I going to respect you?*" And I said, "*I know you, your grandparents and I know your parents and I know all your family.*" I said, "*They'd be ashamed of what you're doing*", you know, if he's been fighting around and, and into drugs and grog. And I said, "*Mate, they'd be really ashamed of what you're doing*", I just tell 'em to pull up, "*It's time to grow up now, and I don't want to see you back here because next time you'll be in the slammer*".⁴⁰
- 91 I'd say, especially for young blokes that have a Ministry of Housing unit, that just got established with his wife, maybe an apprenticeship, you break the law you lose all of that. You start over. The cycle starts off. I would say "*If you break the law, you'll lose your apprenticeship. Who's going to employ you to come into my house to look at the plumbing? I wouldn't let you in my bloody house*". That type of thing. In the end, I'd tell them that if you lost your license and you got your car out there, then I suggest you sell your car because it might be pissing rain tonight and you need some milk and bread. And what do you do if your wife can't drive? You gotta take the risk. You do that, you'll lose it. So, I tell them, sell the car.
- 92 We meet before we go into court. There are two Elders that sit together. Mainly female and male. We don't have a discussion with the fella that's going to appear before us, but we talk with the Magistrate about what this person has done. If there is anything culturally that comes up, then talking with the Magistrate about that, anything from intergenerational trauma to Stolen Generations to domestic violence. Because the Elders normally know more about them than would ever come to light in a normal court setting. I have the cultural input and provide the cultural education.⁴¹
- 93 It's a good program. And it was very rewarding.
- 94 We saw some recidivism in the early days, but less and less as time's gone on. I'd see them in the supermarket, and they'd call me over to meet their wife and kids. They're proud to know that we've given them another chance and they're proud to introduce us to their family.⁴² And that's a very good thing.

³⁹ Annexure A, 61.

⁴⁰ Robin Poke Interview, Session 2, 47:16–48:04.

⁴¹ Robin Poke Interview, Session 2, 45:54–46:27.

⁴² Video Documentary, 18:39–18:46.

95 I retired from the Koori Courts in 2019, after 17 years. A photo of a certificate issued to me by the Magistrates' Court in recognition of my service to the Koori Court is at **Annexure F**.

Commonwealth Games – Committees

96 In 2002, I was appointed to the Disability Advisory Committee for the 2006 Commonwealth Games in Melbourne. I was also a member of the Indigenous Committee for the 2006 Commonwealth Games.

97 Further details regarding my working life are set out in Chapters 6, 10, 11, 13 and 15 of **Annexure A**, as well as in the Video Documentary.

Connection to culture, language and Country

98 For generations, the Wotjobaluk language has been lost. When the missionaries moved in, they instructed our people, "*You're not allowed to speak that heathen language and you've got to speak English*".⁴³ Hopefully now, our language can be revitalised.

99 The old mission at Balranald is now run by the Aboriginal Land Council, which is elected by the community. There's still a good strong mob there. We're lucky – we know where our ancestors' country was and is, being Wotjobaluk Country, which is in what is now known as the Wimmera in western Victoria. We know where we were born and have an affinity with our land.

100 Family is so important. People need to know where they come from, to have an identity and cultural connection they can be proud of and have. So many still don't know where they belong – it all goes back to the Stolen Generation.⁴⁴ If you ask any Aboriginal family about the Stolen Generation, nearly every family has been affected by the removal of our kids, through this injustice.

Recognition

101 I was awarded the Order of Australia Medal in 1983, in recognition of my service to sport for the disabled and to Aboriginal welfare.

102 In 1988, I was presented with the Sir Ludwig Guttmann perpetual trophy for outstanding contribution to wheelchair sport.

103 In 1998, the Minister for the Sydney Olympics rang out of the blue and said can you come up to Sydney on Wednesday; we are naming some streets after sporting people and we're going to name one after you. It was an unbelievable honour.⁴⁵

⁴³ Robin Poke Interview, Session 1, 02:54–03:20.

⁴⁴ Annexure A, 60.

⁴⁵ Annexure A, 51.

- 104 In 2000, I was one of the Elders at the historic sitting of the Victorian Parliament, when all the politicians assembled from all parties committing themselves to the process of Aboriginal reconciliation and to healing the pains of the past. In my speech, I said that reconciliation means acknowledging the true history of Australia with all its pain and suffering and saying sorry. It means working together to overcome difficulties still experienced by Indigenous Victorians in the areas of health, housing, education and incarceration.⁴⁶
- 105 In 2007, I was inducted into the Basketball Hall of Fame.
- 106 In 2010, I was awarded the Deadly – Ella Award for Lifetime Achievement in Aboriginal and Torres Strait Islander Sport.
- 107 In 2012, I was inducted into the Victorian Indigenous Honour Roll.
- 108 In 2016, I was inducted into the Australian Paralympic Hall of Fame. That same year, the Uncle Kevin Coombs Medal for the Spirit of the Games was created by Paralympics Australia.
- 109 Further details regarding recognition of my achievements are set out in **Annexure A** and the Video Documentary.

What needs to change

Soldier settlement scheme

- 110 I think it's wrong that Aboriginal soldiers like my grandfather and his brother went to war and fought for Britain but weren't given land like the other soldiers when they returned. Especially when this was their country in the first place. They went through the war and it affected them but they weren't supported when they came home.
- 111 As I said, I'm still waiting for me land.

Sobering up centres

- 112 I was proud of the work we did to create the sobering up centres. I don't know why they stopped that program. I think they were so important for Aboriginal people and their families and should be reinstated.

Community education and awareness

- 113 We should put all this stuff into schools about Aboriginal history, Aboriginal culture, and Aboriginal lifestyles. It should have been in the education system many, many years ago.⁴⁷

⁴⁶ Annexure A, 56.

⁴⁷ The Conversation Hour: Victorian Treaty talkback forum, 34:19–34:36.

114 Those clowns in Canberra, as I call them, they always talk about the boat people. Well how did their ancestors get here? They didn't come here by jet, did they?⁴⁸

White Australia policy and British rule

115 We're all in this together, we're all Australians. The best thing that ever happened to Australia was to get rid of the old White Australia Policy.

116 I've met Prince Charles twice and I've got nothing against him. I think the Royals are very good for what they do over in England, but I don't think we need to be monarchist out here. They're thousands of miles from us. I think we can stand on our own two feet.⁴⁹

Education of Aboriginal people

117 The key to so many problems is employment and education. People need to have a reason to get up in the morning, and for those with alcohol or drug problems they need a reason to stop drinking or taking drugs.⁵⁰ If you've got a good education, I tell a lot of kids here in Melbourne because I worked in the Koori Courts, I'd always say to the young blokes, while you're in gaol or in the centre for youth, maybe you can study up and see if you can get a bit of education behind you.⁵¹

118 One of the big judges down here, he had a saying: *"If you open a school, you close a gaol"*. He's pretty right there.⁵²

119 I have supported the Poche Centre for Indigenous Health and Murrup Barak at the University of Melbourne. The Poche Centre continues to bring the next leadership of Indigenous people in Victoria forward, and Murrup Barak is a place where Aboriginal students can come and be themselves. We encourage them to study and get through. One of my granddaughters went there and she got a degree. She's done very well.⁵³

120 Whenever a young Indigenous student is facing self-doubt, I like to quote Marcia Langton, the Foundation Chair in Australian Indigenous Studies at Melbourne University. Marcia said: *"Don't ever feel guilty about getting an education because you bloody deserve it"*.⁵⁴

Reconciliation

121 When I addressed the Victorian Parliament in 2000, I concluded that I began my international sporting career competing under the Stoke Mandeville International Games Federation motto

⁴⁸ The Conversation Hour: Victorian Treaty talkback forum, 43:58–44:11.

⁴⁹ Kurt Fearnley Podcast, 40:27–44:03.

⁵⁰ Annexure A, 57.

⁵¹ Annexure B, 2.

⁵² Annexure B, 2.

⁵³ Annexure B, 3.

⁵⁴ Annexure B, 3.

of 'Sportsmanship, Friendship and Unity'. I've tried to carry that motto through all aspects of my life. I would like to think that one day both black and white Australians will embrace that motto.⁵⁵

122 That was over 20 years ago, and we're still talking about the same problems!

Government inaction

123 In the year that I was working for the National Committee on the International Year of the Disabled, I was lobbying politicians to improve housing and health for Aboriginal people. Bureaucrats often have wonderful ideas which don't ever eventuate or see the light of day. I produced a final report at the end of my year with the Committee, which I found out is still sitting in some bureaucrat's file up there in Canberra.⁵⁶

124 What I want to see is government actually listening to Aboriginal people about what's needed to help our communities, instead of writing report after report and then saying it's all too hard or letting good ideas go to waste.

Treaty

125 In my lifetime, I'd like to see Treaty happen. Not a Treaty where they're gonna take over land or anything like that. Just to give us a seat at the table. When Mabo first came on the scene, some politicians said *"Oh they'll be taking your backyards, the MCG will be gone, everything will be handed over to the Aboriginal people"*.

126 That's not what it was about, it was about being recognised. I'm hopeful. The most important thing is that it be recognised that we are the First People of this country.

127 In a Treaty, I want to ensure that each clan group/traditional owner group has Aboriginal education programs and assistance, authentic Aboriginal history within schools, employment and higher education opportunities, more protection and conservation of our culturally significant places, a strong economic foundation that includes and enhances opportunities for various business streams that will provide a strong financial position for generations to come.

First Peoples' Assembly

128 I have concerns regarding the lack of transparency in the First Peoples' Assembly, a lack of "old school" genuine community consultations. As an Elder, it concerns me that the Assembly wanted me to register to vote, so I did; they wanted me to vote, so I did. And now I feel that they don't want any input or discussion with the Aboriginal community or me, as in the three years they have been established there has never been a statewide community meeting, so we

⁵⁵ Annexure A, 56.

⁵⁶ Annexure A, 38.

can come together and discuss what work the Assembly has done and more importantly, is proposing.

- 129 I would like to see a statewide Treaty forum, and I would like to see more Assembly members other than the Co-Chairs of the Assembly in the media. Most importantly, if you state that you are speaking on behalf the Victorian Aboriginal Community, engage properly with the Victorian Aboriginal community.
- 130 The Assembly needs to stop spending so much money (such as basketball sponsorships) on ensuring that the broader community are Treaty informed and start respecting and engaging with Victorian Aboriginal communities to ensure that they are included, informed and are self-determining.

Constitutional recognition

- 131 I am a supporter of the Uluru Statement from the Heart. I am nearly 81 years of age and even though I know that Victorian Aboriginal people are recognised in the Victorian State Constitution, I believe that now is the time for Aboriginal people across the country to be recognised in the Australian Constitution. This will also ensure that the broader communities know that WE were here first, this was not an empty country and that WE, the First Nations people, were and continue to be the Traditional Custodians of this country. It is a matter of urgency now that Aboriginal people have a Voice to Parliament.
- 132 When we have power over our own destiny, our children excel.
- 133 I congratulate the newly elected Prime Minister, Anthony Albanese in making the Uluru Statement from the Heart a priority for his government.
- 134 Before I vacate this world, I want to see Treaty and I want it to be recognised in the Constitution that Aboriginal people were here and that this country wasn't empty when the British people came here. There were over a million people here then, probably more. I'd be very happy if that happened.⁵⁷
- 135 We've gotta right the wrongs of the past.⁵⁸

Dated 24 May 2022

⁵⁷ Kurt Fearnley Podcast, 37:56–39:56.

⁵⁸ The Conversation Hour: Victorian Treaty talkback forum, 20:42–20:47.