



---

TRANSCRIPT OF DAY 2 – WURREK TYERRANG BLOCK 2

---

**PROFESSOR ELEANOR BOURKE, Chair**  
**MS SUE-ANNE HUNTER, Commissioner**  
**DISTINGUISHED PROFESSOR MAGGIE WALTER, Commissioner**

**THURSDAY, 26 MAY 2022 AT 1.35 PM (AEST)**

**DAY 2**

**MS FIONA McLEOD, Senior Counsel Assisting**

Transcript Produced by  
**LAW IN ORDER PTY LIMITED**  
ACN 086 329 044  
T: 1300 004 667  
W: [www.lawinorder.com.au](http://www.lawinorder.com.au)

  
**LAW IN ORDER**  
Where work flows.

Yoorrook Justice Commission

[Acknowledgment of Country and reflections on Sorry Day from Commissioner Hunter]

5 CHAIR: On behalf of the Yoorrook Justice Commission, I would like also to acknowledge  
that this sitting occurs on Sorry Day and it is a day that we remember those that are no longer  
with us and those affected individuals, families and communities. And we thank our Elders  
and community members who have spoken with us on our journey around the State, and we  
thank them and we remember them and acknowledge their hurt and remember them always.  
10 And thank them for sharing stories with us about those who are no longer with us. Counsel.

MS McLEOD: Thank you, Chair. Today we welcome Uncle Kevin Coombs to the hearing  
room and Uncle Kevin's family. He is joined by his daughters, Rose Falla, Janine Coombs  
and his grandson Jordan Coombs. So welcome all. I will, Uncle, invite the ceremonial officer  
15 to give you an undertaking to tell the truth.

**<KEVIN RICHARD COOMBS, SWORN**

MS McLEOD: Thank you, Uncle, with the assistance of the staff of Yoorrook and those  
20 assisting them, you have prepared a witness statement. And is that witness statement true and  
correct?

KEVIN COOMBS: Yes.

25 MS McLEOD: Yes. What I'm going to do this afternoon is to ask you some questions, but  
also play some video and then ask you some questions about a documentary that has been  
made by you about your life. Okay? Could I ask you, first of all, to introduce yourself to  
those following the hearing and to the Commissioners, please?

30 KEVIN COOMBS: Yes, thank you. I'm Kevin Richard Coombs, a Wotjobaluk man, but - and  
also I was born in Wemba Wemba Country in Swan Hill so many years ago now, as I'm  
approaching my 81st year in life.

MS McLEOD: And could you tell us where is Wotjobaluk Country? Where is Wotjobaluk  
35 Country?

KEVIN COOMBS: Oh, the - Wotjobaluk Country, in the Wimmera between Dimboola and  
Horsham.

40 MS McLEOD: Tell us a little bit about your grandparents?

KEVIN COOMBS: My grandparents.

MS McLEOD: Yes.

45 KEVIN COOMBS: On the Clayton side?

MS McLEOD: Mmm.

KEVIN COOMBS: Yes. We called him Bap and he was a great man. I can just remember  
aunty - his grandmother, Nellie, Nellie Briggs she married Tommy Clayton. Tommy Clayton  
had recently come from Guresta up near at Wellington Point, up around that area, and great to  
me as a grandfather. He - when - we had a lot of trouble maybe at home. There was too much  
5 alcohol around for us. So he would pack us up in a horse and buggy and we would go down  
to Heathcote where he knew this fellow down there that had so many - so much land he  
needed to clear it. So we would go down and cut trees down and clear the land. We used to  
help him as kids. Yes.

10 MS McLEOD: And your great grandfather, Albert Coombs, he was also born in the  
Wimmera?

KEVIN COOMBS: Yes.

15 MS McLEOD: So tell us about him.

KEVIN COOMBS: Albert Coombs, I didn't know too much about him, but I knew Alfred  
Jackson Coombs who went to the First World War in France and didn't go to the ANZAC,  
thank God. Him and his brother Bill, Billy, he was 15 when he went to war with the - hard to  
20 imagine going to war when you're 15, but he did. He went over there with his big brother.  
They fought over there for four to five years in France. He come back because they were  
badly gassed, and I think they were injured.

25 But I can't remember grandfather, but I can remember Uncle Bill. And he - he didn't like to  
be around people. He wanted to just get his - what he had to get, his supplies, and him and his  
wife would go off and you wouldn't see them for another six weeks because he didn't - he  
didn't want to be around people because of what he went through in that First World War.

30 MS McLEOD: You tell us in your statement that when your grandfather went to sign up,  
when he went to enlist, he got knocked back the first time?

KEVIN COOMBS: Yes, I understand so, yes.

MS McLEOD: And then he signed up under a different name.

35

KEVIN COOMBS: Yes.

MS McLEOD: In fact, he also signed up in another place, didn't he. He signed up in Bendigo.

40 KEVIN COOMBS: Yes, he went to Bendigo, I think and signed up there. But we wonder  
why a lot of our people, you know, sort of changed their name and he was one of them.

MS McLEOD: Do you know why he had to change his name?

45 KEVIN COOMBS: No, I don't.

MS McLEOD: When he came back from the war, you said that it was his - your grandfather's  
brother who was gassed?

50 KEVIN COOMBS: Well, yes.

Yoorrook Justice Commission

MS McLEOD: And how was he, health-wise, after his return?

5 KEVIN COOMBS: He was - what do they call it nowadays, stressed out, what would you say?

MS McLEOD: PTSD. Yes. Post-traumatic stress disorder.

10 KEVIN COOMBS: PTSD. Yes, that's right. Yes. As it's known today but, as I've said, he didn't want to be around people, and, yeah, life was - he would just get his supplies and head bush. Him and his wife. Yeah. Aunty Bridget.

MS McLEOD: And your grandfather was awarded medals for his service?

15 KEVIN COOMBS: Yes.

MS McLEOD: The Victory Medal and the British War Medal.

20 KEVIN COOMBS: Yes.

MS McLEOD: You have a photograph that we can share with the Commissioners of the coin minted with details of his service that we might - that's on the screen now.

25 KEVIN COOMBS: Yes.

MS McLEOD: So that's in a little case. Could you tell us about the case that was made to hold that coin?

30 KEVIN COOMBS: Well, this gentleman from Adelaide, I don't know how he got involved with it, but he knew that the Coombs' come from up around Swan Hill way, so he got in touch with the RSL up there, and who knew one of my nieces up there, so she passed on my details to him and he said to me - he contacted me and said he's not going to put it in the mail. He said, "I want to take it from my hand into your hand because I don't trust anyone because it's a very important medal." And that's it there and I'm very - I said to him, I said, "You put a big smile on an old man's face, mate." And I'm very proud of that. And so is our family, yeah.

40 MS McLEOD: You can't see it in that photograph but around the edge of the coin is the inscription with his service.

KEVIN COOMBS: Yes.

45 MS McLEOD: When they got back from the war, having served and been awarded medals for their service, how were they treated?

KEVIN COOMBS: Well, like they were treated before they went. They were just another blackfella, I guess. But this - it was very - very pleasing to get that back and to end up being friends with the person that - nowadays of the person that - she was doing her history about her own relatives, and they called him Happy Jack. That was my grandfather. He was in

uniform, and he looked very much like my young brother, who was a strong, fit-looking bloke. He could fight like a thrashing machine. So it was a great thing to see, really.

5 They sent photographs and they said - they sent it to Koorie Heritage Trust in Melbourne and they said, "Do you know any Coombs'?" And they said yes, because I was on the board of the Koorie Heritage Trust at the time and they said, yeah, well, they would pass it on to me and I said, "Yeah, that's the man." But, no, I'm very proud of that.

10 MS McLEOD: You said when they came back, they were treated like other blackfellas.

KEVIN COOMBS: Yes.

15 MS McLEOD: And we've heard some evidence from Uncle Johnny Lovett about his family returning and missing out on Soldier Settlement properties.

KEVIN COOMBS: Oh, yes.

MS McLEOD: Was your grandfather and great grand uncle in the same category?

20 KEVIN COOMBS: Yes.

MS McLEOD: They came back and they missed out?

25 KEVIN COOMBS: Yes. And I was on a radio program one day with the Jon Faine – Jon Faine when he was the - had the radio program on the ABC in the mornings, and I said to him - he asked me that same question, I said, "Well, I'm still waiting for our land." You know, if you went to war, you got a soldier settlement block. But he said, "Kevin." He said, "I don't think you're going to get it." This is only a couple of years back. But that's the way it was, I guess, at the time.

30

MS McLEOD: And just before I leave your grandparents, your great grandfather, Albert Coombs, you say he was a bit of a radical. He was making requests to the management of the mission at Ebenezer for leave to do various things. Could you tell us about that?

35 KEVIN COOMBS: Yeah, well, I - when we had that reconciliation thing with the - when Steve Bracks was the Premier and a few other people were - had to speak that day and I said - in my statement, I think I said I wonder what my great grandfather would think of me today, what he would - have a big say today about that. Because he wanted more blankets and he wanted more sheep to survive and he wanted the - he used to write to, I suppose, at the  
40 time he would write to the government and say he wanted all this stuff to survive, really.

MS McLEOD: So this is the 1870s.

45 KEVIN COOMBS: Yes.

MS McLEOD: To have some sort of self-sufficiency or independence, he needed to seek permission from either the mission management or the Victorian Parliament, did he?

50 KEVIN COOMBS: Yes.

MS McLEOD: The government.

KEVIN COOMBS: He was going over the head of the mission manager, I think, and that's where he got himself into trouble.

5

MS McLEOD: Right. Well, they weren't too happy with him writing the letters.

KEVIN COOMBS: No.

10 MS McLEOD: So what happened?

KEVIN COOMBS: I'm not sure, really.

MS McLEOD: Yes. You tell that he kept getting kicked off the mission.

15

KEVIN COOMBS: That's right. He - he ended up leaving Ebenezer and stayed at a place called Antwerp. Antwerp, yes.

MS McLEOD: Tell me about your parents.

20

KEVIN COOMBS: My parents were terrific. Cecil Coombs and he was a drover and a wood cutter, because there wasn't a lot of money around in those days. You had to go out and - no sit-down money, as they call it, at different times. He married Rosie Clayton. Hence the Rose I've got now.

25

MS McLEOD: Named after your mum.

KEVIN COOMBS: My mum, yeah. And they were wonderful people, but mum died when we were - when I was 5. And I was the middle child of our family. We had five kids in the Coombs family and her sister, Aunty Sylvie Murray, assisted our - so she said, "You're not going anywhere. You're not going to those terrible orphanages. So you're coming with us." They had had two boys, Ray and Alec, and we went and stayed with them, and they brought us up and made sure we went to school and we were pretty well looked after. They looked after us pretty good.

35

MS McLEOD: Okay. We have a photo of your parents' wedding, I think, that we will bring up and share.

KEVIN COOMBS: Yes.

40

MS McLEOD: So hopefully you can see that, Uncle. So who's in that photograph?

KEVIN COOMBS: Sorry?

45 MS McLEOD: Can you tell us who's in that photograph?

KEVIN COOMBS: This bloke down the bottom

MS McLEOD: On the left-hand side, yes.

50

Yoorrook Justice Commission

KEVIN COOMBS: On the left-hand side, that's Shot Pearce from Robinvale. He was dad's mate. And Dad, of course. Mum and then Auntie Sylvie. Sylvie Murray.

MS McLEOD: Who ended up looking after you.

5

KEVIN COOMBS: Yes, and that car, for instance, is owned by Billy Briggs who happened to be - you might have heard of Paul Briggs?

MS McLEOD: Yes.

10

KEVIN COOMBS: His father. So I said to Paul one day, I said, that car would be worth a lot of money today, wouldn't it? It sure would be. So they are a handsome looking mob, aren't they?

15 MS McLEOD: Lovely. A beautiful photograph. Thank you for sharing that. So Auntie Sylvie, who is there on the right of the photo, took you into care when your mum died.

KEVIN COOMBS: Yes. Yes.

20 MS McLEOD: And you still had a dad. Your father was still alive.

KEVIN COOMBS: Still alive, yeah.

MS McLEOD: But there was a risk that you would be taken orphanage, you said.

25

KEVIN COOMBS: Yeah, well, him and Auntie Tibs. Sylvie Murray, her husband, Ronnie Murray or Ridley Murray, he did very well because he had the contract at Balranald to supply all the timber for the steam room at the hospital. So he would supply - well, he did very well just after the war. He had his own truck. He had his own block of land. He had his own sawmill. He had his own car. So he did very well. And we were brought up pretty good. When I say that, they call him Shot. His name was Tommy Pearce.

30

And Tommy Pearce, he was always wearing bandannas, red, you know, with - saying he was an outlaw of - of social justice, I suppose, and he was - he was saying that he would always wear red and we - a lot of our people used to call him Shot - Big Shot. Big Shot. Yeah.

35

MS McLEOD: Uncle, you have held many important positions in your life, including in Health, Disability, Sport, Justice and what we have is a documentary which is '*Understanding Uncle Kevin Coombs*' that was made involving yourself speaking. So if you're happy with this, what I will do is I will play a segment and then we can talk about it and then we will go through it that way.

40

KEVIN COOMBS: Okay. Yes.

45 MS McLEOD: Are you happy with that? But the first part is going to show you at the Olympics. So we definitely come back to that.

**(Video of '*Understanding Uncle Kevin Coombs*' played)**

50 **(Video stopped)**

Yoorrook Justice Commission

MS McLEOD: A few themes to come back to, if I may. First of all, to ask you about, before the accident, growing up in Balranald - - -

5 KEVIN COOMBS: Balranald, yes.

MS McLEOD: What was your experience of growing up in the town there and going to school there?

10 KEVIN COOMBS: Well, in the early days, my hometown of Balranald was a fairly racist town because - the reason why I say that, they had two schools, one for the blacks, one for the whites. And my eldest sister had a lot to do with changing all that because - Dawn, her name was, she owned the roo works up there and the roo works employed a lot of people in the town as shooters, skinners, and sort of like - I could go up there at the weekend and shoot  
15 about 20 roos. Well, that would pay for my weekend.

But after that was all the roos had to be tagged, you had to be a professional shooter, you couldn't do that anymore because she had a lot of those people that were on her payroll were those ex-racist, if you like. So she changed a lot of that, which is fantastic. But I often - I used  
20 to go - when our kids were small and the girls were small and we would come home from work and throw the - throw all our gear in the car and away we would go. Five hours later, we would be having dinner with my sister. And she passed away some years ago now. So that doesn't happen, but I get up there occasionally.

25 MS McLEOD: Did you experience that racism at school?

KEVIN COOMBS: Yes, we did. But they let us - the teachers let us sort it out ourselves. We used to go behind the shelter shed and - - -

30 MS McLEOD: So it mostly was from the other students?

KEVIN COOMBS: Yes. I've got to say, they were pretty good. A lot of fellows are friends of mine, today. Yeah.

35 MS McLEOD: The shelter shed was obviously effective at sorting out the differences.

KEVIN COOMBS: Yes.

40 MS McLEOD: What about other forms of segregation, or similar, in the cafés, in the picture theatres around town; places like that?

45 KEVIN COOMBS: Well, when we used to go Saturday afternoon movies, the Aboriginals used to sit on one side, the whites on the other side, and the same with the café that we used to go to. We wouldn't get served if we went in the front door. We had to go in the side door. So that did happen, yeah.

MS McLEOD: And have you seen that sort of racism persist over your lifetime or do you think it's improved?



KEVIN COOMBS: No, I think it's improved a hell of a lot. And so it should. Except to say when I was playing cup-level basketball, I think we were in - I can't remember where we were, but he - - -

5 MS McLEOD: Tel Aviv, maybe.

KEVIN COOMBS: This - we were in there, I was with me mate, Billy Mather-Brown from Western Australia. He was in our team, and he drinks coffee or tea, and I was having a cold beer and this Zimbabwean bloke come in and said, "They're opening the bars for niggers  
10 nowadays" so I did feel that in my international career.

But my Australian manager - I went back and told him, and he said, "Point him out to me tomorrow." So we went down for breakfast the next morning, and this bloke - this Zimbabwean bloke, he was bright red. You could see he'd had a big night on the grog. And  
15 Kevin Betts, my manager, went up to him and grabbed him by the shirt and stood him up like that, and said, "Don't you ever talk to one of my boys like that ever again." And threw him aside. And I got to say, that Zimbabwean bloke never left my side for the rest of the game because he was a very good friend in the end.

20 MS McLEOD: And did you lose connection with your father at some point?

KEVIN COOMBS: Sorry?

MS McLEOD: Did you lose connection with your father at some point after your mum died?  
25

KEVIN COOMBS: Oh, yeah, well, he was a wood cutter, and he was working up at Mansfield. And before that, Picola - the bloke who owned the two sawmills, Cec, my dad, used to - when it would go quiet at Picola, they would send him to Mansfield and he would work on the mill there. And one of his mates rang me and said, "Listen, there's something  
30 wrong with your dad. You better come up -" because they didn't want him to be staggering - they thought he was on the grog but he was - he had Hodgkinson's disease, which is a cancer of the neck.

And he was a sort of staggering a bit, and they didn't want him to be falling around where  
35 these big saws are going around. So I went and got him and brought him down to Melbourne. And then he was in the - he was - you can't - like, he loved to drink. So he used to wander up to Fitzroy here and he would - he would have a couple of beers and when he was coming home to my place I had in Collingwood, he would step off the gutter and he fell back and cracked his head.

40 And then it went - the cancer went rampant right throughout his body, because I went into see him - he said he wanted a 'koni', which means he wanted to use his bowels. And he - they were filling him up with - they thought he was - he had the runs. They were giving him the opposite, to block him. And - because when I went in there a couple of days later, because he  
45 was getting angry and he was sort of waving his arms around, this Indian doctor said to me, "Can you sign here?" I said, "What am I signing?"

He said, "We're going to commit him." I said, "You're going to what?" If I could have reached across, I would have punched him because I had pretty big arms in those days when I  
50 was fit and healthy. I was so upset, I went home and rang my sister straightaway and said,

Yoorrook Justice Commission

"You better come down here tomorrow because they want to commit him." And my dad - our dad. So she took him home to Balranald, and he was put into hospital up there, and she used to go up every day to pick him up and take him down to her roo works. She had the roo works and a lot of his old mates would be there, and they would be, you know, talking about old times and that. So he died amongst his family and also his mates.

MS McLEOD: Did you manage to sort them out at the hospital with what was wrong with him in the end? When he was in hospital.

10 KEVIN COOMBS: Yeah. I did tell them in no uncertain term, yes.

MS McLEOD: Yes. Just coming back to the accident that you described in the video, the shooting accident which ended up - you were 12 years old out r兔biting with your cousins.

15 KEVIN COOMBS: Yes.

MS McLEOD: I want to ask you about the immediate aftermath of that shooting, that you don't mention that on the video. But how did you get from the riverbank where you had been shot into hospital? Tell us about that journey.

20

KEVIN COOMBS: Well, we - because we had the rights to clear the land and Uncle - my Uncle Rid - Ronnie Murray, he had the opportunity to get all that wood and sell it to the hospital. He had a contract with the hospital. So we did that and to - sorry, could I ask - - -

25 MS McLEOD: Yeah, sure. I was asking about the accident on the river. Where your cousin shot you.

KEVIN COOMBS: Oh, yes. Yes.

30 MS McLEOD: And you - were you unconscious afterwards or were you still conscious?

KEVIN COOMBS: Yes, yes. I was. Because - I will tell you the story, Stewart Murray - I understand one of the rooms here is named after him. And Stewart Murray was the bloke who saved me because he was out there and he had this old Vauxhall car, he used to clean it and polish it. And it was one of those old Vauxhalls - I think he got it from England in those days. It had the doors that used to open that way.

35

MS McLEOD: Yes.

40 KEVIN COOMBS: And he was - his son was Gary Murray. I don't know whether you heard of Gary. Gary is pretty well-known nowadays. But Stewart was a great, great bloke to me. He was - he saved my life. He run down in my - in his car and threw me in the back and Auntie Tib, Auntie Sylvie, she was there wiping me - keeping me awake because I was lapsing in and out of consciousness because I was - I lost a lot of blood. And instead of opening up gates we were about - if you imagine, we were going to Robinvale.

45

We were 16 mile in and there was a lot of gates between there to the highway so we can get to Balranald. And, as I said, Stewart used to polish this car. And by the time we got - because all those gates, he didn't bother opening them, we just drove straight through them. And by the time we got to the highway, the headlights were hanging off and it damaged the radiator.

50

So what happened, about a mile out of town, we cooked the motor and so Stewart had to run out to an Italian farm to ring the ambulance, and they got me to hospital.

5 Then they were running around, like, with their heads cut off to find out what blood group I was. So, fortunately, he lay in the next bed to me, and he pumped blood straight into me.

MS McLEOD: Stewart did.

10 KEVIN COOMBS: Yes. And that saved me until - it stabilised me until I went to Swan Hill that night to operate on me, to get part of the bullet out. Yes.

MS McLEOD: And how long did you stay in the Swan Hill hospital after that surgery?

15 KEVIN COOMBS: Well, as I said, they didn't know anything about how to look after paraplegic people. As I said, we were - I was laying in me own mess.

MS McLEOD: At the Swan Hill Hospital.

20 KEVIN COOMBS: I had 24 stitches up my stomach and for me to pass urine, the doctor used to do handstands on my stomach, because they didn't know about catheters and all that like they do nowadays. But - so I got this huge bed sore, and it was getting into me blood system, so if I had stayed there I would have died. That's why they sent me down to Royal Children's.

25 MS McLEOD: The wound was obviously very severe, that the nurse had the reaction she had when she saw it.

30 KEVIN COOMBS: Oh, yeah. Well, I lay - had to lay on my stomach for 12 months after - and had a lot of operations, skin grafts and God knows what, but I had to lay on my stomach for 12 months.

MS McLEOD: So you were at the Royal Children's Hospital for 12 months.

KEVIN COOMBS: Yes. Oh, longer than that.

35 MS McLEOD: Or more. Longer.

KEVIN COOMBS: Yes.

40 MS McLEOD: And then moved across to the Austin for the rehabilitation program.

KEVIN COOMBS: Yes. It was known as the Home for the Incurables then, the Austin was. So out of the fat into the fire, I guess.

45 MS McLEOD: You mentioned in the video the rehabilitation program you started to undertake. But before I get to that, you also mentioned the loneliness of being in hospital for that period - long period of time without seeing any family. Can you just tell the Commissioners about - a little bit about that?

50 KEVIN COOMBS: Yes, well, I didn't see another black face for two years. And that, for a kid 12 years old, 13 years old, is a big impression because, eventually, the sister in charge

Yoorrook Justice Commission

knew everyone, who's who in Melbourne, I guess, and she got in touch with Sir Doug Nicholls. And he happened to be Stewart Murray's father-in-law. So they come to visit me, and I was pretty crook. And I had, what do they call, peritonitis, which is your appendix burst. So that was even made me sicker than when I got shot. I said, God how much more  
5 have I got to go through, you know? So I give up on life then.

But those guys, Stewart and Sir Doug, come out to see me and said, "Time to stop laying around, boy. You got to start moving." And they got me going. And that's what happened then. But I'm forever grateful for Sir Doug and Stewart.  
10

MS McLEOD: Saved your life a couple of times, basically.

KEVIN COOMBS: Yes.

15 MS McLEOD: I want to ask you about the sport now. And just before I come to that, your extraordinary sporting career, after hospital - so you spent about 10 years, all up, in hospital.

KEVIN COOMBS: Yes.

20 MS McLEOD: Various hospitals. And you started to play sport through that time as part of your rehabilitation. And you moved out to a hostel in St Kilda when were you about 22 years old.

KEVIN COOMBS: That's right.

25 MS McLEOD: Was that a supported hostel? Was that a church group or some other - - -

KEVIN COOMBS: It was run by the Crippled Children's of Victoria. I don't know what they call them nowadays. But they had a place in Acland Street, St Kilda. I used to go there, and  
30 that's where I started to grow up and eventually got a job and moved out of there and got me own flat.

MS McLEOD: So let's come to the sport. And we will just play another little segment of the video but we have seen, at the opening of this documentary, you being the torch bearer - - -  
35

KEVIN COOMBS: Yes.

MS McLEOD: - - - for the Sydney Games.

40 **(Video of 'Understanding Uncle Kevin Coombs' played)**

**(Video stopped)**

MS McLEOD: Can we pause there for a sec?  
45

KEVIN COOMBS: See that guy on the right?

MS McLEOD: Yes.

KEVIN COOMBS: That is Bruno Moretti. We just lost him in a month ago. Him and I went to the first Paralympics in 1960 in Rome, yes. He was a - he was a great bloke. He was my best man in my wedding. He was my - my daughter's - youngest daughter's Godfather. So, yeah, we just lost him about a month ago. Thank you.

5

**(Video of 'Understanding Uncle Kevin Coombs' played)**

**(Video stopped)**

10 MS McLEOD: So, Uncle, you were going to represent your country at the highest level of competitive sport and you couldn't get a passport.

KEVIN COOMBS: That's right.

15 MS McLEOD: And that's because Aboriginal people weren't recognised as Australian citizens in 1960.

KEVIN COOMBS: That's right. You've got to think, 1960, we didn't get our rights until 1967. So it's a long time. But that's the way it was at the time. And I got - I thought about it after a while. I wasn't the - you know, when you look at my grandfather and his brother who went to the first world war, Uncle Stewart Murray went to the Kokoda and fought the Japanese on the Kokoda track, he - they went there without passports too. So I thought about that and thought, well - yeah, it's - you think about things and you think, well, it's not all about me, but it's about other people too.

25

MS McLEOD: In fact, not only were you not recognised as Australian citizens, but Aboriginal people were dealt with by a piece of legislation - - -

KEVIN COOMBS: That's right. Yes.

30

MS McLEOD: - - - described as flora and fauna.

KEVIN COOMBS: Yes.

35 MS McLEOD: And you mentioned that to me in our conversations as something that you weren't happy about.

KEVIN COOMBS: No.

40 MS McLEOD: You mentioned earlier the incident of racism from a fellow from the Zimbabwean team in 1968. That was in Tel Aviv, that happened.

KEVIN COOMBS: Yeah. Yes.

45 MS McLEOD: Playing sport at that highest level, the competitive level, did you experience any other sort of racism from your team or from other teams? Or was it a place where you were all on a par?

50 KEVIN COOMBS: At an international level - any other apart from that one, there was one - one case, there was a South Australian player that I had a lot of respect for and he had a

Yoorrook Justice Commission

lot of respect for me and he just said that - "I got the black man." And I said, "You wish."  
But that's the only two.

MS McLEOD: You mean he was playing on you?

5

KEVIN COOMBS: Yes. Yes.

MS McLEOD: And you also said that you met Prince Charles a couple of times?

10 KEVIN COOMBS: I met him a couple of times, yes.

MS McLEOD: You mentioned giving him the Akubra hat in the video, but you gave him another gift?

15 KEVIN COOMBS: Yes. I gave him another gift, yes.

MS McLEOD: Tell us about giving him that gift?

20 KEVIN COOMBS: I did not know anything about security around the Royals because, as I said, my team manager was a very Australian-type guy and he had one of those racing axes that Jack O'Toole used to cut a lot of - on the World of Sports, show they used to have the wood cut segments. And I had this axe under my chair and like that, I reached out. I said, "I've got another present there for you." I reach out and pull this axe out and it had - in a case, you know, "Your Royal Highness, Prince of Wales" I think he was at that time. And my mate  
25 was sitting behind me, a big Queenslander fella, and he said that the security was just about to dive on me because they didn't see the leather case -- in the axe that I had.

30 MS McLEOD: You gave them all a turn, no doubt. Can I just touch on some of your sporting achievements. You've mentioned the Olympics, 1960. You went in 1968. So 1972, you were captain of the men's wheelchair - - -

KEVIN COOMBS: Can I say I didn't go to 1964, they had the Tokyo Games. And the reason why I didn't go to that, I discovered women.

35 MS McLEOD: A few distractions?

KEVIN COOMBS: And I caught one and she's still with me.

MS McLEOD: So we will hear you talk about your wife in a moment. But that's Linda.

40

KEVIN COOMBS: Okay. Yes.

MS McLEOD: Who you caught. And she's the mother of your two beautiful girls.

45 KEVIN COOMBS: Yep.

MS McLEOD: And so can I just run through this list of extraordinary achievements. 1972, captain of the men's wheelchair basketball team, Paralympics in Heidelberg. '74, captain of the Australian men's wheelchair basketball team in the Commonwealth Games and you were

silver medallists. Commonwealth Games. '77, the Silver Jubilee games, Stoke Mandeville, mentioned on the video. That's when you saw Prince Charles again with the racing axe.

5 1980, captain of the whole Australian team at the Paralympics in Holland - in Arnhem Holland. '83 captain of the Far Eastern South Pacific Championships in Hong Kong, gold medallists. Also '83, captain of the Australian team at the Gold Cup World Championships in Halifax, Canada. And then in '84, captain of your fifth and final Paralympics, Stoke Mandeville in the UK, and that's when you gave Prince Charles the Akubra.

10 KEVIN COOMBS: That's right.

MS McLEOD: An extraordinary, an extraordinary career, if I might say so, and we might just bring up the certificate from the IPC. So “for your special achievement as a Paralympian upholding the Paralympic values, you are granted use of post nominal letters PLY.” That  
15 certificate is in recognition of your extraordinary contribution to sport, Uncle. So can I move, now, to family, and you mentioned Linda and the family and I just want to play another little segment of video for us.

**(Video of 'Understanding Uncle Kevin Coombs' played)**

20

**(Video stopped)**

MS McLEOD: Uncle, I want to come now to - there you are now shaking the former Prime Minister's hands in that shot. Prime Minister John Howard at the time, by the look of it.  
25 Uncle, I just want to move to your working life, but I wanted to ask you if that's a good time to have a break. Would you like to have a short break?

KEVIN COOMBS: No, I'm all right.

30 MS McLEOD: Keep going?

KEVIN COOMBS: Yes, thank you.

MS McLEOD: So let's come to work. You started - had an early start at a printing company,  
35 and then you did some sales work for Collies Inks.

KEVIN COOMBS: Yes.

MS McLEOD: Before you secured a traineeship with the National Employment Strategy for  
40 Aboriginals in late 1979.

KEVIN COOMBS: Yes.

MS McLEOD: So what was that employment strategy?  
45

KEVIN COOMBS: Well, it was with the Community Services for 12 months thing. After 12 months, they could wash their hands of you, and it was up to you to go out and do something for yourself. But when the 12 months finished with Community Services, I was out of a job and I went and joined this little organisation where they printed Christmas cards. And there

was four or five disabled fellas that worked there, and we used - one or two of them worked the printing machines and they printed a hell of a lot of Christmas cards.

5 You know, personal stuff. Personal Christmas cards. And so when that closed down, the woman that run that, she got all the people that were working there jobs, and because her - she was in the printing industry, she got a couple of people working in printing industry. And they got - she got me - because she knew I could talk a bit, she got me a job with Collies Inks - an interview with Collies Inks and I was there for 15 years.

10 MS McLEOD: Right. After your traineeship, you were approached by the National Committee for the International Year of the Disabled.

KEVIN COOMBS: Yes.

15 MS McLEOD: To be a representative on their committee.

KEVIN COOMBS: Yes.

20 MS McLEOD: And tell us about that work that had you travelling and speaking.

KEVIN COOMBS: Yeah, it was - Charles Perkins was the Secretary of the Department of Aboriginal - the Federal Department of Aboriginal Affairs and he said, "I know there's a bloke down in Melbourne that could talk a bit. I know he's in a wheelchair so I would like him to be on that committee" so that's how I become on the national committee. And a lot of people - on the national committee sort of liked what I was doing because a lot of people in Victoria - because I was working with the Health Commission at the time, that everyone knew I was in a wheelchair, but they didn't see me as - looked on me as disabled because I would jump in me car and go to Mildura.

30 And because of that, they never saw me as a disabled person except I couldn't walk. That is what the International Year of the Disabled was. And to - even today, I won't go anywhere that's - that is upstairs without a lift or without - I said, I was on a committee for years to try to change all that because Social Security used to be upstairs. And how you can get up there? There's no lift or anything like that. And so I won't go to places like that. Nor should I.

35 MS McLEOD: You used that role on the committee to lobby to make sure Aboriginal people got a better deal with housing and health and issues like that as well.

KEVIN COOMBS: Yes.

40 MS McLEOD: Tell us about the travel that was involved, including to Western Australia. When you travelled to Western Australia and heard language for the first time.

45 KEVIN COOMBS: Yes. Well, I went there because of the International Year of the Disabled and I went to Derby - Broome and Derby. Derby was where they had the leprosarium, and I had never seen that before nor did I think it was in Australia. But there was. And I went - went there and I seen people with holes in their hands, holes in their feet, and their hands are like that, and I said - I went and shook hands with them but they said to me, "Just be careful, the tubercular leprosy is very easy to get." So I had to be very careful of that.

50



5 But, you know, I think that was in '81, I think, and, you know, I never thought there would be leprosy around, but there was. And I was - I'm very glad I went there because there was about 350 people there in this leprosarium. They had their own jail, they had their own bakery, their own everything. You know. It was like they were a isolated community that looked after each other. But it was a sad thing to see, really.

MS McLEOD: You went to a community just outside Derby called Mowanjum . Am I pronouncing it correctly?

10 KEVIN COOMBS: How did you pronounce it?

MS McLEOD: Mowanjum .

15 KEVIN COOMBS: Just say that.

MS McLEOD: Sorry, I put my words in your head now. But tell me about hearing people speaking language for the first time in that community.

20 KEVIN COOMBS: Well, it was pretty - it was the first time I ever heard that. I got very emotional because they made a speech of welcome, and they were talking in their own language. And we were under this old bower shed they'd especially built because they didn't want me to sit out in the sun. They put me under this bower shed. And it was - it was a very - how would you say, very emotional for me to hear someone speak in their own language. And we lost all that down here because we took the brunt of the invasion, I guess.

25 MS McLEOD: Did you hear language growing up? Did you hear language? Did your parents speak in language?

30 KEVIN COOMBS: I think I did in the early days, but the church had a lot to do with that. They said, "You're not allowed to speak that heathen language. You've got to speak English." And I look back in sorrow now that we don't - we don't - I think there's an effort to try and - because there's so many different languages in Australia nowadays. But try to resurrect some of those. I hope they do.

35 MS McLEOD: I'm going to ask you about the work on the Koorie Health Unit, so we might just play the next little segment of the tape.

**(Video of 'Understanding Uncle Kevin Coombs' played)**

40 **(Video stopped)**

MS McLEOD: Just to finish off and then we will have a break, Uncle Kevin.

45 KEVIN COOMBS: Okay.

MS McLEOD: You mentioned the importance of health workers being the liaison for the hospital and the reluctance of Aboriginal people to identify as Aboriginal going in for treatment. Was that something that you came across when you first started in that work?

KEVIN COOMBS: We wanted - we wanted to - someone did a report, and I can't remember who nowadays, but there was I report done and they said we needed 42 hospital liaison officers and we ended up with eight, I think. And now that it's come down to - it's all picked up by the Closing the Gap funding, and it's an advantage for a hospital to have a hospital liaison officer and Aboriginal people coming there to hospital, because they get funding for having a hospital liaison officer, like they would have a car, they would have a computer, they would have their own office, their own telephone and they were able to get out in the community and say, "If you are sick and not well, come and see me." And they would - that's the way it started off, and I'm very happy that Closing the Gap has picked all that funding up.

MS McLEOD: So those health officers made a difference, in your view, to access to healthcare for Aboriginal people?

KEVIN COOMBS: Most certainly, yes. Yep.

MS McLEOD: And the quality of care as well, not just access?

KEVIN COOMBS: Yes.

MS McLEOD: Is that a convenient time, Chair? We might take a short break now.

CHAIR: Okay for a break?

KEVIN COOMBS: Thank you.

**<Adjourned 2:50 PM**

**<RESUMED 3:12 PM**

MS McLEOD: Uncle, before we had the break, you were mentioning the sobering-up centres and I just thought I would ask you to tell the Commission a little bit about those centres and what the purpose of them was.

KEVIN COOMBS: Yes, myself and quite a few other people - like Terry Garwood was one of them. He used to be Director of Aboriginal Affairs here in Victoria. We set up sobering-up centres around the state. I think we set up about seven. And one - the reason why was because of the recommendations of Deaths in Custody, because we wanted to - - -

MS McLEOD: The Royal Commission.

KEVIN COOMBS: The Royal Commission, yes. We wanted to stop a lot of the stuff that was happening. If a person was down the street off his face with drugs or alcohol, rather than send him home where there could be some domestic violence, people could get hurt, so what we did was had some people that was part-paid, I suppose, like a panel that would take them to the sobering-up centre and let them sleep it off. Maybe if they wanted to have a shower the next morning, breakfast, and then take them home so that a lot of that stuff didn't happen overnight.

MS McLEOD: How many, approximately, were there set up around the state?

KEVIN COOMBS: I think seven.

MS McLEOD: And who staffed them? Was it healthcare workers, was it volunteers? Who was looking after people in the centres?

5

KEVIN COOMBS: Well, we had these panels that was maybe two men, two women, that were called. They were on standby to help with the manager of the house. So that, as I said, if the person was down the street off his face with drugs or alcohol or - rather than take that home and there could be a big blue when they got home and - so it stopped a lot of that. I don't know why they didn't continue that program, because I thought it was very good.

10

MS McLEOD: So the sobering-up centres that you were involved with, they're not run anymore?

15 KEVIN COOMBS: I don't think so.

MS McLEOD: Right.

KEVIN COOMBS: I might be wrong here, but I don't know.

20

COMMISSIONER HUNTER: Uncle, how long were they open for?

KEVIN COOMBS: Sorry?

25 COMMISSIONER HUNTER: How long did they run for before they closed?

KEVIN COOMBS: Well, it was - it was - probably seven years, I guess. It might have been longer. I don't know. I can't remember now.

30 MS McLEOD: And they had some financial support from State Government, Federal Government?

KEVIN COOMBS: State.

35 MS McLEOD: State Government.

KEVIN COOMBS: State Government, yes. Where they - the State Government bought the properties, and I think the staff was - the panel was being paid part-time money, and the manager of the sobering-up centre was paid a little bit more.

40

MS McLEOD: And do you remember roughly what year it was that those centres were closed and why they were closed?

KEVIN COOMBS: No, I can't remember now.

45

MS McLEOD: Okay. Was it a funding consideration that led to their closure or was it some other concern?

50 KEVIN COOMBS: Well, I'm not sure, because I was out of it. See, I've been retired over 22 years now.

Yoorrook Justice Commission

MS McLEOD: Yes, sure.

KEVIN COOMBS: Yeah.

5

MS McLEOD: As the Commission has heard, there are still Aboriginal people being picked up for being drunk in public.

KEVIN COOMBS: Yes.

10

MS McLEOD: Some with tragic results.

KEVIN COOMBS: Yes.

15 MS McLEOD: And as a young man, you yourself knew of four Aboriginal people who died in custody. Do you recall that?

KEVIN COOMBS: Sorry?

20 MS McLEOD: As a young man - - -

KEVIN COOMBS: Yes.

MS McLEOD: - - - you knew of four Aboriginal people who died in custody.

25

KEVIN COOMBS: Yes. Yes. I did, yes.

MS McLEOD: Was that a motivation for you to setting up these centres?

30 KEVIN COOMBS: Yes, it was. Because I had a fair bit to do with - in the early stages with Richard - Richard Franklin, who was - who worked for the Deaths in Custody. Now, Richard used to come and see me when I was head of the health program and I said, "Mate, you just -" because he was trying to solve everything. I said, "You can't do it like that. You just got to step back and get some help around you and try and get some more support."

35

But he nearly had a nervous breakdown himself that year because he always come and - come into my office and we would have a talk and I would say, "Mate, you've got to get some help." And that was trying to get him some more funding so that he could do a lot more than what they were trying to achieve.

40

MS McLEOD: One of the supports that you have been actively promoting was for these young fellas to take up education when they were in custody.

45 KEVIN COOMBS: Yeah, well, that's right. Because one judge said to me, he said to me - and I think I agree with him - if you open a school, you should close a jail. And I think that's pretty sound, what he said there. If you've got education behind you - so when I was in the Koori Court system, I used to say to a lot of young people that would come before us, "While you're in there for, you know, 12, whatever term you've got, see if you can get yourself a bit of an education, and so that you can go for a better job when you get out of here."

50

Because - - -

Yoorrook Justice Commission

MS McLEOD: Given your connection to and experience with these sobering-up centres and the education programs in - for those in detention and custody, I just want to ask you to reflect on the current state of our public drunkenness laws. The government has passed an Act to repeal those laws, but the commencement date of those provisions has been delayed. The Minister gave evidence to the Commission that the hold-up of the commencement of the changes to the law - winding back those provisions - was in line with the recommendations of an expert reference group who had said that decriminalisation needed to occur with or alongside an adequate health response.

And she said there are four trial sites for a health-based response planned but the commencement was held up by the pandemic. Commissioners, please, that transcript of that discussion commences at page 350 of the transcript. Commissioner Hunter noted in her response to the evidence of the Minister:

*"Whilst we are waiting and whilst we continue to wait, kids still get locked up and people still die in custody."*

So bearing that in mind and the fact, as Commissioner Hunter noted, people still die in custody, and given your experience which we haven't come to yet about the Koori Courts and the sobering-up centres, I would like to read to you a comment that was attributed to the Police Association and reported in the media and then invite your comment. Okay. So shortly after the Minister's evidence, there was a report in The Guardian on 15 May this year which noted - and I will just read you this passage:

*"The Police Association of Victoria previously warned that decriminalising public drunkenness before having a replacement system to deal with the issue was 'dangerous virtue signalling'. Despite the government committing to establishing sobering-up centre trials, the union says the government's approach to reform has 'failed to deliver clarity to the community about the way that the reform will be implemented and how the community will be protected from alcohol-fuelled offending'.*

*'Police remain entirely unsure about what tools they will be given to properly protect Victorians and deal with public drunkenness of which', he said, '8,269 alleged incidents are recorded on average each year', a union spokesperson said. The latest figures from the State's crime statistics agency showed there were 2,984 drunk and disorderly offences recorded last year."*

So assuming that that correctly represents the view of the Police Association of Victoria and their attitude to decriminalising public drunkenness and given the Minister's statement about the need to decouple - or couple the health response with decriminalisation, can I just invite your comment? Because it sounds, from your evidence, as though the sobering-up centres that were in place were working.

KEVIN COOMBS: Well, I believe they were.

MS McLEOD: Yes.

KEVIN COOMBS: Yeah.

MS McLEOD: So can I invite your response to what's been attributed to the Police Association there?

5 KEVIN COOMBS: Yes, I think that they're wrong because they were working, and I don't know why - as I said, I can't remember why there weren't more funds for that. But it was a very good program, I thought. Because I can give you an example. What I'm talking about - I said to quite a few judges at a conference we had in town with my two brothers, the eldest brother and the youngest brother. They used to love a drink.

10 Rather than get their grog and go over the - over the river to New South Wales, they would sit in the park and have a drink. If they were caught three times in the park drinking, they got automatically three months in Pentridge. That's hard to believe, but that happened. Because I would always say, "I will be seeing you in three months, brother" and that used to happen.

15 MS McLEOD: So three times offending against drinking in public meant three months in jail?

KEVIN COOMBS: Yes. In Pentridge, yes.

20 MS McLEOD: But do you accept that there is this choice that has to be made: You don't decriminalise until you can take a step in terms of those health supports? Do you accept that proposition, or do you think something needs to be done immediately?

KEVIN COOMBS: Sorry?

25 MS McLEOD: I will put it again. The Police Association suggested that they - in summary, there shouldn't be decriminalisation of public drunkenness until they have other tools to deal with those - that type of behaviour.

30 KEVIN COOMBS: Yes.

MS McLEOD: And as Commissioner Hunter noted, people are still in custody and dying.

KEVIN COOMBS: Yes.

35 MS McLEOD: So do you accept that there's a binary choice there? Or is there some - something else?

40 KEVIN COOMBS: I think there's a choice there. I think you are right, because every time I read about someone dying in custody, I - I get very, very upset, I guess. And - like the recent one, --- Nelson, which is - and I knew some of those people. Yeah.

MS McLEOD: And you mentioned Aunty Tanya Day to me in the break as well.

45 KEVIN COOMBS: Yes.

MS McLEOD: Yeah. Anything arising from those questions, Commissioners, before I continue?

COMMISSIONER WALTER: Yes. Thank you. And I think when the Minister was here, she pointed out the implementation of the repeal of the public drunken laws had now been pushed out until November 2023. Which, of course, is quite a long time from now.

5 KEVIN COOMBS: It is.

COMMISSIONER WALTER: And, of course, we don't know if that will be the last push out. It may be deferred again. So if sobering-up centres worked before, why do we need to have trials of them this time around? Do we or do we need to trial them?

10

KEVIN COOMBS: Sorry, I'm having trouble hearing.

COMMISSIONER WALTER: Sorry, if sobering-up centres worked before, before they were closed down, do they need to be trialled, as is being proposed, or could we just accept that they worked before, we should open them, and they will work now, even if we then have to tweak as we go along to make them work better?

15

KEVIN COOMBS: Yes. I agree with you.

20 MS McLEOD: Thanks, Uncle. You mentioned the treatment of the people who had been picked up in the park drinking, three strikes, basically, and you get three months. Was your brother affected by that?

KEVIN COOMBS: My two brothers?

25

MS McLEOD: Yes.

KEVIN COOMBS: Yes.

30 MS McLEOD: And did they spend time in - - -

KEVIN COOMBS: Pentridge.

MS McLEOD: - - - in custody, yes, because of that.

35

KEVIN COOMBS: Yes.

MS McLEOD: What was the effect on them of being incarcerated?

40 KEVIN COOMBS: Well, I really don't know what - affected them but I know it would affect me to be in jail for three months just because I was having a drink in the park. I don't know what the - what their thoughts were.

MS McLEOD: Okay. I'm going to play a little bit more video that talks about your recognition for all you've accomplished.

45

KEVIN COOMBS: My - sorry?

MS McLEOD: Your recognition.

50

Yoorrook Justice Commission

**(Video of 'Understanding Uncle Kevin Coombs' played)**

**(Video stopped)**

5 MS McLEOD: Well, Uncle, you were mentioning the Koori Court and your involvement in the Koori Court there. And that was about 13 years of your time with the Koori Court, you were an Elder who sat on the court.

KEVIN COOMBS: Yes.

10

MS McLEOD: And your daughter Rose was one of the people instrumental in setting up the Koori Court program.

KEVIN COOMBS: Yes.

15

MS McLEOD: So tell us about the Koori Court program and what a difference it made to young offenders coming before the Court.

20

KEVIN COOMBS: Well, I - as I said, in that piece there, that Koori Court was - got the opportunity for the person that - first of all, they had to plead guilty to appear before us and they - most of them did. And then we would explain, in an ordinary court, as you probably know, that they don't have to say anything; they can stand behind the lawyer and the lawyer does all the talking. And we are not really interested in talking to a lawyer; we want to talk to you, brother.

25

What's your problem? What - why are you messing up? Why are you committing crimes? Why are you taking drugs? Why aren't you looking after your family? There are so many programs out there that can support you, but we want to know - we don't want to talk to the lawyer. We want to talk to you. And it gives them the opportunity to speak. But in normal court, as you probably know, they don't have to do that.

30

MS McLEOD: So the opportunity for them to speak directly to you.

KEVIN COOMBS: Yes.

35

MS McLEOD: And the fact that you're Elders who were sitting with the judge in that process.

KEVIN COOMBS: Yes, with both male and female Elders in the court, which is a pretty good process, because we have both ladies and gents coming to our courts. Yeah.

40

MS McLEOD: We know from the statistics that Aboriginal people are incarcerated at shocking rates.

KEVIN COOMBS: Yes.

45

MS McLEOD: And that this is an ongoing issue that has not yet been addressed by Australian governments.

KEVIN COOMBS: No.

50

Yoorrook Justice Commission



MS McLEOD: What do you say about the success of the Koori Court programs and the difference they make to those young people's lives? And older people's lives?

5 KEVIN COOMBS: Well, it affects both family and right throughout. There was a one - can I  
tell you this story - there was one guy that always used to say he was looking for his dog. He  
lost his dog. And he would have his kids with him. And this magistrate, who is a very good  
friend of ours, both Rose and myself, she said, "I'm sick of you coming in telling this story  
about the lost dog and you were just about to go into that place and burgle it, and you come  
10 here with your kids sitting on your lap and you are crying and the kids are crying." You  
know.

And that - he did that for 10 years. But she got stuck into him this day and I said, "Good on  
you, girl." And that - I don't know what - where he is at nowadays but she give him a good  
15 roasting.

MS McLEOD: And that sort of direct conversation with people - - -

KEVIN COOMBS: Yes.

20 MS McLEOD: - - - did you observe that that made a difference to their engagement in the  
whole process?

25 KEVIN COOMBS: Yeah, we didn't want to talk - as I said, we didn't want to talk to the  
lawyer. We wanted to talk to him. What's his problem? Why is he messing up? Why is he not  
doing the right thing by his family and his kids? You bring your kids here crying on your  
knee, and it could be the cycle that, when they grow up, they will do the same.

30 MS McLEOD: So what sort of differences have you seen over that period of time, in the 13  
years or so, that you served as an Elder in terms of recidivism and people coming back to the  
Court. Has it made an improvement? Has it made a difference?

KEVIN COOMBS: Well, I don't know the figures, but I think it did. We don't have as much  
recidivism as there used to be, but I think it's better now.

35 MS McLEOD: Yes. And what - how important is it that the Court operates with an awareness  
of cultural issues?

40 KEVIN COOMBS: It's very important because that's what we were there for. We didn't  
have - say to the Magistrate this is what - we didn't have any say in how long they were going  
to - how much they were going to be fined or how much time they were going to spend  
inside. But we didn't have that in mind to - at all, but - - -

45 MS McLEOD: So just to explain that, the Magistrate would make - or the County Court  
Judge - - -

KEVIN COOMBS: Yes.

MS McLEOD: - - - in that case, would make the decision about sentence.

50 KEVIN COOMBS: Yes.

Yoorrook Justice Commission

MS McLEOD: And that would occur after the engagement with the offender before you.

KEVIN COOMBS: Yes.

5

MS McLEOD: Yes. And so to your - in your opinion, did that engagement in the process, in the criminal justice project with Elders, with cultural sensitivity, and awareness of the reasons people might be offending, did that make a difference to those people coming before the courts?

10

KEVIN COOMBS: I would say so, yeah.

MS McLEOD: For your service as part of the Koori Court, you were awarded a certificate. We might just bring that up. In fact, the certificate is part of that glass sculpture. And as that records - I think I said 13 years, but 2003 to 2019. So 16 years of service there. I want to finish up with playing a piece from a podcast. You did a podcast with Kurt Fearnley.

15

KEVIN COOMBS: Fearnley, yes.

20

MS McLEOD: Fearnley. And just before I ask to play that, because we will finish up on that, what - I don't want you to be humble here, but what difference have you made to disabled sports people generally through the role model that you have been - the highest level of participation in Paralympic sport?

25

KEVIN COOMBS: So many years ago now, that Michael Knight, who was Minister for the Olympics in Sydney, rang me and said, "Come up here and we'll have someone to pick you up at the airport and come to Parliament House." And he said, "We're going to name a few streets after people, and one of them is going to be named Kevin Coombs Avenue." And I go in there and Dawny Fraser is sitting there and the late Murray - the long-distance swimmer.

30

SPEAKER: Murray Rose.

KEVIN COOMBS: And - what was his name - Jackson. She was the governor of South Australia.

35

SPEAKER: Marjorie.

KEVIN COOMBS: Marjorie Jackson. And a great person. And they were naming streets after - and he said, Herb Elliot is not going to be there but we're going to name a street after him and Dawn Fraser. I said, "Oh, well, I know Dawn so I will go after her." But C comes before F. So they were doing in alphabetical order. So can you imagine there was 400 cameras looking in your face and the four television networks, plus all these other cameras going off and we got through that all right.

40

45

MS McLEOD: Fantastic. And have you strolled up and down the avenues named in your honour?

KEVIN COOMBS: Yes. I was up there a couple of years back now, and Michael Knight says I've got six months to go. "Before you go home," he said, "I want you to -" I think Jordan was with me. We got to go around the street and if you want any work done on it - because I've

50

Yoorrook Justice Commission

got six months to go on me contract running this precinct down here at Homebush. Yeah. But, no, it was very good.

MS McLEOD: So I'm going to play a little bit now from the Fearnley podcast.

5

KEVIN COOMBS: Right.

MS McLEOD: And you will hear your voice and his voice.

10 **(Podcast 'Kurt Fearnley's Tiny Island: Kevin Coombs' played)**

**(Podcast stopped)**

MS McLEOD: Just coming back to that question of pride in country, you would like to see a Treaty occur in this state, this country. Do you want to say something about that?

15

KEVIN COOMBS: Yes. I think a Treaty would be great, to be recognised in the Constitution and not as flora and fauna but as people - as recognised in the Constitution as people, not, as I said, flora and fauna.

20

MS McLEOD: And what would you like to see included in a Treaty, in terms of the needs of each clan group or Traditional Owner group?

25

KEVIN COOMBS: I think it has got to be Traditional Owners, I think. And - and in land rights or - you know, that too. And it's - it's a big question, though. Yeah.

MS McLEOD: In your statement, you mention some of the things you would like to see covered by a Treaty, including Aboriginal education programs.

30

KEVIN COOMBS: Oh, yeah.

MS McLEOD: And assistance. Authentic Aboriginal history within schools.

KEVIN COOMBS: Yes.

35

MS McLEOD: Employment and higher education opportunities.

KEVIN COOMBS: Yes.

40

MS McLEOD:

*"More protection and conservation of our culturally significant places."*

KEVIN COOMBS: Yes.

45

MS McLEOD:

*"A strong economic foundation that includes and enhances opportunities for various business streams that will provide a strong financial position for generations to come."*

50

KEVIN COOMBS: That's right.

MS McLEOD: So do you want to say anything more about any of those items?

5 KEVIN COOMBS: Not really. I think if we're - you know, we're supposed to be living our lives about sharing and caring, and that was one of the things, if we got a Treaty, it should be all shared properly, not by a few smart people that get into positions and are paid heaps of money and do nothing.

10 MS McLEOD: So you mentioned also recognition in the Constitution.

KEVIN COOMBS: Yes.

15 MS McLEOD: How important is it to you that there be recognition of First Peoples of Australia in our Constitution?

20 KEVIN COOMBS: Well, I think it's the number one thing. And I'm very glad the new Prime Minister is going to take on the Uluru Statement, and I hope he gets it through, because it's very important that we as people are recognised that we were the First People here and we're pretty well - pretty good breeders. We've got a lot of our children and grandchildren and there's more to come. So they got to get the - get it right and do a lot - do away a lot of the wrongs.

25 MS McLEOD: What you say in your statement about this is, *"When we have power over our own destiny, our children excel."*

KEVIN COOMBS: Exactly.

30 MS McLEOD: And might I read paragraph 134. You say:

*"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 1 million people here then, probably more."*

35 KEVIN COOMBS: Yes.

MS McLEOD:

40 *"I would be very happy if that happened. We've got to right the wrongs of the past."*

KEVIN COOMBS: Yes.

MS McLEOD: Is there anything you would like to add to that?

45 KEVIN COOMBS: Not really. Just to be honest and say that they - we want to be recognised in the Australian Constitution. It's very important to all of us as people, both black and white, to be recognised in the Constitution that we were the first here.

50 MS McLEOD: I might just ask the Commissioners if they have any questions.

CHAIR: Actually, I have a question, Kevin. I note your comment about the First Peoples' Assembly and about consultations. It strikes me, sitting here, that at the beginning of the discussions about Treaty that Aboriginal Affairs Victoria was running, there were state-wide meetings right at the beginning. And I don't think we've had any since, have we - - -

5

KEVIN COOMBS: No.

CHAIR: - - - now that we have a First Peoples' body. Now, I know the pandemic has been part of it, but it seems to me that's - that's a bit of an anomaly. So there's no opportunity, at the moment, for people to come together. And I think what strikes me - and I just wonder what you think, about - there is talk from the Assembly always about multiple Treaties for TO groups and then a state-wide Treaty. And so it seems to be an obvious thing to be on the agenda, and I just wonder if you would comment on that.

10

KEVIN COOMBS: Well, I think you're right, because the Assembly has got quite a bit of funding and it should be shared around by all peoples, I guess, instead of just a few people that - that want to run it and forget about the other people. It's all about being transparent with your - with Aboriginal people.

15

CHAIR: Thank you. This is something we have heard going around the State about organisations that are large.

20

KEVIN COOMBS: Yes.

CHAIR: And they get funds and they - they become the whole entity.

25

KEVIN COOMBS: Yes.

CHAIR: And I find that some people - we are hearing, as we've travelled around, especially when we've gone up on the river, how some groups have said to us they don't see much difference between those groups and government departments. Which is rather harsh. But what do you see - how do you think that could be changed?

30

KEVIN COOMBS: It's an indictment in itself, isn't it, when you look at that and you see some of our people on the Assembly being like a government department. They're supposed to be there for the people.

35

CHAIR: This is about other organisations too, we've heard. But it seems to be there's something wrong with the model.

40

KEVIN COOMBS: Yes. I agree with you.

MS McLEOD: Yes, Commissioner.

COMMISSIONER HUNTER: I'm wondering if - with the sobering-up centres, I'm really, really interested in that.

45

KEVIN COOMBS: Sorry?

COMMISSIONER HUNTER: The sobering-up centres that you were part of starting up. I wonder if we can look into those and - I mean, I'm sure there was - there's some records around how they went and the statistics and things like that. Because we've already got the model, haven't we, Uncle. There's no need to be sort of waiting. But I do want to say thank  
5 you for being an inspiration to so many. Because you are, whether you like it or not.

And you're a role model and you've done amazing things and you have two amazing girls that I know and thank you for coming here and sharing. It means a lot to us. So I'm honoured. I'm honoured for you to be in the same room while you tell your story. So thank you so much.  
10

KEVIN COOMBS: Okay. Thank you so much.

COMMISSIONER WALTER: I think I've sort of almost - I was just trying to Google it and it didn't give me a good answer. But I know that Aboriginal people have been recognised in the Victorian State Constitution, but I'm not sure how. Is it in the preamble?  
15

CHAIR: It's the preamble to the Treaty Advancement Commission's legislation.

COMMISSIONER WALTER: Right.  
20

CHAIR: I don't know about anything else. Counsel?

MS McLEOD: And in the Constitution but we can - - -

COMMISSIONER WALTER: I would just sort of like to - maybe that Uncle sort of twigged me to start thinking about it, just to have a look at it and is that - it might have been ground-breaking at the time, but is it appropriate for now, given the push from the Uluru Statement for constitutional recognition and the association between constitutional recognition and Voice that's been made by the Uluru Statement.  
25  
30

CHAIR: A bit of work to do there.

MS McLEOD: Well, the Minister indicated, you will recall, Commissioner Walter, that everything was on the table, including constitutional reform.  
35

COMMISSIONER WALTER: Good to hear.

MS McLEOD: Any other questions for Uncle?

CHAIR: No, except to say thank you. Thank you so much.  
40

MS McLEOD: Uncle, is there anything you wanted to say in closing?

KEVIN COOMBS: Just proud that you asked me to come along and be here today and have my comments to this Commission. Thank you.  
45

MS McLEOD: Thank you, Uncle. The Chair pleases, I - - -

COMMISSIONER HUNTER: Sorry.  
50

MS McLEOD: That's okay. You are doing the gifts. We will do it after.

KEVIN COOMBS: Thank you very much. Thank you, dear. Yes. Thank you.

5 MS McLEOD: And thank you, Chair. Before we close, there remains I need to tender uncle Kevin's statement, which will be **Exhibit 9**, with the attachments through to **Exhibit 9.11**.

**<EXHIBIT 9 BALERT KEETYARRA OF UNCLE KEVIN COOMBS DATED 24  
MAY 2022, WITH ATTACHMENTS THROUGH TO 9.11**

10

MS McLEOD: I don't intend to tender the article I referred to, but for those - just for the transcript, I will identify it. It's an article of the 15 May 2022, in The Guardian and the title is *'From lock-up to sobering up - Victoria grapples with public drunkenness reform'* by Adeshola Ore.

15

CHAIR: So thank you, Counsel.

**<ADJOURNED 3:55 pm TO FRIDAY, 27 May 2022 AT 10AM**

20