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TRANSCRIPT OF DAY 1 – HEARING BLOCK 4

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

**WEDNESDAY, 1 MARCH 2023 AT 10 AM (AEST)**

**DAY 1**

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**MR TIMOTHY GOODWIN, Counsel Assisting**  
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**<THE HEARING COMMENCED AT 10.01 AM.**

CHAIR: Good morning, I'll just do a sound check. Can you hear me on the mic, can you hear me properly? Okay, thank you.

5

Good to go?

Good morning. I welcome everyone present and joining online to today's hearing of the Yoorrook Justice Commission. Today, we commence a further round of hearings focused on the priority areas of the Child Protection system and the criminal justice system.

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Over the next week and a half, the Yoorrook Justice Commission will hear from community members who have personally experienced these systems, or seen family members go through them. We'll hear directly about the effects that those experiences have had on them, their families and their community. The Commission will hear some evidence also from key service providers, First Peoples representative bodies and other key stakeholders.

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For many participants, there is an inevitable trauma in telling their story. It is also an opportunity for unburdening and healing. I thank all witnesses for their strength, bravery and leadership in coming forward to give evidence to the Yoorrook Justice Commission.

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The important work in this hearing block follows on from the December hearings. The Commission was privileged to hear from Aboriginal community-controlled organisations, service providers and other professionals and advocates on these key priority areas. Commissioners enter this February hearing block, also known as hearing block 4, having recently visited a number of Victorian prisons, witnessed and heard first-hand the crossover between these systems, the impacts on individuals and families, and the lack of adequate culturally appropriate services and supports.

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Before we start today's hearing, I would like to invite Commissioner Hunter to give a Welcome to Country and Acknowledgement of Country.

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COMMISSIONER HUNTER: Thanks, Chair Bourke. I'd like to start by acknowledging that we're streaming today from the lands of the Wurundjeri People, my people, and pay my respects to their Elders, past and present. I'd also like to acknowledge particularly today Aunty Eunice in her evidence coming forward by the Wright family, but also all those Elders out there and all those that have come before us to fight for justice and lend their voices to the Commission. So Wominjeka. Thanks, Chair.

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CHAIR: Thank you, Commissioner Hunter. I agree, we thank the Wright family for the experience that we've had in hearing their stories, and we're grateful for them coming forward.

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So, Counsel.

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MS MCLEOD: If the Commission pleases, I appear with Mr McAvoy to assist.

MS CAFARELLA: If the Commission pleases, Ms Cafarella on behalf of the State of Victoria. Good morning.

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CHAIR: Thank you, Counsel.

MS MCLEOD: Thank you, Chair. Today Yoorrook resumes its hearing and continues its focus on the Child Protection and criminal justice systems. As you noted, Chair, over the next week and a half, our focus is on hearing the personal stories and truth of First Peoples, individuals and families that have been through or had to deal with these systems. We expect that this will at times be difficult to hear, and the individual witnesses, for them, it can be a very traumatic to talk about these experiences.

10 We are deeply grateful to each individual giving evidence and recognise their role in helping Yoorrook to understand the effects of these systems. We thank them for their courage and willingness to stand up and tell their story and contribute their voices to a growing evidence base that we need to inform findings and recommendations for future change.

15 We also recognise that there are individuals and community members that have contributed their stories by equally important means, including, in recent times, participation in round tables, the Commissioners' recent prison visits, through submissions and through their work with Solicitors Assisting to prepare outlines of evidence that will be tendered throughout this hearing block.

20 While there is a clear crossover between community experiences within the Child Protection and criminal justice systems and a number of our witnesses will speak to both systems, in general terms, this week we'll be hearing primarily from witnesses that have lived experience of the Child Protection system, and next week the focus will be on witnesses with lived experience of the criminal justice system.

25 Yoorrook will be taking the evidence sensitively, with breaks as needed, and social and emotional well-being supports on hand. Given the sensitivities of their evidence and some of the legal restrictions around hearing evidence involving children, parts of our hearings will be closed, and we will be seeking sensitivity orders to redact certain identifying information. The purpose of this is to protect the children involved and their families.

30 We note that for the media watching, there is a media guideline that has been published on Yoorrook's website to assist you in navigating the legal framework relevant to media reporting on these issues.

35 Before we commence today, I note that the Chair has made orders under section 24 of the Inquiries Act today. The orders seek to permit - the orders permit, at Yoorrook's discretion, over this entire hearing block, part or all of a witness's evidence to be led in a closed hearing whereby members of the public, parties with leave and/or all non-essential staff to appear are requested to leave the hearing room. Yoorrook's live stream is paused and/or the relevant evidence is omitted from published video recordings.

40 The grounds for making the orders are section 24(1)(b), (d) and (e) of the Inquiries Act 2014 Victoria, namely:

45 *"A Commissioner may make an order excluding any person from a proceeding of the Royal Commission if the nature and subject matter of the proceeding is sensitive or the conduct of the proceeding would be more efficient and effective or the Commission otherwise considers the exclusion appropriate."*

Chair, you have made those orders this morning.

CHAIR: I make those orders in the terms sought.

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MS MCLEOD: The first witnesses we will hear from this morning are the Wright family, Donna, Tina, Joanne and Sonny Wright. This evidence will take place by video recently pre-recorded on country at the former Lake Condah Mission. We acknowledge the contribution of Donna, Tina, Joanne and Sonny Wright and the leadership and strong

10 advocacy of Auntie Eunice Wright. Before the video is played, can I note that at some point, around 11.30, I'll be inviting the Commission to take a break in the playing of the video, and then we will resume to finish off the video after the mid-morning break. Could I ask that the video be played now. Thank you.

15 (Video played.)

MR GOODWIN: Shall we make a start, then?

CHAIR: I just wanted to thank the Gunditjmara mob for having us here today. Thank you

20 very much for the smoking. It's great to come back and visit here. I haven't been down this way for I don't know how long, and driving here on my own was a challenge anyway, because I've always been driven here, and I thought, my God, this is embarrassing, but we're here. That's the main thing, so thank you very much. I'd just like to acknowledge your family and I remember your mother from the opening of the First Peoples Assembly on that first

25 day, so I was privileged to see her then, which I'll always remember. But I'd like to acknowledge Joanne, Donna, Tina and your brother in absentia, Sonny, because this is your family's story and we're looking forward to hearing from you about the story that happened in this place and thank you for the hospitality today as well. Thank you very much.

MR GOODWIN: So I'd also like to acknowledge country, pay my respects to the Traditional Owners, the Gunditjmara. As a Yuin man from the south-east coast of New South Wales, I pay my respects to those ancestors, to your ancestors, who still inhabit this land, and I feel them already today, so thank you. I can feel all of the people who aren't in this room who are actually in this room right now supporting you telling your truth. So I really thank you for

30 your generosity of spirit, having us here today.

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So, really. Today is your day, rather than ours, to tell your truth and so we really invite you to do that in any way that wish and however you wish and wherever you wish. So maybe first we can just start with each of you introducing yourselves and your story and then telling us

40 about this place.

DONNA WRIGHT: Donna Wright, so I'm the eldest daughter of Eunice and James Wright, Jimmy Wright as he was well-known down here, but mum was a Foster. She's an Arden. So this is where mum, she lived and she was raised and, yeah, and we've been a part of all of our

45 life and mum's kept us connected to this place.

TINA WRIGHT: I'm Tina. I'm second born, with the privilege of caring for mum the last three years of her life. Pretty heartbreaking to be here when she is not here, so I'm probably going to be emotional, and I made a promise to her at her funeral that I would not give up the

fight for justice, to just continue that work that she started. I've got three children, two good kids, one naughty one (Laughter). And six grand babies, my life.

5 JOANNE WRIGHT: I'm Joanne. I'm the baby daughter, I was actually born in Warrnambool. These two were born in New South Wales, yeah. And, yeah, I think it's so important that we get to speak mum's story and, you know, how not only did she pass the stories on to us but to our children and grandchildren. I've got seven grandchildren and they all know the story and they will pass it on to their generation, so thank you for giving this opportunity today to speak.

10 DONNA WRIGHT: Thanks, Tina and Jo, because I'm a mother of three sons. I've raised them and they are connected, but I also have ten grandchildren, who absolutely I remember mum saying to my granddaughter, mum and dad purchased a property in Branxholme just up the road and mum said "Are you coming to Branxholme?" And she said "No, nan, I'm going to the mission." She wants to live on the mission. She knows all the stories but this is our kids' safe, happy place where we can all come together as a family and just, you know, just be here on our country with our family, like we should be.

15 TINA WRIGHT: I feel like it's important that we speak the names of mum and dad - mum's brothers and sisters, for the record. We've got their photos over here.

CHAIR: Yes.

25 TINA WRIGHT: So I'd like to acknowledge my Aunty Letty, my grandmother Lyall Foster, Coletta Foster, Gloria Foster, my grandfather Monty Foster, my Uncle Ronnie Foster, my two grandmothers, great grandmothers, Granny Arden and Granny Foster, who lived in the - in the past up in the dormitory. I think that's important, because it's not only about that. It's mum's story that she brought with them.

30 CHAIR: Yes, Arden is a big name in the south coast, a very big name.

DONNA WRIGHT: Huge, we were only talking about the aunt's family groups that have married into.

35 CHAIR: That's the other thing, the connections.

DONNA WRIGHT: The family, they just went everywhere. Right across Horsham, down this way. We still have those connections, hey.

40 JOANNE WRIGHT: But, you know, that's the Foster family, that photo.

45 TINA WRIGHT: It's the only one we have. We didn't have the privilege, or mum didn't have - lost everything. So that - you see those children, those healthy, playing, fat children and that happy family. And I use those words there because I thought I needed - I wasn't going to use them but I thought, no, I've got to use them, you know, words like "murdered" because that's how I feel this Government - about this Government. I feel like the Government pissed on our family tree, so - and I need to hold them accountable in whatever justice youse can help us seek. It was a fight - we should start from mum being removed.

DONNA WRIGHT: But, you know, that photo too, you know, those - we have all these beautiful happy memories. We have these amazing stories of our families and our connections and this place and to different places and where our grandparents lived. We slept in that dormitory, 22 of us, just with candles and generator and fed our kids and we walked

5 along this kid and there is the comet at the back where - so we know these old stories that our families - so that's important. Because mum made sure we knew those stories and she shared those stories and they are our stories from our grandparents, our grandmother and our aunts and uncles that we cherish and our kids know.

10 So we honour them and respect them and make sure they know who they are, who they belong to, their country. It's really important, but to have to live this beautiful life, you know, they lived off the land. We're talking when our mob couldn't access food, our family, but they were hard workers, but they absolutely loved and cherished their children. There was a lot of families in this area that - because our family is the last family to live on this mission and by

15 taking the children, mum, Uncle Ronnie and Auntie Glor - whilst my grandmother was in hospital terminally ill with TB, my grandfather was working, this land was given as returned soldier packages.

20 But when our grandmother come home, she said her house was burnt down and she didn't know where her children were. Their oldest daughter, Auntie Letty, who Tina mentioned, was the only child that didn't get taken.

CHAIR: This was to the white returned soldiers, wasn't it?

25 DONNA WRIGHT: Not ours.

CHAIR: Yes, that's right. And that's important to say that on the record because a lot of people don't understand. That's, you know, a double theft when you think about it.

30 DONNA WRIGHT: So all those beautiful memories that families create, you know, growing up, picking blackberries and running amok here and with all their cousins and family, you know, that's the beautiful life that they had here and that all changed after that. After that day. Mum had just - mum got her record, so it was the 3rd of June in 1954 that - some of the horrible stuff for mum through her life was records. They changed her name, they changed

35 her date of birth, our grandparents' name. And she was coming home from school, hey. They come home from school and was it Auntie Ollie's house that she went to, and because grandfather was working in Yamba and Gram was in hospital. And then the police station car come. So it was Heywood police that come.

40 JOANNE WRIGHT: What was his name? Stotts?

DONNA WRIGHT: It's in the records that the - it's there, but -

45 MR GOODWIN: How old were they? Hold old?

DONNA WRIGHT: Mum was nine.

JOANNE WRIGHT: Uncle Ronnie was six.

DONNA WRIGHT: And they've even got the ages wrong. The way our mob was treated, and just even -

JOANNE WRIGHT: How old was Aunty Gloria?

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DONNA WRIGHT: She was about 12, going on 13, because she was about 13 when she run away. Yeah.

TINA WRIGHT: So is there a human rights injustice there, when you've got babies themselves.

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MR GOODWIN: Yes.

DONNA WRIGHT: But when she was - they were having their afternoon tea. They were - you know, hard enough with mum being in hospital, but they were safe and loved and cared for and getting fed and that's when the police car come and mum said she was put in the car. I don't know where Aunty Glor was at the time, but mum was saying she was in the police car and her little brother, Ronnie, was with Aunty Phyllis. That's our grandfather's sister, Aunty Phyllis Saunders. She was a Foster, and they went to her house and she had him - hidden Uncle Ronnie under the bed and told the police that he wasn't there.

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And that police officer, who Tina's talking about, said "Well, if you don't tell us where Ronnie is, we're going to come and take your children". So - and Uncle Ronnie was under the bed, so he had to get in the police car. And that's when - I don't know where Aunty Glor was but they were taken - the three of them were taken to the Heywood Police Station down here, and there is a police record that we've given to Yoorrook that records the reasons why, you know, they took the children.

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Because they were loved and they were happy and they were cared for, you know. There was just all of these blatant lies on that form about our grandfather, which is horrible to read, and then when they were - they were put in the cells at Heywood Police Station and then the magistrate, they had the hearing - I think it was on the same day, according to their records as well. So it's all the laws and the procedures to legally steal kids and then make decisions about their lives that affect them for the rest of their lives, and their families. So.

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CHAIR: Well, the Protection Act was still sort of the hangover, and I think it was 1957 that the Welfare Act came into being in Victoria, but the behaviours, it kept the same behaviours, because they set up the Department to keep being in control of what was happening with Aboriginal people's children.

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DONNA WRIGHT: And if you look at that police report, I think it is mum's file we've got. This is the file that she - they're her records. And you have a look at some of the information on there and it talks about - it was the child - the police form and it just asks about the character of our grandparents, and you've got a bit of a writing there and it's absolutely shocking and horrible to read, because there's a section on there that says - what was it about, the drinking? This is on an official Government form of the day, about alcohol use, and you had those options as a government worker or police officer, whoever you were, to describe the attitude and the behaviour of the parents. So all these lies that are written on that form. So it's absolutely disgusting to read. Because our grandparents were good people. They were hardworking people. They loved their children. They lived and breathed for them.

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And then that police record is under the Criminal Act, it says on the top of the paper that we gave to Yoorrook, and it's just shocking to read these comments about our grandparents.

5 And then the magistrate's decision. But our family was there at court that day. We had aunties and uncles, and we had family members in their defence uniforms, you know, saying, "These kids are being looked after by extended family".

10 TINA WRIGHT: The Lovett brothers. Do you know the Lovett brothers? They went to court in uniform, full uniform, and said, "We'll take the kids". Doesn't say anything in the court transcripts. Why?

DONNA WRIGHT: I don't know if there is even a court transcript. This is like a final decision procedural thing for the court so whether there were transcripts or -

15 TINA WRIGHT: Mum's always said that they said - the judge said, I don't know if it's official, but mum always said that they wouldn't allow the kids to live with them because they wanted the one-pound endowment.

20 DONNA WRIGHT: It was all about money. Yes. So that was the other lies.

TINA WRIGHT: I don't think that would have been true because they loved gran, and our grandfather. That was his sister and her husband. They come into court. You don't just come for the money, like, the rations.

25 DONNA WRIGHT: Yeah, so the decision was made, wasn't it, that, you know, it's just -

TINA WRIGHT: There was already -

30 DONNA WRIGHT: Already done.

TINA WRIGHT: No matter how many people showed up to that court.

35 DONNA WRIGHT: Yeah, because, you know, like, so racist down here in the south-west, especially, you know, being the first - I don't know, what do you want to call it, colony set up in Victoria, but, you know, that affected our - that hurt our families and destroyed our families really.

40 CHAIR: White people that came up with ideas, didn't they.

DONNA WRIGHT: It was disgusting. Some of the things on this form and the words that are written, because after the decision was made by the magistrate that basically, you know, we don't even know if mum and that - well, they were obviously wards of the State, there is no official written term, but they would have been sent to Ballarat orphanage. So, you know, 45 mum remembers being in that cell with her sister and her brother, nine, six and I reckon Auntie Glor might have been 12 because she was 13 when she got.

TINA WRIGHT: All they did was cry. They cried and cried and cried. Cried all the way to train station. They cried all the way to -

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JOANNE WRIGHT: And they got on the train with a police officer. My mum said she felt like a criminal. She said everyone was looking at them and they were just little kids, the police, she felt like, yeah, treated like a criminal.

5 TINA WRIGHT: To Royal Park, which I don't know if that's -

DONNA WRIGHT: It was a receiving centre.

10 TINA WRIGHT: And then they were separated there from their baby brother, which was so traumatic for them, and she cried all night, she said. And they'd come together for about play time - they must have had a play time in there, and Uncle Ronnie and they'd meet at the fence and they'd kiss each other and that was for about a month, wasn't it?

15 DONNA WRIGHT: Yeah, we looked at the dates, went through all mum's records and just trying to work out - they were there at Royal Park for about three weeks, because it was July they ended up at Ballarat Children's Orphanage. So that's a long time to be in a place like that, a kind of detention centre. I can't imagine how they were treated.

20 TINA WRIGHT: The separation traumatised mum all her life, from her brother. She always spoke about it.

DONNA WRIGHT: And speaking to him through the fence.

25 MR GOODWIN: That was only an hour a day, wasn't it?

DONNA WRIGHT: Mm, so we don't know what happened to them during that time, you know, and you know, they come from here, safe and loved and happy, into that environment where they're just treated like, not even humanely, but, you know, this system now starts changing their identity and absolutely changing their identity. They become - that information is on a criminal record. They are now these other children. They're not Eunice and Ronnie and Gloria, Monty Foster and Lyall Foster's kids. They live up the mission and all those beautiful stories and memories. They are now this piece of paper that that Government and that Protection Board used to change their identity and who they were, disgusting comments.

35 There was a lot of family in Ballarat orphanage when mum and that got there that the system's not only traumatised, it's just that - it's the cruelty, you know, how cruel.

40 TINA WRIGHT: The terror. We use that word, the terror because it's children. Wouldn't you imagine being a six-year-old, a nine-year-old, how terrified you would be. You don't know nobody, nobody loves you, you're not going to feel any more love after that.

45 DONNA WRIGHT: And those records, that identity, then it starts recording, not only their identity, but physical and all of those traits. So, you know, obviously our family - you know, mum's dark skinned, she is very healthy, she was a good girl. They spoke about their character and all those things, but then coming from Royal Park where they made records there, there is all these other comments.

50 TINA WRIGHT: And three weeks later there is all these -

DONNA WRIGHT: Other comments, so already this system is describing them in a disgusting, inhumane way.

5 TINA WRIGHT: All her teeth are good, she's not underweight, she's healthy.

DONNA WRIGHT: But she was loved and cared for and she was happy, but - and then this system then changes their identity and who they are.

10 TINA WRIGHT: So maybe they gave her a bath and put some clean clothes on her, made them look at her differently, I don't -

15 DONNA WRIGHT: But it's the comments on those records that are hurtful and shocking to see, you know, like, because mum never - our mother, aunties and uncles never spoke about this. We only found out about this at the - when the inquiry was happening into the - they call it removals, Aboriginal children. We call it stealing, kidnapping, whatever. But mum's evidence is in the *Bring Them Home* report and we were sitting there at the public hearings and mum was saying, "Tell them what happened", and I said "What happened, mum?" And I think I was in my 30s. And I said "What happened, mum?" So that's how her story started getting shared.

20 But we were loved. As hard as mum's life was, she met dad, you know, absolutely fell in love and had her children, and we were loved and cared for. But mum, when she was a little girl, she didn't have any of that. Once she got out to - her and Uncle Ronnie and Auntie Glor got to Ballarat, because Auntie Glor got separated and sent to Ballarat Girls Home, so that was really hard.

25 And it's when they got there at the Ballarat orphanage there is another record of their identity, their appearance and, you know, their character and whatever. So this whole system is documenting and recording our mother and our family in the most derogatory, disgusting offensive way. So today is about honouring them, because they were beautiful people who just loved us and looked after us.

30 But we need to tell their truth, so they were there for a while. Mum was 17 before she left the -

35 TINA WRIGHT: We have to go into the slave labour, though.

DONNA WRIGHT: Yeah, go, Tina.

40 TINA WRIGHT: Because when she got to the orphanage, I don't think the orphanage would have been able to run without all their little slaves. So mum went straight to work. She'd make the beds in the morning and she'd bath the babies at night.

45 COMMISSIONER HUNTER: How old was she at that stage?

DONNA WRIGHT: Nine.

50 TINA WRIGHT: Nine, so that was her job, and there was lots of other - you know, you're talking about -

DONNA WRIGHT: Hundreds of kids.

TINA WRIGHT: Kids in a dormitory.

5 COMMISSIONER HUNTER: This is at Ballarat?

DONNA WRIGHT: Ballarat.

TINA WRIGHT: Ballarat.

10 COMMISSIONER HUNTER: Can I just quickly ask. You said there were other family there so -

DONNA WRIGHT: Uncle Lloyd

15 TINA WRIGHT: Uncle Lloyd

COMMISSIONER HUNTER: So there was a heap of -

20 DONNA WRIGHT: There was heaps of kids, yes (indistinct) all the Edwards were there, Kennedy and his family.

COMMISSIONER HUNTER: That says a lot.

25 CHAIR: But Teddy, do you know Teddy Lovett?

TINA WRIGHT: Yeah. He was in there.

30 CHAIR: He was there. After reconciliation became a thing there was some - I don't know what he did, but there might be something in writing about what was said at the time when they were trying to get some kind of, I don't know, acknowledgement about all of this stuff. He was very concerned about the orphanage. Of course, he is getting on too now but I just don't know what the outcome - he was working with the council and I'm sure there would have been some statements made that would be of interest to you that might be a little bit  
35 more general, but it was still about the removal of children and holus-bolus there.

DONNA WRIGHT: Yes, a lot of mum's cousins, you know, they could have been before mum, the families, because there was a lot of families living here at the time. So mum, our family, was the last family to live on the mission.

40 TINA WRIGHT: What's the name in Ballarat?

DONNA WRIGHT: Aunty Nancy.

45 TINA WRIGHT: Aunty Nancy Clarke and her brother were there, which is gran's - which is what's the connection?

DONNA WRIGHT: On the grandfather's side, grandfather's - yes, Fosters.

50 TINA WRIGHT: Yes, were taken.

DONNA WRIGHT: So both sides of our family, you know. So we were cousins.

5 TINA WRIGHT: So you would be happy to see them, and then mum had to make a life there, what she could. She'd have to be - had to find some kind of happiness.

10 DONNA WRIGHT: And that, what you were talking about Tina, the working, but also, you know, mum had to look after babies and little kids. She was a little child herself. And we'd lost an Aunty, Glenys. Our grandparents had a baby girl, Glenys, but she passed away at three months of age. I don't know the age difference there between mum and that, but still, you know, you've lost a baby sister and then you're a child and you're looking after other children, traumatised children, crying children and hundreds of crying children.

15 COMMISSIONER HUNTER: But you're traumatised yourself.

20 DONNA WRIGHT: Yeah, and you don't know where your brother is and your sister's gone and you don't know where your mother is and your father is. And also mum was saying one of the things that used to happen, they'd get up in the morning and they'd have to get ready and make their beds, but if there was any children who wet the bed there was - you know, they got in trouble for that.

TINA WRIGHT: Punishment.

25 DONNA WRIGHT: There would be punishment for that. But what mum and that used to do, they would go around and hide the sheets and just make the beds for the kids.

TINA WRIGHT: Just forever hiding sheets.

30 DONNA WRIGHT: Yeah, and yet they were doing laundry. Mum run away one time trying to come home, and she had to scrub the floors when she come back, because once she was in the orphanage, they said she was a good girl and they did sports and they tried to have a normal life, but they were still - they had to work and they were paid wages and - but I was doing her hair one day and putting it in a ponytail and, you know, there is this big scar on the back of her head.

35 And I said, "Mum, what's that, what happened there?" And she went really, really quiet. She goes, "Oh, that's where I hit my head". And you know, not knowing, I'm going, "Why, what happened, mum?", just brushing her hair and I just remember her being really quiet. And she said "I lost my ribbon" for her hair, and she got in trouble and the punishment was her head being rammed into a steel coat hook, and this scar on her head, she'd never - she didn't receive medical attention because the scar wouldn't be like that. If you went to a doctor or a hospital, you would have had that stitches. No, just a big gaping scar on the back of her head. And just little things in our daily life like that would pop up.

45 But - and then telling us about scrubbing the floor when she tried to run away, because she just wanted to come home. She just went in the wrong direction.

50 TINA WRIGHT: Went down the wrong highway. She headed to Horsham instead of - they went back -

DONNA WRIGHT: Someone give them a lift, though, and they -

5 TINA WRIGHT: She went up towards Horsham, because you know you've got the Henty Highway coming down here. She got on the Horsham highway, the wrong way. She was trying to get home.

10 DONNA WRIGHT: So when she started sharing this, because it was never spoken about, and it might have popped up in a conversation, we said, "What happened mum, you know, tell us about when you ran away". So there was this plan. There was a plan hatched between the young kids. I don't know who else was with her, but what they did was they had their lunches. They would go to school in their uniform and they had their lunches all packed, but they didn't go to school. So off they went on their journey to come home.

15 And she goes - she had a bit of a giggle about it too, so I speak for her, she goes -

TINA WRIGHT: (Indistinct).

20 DONNA WRIGHT: - "We ate our lunch straightaway". They were hungry. You know, kids love tucker. But - yeah, and then it was hot, wasn't it, hey. And they ended up getting a lift from someone and they end up in a shop or something, hey, and he bought them a pie. And she was sitting there and that's when the police come into the shop. And she knew straightaway. So after they got picked up and taken back by the police.

25 So you can imagine the system, you know, how it did the rounding up of kids who were trying to go home, you know, the police, you know. They're still doing it today, but the fact that she got taken back and that's when she said the next day she was on her hands and knees scrubbing the floors. That was her punishment.

30 And also Uncle Ronnie, he was about 13, I think, and he was off working on a farm. So, you know, he had been there for a while, but he come back from work one day and he'd had a broken jaw, and the farmer, the farmer hit him. We don't know what that story is, but we want to for him, for Uncle Ronnie we want to find out what happened to him. And we want there should be some records and we would want Yoorrook to investigate why there was no medical records kept of our mum and Uncle Ronnie. How

35 TINA WRIGHT: When they were injured.

40 DONNA WRIGHT: How was his jaw broken? Where are those medical records? They were in the care of the State facility.

TINA WRIGHT: And that could be easily explained away, because he worked in a milking - with cows.

45 COMMISSIONER HUNTER: Was he at Ballarat too?

DONNA WRIGHT: Yeah.

COMMISSIONER HUNTER: How old was he roughly then, around that age?

50 TINA WRIGHT: Six.

DONNA WRIGHT: When he went to work?

COMMISSIONER HUNTER: Yeah.

5

DONNA WRIGHT: He was 13, mum said, when that happened, but we don't know how he was treated. So these are - so not only were the little slaves looking after the kids and cleaning the orphanage. They were billeted out to farmers to run farms and bring in their cows and all of this, and milk them. And if he'd been working there - we don't know where he was working - how come he had a broken jaw and where was his medical records? My grandmother, there is nothing, Uncle Ronnie will have a different file and there's letters from Ballarat orphanage to my grandmother. Mum had nephritis. There is no letter to tell her about this injury, her head injury, but you know, Dr Google, you look and that's a kidney illness. She was really sick and she had to go to hospital.

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So she got really - they got really sick there and they were treated really badly there. So we want Yoorrook to investigate.

COMMISSIONER WALTER: Do you think there are medical records somewhere?

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DONNA WRIGHT: We don't know, Maggie, Commissioner. We think that they would have those.

TINA WRIGHT: They haven't kept any paper work.

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COMMISSIONER WALTER: They mightn't (indistinct)

DONNA WRIGHT: You're a black this, you're this and you're this - because it's written there. I don't want to disrespect my mother and say any of those words.

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COMMISSIONER WALTER: Certainly, we could ask for those records or other records from these places.

COMMISSIONER HUNTER: I am wondering if there are any health records on anything (indistinct)

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CHAIR: They mightn't be called health. They will be called welfare. They will be called something else it'll be another - but it's knowing where to look, because it would be part of a justification to keep them.

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COMMISSIONER HUNTER: I was wondering if there were other injuries that were sustained that were on the records, is there actually anything -

TINA WRIGHT: Are there records from the orphanage? Do they have records?

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CHAIR: Well, we don't know.

DONNA WRIGHT: All mum's file, Tina, has got records of when she went there, and then her wages. That's from the orphanage. And there is a letter, there's letters to gran to say that her daughter is sick in hospital, but - and you know what address was on that? Her address

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was - she was living with the Pratt family, so the Pratts in Kew. She was - our grandmother was their domestic helper. She was working and she said that the Pratt family treated her well, but she was working here in Melbourne to get her children back and writing letters, and she had to prove that she was a good mother. She had her stuff. She had a home to bring them home to. She was in Collingwood initially, but the letter about mum going to hospital is sent to the Pratt house. So she might have been living with the Pratts. We don't even know. We would love to know if they had photos or anything.

TINA WRIGHT: Gran used to say that they used to make her eat at the table with them. They loved her, the Pratts.

DONNA WRIGHT: So I have OCD and can't stop cleaning and I think I'm proud, that's my grandmother's trait, but to go through and see all these little connections. But -

COMMISSIONER WALTER: There could be a connection made now to the -

DONNA WRIGHT: What did she disclose to the Pratt family?

COMMISSIONER WALTER: Because if they were middle class they would have that.

DONNA WRIGHT: Exactly. We would love some photos of her because she worked hard, hey, gran, all her life, and we are lucky that we grew up with our beautiful grandmother but for those medical records, they're not in mum's file. So she - and we all know, if you get an injury to your head, the bleeding is profuse. So for her not to have - receive any medical treatment, she would have been in pain, she would have, you know, really, really suffered like Uncle Ronnie. And then our poor Aunty, because I don't even know where (indistinct) was at the time, but she run away. And she run away. Who was there? Aunty Violet was there with Aunty Glor, so we found another cousin, and she tried to run away as well.

So they were trying to come home and find their family. But also we would like Yoorrook, Commissioners, to look into our grandfather's death. You know, his babies are here in Ballarat and he was at Yamba when they told him that they took his babies, so back to that - when he heard that they had been stolen and taken to Heywood and they were going to court. So he ran all the way home. And they were already gone. And he got very, very, very sick after that and wanted his children. And we know that story that Tony Wright's wrote, because we never - we know our grandfather but we have never felt his - we feel his love through mum and his family.

COMMISSIONER BELL: Is that the story about the dancing in the street?

TINA WRIGHT: Monty's Last Dance.

DONNA WRIGHT: Monty's Last Dance.

COMMISSIONER: That's a very, very moving story.

TINA WRIGHT: And that comes from a non-Indigenous man that we never knew.

DONNA WRIGHT: No relation, Tony Wright.

TINA WRIGHT: Mum never knew - so that's testimony, I believe, but he had no reason to -

DONNA WRIGHT: It's the only record.

5 TINA WRIGHT: Yes, it's absolutely -

COMMISSIONER BELL: Must have been an extraordinary occasion.

10 DONNA WRIGHT: Because he vividly remembers it. They were going to town.

CHAIR: Witnessed it.

DONNA WRIGHT: We just sat there and pored over that story.

15 TINA WRIGHT: Because we're looking at it through his eyes. We don't know his story. Mum never knew that story. You know, she knew her father died of a broken heart, hey, Jo, and for that fella to come along, and we just - to think of my grandfather in the street -

DONNA WRIGHT: Very sick.

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TINA WRIGHT: - dancing while he's absolutely lost his mind, and his children are gone, his home is gone, he's lost everything, and that's coming from somebody else's - it's a good thing that mum didn't know, I think, that story.

25 DONNA WRIGHT: That would have just broken her.

TINA WRIGHT: I think it was meant to come out after mum left.

30 DONNA WRIGHT: And you know Tony was talking about grandfather's eyes, and he described the dance movements, so, to me, I feel that's very spiritual because our people are tribal people too, that that could have been an old dance that he was doing. Because I don't know. I would want that that's what he was doing. But because of our grandfather's eyes -

35 TINA WRIGHT: They spoke language, those two old people sitting in the chair. They didn't speak it out loud but it was whispered and one of them is his mother.

DONNA WRIGHT: Yeah.

40 TINA WRIGHT: So there would have been some secret practices, I believe.

DONNA WRIGHT: So that's where we lost our language, just as recent as then. But we would want Yoorrook to look into our grandfather's death, because if 3 June 1954 is the day they were taken, I think it was - we thought it was about five years later, possibly - well, definitely on 22 January 1959 that he passed away. And what I found in mum's papers - and I tried to find that document, but if you could - if there is any records in the Coroner's Court, there was an inquest into his death. So he's gone from running back from Yamba, going to - coming to Heywood, his children are gone, and he's devastated and he never recovered.

50 So he's ended up in the Kew Psychiatric Hospital in Springvale. Mum said she went to visit him once. And I don't know if he was sick, but she did get to go visit him. And I think it was

mum or gran who said, "You realised that something was wrong because they wouldn't let him shave", he wanted to get ready to see the kids. They were coming to visit him. And that devastated him.

5 But his records, the inquest is just a determination on how he died. But there is no investigation into the circumstances. And because for him, he was just left - he was just left in that hospital, basically, to rot and not treated like a human. We don't know what his record - we know that he died of malnutrition and bed sores. We know that. But after he passed away I was sitting there one day with my grandmother, and I don't know how this - it's  
10 a long, long time ago and she was going to visit him. I don't know whether he was sick. But she was going to visit him and she got to the hospital and they said, "Oh, Mrs Foster, we're sorry to inform you but your husband's passed away", and she was absolutely shocked and devastated.

15 And she said, "Where is he?", and they said, "Mrs Foster, we're sorry to tell you that we've had to bury him in a pauper's grave". She was devastated, she didn't speak, there was just this silence and I was listening to her tell this story.

COMMISSIONER BELL: Did they not contact her beforehand?

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DONNA WRIGHT: No.

COMMISSIONER BELL: She just turned up.

25 DONNA WRIGHT: She had been visiting, so they knew she was married. She was his wife, that was her husband.

COMMISSIONER HUNTER: What year was that?

30 DONNA WRIGHT: He passed away in '59. So her children, mum's kids have been in the orphanage for five years, her husband obviously is really heart broken, traumatised, never recovered from his children, you know. And the fact that that happened to him. So she was - and she sat under the tree, so she just - she collapsed and she said - they said,  
35 "Mrs Foster, we're so sorry, would you like us to arrange a burial?" And she just said, "No, please, just leave him, let him rest." And these are the stories that we get told, you know, as we're adults.

40 And I don't know why, but to hear my grandmother speak and tell that story was just - so we would like Yoorrook to investigate the circumstances on how. Because it's also after he passed away too, if Yoorrook can investigate that as well, because he wasn't - you know, grandfather, what they did to his body after he passed away.

TINA WRIGHT: Our father was - who worked for the funeral service.

45 DONNA WRIGHT: Was an undertaker.

TINA WRIGHT: Was an undertaker in Glen Peters.

DONNA WRIGHT: For the Aboriginal Funeral Service.

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TINA WRIGHT: And he always -

DONNA WRIGHT: He done all the funerals.

5 TINA WRIGHT: He done everyone's - buried that many people, but it was his mission. I've got to mention that, Jimmy Wright. He knew that mum's father was buried in a pauper's grave. So he took - mum and dad took out a \$2,000 bank loan - we never had much back then - and repatriated him back here. And dad had to dig him up and do all the arrangements. He actually dug him up, and he was in a little box. So this is a six-foot man. So once he  
10 removed him from the box, he was sawed.

CHAIR: Chopped up.

DONNA WRIGHT: Mutilated.

15 COMMISSIONER BELL: Before being buried in a pauper's grave.

TINA WRIGHT: Yes, in the pauper's grave.

20 DONNA WRIGHT: So I just think total devastation of him, and then he was gone, with no family with him.

TINA WRIGHT: So no kids.

25 DONNA WRIGHT: No kids. And why was he - why was that done to him? That's suspicious, because what are you trying to hide? What are you trying to cover up there? And that's why if Yoorrook can look into that, because there is an inquest report. Because how long was he left there, you know? We don't know.

30 COMMISSIONER HUNTER: Malnutrition and bed sores, that - total neglect.

TINA WRIGHT: He is laying in a room, probably - how much trauma do you inflict on one human, really? Even in death they cut him up.

35 JOANNE WRIGHT: He was a fit, healthy man, wasn't he?

DONNA WRIGHT: Yep, chopped wood, split wood, worked. But he was grieving, because, for him, for grandfather, he's - gran was terminally ill with TB, so she was - the hospital said, "You've got one month to live", so TB was right on our - all generations of our family. So we  
40 used to get X-rays in Coburg when we were kids to make sure we didn't have TB. But - so he was grieving for his children. He was a parent who did not survive his children being taken from him. So that was what caused him to become unwell, the system.

45 And then the system that cares for people who are unwell, that's how they treated him. And he - we need to honour his memory and bring to light what happened to him, for his justice and for gran. She was devastated to find out about him.

50 So we don't know how long, you know, and he's gone, and we just thrown him over there and this is what's happened to him. And with the repatriation here at the mission, because we'll go there -

TINA WRIGHT: He had a beautiful funeral. So gran was there. She passed away how far? Jo? We buried -

5 JOANNE WRIGHT: September, January, the same day as he passed away, so yeah, they have got the same death day, 22 January. So she sort of waited for him to come home and -

DONNA WRIGHT: Then she went.

10 TINA WRIGHT: On the exact same day.

DONNA WRIGHT: As he passed away.

15 TINA WRIGHT: But there's 33 years between them, so she went home on the same day. Unless you look - you know, sometimes people look and say the dates are amazing.

DONNA WRIGHT: And Tina, you said about dad - we spoke about mum and dad meeting in Fitzroy and dad's Kamilaroi, come down from Newcastle and was doing some work on the wharves and met this young girl who had just come out of the Ballarat orphanage and fell  
20 madly in love and lived there happily ever after and had four kids. But we - they both were hard workers, but they moved around. So as much as we lived in Collingwood mum and dad had me in Newcastle, 11 months later Tina in Sydney, but then we've got video footage of us here in Heywood with Aunty Emma and family, and we know that - and Tina's 12 months old  
25 and we can tell by this video that mum is pregnant with our brother. And he was born - so three years in a row the three kids, so these two Sydney. And, yeah, so we back and forth between New South and Vic. So they were moving us around but dad was following work, and we were always with our family.

30 We were talking about that last night, how we were with mum and gran and Uncle Ronnie and Aunty Gloria. We grew up with them. But I forget what I was saying, sis.

TINA WRIGHT: Don't forget Joanne was born there.

35 DONNA WRIGHT: Thank you.

DONNA WRIGHT: And then mum and dad had a little bit of a break after us and then baby girl was born in '72 at Warnambool, Fram Mission.

40 TINA WRIGHT: Fram Mission.

DONNA WRIGHT: Dad was doing a bit of work there, and we were living with Uncle Banjo Clarke and Uncle Percy there for a while, and Aunty Gloria and that was there too.

45 TINA WRIGHT: We need to talk about their trauma, the old people, Aunty Glor and Uncle Ronnie and Letty and their children and how they - after all their trauma, they picked up the bottle. So they self-medicated, which I feel would have only been - there was no support services back in them days for anyone, you know. Been ripped from your home, torn apart from your family, you end up in Fitzroy with all your mob and a lot of them picked up the bottle to help deal with that. Our aunties lost their kids, not to the system but to men -

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DONNA WRIGHT: The fathers.

TINA WRIGHT: Probably weren't very nice people, but -

5 DONNA WRIGHT: Especially Aunty Glor, because -

TINA WRIGHT: Aunty Glor and Aunty Letty. She had three children. Aunty Glor had -

10 DONNA WRIGHT: Three, four, five, five.

TINA WRIGHT: Five.

DONNA WRIGHT: Three girls and two boys.

15 TINA WRIGHT: And I have their names up there because three of them suicided due to the -

DONNA WRIGHT: Being - living away from their mum, so Aunty Gloria's boys, Eddie and  
Derek, never recovered - they were, never recovered from moving to WA, hey, with their  
father, but not seeing their mother and they wanted to. And her eldest son, Wayne, he was 17.  
20 His father kept him away from his mum, from Aunty Gloria. So he knew that she was in  
Fitzroy. He wanted to meet her, he wanted his mum, and they wouldn't let him. So he was 17  
when he suicided.

And then after they had been living with their father and they come back - because they were  
25 only little fellas, I don't even know, they would have been six, eight, and they come back as  
16, 17-year-olds and found Aunty Glor and they were living together. But Derek, Derek had  
epilepsy. He was actually on the front page of the 'Herald Sun' one year for the Royal  
Children's Hospital appeal. And we grew up with them because we were living in Silvan by  
then and doing a bit of picking, and he suicided, but then her other son, his brother Eddie, he  
30 was 30 and he suicided. And he was living in WA, hey, Jo.

TINA WRIGHT: Trying to get home to their mother.

35 DONNA WRIGHT: And how do you explain away, as a mother, what you know, but  
making the best decision for her children was to let them - the system hasn't gotten the parent  
-

TINA WRIGHT: Wasn't going to support her.

40 DONNA WRIGHT: So she dealt with that.

TINA WRIGHT: But they didn't have, you know, yeah -

45 DONNA WRIGHT: Can we also, I think, can we find - we want to find, to make sure this  
story is told, we need to find gran's letters, because she had to keep writing. Is it the  
protection board or is it to the orphanage to get her children back? So she is there, she is  
working, she wants her children back. So there's records of that. So - you know.

COMMISSIONER HUNTER: Can I just ask a question about the records? Is it - you've obviously gone and searched and what is - you just can't get them or you can't find - like what's stopping?

5 DONNA WRIGHT: Sue-Anne, we are just learning about the details of what happened, so there's lots of different things going on. But if mum was sick or anything happened, why aren't those medical records in her file, Department file? And that Department file is not all there.

10 COMMISSIONER WALTER: Have you got these records, the ones you've accessed, have they come through prov?

DONNA WRIGHT: No, these ones are from the Department, mum applied for her file through the Freedom of Information Act and she got the file and the letters for that. So that's  
15 what you did back - this is pre-anything around redress. There was none of that. Mum just wanted her records.

CHAIR: Might be an outdated system now or something.

20 DONNA WRIGHT: Yes, could be. Who knows where all that information is, but you're talking about an orphanage that was using children.

CHAIR: The orphanage, I think, is worth pursuing because -

25 DONNA WRIGHT: The State controlled, you know, said, "You can have your children or not have your children", because how much money have those kids made for whoever the farmers, whatever - who knows.

MR GOODWIN: I was going to ask if you want to talk to the Commission around the wages  
30 issue around, I think, your Uncle Ronnie. I think you said that he would have made wages on the farm and how that was treated. What you know about how that money was treated, where that money went.

DONNA WRIGHT: They took administration - they took a percentage. They took - so to get  
35 their little whatever pound - I don't know, pound, pence, thruppence. But you can see it on the ledger. I just hate the handwriting on the ledger. It's authoritarian. It's really disgusting but it said all the wages that she earned at the end then there is this part taken out. So that must have went - not only are they working for the orphanage, they are giving back to the orphanage. Whether they were working in the laundry or on the farm. So it's absolutely, you  
40 know -

TINA WRIGHT: When she left the orphanage, she was sent off with, was it, 17 pounds?

DONNA WRIGHT: I can't remember.

45 TINA WRIGHT: So accumulation after all those years of work.

DONNA WRIGHT: And she wanted a job in the shop, and just like they said about mum in  
50 her records, that no, keep her in the laundry. So she probably had aspirations, you know, as a little girl and wanted to do things herself. But, you know, we don't even - for our cousins you

know, they don't even know. We want this public record to be for them, because we got to stay with our parents. Not all of our cousins did.

5 But they need to understand what happened to their mother, their mothers. And back to once they were 17 and they left Ballarat orphanage - I think it was through Royal Park - and that's how they found their way to Fitzroy, and into the park, and that's where they reconnected with all the other kids who were told their mother was passed away. That was Uncle Lloyd. He was told his mum - that's our grandfather's sister, Uncle Lloyd's mum had passed away so he thought he had no mum. And then all the other cousins in that park, and that's how they  
10 were connected, those families.

And then find out where their parents were. But this land had already been taken, so you see all the - I'm not even saying - talking about (indistinct) things, but you know they lived in Collingwood and tried to recover from whatever happened to them in that institution. We  
15 don't know how brutal they were. We can just only imagine.

TINA WRIGHT: I want to talk about the ages that we lost them, because we did grow up with those darlings. And even though they had their demons, we loved them, we slept with them, ate with them, lived with them.  
20

DONNA WRIGHT: Cried for them. Aunty Letty - we used to love going to her house.

TINA WRIGHT: Beautiful aunties.

25 DONNA WRIGHT: Tina and Ronnie went over to Silvan, so Aunty Letty - she was so beautiful, she was very talented. She used to play the accordion. We have still got one of her accordions at mum's.

TINA WRIGHT: Our Uncle Ronnie was a parky at Fitzroy, and, you know, we all worked at  
30 the health service and he'd come over and said, "Can you lend me \$5? Can we get a feed?" And we knew that it wasn't -

DONNA WRIGHT: But we didn't care. But we didn't judge them, we loved them.

35 TINA WRIGHT: But we did walk him across the road and I said "We will take you across and get you a bowl of soup", then he would have to admit he wants \$5 for the card, so - but they were beautiful, beautiful, beautiful loving - you wouldn't, you know, they were just really -

40 DONNA WRIGHT: They were quiet too, because they never told - this was all - they all kept that inside, so Uncle Ronnie would go wandering, hey. He used to hitchhike over to WA and hitchhike back and walk over there.

TINA WRIGHT: Joanne was very close with Aunty Glor. They had a very close  
45 relationship. You know, Jo and that was there when they passed away, died on her doorstep. But she won TattsLotto. First division.

DONNA WRIGHT: First division. She was in the park then. She was homeless.

TINA WRIGHT: Yes, she was homeless, drinking in the park and she won TattsLotto, she put on the biggest barbecue for the parkies and bought them slabs (Laughter).

5 DONNA WRIGHT: I said to her one day "Why don't you go hire a limousine?", she just bust out laughing at me, you know, like -

TINA WRIGHT: Then she bought a house two doors down from mum, so then they were close. And Joanne was just there all the time. So -

10 JOANNE WRIGHT: She was only 50 when she passed away.

TINA WRIGHT: She was 50. Uncle Ronnie was 37.

15 DONNA WRIGHT: Aunty Letty was -

TINA WRIGHT: 40.

DONNA WRIGHT: Maybe 42, so 40s.

20 JOANNE WRIGHT: Too young, so mum had to bury her brothers and sisters. Yeah, too young.

25 DONNA WRIGHT: Her mother. She had to bury gran, she is buried here, and that really devastated her, that day. Also when she buried dad. So dad and mum come home '96, hey, Jo, bought a couple of little acres to live their best life and retired and kept chooks and everything. And then he passed away in '98. And then 22 years later, mum was gone. So we were lucky to have all that time with mum, but we had to let her go because she needed to be with dad. She had been away from him. And that's the only thing that's giving me comfort, is to know that she's with dad. Not only dad, I was saying to the family, that she is with her  
30 parents and she's back with her siblings, but she's still here with us.

TINA WRIGHT: There will be - there is Uncle Ronnie. Nobody had money, Aunty Letty, they are all buried in the one grave in Faulkner. So one of mum's things was she wanted them repatriated. Dad made the head stone. When you go down to the cemetery here dad made the  
35 head stones just out of concrete and got plaques, plastic plaques made. They just did the best that they could.

40 Because we never prospered. Just, you know, we struggled, hey Jo, but we always had food on the table. But before mum went, she was looking into - because she was on the fight, she was fighting this system of giving Emily letters to Gavin and Jenny, to Gabriel. Mum had them all at Christmas time and I wrote to Gavin and said "Gavin, mum's -" she never got out of bed after that.

45 Just before Christmas, she fell out of bed and sometimes - and she was walking and everything before that, but sometimes when the older Elders fall, they don't - they lose all confidence. They don't know why, but it happens. And so we was concerned about her health and I wrote to Gavin about redress, the scheme, what's happening. Constantly, you know, year after year she'd be meeting with them. But he wrote straight back to me, I said "mum's had a fall", and he said he is going to make it a priority this year, "I've got a photo of Eunice

at my desk". He has. Redress is his priority this year. Mum passed after I sent that letter in February. She passed in March. So that wasn't quick enough for her.

5 DONNA WRIGHT: So the Victorian Government had all those consultations, hey, for a period of time and nothing.

TINA WRIGHT: And she was on oxygen. She was gravely ill.

10 CHAIR: Under which scheme was he talking about? Is this from Bringing Them Home? Was it something else or not?

15 DONNA WRIGHT: Funny you mention that, Aunty Eleanor, because in that report - and I don't know, you tell me, but I think under section 14, 16, 18, it's got the - it sets out all the - oh, what's the word? I usually know this off the top of my head, but all the heads of damage for a compensation claim, so deprivation of liberty, in the Bringing Them Home report. So that's been sitting there since 1997.

20 But Victoria, apart from the other states, done nothing. And here's mum in her 80s, after everything, trying to have a normal life and raise her kids, try and go to the Bells to do her story, and it's been sitting there the whole time. So the Government of Victoria, or across the Commonwealth knew here is a national report. But here in Victoria, not only did they do nothing, they didn't care. And they weren't - there was no - that was just ignored.

25 CHAIR: But there was an announcement last year - Sue-Ann, you are closer to this - about an amount of money for a certain number of people for whose names - I see, so yeah, I see what you're saying, yes.

30 COMMISSIONER HUNTER: I think it was, she passed four days before, so there's no in a certain amount of time of death or anything like that so there's no justice.

TINA WRIGHT: Mum's death brought about the announcement. When mum died, she fought so valiantly and hard and sat with Gavin, when she died, he just could see the injustice. You've got to, you've got to see the injustice of that.

35 CHAIR: But I don't think that announcement covered all of the people that it was intended. I think that it's a number that's finite, but does not include everybody. I think that -

DONNA WRIGHT: Yeah, we can't apply on mum's behalf because she's passed away, and that's clear in the - which is a deadset kick in the guts.

40 COMMISSIONER WALTERS: If you wait long enough everybody passes away.

DONNA WRIGHT: That's my point. They waited.

45 TINA WRIGHT: And you tell me, the trauma of my mother's life, who doesn't deserve justice, she got nothing, too bad, too sad. Four days, four days after she died Gavin Jennings rang us here on this property, to tell us within 24 hours. How long does it take to get - like, you would have to know, like, it doesn't take four days to get - to announce redress. I would believe that it was already ready to be announced way before mum died. Probably a year  
50 before mum died.

CHAIR: We're dealing with the system. We're dealing with the system, a big system.

5 TINA WRIGHT: But it took four days for this announcement to come out after mum had died.

CHAIR: Bureaucracy, the great big silo.

10 TINA WRIGHT: An absolute injustice to my mother. It was the last kick in the guts that this Government could have to her.

15 DONNA WRIGHT: See, you deflect attention away from the real issue is the way that this - you know, we bore the brunt of colonisation, and the massacre sites are all across Victoria. So I have to think of all my grandparents and great grandparents, from what they went through in terms of the terror, the reign of terror, and we're talking - we were just talking about the car about the massacres down here and we were just talking about how the settlers would use the skulls of our women as shaving cups and they would put them on their huts.

20 So this is our country here, but back to the Government, who needs to be held accountable, you had all that information there, you had a national inquiry. So the racist politicians - because it is racism. It's strategic racism. It's systemic racism, if they are going to use bureaucracy as the excuse to say "Hang on, haven't you fellas all got masters degrees, aren't youse all frigging lawyers and youse are setting yourselves up for your million-dollar super and everything else but you can't make a decision - all your procedures for black kids are there, and to remove them, but here in terms of righting a wrong and doing -" because our humanity, our people's humanity has been attacked.

30 We are a beautiful, beautiful people. We have such amazing superior knowledge. This country was beautiful, and we raised generations of kids with beautiful stories. We know about all the stuff about, you know, the first astronomers, scientists, but here is this system who has - hasn't treated us humanely, and we're talking about the Government. You had the evidence there from the Bringing Them Home report but you did nothing. And mum's had to - here we have dying Elders rallying and lobbying with the support of Lidia Thorpe - who was very supportive of mum and the Elders. They would get in their little buses and get little placards done and everything, and that was proud, mum was proud.

40 TINA WRIGHT: And the apology was the other day. They started boycotting them, doing silent vigils. Sitting outside of the cup of teas. And you just see all this money has been poured into cup of teas and all over Australia. Like, stop having cup of teas and listen to me.

45 CHAIR: But Tina, our people have got to get smarter in negotiations with Government. I mean, this whole thing that's going on about closing the gap, somebody's got to say to Government when they're sitting down about a program, "What are you going to recognise from my people, this individual, this organisation, that we have brought into your lives and enriched? You've stolen parts of our language. You talk about places using our -" our people have got to get smarter on that. It can't be separate, it cannot be separate, because we're always on the deficit side. There's no idea that we're sharing, no idea. We are robbed every day. So we've got to get smart about talking, you know, and the sovereignty talk, that can underpin sovereignty.

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DONNA WRIGHT: Absolutely.

5 CHAIR: By behaving in that way, because we just keep giving and giving time and some people do very well out of it and nothing changes.

DONNA WRIGHT: No, true.

10 CHAIR: We've got to make a stand that is, to me, radical in dealing with bureaucracy.

TINA WRIGHT: Absolutely, absolutely.

15 CHAIR: Because they make the rules, and we just turn up every year, and it's not gonna change if we don't change.

DONNA WRIGHT: So how do you expose the truth and failures of the Government? How does Yoorrook expose that? Because we are at a bit of a predicament here aren't we, because even the instrument that initiates this process comes from over there.

20 CHAIR: This is our reality.

DONNA WRIGHT: Exactly.

25 CHAIR: That's why I'm saying we have got to speak to that reality, not speak as though we are still down here and they're up there. We have got to speak to that and say - not just say truth or treaty. We've got to say this in day-to-day dealings, every time in meetings. You've got to bring it to the table.

30 DONNA WRIGHT: You've got to bring that story of injustice and fight and remind -

CHAIR: Because we give it away all the time. Giving and giving.

TINA WRIGHT: Mum gave it all her life.

35 DONNA WRIGHT: Yeah, she did.

TINA WRIGHT: No-one gave a shit. No-one cared.

40 CHAIR: That's the point.

TINA WRIGHT: She was screaming from the roof top, yelling it without no breath. She had no lungs.

45 DONNA WRIGHT: (Indistinct) no-one gave a shit. They still don't.

TINA WRIGHT. No. There was talks with Gavin Jennings, we sat down at the Whittlesea Council and she was asking again, sick. He said, "Eunice, you know, there's \$600 million sitting in the redress for sexual abuse", because that come out first, and that was for all non-Indigenous. And - he said, "They are not going to use all that money."

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DONNA WRIGHT: But why are you telling us that?

TINA WRIGHT: We could put 400 - 500 million into -

5 COMMISSIONER HUNTER: Because he's doing you a favour.

TINA WRIGHT: But he has pissed in her pocket actually. We have got 600 million sitting there now, okay, fix - mum wanted it fixed tomorrow.

10 DONNA WRIGHT: See that's the power.

TINA WRIGHT: That's to shut her up.

15 DONNA WRIGHT: He has the power there and he is so privileged that he can sit there and tell you about mum and that there's all this money that how many months later, when she is nearly passing away, and he has done nothing. He needs to be held accountable.

20 TINA WRIGHT: We were devastated by the announcement. Mum fought for herself and all the Stolen Generation, and I found it really hard to be happy for everybody.

DONNA WRIGHT: What doesn't sit well with me is that when the First Peoples' Assembly did not help us get redress. Our mother and our Elders, that's their fight, so this appropriation of that story by an institution - that I'm a part of, but I don't care. I'm here with Yoorrook, I can speak my truth and I don't care.

25 But that community, the community initiated this process. Doesn't belong - we got to be careful. Our organisations need to be held accountable because do not go on the marketing spree and then talk up an institution and the leaders there, who have no lived experience are proud to say, "Oh yeah", but don't use our old people, our parents, our mother, to justify the existence of something that comes from grass roots. Do not - do not desecrate or disrespect them. Because it was mum and the Elders who got redress. Because the Government had a report from '97. So First Peoples' Assembly didn't do that, and I just want that on the record.

30 CHAIR: Well, it's individuals all the time Donna, like yourself, like you're sitting here the three of you, it's -

DONNA WRIGHT: That's putting the co-chairs on notice. So I can say that here.

40 CHAIR: We know that. That's the story, isn't it. That it's the people that went before. That's why we honour them.

COMMISSIONER HUNTER: We might sit here as Commissioners but it's your voices that we want to elevate, right. We didn't - it's not just because we are a Royal Commission. It's that fight of those before you.

45 CHAIR: It's got to go beyond the voice, we have to have some action.

TINA WRIGHT: That's what I'm saying.

50 COMMISSIONER HUNTER: Not the voice, but the voice of our peoples.

TINA WRIGHT: I want to go there with you Eleanor, because as Commissioners, I know youse all - like, we have got black fellas here who probably can relate to us and feel our pain. Giving our evidence today, do you feel that mum has been denied justice? Honestly?

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CHAIR: Well, she certainly was - she had no rights in her early life, none at all, and she was set on a pathway that - how she became the wonderful person that she became, I mean, beggars belief, really, when you think about it. All of the things that were done and said and the behaviours. So I can't say that she - I don't know how she felt about how she went about what she was doing, but obviously she wanted to make change. That's the big thing. She did really want to change things.

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COMMISSIONER BELL: Can I answer that, because I think I want to say, at the most basic level, injustice is racial discrimination, and your mother was subject to racial discrimination from the moment she was born until the moment she died. So, in my mind, the answer is most definitely yes, she was subject to injustice, and we are here to expose that, and you are helping us to do exactly that.

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DONNA WRIGHT: And you know what else it is too, because we talk about Stolen Generations, and this is - people - I get a sense that sometimes, depending on where you are, people are tired of it, and I'm thinking that worries me. Because you don't know the truth, and this is about mum's and our grandparents' and our family's truth that needs to go on public record. That we've got unfinished business that we need investigations into what happened to our grandfather and the mistreatment of our mum and family as public record.

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But this - mum wanted to provide education too. We worked at Yappera for years and looked after babies. We loved doing that. But this is for all the other - across the community to understand what happened in our country to our family. We don't speak for anybody else in what happened, but it's part of our history, it's part of our identity. But it's important, you know, we have to tell the truth.

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No sugar coating, none of this. Because if you look at the ages, how beautiful and how big our family was and from 1954 onwards in that short period of time, and because we got - we want these beautiful photos of our families and then come the end of that with Uncle Ronnie and Auntie Gloria and Auntie Letty, they were just absolutely heartbroken and devastated their life ended.

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TINA WRIGHT: So that's our truth. How do we get our justice?

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COMMISSIONER HUNTER: To look at this, just on its own is different. I mean, you can't just tell truth, right? You need justice.

TINA WRIGHT: Yes, I'm just not sitting here like mum did, year after year, year after year, year after year until I'm a really old lady. Because we're her voices now and nobody listened to her. They - Gavin and Emily did but -

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CHAIR: Tragically, this is the story of many families. How many times have we heard people that have come before us, they can speak easily three generations, if not four, easily, in terms of the continuity. So it's no secret. So how we manage this, and how we do something - I have had a crazy thought sitting here, is you know how we do genealogy, I was

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thinking of all the things that happened to individuals in your family, if you did a genealogy, with no names, but what happened to these individuals, the kind of breaches of human rights and just basic, basic, would be horrific.

5 COMMISSIONER WALTER: No human rights, because they had their identity stolen so it was about denial -

CHAIR: That is your basic, most base thing.

10 COMMISSIONER WALTER: It was denial of the individual rights, but there was a collective denial as well of who they were as people and who they were to this land, and that's outside the scope of human rights.

CHAIR: That's us, that's us. It's not them, it's us. You know it's us.

15 COMMISSIONER BELL: I think there is cause for argument about whether human rights embraces what Commissioner Walter just said. But I absolutely agree that the denial was that fundamental.

20 COMMISSIONER WALTER: Well, it was done based on race. I mean, there is no question about it. All of the legislation has got the names in it, you know, that Aboriginal or whatever, and they have caused these systems to be created and these treatments.

CHAIR: What would justice, do you have any idea that what would justice look like to you?

25 TINA WRIGHT: Look, mum never said - it was never really about the money. It would have helped her. How do you - how do you, how do you give her justice after everything we've just told you? What is it?

30 DONNA WRIGHT: Is there ways - because we want to celebrate mum and our family and share that amazing story of their resilience and courage and strength, regardless. But also is this report going on an international level? Is Yoorrook going to report to the UN or something? Is that the - I don't know. Does that get - how does that - I know it's for Australia.

35 COMMISSIONER BELL: Well, we don't report to the UN. We report to the First Peoples and to the Governor, but, yes, we are linked with international processes and there are UN committees and special rapporteurs, and I'm not sure if you know about these - you know, the way that UN rights are enforced but there have been reports written which have  
40 acknowledged our work. So we are very much connected -

DONNA WRIGHT: Exactly.

45 COMMISSIONER BELL: - with UN and human rights processes, and there is an international organisation that promotes justice, First Peoples through truth telling and other mechanisms, and that organisation helped in the establishment of Yoorrook and was a representative on the committee for the appointment of all the Commissioners who sit here. So the answer is yes.

50 DONNA WRIGHT: So how is all the people who -

(Video stopped.)

MS MCLEOD: Is that a convenient time for a break, Chair?

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CHAIR: Thank you, thank you counsel.

**<ADJOURNED 11.31 AM.**

10 **<RESUMED 11.56 AM.**

(Video played.)

15 DONNA WRIGHT: International spotlight, because you wouldn't want a watered down version of what's happening here, because without the UN, we wouldn't have the right to be self-determining without that declaration. So that's got us to where we are today, our self-determination. But I suppose exposing all the ugliness.

20 COMMISSIONER HUNTER: For me, it's part of, it's so ingrained, this systemic injustice and you've just explained levels of it in different areas.

DONNA WRIGHT: Yep, yep, yep.

25 COMMISSIONER HUNTER: It's how these systems need to either be abolished or changed.

DONNA WRIGHT: Yes.

30 COMMISSIONER HUNTER: How do we do that here so it doesn't happen again; right? That would be the first thing for me. These systems cannot continue the harm which they still continue today, and which we hear constantly every day on our Peoples. So our main objective is the systemic injustice.

35 Now, of course, there is an element of human rights in there, but is that going to change the system? We need these systems rebuilt. You can't tinker around these edges and what have you. And I really want you to think about, you know, what does - that's a really good question. What would justice look like, do you think, for your mum? I mean, you can come back at any time with a response -

40 TINA WRIGHT: She's lost her home, she's lost anything she could have privileged us growing up.

DONNA WRIGHT: Yes, because you lost it as well.

45 TINA WRIGHT: I did. I lost everything, as a matter of fact. But, you know, we had - it was hard. We had to live in Melbourne, we were brought up and born in Sydney and travelled around and lived in Melbourne, and it was really hard to come back on country, because you know, we weren't brought up here. Even though all this was our mob, you can - there is a certain feeling with mob that live on country and the ones that live off country.

50 COMMISSIONER HUNTER: That's the hangover of colonisation, as well.

TINA WRIGHT: That's it. It's not us.

5 COMMISSIONER HUNTER: How do we separate you and remove you and take you, right, so you're left feeling like it's like that in, as well, how do you compensate for that? How do you get justice for that?

TINA WRIGHT: Yes.

10 CHAIR: The problem with the system is everything takes so long to change.

COMMISSIONER HUNTER: Just cut it off at the legs.

15 CHAIR: But the one thing we have to grapple with is how we can make recommendations that do trigger change, because we can't put out a report in 30 years' time and say "Oh, that was Yoorrook. Are we going to be part of that or not?" We have to be able to give some kind of mechanism or some - create some awareness about how to trigger change with the system. We have just got to do that, and we need willing people. But we have got to have behaviours change too by individuals, because we keep on saying the same thing.

20 DONNA WRIGHT: Our sovereignty is the key to our longevity and a better future. Because of our very sovereignty that's been taken away. And we have structures and legal systems from a sovereign that lives in another country. So what they're actually doing is they have just come and extended, used this land here to create wealth, and it all keeps the Crown rich, doesn't it. But there is the first law of the country and it's our sovereignty, and the more that we have systems that support us, not deny us or exclude us, because that gets us into trouble, because we have had young kids who have asserted their sovereignty in a legal setting and have been locked up.

30 CHAIR: Yes.

DONNA WRIGHT: And these are kids I used to look after.

35 COMMISSIONER WALTER: That's a very threatening thing, to assert your sovereignty.

DONNA WRIGHT: Exactly, and illegal. So - for us. We are damned if we do and damned if we don't. Do we really have any rights at the end of the day and what will Yoorrook, how - you know, we spoke about going to the guts of it, recognise our sovereignty and our humanity and that this process should expose - this is all the evidence. There is no denying it.

40 But we have got to - for our kids' future we have got to give back to them what was taken from them, and we have got to acknowledge their suffering. The only thing that we have left is this morning we had a welcome. Today I spoke to Aunty Eleanor and spoke to Maggie and yourself Kevin, Tim and everyone else and Tara and all the different mobs here, because that's our law and our practice. And if that's the very, very the last parts of it, we have got to - then we will get the language and the rest of it. But that's our sovereignty.

45 Because what happens is now lots of other systems, such as native title is returned to us. We are now quite comfortable using white fellas' language to describe people but I would rather know Maggie's Palawa mob. I'll go and tell everyone I met Maggie's Palawa mob, but I want

to have a yarn with Maggie because I want to know her family and the Briggs story and how it originated there.

5 And I've known Aunty Eleanor and Sue-Anne, because that's the very basis of how we operate. It's the very thing that's kept us strong. It's the thing that survived colonisation.

10 But if we are going to go and toe the line of assimilation to fit a yarn that makes the Government of the day look good, "Oh yeah, we just put up Yoorrook and there is a report", bad luck. That's not gonna help us. We want -

COMMISSIONER WALTER: That's not what we're here for.

15 DONNA WRIGHT: Exactly. So I want it talk about - be a bureaucrat or anything, because I'm in the system, but the only time I get to talk and be with my sisters and my family.

TINA WRIGHT: How do you feel about justice for mum, Jo? What do you think her justice would be, and gran and grandfather?

20 JOANNE WRIGHT: It's the whole family, isn't it?

TINA WRIGHT: It's not just mum.

JOANNE WRIGHT: It's her aunties -

25 TINA WRIGHT: And her children -

JOANNE WRIGHT: And her sisters and her brother.

30 DONNA WRIGHT: I think justice for grandfather would be to expose what happened to him, because he died without dignity. He was treated inhumanely, and we need to fix that.

JOANNE WRIGHT: And for gran as well. She had her kids stolen, taken. Like, look at our kids, if anyone come to take that, you know, just like that gone, there one minute and gone.

35 COMMISSIONER WALTER: And telling the story is powerful but it risks becoming just voyeurism unless there is some justice attached to it.

40 TINA WRIGHT: Exactly, and mum wanted justice, I don't know how you look at that and how I can say - answer your question.

DONNA WRIGHT: In 2000, on 14 February, we went up for the apology, flew up as the Victorian rep, and mum was real - you know, she is able to protect herself, like, not even trust white people or anything, but when we got on that plane and there was a bit of a - from the airport, she was really happy to be doing this, but this fella said to mum sitting on the plane, he said, "Oh, you're going up for the apology?" And I thought "I'm just going to let her own this moment."

50 She goes, "Yes, I am." And this conversation happened. That's really huge for mum, to talk to a stranger and have that yarn for her. And we had this apology and it gave - shone a light on and validated our truth, but actually we are just having little events and little running sheets.

TINA WRIGHT: Cup of teas.

5 DONNA WRIGHT: Tick a box, let's have a welcome, and it's not - no disrespect, no disrespect.

TINA WRIGHT: Can you give me a total, how much they're spending on cup of teas every year at the apology, can anybody tell me?

10 COMMISSIONER HUNTER: Your words will stay with me, and your mum's words will stay with me, right. You know, everybody is having cup of tea, and it's - what does it -

TINA WRIGHT: What are youse doing? What are we doing here?

15 DONNA WRIGHT: We are all sitting and remembering the pain but there's nothing that we can take that next step. Until we take the next step to address the injustice, we are not going to get the justice. But we have got to take back what's ours and be able to, in our country, be true to ourselves and our people, because we owe it to our children, to - our sovereignty is everything and the basis for our existence and our future people. But if our grandfather's  
20 justice is to expose the truth about what happened to him, and we can - and, you know, and honour our grandmother because this beautiful woman, this amazing horse woman who raised her children, she was an amazing woman.

JOANNE WRIGHT: She'd walk to Heywood and back, you know.

25 DONNA WRIGHT: Yeah, to feed her kids.

JOANNE WRIGHT: Kids went to school, they were fed, they were clothed, you know.

30 COMMISSIONER WALTER: And that was no easy task.

TINA WRIGHT: No, going into Heywood and - how old was our granny when she was walking in to Heywood? In her 80s? And she'd walk home with the gunny sack on her back. They would all walk in, the kids, and it's a fair drive. I couldn't -

35 DONNA WRIGHT: Yeah, well, they'd go by horse and cart but she walked, gran. She was - she would have been 30s by the time she had her kids, but you know, she's having babies in between, she's still going to town, walking back.

40 CHAIR: Did a lot of walking, I think.

DONNA WRIGHT: Yeah, Aunty Annie Jones walked everywhere, she never drove, and - but, yeah, the justice for our family.

45 TINA WRIGHT: We'll just wait for it.

JOANNE WRIGHT: And what our lives would have been like if they lived on country. You know, we've missed out on so much.

50 TINA WRIGHT: We would have been prospering down here now.

DONNA WRIGHT: But in a different way. Not because we want material things, but we need to be with our family on our country, because we can't tell them the stories of - we know where - yeah, there's scar trees now, but some white systems are managing that and has control over that. So all the cultural appropriation that's happening at a State level and National level with native title, we have got to protect. We spoke about data sovereignty, didn't we, you know our stories. We can't just keep telling our stories so that someone can then just grab it and say -

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10 TINA WRIGHT: Hope it's the last time we ever say our story. Can we please stop? Can we please stop reliving this?

DONNA WRIGHT: And can we please stop - our kids, our grand-kids have a right - we don't want to hurt them and they have a right - and they do, but, Jo, little Millie when we come down for Christmas time, we were out the cemetery seeing mum and how old is Millie?

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JOANNE WRIGHT: Seven. And they know the story.

DONNA WRIGHT: A seven-year-old. And she broke down. A seven-year-old.

20 TINA WRIGHT: And they sob. Our babies are sobbing, our babies are sobbing at mum's grave, because they were so close. Look at them, look at them up there. And we didn't have - we did have a family photo of all of us.

25 DONNA WRIGHT: Yeah, we meant to bring the big one.

TINA WRIGHT: Of about 40 of us standing behind that old lady, but I do have to say, three years before we lost mum she got very sick. She was gonna die. She was just losing blood from every orifice, so she was under palliative care, and so they didn't want to let her get out of hospital. I said, "Please, can we just take her out the mish?" One day they gave us.

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35 So she was out here, in that cabin - was her cabin, this wheelchair one, and she was, me and her were laying there. She was yelling out to her ancestors and her Elders and telling them to help her and we didn't think she was going to make it through that and, you know, she was so breathless, but she lived for an extra three years after that. So she come real good after this spirit. The power of this place for mum, is a whole other level.

40 MR GOODWIN: Can you tell the Commissioners the story - I love this story, about how she was when she went into the ambulance compared to how she was when she came back?

TINA WRIGHT: And then when we did lose her, the week that we did lose her, she got - I had, I don't know if it's an advanced care plan. If she ever - in that, it was stated if she ever got sick - because we were back and forth in Melbourne. If she ever got sick in Melbourne she was to come home and pass on country. So that got - she got really sick, hey, Jo, and Jo - and we kissed her all goodbye and she was going into unconsciousness.

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She ended up going into unconsciousness in Melbourne and the air flight ambulance said, "If she passes on the road do you want us to stop?" And we said "No." We convoyed behind her. So she was unconscious when she left. And anyway, we were probably crying all the way up

here, hey, expecting her to be gone by the time we got here, and we got to Hamilton Hospital. That was on the Monday or Tuesday.

5 DONNA WRIGHT: But before that happened, the ambulance said "What's the plan if anything happens on the way?" And we just said, "Keep driving".

10 TINA WRIGHT: Keep going. And we get - everyone's trying to beat each other there and we got there and mum was sitting up having a cup of tea, eating sandwiches on the bed. Where is that photo? She had one of the - oh, look, it was just bizarre, like, it was -

JOANNE WRIGHT: She got home and she come to life, yeah, didn't she?

15 TINA WRIGHT: She got so much energy. You know, when you're - it did it to her. You could feel it. Even if you're not from here, you can feel the power of this place. I do. And it gave her so much strength. And it just kept her, kept her up for a couple of days so she could yarn to us and laugh with us, hey, and then she went to sleep. So I just feel the power of this place. It's just beyond.

20 DONNA WRIGHT: Well, our great grandmother lived to 100.

TINA WRIGHT: Longevity.

25 DONNA WRIGHT: So we have these long, long lives and we are lucky. Gran - you know, she lived until 75. She could have lived longer. And mum, she had TB because she went into hospital when we were little. We were living in Silvan then. Joanne was 12 months old and our nan from Sydney had to come and get us, but - yeah, she even - she was sick, and because of TB she was more susceptible to cancer, so, you know, she was sick and dying.

30 MR GOODWIN: She must have been - I think you mentioned earlier that fear of TB because of what happened when your grandmother was in hospital with TB.

TINA WRIGHT: And we didn't go to hospital.

35 DONNA WRIGHT: We didn't get TB.

TINA WRIGHT: If we were sick as kids, we never got a Panadol, because if you take your kid sick to a doctor - mum never took us. That was taboo, because they remove you.

40 MR GOODWIN: Yes.

DONNA WRIGHT: I think the first doctors was the health service in Gertrude Street, Fitzroy. That's when we started going to the doctors.

45 TINA WRIGHT: Yeah, it was. I never ever had a Panadol growing up, or an antibiotic or anything, that was - no. She was very protective.

MR GOODWIN: Because of that trauma - if you participate in the health system, they say your kids are neglected and take them.

50 TINA WRIGHT: Absolutely, that fear. We never missed school.

TINA WRIGHT: We never missed school. Our house was spotless, our clothes were clean, we had food on the table. All the -

5 COMMISSIONER WALTER: The pressure of living with that, you can't show a sliver or a chink of not being a normal family because that will be accused of neglect.

TINA WRIGHT: Our mum -

10 COMMISSIONER HUNTER: She carried that as a mum. Every day, she carried that, and you said overprotective.

TINA WRIGHT: And to her grand-kids. To her grand-kids.

15 COMMISSIONER HUNTER: And she had every reason to have that, those fears.

DONNA WRIGHT: And that system still operates, because of who we are as black fellas, you know. It's still that old system that influences the new one, and the very people who are the decision makers have those biased - you know that unconscious bias. And, you know, we're never gonna - you know, there'll be no closing no gap, but there will be no justice either.

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So if the justice is honouring mum and our family and telling her truth, well, that's what dad wanted for her. Because no-one ever listened to mum, and that's what - the only thing I ever saw dad upset about was, "What about your mother? No-one knows what happened to her." And he was very angry. Yeah. And he was so upset about her not being respected or listened to, you know. So for him as well, because he protected her and brought her home. So she lived a good life with her kids and - just hard for her. Yeah.

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30 TINA WRIGHT: He was trying to fix it.

DONNA WRIGHT: Exactly, Tina.

CHAIR: Well, this is a start. I'm not sure where it will go, but, you know, you've given us so much information.

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TINA WRIGHT: Yes. Very good.

DONNA WRIGHT: Yeah, it's a lot.

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CHAIR: To mull over and it's on the record so we will be able to look at that and see.

TINA WRIGHT: Yeah.

45 DONNA WRIGHT: And the young fellas are so good at it, like you said. They're organised, Aunt, and they are telling the truth, and you see that on the 26th of January. You know, but still that privilege exists and, you know, you know how are we gonna get that justice, I don't know. I don't want to waffle on, but yeah -

TINA WRIGHT: Let's hope Eunice can get something, and I don't know what that looks like, but please somebody listen to us.

5 JOANNE WRIGHT: Her story, please.

COMMISSIONER BELL: I've got a question on something you raised earlier, which is massacres, and, if it's okay, I just want to go there briefly, and we're coming back to this, so this is not the last.

10 DONNA WRIGHT: There is one not far away from here.

TINA WRIGHT: Have you been to the Convincing Ground? Jo, have they been to the Convincing Ground?

15 COMMISSIONER BELL: We have been to the Convincing Ground and I've really got two questions. One is whether you and your family are holding stories of massacres, about where they happened and, really, the second question, which is wrapped up in the first, is how present are these massacres in your own mind and how much do they affect you?

20 TINA WRIGHT: All the people that would know that aren't here.

COMMISSIONER BELL: Yes.

25 DONNA WRIGHT: But they do have that knowledge, because there were certain parts of this mission we weren't allowed to go.

TINA WRIGHT: The old people. That's it.

30 DONNA WRIGHT: Our grandmother, she knew, and mum, so we knew and we know where that - and we're still, you know, through - you know, we're digging up our ancestors' remains when we build, you know, houses and whatever. Farmers ploughing their field and finding remains of children and our families, yeah, our ancestors. So, yes, that's the answer. Yes to both.

35 COMMISSIONER BELL: Yes. Okay. Thank you.

TINA WRIGHT: We weren't allowed to veer off the track coming from the dormitory. You haven't been to the dormitory yet. There was a track that they weren't - because Granny Arden lived down there.

40 DONNA WRIGHT: But you weren't allowed on this side. There was parts of this mission you couldn't go.

TINA WRIGHT: Aunty Sadie used to be able to hear them crying in the trees here.

45 DONNA WRIGHT: My brothers heard them singing.

COMMISSIONER HUNTER: Was it you two that told me about the lights down on -

DONNA WRIGHT: Yeah, me, over around here, and they reckon that's the ancestors taking them home to (indistinct) because that's a burial site. But -

TINA WRIGHT: We have got net nets.

5

COMMISSIONER HUNTER: We had to leave last time before sun down, didn't we?

TINA WRIGHT: When the sun goes down -

10

COMMISSIONER HUNTER: We had to get out.

TINA WRIGHT: All things happened out here (Laughter).

COMMISSIONER HUNTER: You were out of here. I'm like, "Okay, I'm with you."

15

DONNA WRIGHT: I just want to say, acknowledge our brother who is here today, Joanne's husband, Patrick.

TINA WRIGHT: Yeah, he is our food team.

20

DONNA WRIGHT: He is our - but he's our brother.

TINA WRIGHT: He's been on the journey with mum, haven't you, Patty.

25

PATRICK: I'll say one thing about beautiful mum, but if you're talking about how are we meant to maybe understand it better in our way, we need - I believe in coming together as a people. Like, mum showed a lot of love to me, because my mum had a same - similar story but I have lived with these girls and Sonny so protective, but it was all love. She fought the good fight with coals, on people's heads without even realising that, but it was from her heart. And people did listen, you know, so it's very encouraging, the love is shared every time you come near her.

30

TINA WRIGHT: She raises good people, mum and dad.

35

PATRICK: We need to come through the washing machine and to express that to my children and grandchildren, but they need to know the story to heal the pain. Then we can start the journey with one another to reconciliation. She showed me a lot.

TINA WRIGHT: Oh, yeah, she loved -

40

PATRICK: I loved her very much and miss her but she lives on through..

TINA WRIGHT: She rowed Patty, she rowed of all the husbands. This was her home. When mum come down here, she was - this was her home, and you sat up and you didn't -

45

PATRICK: I didn't get a chance to welcome to country like (Laughter). I wanted to get in the car and say here we go.

TINA WRIGHT: Yeah, she commanded certain things.

50

DONNA WRIGHT: We just want the truth about our family to be told, as hard, as it is, and we just got to honour them, and especially for mum to get her justice and expose the truth that she was denied it. Whoever is responsible for it -

5 TINA WRIGHT: And she was denied her justice.

DONNA WRIGHT: - is documented in failing our people and then, for us, it gives us a bit of strength, because it's - we'll continue that on and so will the kids.

10 CHAIR: Well, it's going to continue on through you all anyway. I can -

DONNA WRIGHT: Yeah, yeah.

TINA WRIGHT: My nine-year-old tells the story in class about Stolen Gen, stands up.

15 CHAIR: Yep, yep.

TINA WRIGHT: Ten-year-old, does it every year.

20 COMMISSIONER HUNTER: There you go.

DONNA WRIGHT: And our kids are at school wondering, looking at the flag and saying, "Where is the Aboriginal flag?" But the teachers are challenging their identity. So this systemic racism, this unconscious bias, because it's our blackness that's important, not how fair our skin is, it's our blackness.

25 TINA WRIGHT: No, I'm happy to sign off and thank you all for listening -

CHAIR: You've given so much, so much.

30 TINA WRIGHT: - to our family.

DONNA WRIGHT: I need to give some context about mum too, where she gets her fight from, but how hard to bury or lose your whole family, bury your whole family, fight for your right to your justice and not get that, and get still disrespected and, you know, so insulting and offensive to treat an Elder - or all our Elders like that. Mum deserves better and we are not going to sit back and not - and let her get disrespected, especially now she is gone.

40 COMMISSIONER WALTER: And pretend we believe the pissing in the pocket to make them feel better.

DONNA WRIGHT: Yep, yeah.

45 TINA WRIGHT: Thank you.

JOANNE WRIGHT: Thanks, guys.

DONNA WRIGHT: Thanks, guys, thank you Kevin, Maggie, Sue and Tim. I think we need a cup of tea.

50

(Video concluded.)

MS MCLEOD: Thank you, Commissioners. That concludes the video evidence. It remains  
5 for me to tender a copy of the video. I will also tender the witness outline and exhibits to the  
witness outline, and they should be added to the tender list, and we will allocate them  
appropriate numbers.

CHAIR: Thank you. That will be done.

10 COMMISSIONER BELL: I think there are a couple of attachments to come.

MS MCLEOD: I can clarify that, Commissioner Bell.

COMMISSIONER BELL: I looked at that this morning. I only have three.

15 MS MCLEOD: I'll sort that out. I do know that we - I do seek an order under 26 of the  
Inquiries Act in respect of identifying information in the case of a third party in the witness  
outline itself - that's the body of the witness outline - that includes third-party identifying  
20 details. Those should be redacted before the statement is released. And I seek that order. But  
we will also sort out the exhibits or attachments.

COMMISSIONER BELL: Yes, yes, that's fine. Thank you.

MS MCLEOD: Is that an appropriate time for a break? We will resume at 2 pm with the next  
25 witness.

**<ADJOURNED 12.22 PM.**

**<RESUMED 2.22 PM.**

30 MR MCAVOY: The evidence we are about to hear this afternoon is from a witness, Mikala,  
and with respect to that witness there is a restricted publication order which I will read into  
the record now. An order made pursuant to section 26 of the Inquiries Act 2014, made by the  
Chair, Professor Eleanor Bourke, dated 1 March 2023, and made as an order of the  
35 Commission. The orders are that pursuant to section 26(1) of the Inquiries Act 2014 Victoria  
and having regard to the matters set out in section 26(2)(a), (b), (c) and (e), paragraph (1):

40 *"The outline of evidence referred to by the witness Mikala dated 23 February 2023 will be  
published by Yoorrook only on a de-identified basis.*

*(2) Any oral evidence given by the witness referred to as Mikala at the closed hearing on 1  
March 2023, to the extent captured in a transcript, will only be published on a de-identified  
basis with appropriate redactions as required.*

45 *Paragraph (3), any other material published by Yoorrook which references the evidence or  
participation at Yoorrook of the witness referred to as Mikala be on a de-identified basis  
only, with appropriate redactions as required.*

*Paragraph (4), any publication by a third party, including media, which references the evidence or participation at Yoorrook of the witness referred to as Mikala be on a de-identified basis only.*

5 *Paragraph (5), the publication of an image or other personal details which may lead to the identification of the witness referred to as Mikala connection with her evidence is prohibited.*

*Paragraph (6), a copy of the orders to be published on the Yoorrook website.”*

10 And the website is set out in the order with the note (1) pursuant to section 48(1) of the Inquiries Act 2014 Victoria it is indictable for a person, including a body corporate, to knowingly or recklessly contravene an order of the Commission under 26(1).

15 And that order, I understand, Chair, is to be issued under your hand on behalf of the Commission. And the order is made.

CHAIR: Yes, I think the order has been made, actually. Thank you.

20 MR MCAVOY: And I confirm that a copy of the order has been placed on the door of the hearing, so that all potential entries to the hearing room will understand the nature of the order.

25 Commissioners, for the purposes of the evidence that's about to be drawn from this witness, I propose to sit down and remain seated. Thank you.

CHAIR: Thank you, Mr McAvoy. Welcome. Welcome, Mikala. We are very pleased you are able to speak with us today.

<MIKALA, CALLED

30 MR MCAVOY: Commissioners, you'll note Mikala is here with a support person, and also seated at the bar table is her legal adviser from VLA.

CHAIR: Welcome.

35 MR MCAVOY: Now, Mikala, you have prepared - sorry, is the evidence that you will give to this Commission the truth to the best of your knowledge?

40 MIKALA: (Indistinct)

45 MR MCAVOY: Thank you. This room is a little bit big, so I'm going to have to ask you to keep your voice up. That's okay. And in the preparation for this hearing you were assisted in preparation of an outline of evidence? And have you got that outline of evidence in front of you? And do you recognise that document? And the heading of the document is Outline of Evidence of Mikala, February Hearings 2023, 23 February 2023. And you -

50 COMMISSIONER BELL: Counsel, could I just interrupt for a minute. I think it would really help Mikala if the microphone were pushed close to her. Perhaps her legal adviser. Then she won't have to labour. It's hard enough here as it is, even a bit further would be - there you go.

MIKALA: Thank you.

MR MCAVOY: Thank you, Commissioner Bell. And you've had the opportunity to read through the outline of evidence, Mikala? And the contents of that outline are true and correct to the best of your knowledge? And you're happy with the statement as recording what you want to say to the Commission? Commissioners, I propose to take Mikala to aspects of her statement and not read through the whole of the document. I understand, Commissioners, you have the outline of evidence before you.

10 CHAIR: Yes.

MR MCAVOY: Firstly, Mikala, in your background you state you are a Gunditjmara woman living on Wadawurrung country. It doesn't appear elsewhere in your statement but can you tell the Commissioners how old you are now?

15 MIKALA: 29

MR MCAVOY: And you are presently studying for a Certificate IV in Community Services, and where are you doing that study?

20 MIKALA: (Indistinct)

MR MCAVOY: And you are partway through that study at the moment? And when are you likely to finish that study, do you think?

25 MIKALA: (Indistinct)

MR MCAVOY: So eight or nine months from now? Now, in your outline of evidence, you talk about your own circumstances and then the circumstances - your circumstances as a mother with raising children. I just want to take you to some parts of your outline. Firstly, if you can just look at paragraph 6 of your outline, you say there that:

30 *"I have a lot of underlying trauma that I deal with daily because of the decisions made about me when I was a child."*

35 How is it that you know about your underlying trauma? Can you just explain that to the Commissioners?

40 MIKALA: So since the time I was in Child Protection there has been a lot (indistinct) obviously a lot of support, a lot of people standing in my corner and backing me a hundred per cent. And already a lot of (indistinct) throughout the time - throughout Child Protection (indistinct). So one of them was called Positive Shift, and it was through Berry Street, and that went for 18 weeks.

45 So I did that, and in that space, I learnt a lot about me and a learnt a lot about my sense of belonging. Because when Child Protection were involved in my childhood, I lost (indistinct). So I am very much in touch with my emotions (indistinct). I have a lot of emotional vulnerability when it comes to certain subjects, Child Protection being one of them, my dad passing (indistinct) my Child 2 being removed away from me.

50

So I guess there's a lot. And I've also attended trauma counselling and all that kind of stuff, and with the assistance of the trauma counsellor try and confront to see whether we can work through some of the issues. But that hasn't been successful. I (indistinct) emotional (indistinct) to the point where (indistinct). So that's where I'm able to kind of (indistinct) a lot of underlying trauma, really from when I was a child, it turns out.

MR MCAVOY: We will have a chance to talk a little bit more about your experience with Positive Shift Program a little bit later. In paragraph 9, you talk about how you were removed from your mother as a baby at birth and placed with your nan, and you talk about how your nan kept you completely away from your father and his side of the family.

And your father's side of the family is the First Nations side of the family, the Aboriginal side of your family, and you mentioned that, you know, your nan told you lies about - told lies about you being there and hid you away from people, from your sister. And that this has impacted you into your adulthood. It sounds as though you're being quite critical of your grandmother, your nan. Is that what you intend to say?

MIKALA: I know deep down that her intentions were good. She wanted to protect me, she wanted to keep me safe because she was worried about what had happened previously before I was born - and it states in my statement - she was worried that that was going to be my circumstance as well. And I know that she was just trying to protect me, but now, as an adult, I hold a lost sense of belonging when it comes to my dad's side of the family and when it comes to my Aboriginality due to my nan's decisions.

MR MCAVOY: I just want to ask you, is that something about which you now feel some resentment? Or is it something that you just acknowledge as part of your history?

MIKALA: I just acknowledge it now. And every day that I learn something new about my Aboriginality and about me and my side - my - well, one side of my family that was completely lost in translation.

MR MCAVOY: Now, at paragraph 11 of your statement, you talk about attending your father's funeral.

MIKALA: Yep.

MR MCAVOY: And you were 17 years old at that stage?

MIKALA: Yep.

MR MCAVOY: And it was that the day before your father's funeral was the first time you ever spoke to your sister?

MIKALA: Yep.

MR MCAVOY: And at the funeral, you met some of your father's side of the family?

MIKALA: Yes, that is correct.

MR MCAVOY: Was it a good experience for you, meeting the family, or was it difficult?

MIKALA: It was very, very difficult.

MR MCAVOY: Can you just explain why?

5

MIKALA: It was like getting in a car and trying to learn how to drive it for the first time, really. I didn't know where I belonged, and I got asked time and time again of, "Well, where did you fit in? Where do you fit? Because your father's got many different children. And as far as we knew, you weren't one of them." So that was really, really hard in itself. My dad's

10 brothers were very, very hostile towards me, and I think that was also due to my nan and her choices, because my nan made it quite clear that - after dad passed away, and, like, she had the option to come with me and she chose not to, and I think I got reprimanded for that and I was mistakenly held accountable for some of it.

15 MR MCAVOY: And it wasn't until some years after that, at the age of 24, that you understood your Aboriginality?

MIKALA: Yes, that is correct.

20 MR MCAVOY: So you didn't have the opportunity at your father's funeral to have that sort of discussion?

MIKALA: No, no, there was nothing really up for discussion at the funeral. It was kind of, "Let's get this over and done with. Let's put him away and be done with it."

25

MR MCAVOY: Now, at paragraph 15, you talk about your attempts to build relationships with family, your father's side of the family, and the difficulties that you've had and that your removal as a child has impacted those relationships for your whole life.

30 MIKALA: Yep.

MR MCAVOY: And has left you with some underlying trauma as an adult that you just can't seem to work through.

35 MIKALA: That is correct.

MR MCAVOY: So you've tried to work through some of those matters?

40 MIKALA: Yes. So, again, trauma counselling and kind of prompting and all that kind of stuff, and it just hasn't happened, and it's kind of been stated that I may never work through it. I may never get over things that have happened in my life. But it's just something that I - I need to learn to cope and deal with for the sake and well-being of my family and my children and my future.

45 MR MCAVOY: Now, at paragraph 16 and onwards from there, you speak about the removal of your child?

MIKALA: Yep.

50 MR MCAVOY: And that's Child 2?

MIKALA: Yes, that is correct.

MR MCAVOY: The period that we're speaking about at paragraph 16, what year is that?

5

MIKALA: 2019.

MR MCAVOY: That's three years ago, or maybe four?

10 MIKALA: Three years ago, four in November.

MR MCAVOY: And you talk about being in hospital for 10 days:

15 *"And most of it was a social admission for the purpose of the Department assessing me and trying to find a placement for us."*

Can you just explain that a little bit for the Commissioners?

20 MIKALA: Well, the Department were involved in the unborn phase, and I met with them once in the unborn phase, and there was no kind of structured planning around it. When it came down to the birth of Child 1, it was very disorganised, very kind of up in arms. The purpose of that social admission, realistically, is so the Department could get their ducks in a row when it comes to where we're going to be residing until they could find a suitable time for us to be properly assessed.

25

MR MCAVOY: So in the next paragraph, then you talk about the consequences of that assessment, I suppose, where there are some - you go through a number of kinship placements?

30 MIKALA: Yes, that is correct.

MR MCAVOY: And none of those were satisfactory?

MIKALA: That is correct.

35

MR MCAVOY: And you talk then at paragraph 21 about the concept of kinship placement.

MIKALA: Yep.

40 MR MCAVOY: And you observe that it could work well, but there's some problems with it. Can you just explain for the Commissioners some of the problems you see in the kinship placement system?

45 MIKALA: There needs to be a lot of structure and planning around it. For me and my circumstance, Child 1 and myself got placed with family members on my dad's side of the family, and, as I've spoken about previously, the relationships that I hold on my dad's side of the family, as an adult myself, aren't exactly a hundred per cent satisfactory, and when the Department did make the decision to put - to place me with my dad's side of the family and Child 1 together, there wasn't a lot of thought about my relationship that I hold with that adult

on dad's side of the family. And also, whether that adult was actually going to be doing it for the right reasons. And it wasn't the right reasons, I found out in the end.

5 MR MCAVOY: And so after that really - I think you're saying it's an unsatisfactory period of placements, there were arrangements made for you to then go to Tweddle?

MIKALA: Yes, that is correct.

10 MR MCAVOY: For a 10-day period?

MIKALA: Yes, that is correct.

MR MCAVOY: And that was done at a time when you were particularly unwell?

15 MIKALA: Yes.

MR MCAVOY: So do you think that the timing of that was inappropriate for you?

20 MIKALA: Absolutely, because the Department were a hundred per cent aware that I was medically unwell still, and that I was still awaiting surgery, but I seem to believe that they used that to their advantage.

MR MCAVOY: So you didn't get the surgery you needed until after you'd finished?

25 MIKALA: That is correct.

MR MCAVOY: And when you went to Tweddle, were you told that you were going to be assessed while you were there, in terms of your parenting capacity?

30 MIKALA: I was told that there would be an assessment that would be made, but the transparency around it and the concerns that the Department held as to why we were there and why we were initially being assessed, they weren't a hundred per cent open and honest.

35 MR MCAVOY: So you make the observation at paragraph 25 that you would have benefited significantly from a support program and assistance, not from criticism and assessment. Can you see that?

MIKALA: Yes, that is correct.

40 MR MCAVOY: And had you had the support you needed and not been in pain, you would have been able to properly demonstrate your suitability.

45 MIKALA: Yes, that is correct, and I'm gonna jump a little bit ahead here, because I've just kind of seen kind of a before and after. So obviously I would have benefited significantly from a support program and assistance. The Department, once Child 2 was born, they referred me on to do an in-home parenting assessment. I a hundred per cent excelled, with flying colours. There was not a negative report in that report whatsoever. So I guess if they had have put that support in place when Child 1 was baby before we even got down to Child 2, then maybe - I seem to believe a hundred per cent that things would be a hundred per cent  
50 different.

MR MCAVOY: And so when you came out of that facility, after the 10 days -

MIKALA: Yep.

5

MR MCAVOY: - your child was taken from you straightaway?

MIKALA: Yes. So I was notified at 2 pm that Child 1 was going to be removed. I drove back with the Department and Child 1 in the car, and I remember saying words to Child 1 of, "Mummy will see you soon" and then the magistrate ordered that Child 1 be separated and placed into kinship care without me, and by the time I got up to the glasshouse to say goodbye they'd already moved him on to their placement.

10

MR MCAVOY: Do you think that should have been done differently?

15

MIKALA: Absolutely. Absolutely. And I mean, how I see it now is I hold my babies every night now. Was this shenanigans - and that's what I'm going to call it - was this shenanigans a hundred per cent necessary?

MR MCAVOY: And the next paragraph you go on to say that your child then went through three different placements in three months, on the basis that they were emergency placements.

20

MIKALA: Yep.

25

MR MCAVOY: And that the Department justified this by saying that they were desperate. Can the Commissioners take it from your explanation of those circumstances that you were not happy with the way that they were managing the situation?

MIKALA: A hundred per cent.

30

MR MCAVOY: And then when he was about two -

MIKALA: Yep.

35

MR MCAVOY: - is when he went to live with a person who is referred to as aunty.

MIKALA: Yep.

MR MCAVOY: Now, that's not a blood aunty, blood relative? No?

40

MIKALA: No.

MR MCAVOY: Just an acquaintance that's called Aunty?

45

MIKALA: Yes.

MR MCAVOY: And so that period from five months to about two years old was a disruptive period for Child 1?

50

5 MIKALA: That poor boy got pushed from absolute pillar to post, and he wasn't even two by that point. It was horrendous to watch and go through. It was absolutely horrendous, going to access with him and him being so unsettled at some points, and having Skype with him and - obviously because we were through COVID, having Skype with him and he'd be so disruptive, so unsettled, because he didn't know whether he was Arthur, Martha, Henry or James because he had gone from so many different placements to so many different houses to so many different people.

10 MR MCAVOY: And so after having been with Aunty for a little while there was then another transition process.

MIKALA: Yes, that is correct.

15 MR MCAVOY: And you say that, in your statement, that he was screaming blue murder for his Aunty.

MIKALA: Yep.

20 MR MCAVOY: And that you found that gut wrenching.

MIKALA: It was gut wrenching, absolutely gut wrenching. He was doing - Child 1 - sorry, Child 1 was doing overnight transitions with his father, so I was - he went to his dad before he came to me, and we did overnights there. I was with Child 1 and Aunty at one point, and he went to his dad's - his dad came and picked him up, and aunty handed over Child 1. And 25 Child 1 made it quite clear that, "No, I'm not going. I'm not going. I'm staying here. I need to stay here. I want to stay here. Aunty, Aunty, Aunty, Aunty", and then that high-pitched squeal of distress of, "No, don't let me go". And then I'm on the phone to Child Protection going, "Child 1 doesn't want to do this", "Oh no, it's court ordered, has to happen". That was exactly the response I got from Child Protection.

30 MR MCAVOY: Do you think it could have been done better?

MIKALA: A hundred per cent, absolutely. That poor boy - like, I was - by the end of it, I was in tears with the poor kid, because, as a mum, and especially something that's maternally 35 yours, hearing that and hearing something that's so close to you, hearing that, it's absolutely heartbreaking. And then the response that I got, it was disgusting. Like, you're setting a child up for childhood trauma here and you think that that's okay?

40 MR MCAVOY: Thank you. I just want to ask you some questions about a particularly difficult part of your life. Commissioners, we are looking at the outline from paragraph 31 to 37. Paragraph 32, you talk about a time when you were pregnant and you were incarcerated for four days at the Dame Phyllis Frost Centre.

45 MIKALA: Yes, that is correct.

MR MCAVOY: And it was as a result of breaching an intervention order against the child's father.

50 MIKALA: Yes, that is correct.

MR MCAVOY: Do you mind telling the Commissioners what the breach was of that order?

MIKALA: Realistically, it was a fault that needed to be corrected, and it was clearly stated that it needed to be corrected when orders went in place that the mother and the father can communicate in the means of a child and under the Child Protection Act. Multiple times - I mean, multiple times I contacted Child 1's dad in relation to Child 1 and because I wasn't his best friend that day, he would go down to the police station and breach me on the intervention order, knowing full well that it had been an administration error as to why it hadn't been corrected.

MR MCAVOY: And so the communication you're talking about, how were you communicating?

MIKALA: Via text message and via phone call.

MR MCAVOY: Was it threatening or abusive in any way?

MIKALA: No, no.

MR MCAVOY: And you were locked up for four days in the Dame Phyllis Frost Centre?

MIKALA: That is correct.

MR MCAVOY: Had you ever been in custody before?

MIKALA: No.

MR MCAVOY: Did you think that locking you up for that period of time was an appropriate way of dealing with that particular breach?

MIKALA: No.

MR MCAVOY: And your experience in the Dame Phyllis Frost Centre was, as your statement says, a very unpleasant -

MIKALA: That is correct

MR MCAVOY: - visit. At paragraph 32, you say that you were unwell while you were in - sorry, paragraph 33, you were very unwell while you were in custody and potentially having a miscarriage.

MIKALA: That is correct.

MR MCAVOY: Can you just explain for the Commissioners why you reached that conclusion that you were potentially having a miscarriage?

MIKALA: So I was in the Dame Phyllis Frost Centre. At that time, they had COVID iso blocks, so you spent 14 days in a cell on your own. I started bleeding in that four days that I was in there. I was still in the stages of I was at risk of having a miscarriage. I was still under 12 weeks at that point.

I started bleeding. I had a nurse come and speak to me, kind of looked at me and was just like, "You'll be right, take some Panadol". I was expected to sleep that night, and I couldn't. Let's just say that I made a bit of noise and I needed medical attention, I needed to go to  
5 hospital. I got ignored, only it was the day after that I had my court date to obviously be released, and I got placed on a good behaviour bond at that point. And I went straight from the prison to the hospital, because I received no medical attention that was adequate enough to make sure that my baby was okay.

10 MR MCAVOY: And you say at paragraph 36 that you felt that you nearly lost your baby. That was your feeling at the time?

MIKALA: Yes, absolutely. The fear of, "I'm going to lose my baby" whilst sitting in a prison cell and being ignored by prison officers, it was horrific. And then coming out, coming out of  
15 prison, ringing your partner that's obviously got no Child Protection history, no criminal record, no nothing, ringing your partner and telling him that you're going straight to the hospital because you're potentially having a miscarriage and him being a first-time dad, imagine what he went through. Because it was horrific for him also.

20 MR MCAVOY: And you say at paragraph 37 that you were treated differently by the Department after you'd been in custody. What do you mean by that?

MIKALA: I was - there was a lot more hurdles for me to jump through after I got out of custody. I got the book thrown at me in more ways than one. I had to complete Positive Shift  
25 Program, which I obviously completed successfully. I had to do Circle of Security. I had to do random drug screens. I - yeah, it was, it was horrific.

And the way that the Department presented themselves towards me after I got out compared to before I - like, when I went in, it was actually gobsmackingly disgusting how much of a  
30 difference it was between before I went in and after I got out, the way that they presented themselves, the decisions that they made. It obviously goes on to talk about that they weren't going to give him back to me at one point, and I managed to fight my way back from there.

MR MCAVOY: Mikala, I might just take you to that now.

35 MIKALA: Yeah.

MR MCAVOY: Commissioners, at paragraphs 38-41 there is some discussion about the reunification process that Mikala underwent. There was a non-reunification decision made by  
40 the Department.

MIKALA: Yep.

MR MCAVOY: That's correct?

45 MIKALA: Yes, that is correct.

MR MCAVOY: After that short period in custody?

50 MIKALA: Yes, that is correct.

MR MCAVOY: And you appealed that decision?

MIKALA: Yes, that is correct.

5

MR MCAVOY: And you've noted that the Department gave you 28 days to respond, but they took eight months to get back to you.

MIKALA: Yes, that is correct.

10

MR MCAVOY: And that period of eight months while waiting for their response was a difficult period?

MIKALA: It was difficult, but I also had it explained to me that Child 2 was gonna be the proof in the pudding. That's how they pretty much put it, was that if we were able to establish a relationship with Child 2 and a bond with Child 2 and keep him home that's when the Department would change their decision.

15

MR MCAVOY: At paragraph 40 you say:

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*"The involvement with Child Protection traumatised me and it traumatised my children, and we deal with this trauma on a daily basis. My three-year-old wonders where he might be going next and who is going to come to take him away."*

25

I'll read the remainder of the paragraph:

*"There are days when my baby just wants to cry. He doesn't understand his feelings and emotions after the trauma the Department put him through. There is heartache every time I think about what me and my family have gone through."*

30

MIKALA: Yep, that is correct.

MR MCAVOY: And so you're saying it didn't have to be that way?

35

MIKALA: No, it didn't. It didn't at all.

MR MCAVOY: We're coming to some of the suggestions you make about how things can be done better, but at paragraph 41, you make the observation that:

40

*"A person's experience in the system comes down to the individual worker that they're allocated."*

MIKALA: That is correct.

45

MR MCAVOY: So you say that the treatment within the system is inconsistent?

MIKALA: That is correct.

50

MR MCAVOY: Did you find that difficult to deal with? I take it you changed workers a number of times?

MIKALA: Yep.

5 MR MCAVOY: And did you find it difficult to deal with the different approaches by different workers?

10 MIKALA: Absolutely. Yeah, it all comes down to the way that they read that textbook and they translate that textbook, and the way that they practice is a hundred per cent different every single time, every single time. I cannot give you an example of two of the same workers that I had in this process that even practised similar. They were a hundred per cent different.

15 MR MCAVOY: And one of the things that has come out of your experiences, though, is your ability to participate in the 18-week Positive Shift program and you speak about that at paragraph 45.

MIKALA: Yep.

20 MR MCAVOY: And can you just explain to the Commissioners how you feel about that program?

25 MIKALA: At the start of the program, I was very kind of, "I don't want to be here. I don't want to do this. Why do I have to do it?" It was actually part of my Corrections Order as to why it needed to be completed, but in that space there was a lot of growth and there was a lot of understanding of a lot about me and my life circumstances and what led me to those choices that I made, as well as getting back in touch with that sense of identity, because I lost it for quite a long period of time.

30 MR MCAVOY: And you've been - the people at Berry Street have been very complimentary to you of your participation.

35 MIKALA: Yes, sorry, there is potential opportunities for me to come back into the program at some point in the next year or two to be speaking to the women in the groups that are going to be doing the future programs as a mentor.

MR MCAVOY: How does that make you feel?

40 MIKALA: It shows me that I am changing systems and breaking cycles. I am making something that was absolutely horrific and horrendous, and I am turning it into something positive.

45 MR MCAVOY: And that support in the form of the Positive Shift program came from a Correction Order, but you make the observation that you didn't get any of that support from the Department.

MIKALA: Absolutely not.

50 MR MCAVOY: Had you have had that sort of support much earlier would it have made a difference to your experience?

MIKALA: I would still have my baby. My baby wouldn't have been removed.

MR MCAVOY: You are very confident about that?

5 MIKALA: After - I will happily admit faults and flaws, and the loss of identity and the loss of sense of belonging was a flaw. It all comes down to the previous relationship that I was in, realistically. That was - yeah, that was rough.

MR MCAVOY: So that program at Berry Street, the Positive Shift program -

10 MIKALA: Yep.

MR MCAVOY: - sort of changed your direction in life?

15 MIKALA: It changed my pattern of thinking and it changed my direction.

MR MCAVOY: That's led directly now to your getting involved in study?

20 MIKALA: Yes, as well as I've had an opportunity to do a lived experience group once a month also and that's given me a taste of the cake, if you want to call it that, and I seem to believe that that's where I want to be, is that if I can practice and if I can work with a family and if I can stop or avoid - I'm not going to say stop, because I can't stop it - if I can avoid what happened to me and my family when it comes to another family, when it comes to my lived experience and what I went through and how I dealt with it, that's when I know that I've  
25 done my job.

MR MCAVOY: And so, you know, at paragraph 50, you talk about waking up every day and thinking, "Well, is this a dream?"

30 MIKALA: Yeah.

MR MCAVOY: And you have a life that's rich and full and not something that you would have imagined for yourself not so long ago.

35 MIKALA: I never, never a day in my life saw marriage, saw family, never. And now, like the statement says it, I now wake up every day and think, "Am I dreaming? Is this reality?" Because I've got it so good, so good now, and I still stick to my statement that the Department absolutely made me.

40 MR MCAVOY: From paragraph 51 to the end of your statement you talk about some of the reforms that you think that the Department might be able to bring about. Paragraph 51, you say:

45 *"The Department acts in a way that is about appearances and about statistics, not about the welfare of the child."*

Given that the whole role of the Department is to learn to care for the welfare of the child, that's a strong criticism of the Department.

50 MIKALA: Absolutely.

MR MCAVOY: But that's your observation from your experience over a number of years?

MIKALA: Yes.

5

MR MCAVOY: And so in saying that, are you saying that they are worried about the things that they have to report about, but don't, in your view, have a look deeper in to see what the needs of the child are?

10

MIKALA: It's - from how I see it, it's never been about the needs of the child. It's about the statistical number and the reputation inside and outside of court. And when I think about that - and this is why I'm so passionate about what I want to do now, is because I'm all about the needs of the child and the welfare and the well-being of the child. Somebody's gotta be in their corner because the Department most certainly aren't.

15

MR MCAVOY: And you observe, you say in the last sentence of paragraph 51:

*"In many cases, offering support will be sufficient to prevent the need for removal."*

20

MIKALA: Yep.

MR MCAVOY: And that's what you believe about your own circumstances, isn't it?

MIKALA: Yep, that is correct.

25

MR MCAVOY: And in the work that you've done and the people that you know, do you think it's the same for other people?

MIKALA: Yes.

30

MR MCAVOY: Some people?

MIKALA: Some people.

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MR MCAVOY: Yes. At paragraph 53 you make the observation that:

*"The Department also needs to offer significantly more support services when it comes to transitioning children between homes."*

40

You refer to them tearing them away from adults they are bonded with as babies and toddlers without providing support systems and counselling exacerbating their trauma. It's something that you experienced personally, you witnessed it with your own child?

45

MIKALA: Yeah, so Child 1 coming away from Aunty - because we still have a relationship with Aunty, positive relationship, healthy. If Child 1 were to go stay with Aunty for a weekend and Child 1 were to be returned back to me we have to find some sort of distraction or some sort of fixation away from Aunty. Otherwise that child, Child 1, will go running out the door after her.

50

MR MCAVOY: Thank you. Another observation you make at paragraph 54 is that:

*"Placing children with other family members may sometimes be a viable and appropriate option. However, there still needs to be some proper assessment of whether that person is in a position to raise the child and provide support to the parents."*

5

MIKALA: Absolutely.

MR MCAVOY: So you don't think that there's enough work put in to making sure that the family placement is satisfactory?

10

MIKALA: No, because you've got circumstances like ours and my family and what happened there, and adults having the complete wrong intentions as to why they're doing this. It's not for the sake of me, and it's not for the sake of the well-being of the child. It's - well, in both cases before he got removed, it was for the sake of the pay cheque. It wasn't even about me. It wasn't even about Child 1. So there really needs to be some structure and some planning around, especially if you've got such a tricky family dynamic like I do.

15

MR MCAVOY: You also make the comment that there needs to be ongoing check-ins. So do we take it from that that there's not sufficient check-ins on the child?

20

MIKALA: Absolutely not. So let's just get the child through court, let's just get the family through court, let's just not worry about the child or the family for another two, three months shall we? Because that's exactly how it worked in my circumstance.

25

MR MCAVOY: And sometimes things don't go as planned, is that correct? And there needs to be more regular monitoring of the situation?

MIKALA: Yeah, so I'm going through a family member experience at the moment where four children of hers have been removed and placed into foster care. She had baby number 5. The Department allowed baby number 5 to go home, and now baby number 5 is - what is the word for it? Significantly being held back because there's just no clue, after five children, of what that child needs to be meeting for that milestone.

30

And when it comes to check-ins and when it comes to knocks on the door, let's just put on a show and let's just make everything look hunky dory until they go and close the door again. And have I raised this? Have I brought this to everybody's attention? Have I thrown hands about it? Absolutely. Is anybody listening to me? Absolutely not.

35

Because why? The mother - sorry the Child Protection worker of the mother, the - so the mother and the father are her first clients out of uni, so she's still fresh meat, and she's going on to play with a family and not thinking about the needs of the child at all.

40

MR MCAVOY: At paragraph 55, you talk about the need for the Department to be transparent with the parents about what they need to do in order to prevent removal or to get their kids back. Are you saying that there is not enough transparency at the moment?

45

MIKALA: Absolutely not. The amount of times that I got told one story or one dynamic when it comes to gaining my children back or what I needed to do, and then 20 minutes later I'm getting a phone call going, "Hi, I've just spoken to my manager and we need to change that plan now." "Oh yeah, thanks."

50

MR MCAVOY: And can the Commissioners understand from that, that you didn't feel that you were getting enough information from the -

5 MIKALA: A hundred per cent, there was not enough information communicated to me whatsoever. It was extremely, extremely frustrating in that space, and there was a lot - a lot of - not so much using force, but pushing back and going, "No, I'm not going to allow you to throw me around like I'm a volleyball, because I'm not, I'm a mother that wants and needs her child back".

10 MR MCAVOY: Thank you. And, finally, at paragraph 56, you talk about the way that you were treated differently because of your intellectual disability, but also because of the domestic violence situation and because you'd been in custody, and those things causing you to be treated differently and you're being judged upon those things and not the care for your child or children.

15 MIKALA: Absolutely. Like, it really showed, come the final parenting assessment that we did when it come to the children and my partner, (REDACTED). That assessment came back with flying colours. There was not a fault in it.

20 MR MCAVOY: So, Mikala, I've taken you to certain parts of your statement. We haven't gone through each part but the Commissioners have the statement and have read through it. Are there any other matters that you'd like to bring to the Commissioners' attention?

25 MIKALA: Can I have a little bit of assistance there, please, sir?

MR MCAVOY: I'm not trying to direct you to anything. I'm just giving you the opportunity to add any final things that you might have thought along the way.

30 MIKALA: I think, realistically, how I see it is it's not about the well-being of the child. It's really not. And, I mean, it's this perfect example of this family member that I'm going through at the minute. It shows there, and I guess there is a space for change, but it's a choice also. And you need to choose to allow it to happen, and that's exactly what I did.

35 The day that I got out of Dame Phyllis Frost, I said to myself, "I am not going back there under any circumstances whatsoever." And now to this day haven't been back. If anything, I have climbed, absolutely thrived and excelled and kicked life in the arse and I'm extremely proud of that, and I hold a lot of value in that space.

40 MR MCAVOY: Thank you. I might ask whether the Commissioners have any questions for Mikala.

COMMISSIONER HUNTER: You mentioned there was (indistinct).

45 MIKALA: Yep.

COMMISSIONER HUNTER: Were you invited to be part of that process?

50 MIKALA: Yes, I was.

COMMISSIONER HUNTER: And did you get to (indistinct).

5 MIKALA: Yes, yes. I didn't actually have anybody from my side of the family present at that time. It was my partner, (REDACTED), and his mum and dad that were present with me. I don't have a lot of strong connections on my side of the family. My older sister, (REDACTED), she's got six kids. We're like this. We're thick as thieves. She just couldn't find time or space with six kids, and especially being a single mum at that. Yeah, she wasn't able to be there to support me through that process.

10 COMMISSIONER HUNTER: One other thing, you talk about lack of supports.

MIKALA: Yep.

15 COMMISSIONER HUNTER: So probably (indistinct) did anybody (indistinct) your connections to culture, your identity as a -

20 MIKALA: So I am linked in with the (REDACTED) in (REDACTED), and they have helped me significantly in relation to how far back we go and kind of where my dad kind of fits in, kind of all that stuff. And not only that, but my - like, the (REDACTED) side of the family is they're an integral role at the Co-op, so I've got a lot of members of my family on dad's side of the family that actually work at the Co-op. So they are throwing in their little bits and pieces wherever they get the chance to as well.

25 COMMISSIONER HUNTER: (Indistinct).

MIKALA: Absolutely, yeah, yep.

COMMISSIONER HUNTER: Thank you.

30 MIKALA: You're welcome.

COMMISSIONER BELL: You said that you went to Dame Phyllis Frost for four days by reason of a breach of the intervention order.

35 MIKALA: Yep.

COMMISSIONER BELL: Can you tell us a bit more about that? It just seems strange that you end up in -

40 MIKALA: It was a remand period. So I had one lot of charges on one day and then another lot of charges on another day, and they wanted to bring them together to assess the suitability of a good behaviour - a Community Corrections Order in that space.

45 COMMISSIONER BELL: Now I understand.

MIKALA: Yep.

50 COMMISSIONER BELL: It would seem that the thing that has got you to this positive place now is the availability of services which you really needed -

MIKALA: Yes.

COMMISSIONER BELL: - at a time that you were able to take advantage of them.

5 MIKALA: Yes.

COMMISSIONER BELL: Is that a good assessment?

MIKALA: That is correct, yes. That's a perfect evaluation, yes.

10

COMMISSIONER BELL: Thank you.

COMMISSIONER WALTER: I've just got one. It struck me when you said that each Child Protection worker seemed to interpret the books and the descriptions completely differently and what you got was entirely the luck of the draw with your Child Protection worker.

15

MIKALA: Yep.

COMMISSIONER WALTER: Without revealing any identifying information, could you think of an example of where that was obvious to you?

20

MIKALA: Yeah, there was one occasion where we - and I'm gonna use this example because it was really quite obvious, really quite obvious to me. So I have only ever come across one Child Protection worker that has children herself, and I had her for a few weeks and she was great. She was fantastic, absolutely was really, really compassionate about the situation.

25

And then we went over and changed over to a different worker and, by golly, the rudeness, the abruptness, the "I give no shits" attitude, it was - yeah, it was just - yeah. It was gobsmacking, like - and we ended up in arguments time and time again because we - yeah, we simply just butted heads from the word go. Yeah, the whole situation was just not ideal.

30

COMMISSIONER WALTER: The final follow-up, I think you've had lots of changes of Child Protection workers over the time you were involved with the system?

MIKALA: Absolutely. Like, every time there was a new placement there was a new worker. And every time - like especially during COVID, I think we went through, like, four different workers in that space, like - and, yeah, it was ridiculous. Like, and the repetitiveness of it. I'd constantly have to explain and explain and explain and explain because no-one could take the time of day to possibly maybe open a file and have a bit of a read and understand the circumstances. Oh no, we'll just make you explain it again.

40

CHAIR: I don't have a question, but I can only thank you for sharing with us today, and I applaud your bravery.

45 MIKALA: Thank you.

CHAIR: So thank you, thank you.

MIKALA: You're welcome.

50

MR MCAVOY: Chair, I formally tender the Outline of Evidence of Mikala and I note - although it's unnecessary, I note for the record that the record of proceedings will redact the identifying names that have been given during the course of the evidence.

5 MIKALA: Sorry about that.

MR MCAVOY: Mikala need not worry about that.

MIKALA: Yep, thank you.

10

MR MCAVOY: That concludes the evidence of this witness, though, Commissioners.

CHAIR: Thank you, Mr McAvoy.

15 MIKALA: You're welcome.

CHAIR: Thank you, thank you both.

MR MCAVOY: And the Commission can now adjourn, I understand, for this afternoon.

20

CHAIR: Yes, until 6 - is it 6? Thank you. Thank you very much.

MR MCAVOY: Thank you Commissioner.

25 <THE WITNESS WITHDREW

<ADJOURNED 3.33 PM