

TRANSCRIPT OF RECORDING

ALAN COE SUBMISSION

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ACN 086 329 044 **T:** 1300 004 667

W: www.lawinorder.com.au



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UNIDENTIFIED MALE: Tell us what this document is, thanks.

- ALAN COE: I'm Alan Coe. Yeah. This morning, as I said, I come up here. I bought 5 a copy of Captain Arthur Philip instructions, right. And this document can be found in Australia's founding does, right. And this document is – I call it the foundation of the law of this country because this document is the authority of Captain Arthur Philip and what - he was first given authority as the Captain General of the first fleet and he was then given - in the same document he was given authority as the first 10 Governor of the territory of New South Wales, right, and it was done in Sydney. My grandfather – my great-great-grandfather's country. But this document was – is instructions and he was told how to treat our people. It's a six-page document but my only concerns is the first one-and-a-half paragraphs and the last one-and-a-half – on page 1, sorry, and the last one-and-a-half paragraphs on page 6. And the – the 15 document – the statement on page 1 talks about how he will – I'm going to give you a quick overview. It's – I'll read it.
- It is, "Instructions for Our Trusty George R," the King, "and well beloved Arthur
 Phillip Esquire. Out Captain General and Governor in Chief, in and over our territory
 of New South Wales and its dependencies, or to the Lieutenant Governor or
 Commander in Chief of the said territory for the time being. Given at our court at
 Saint James, the 25th day of April 1787 in the 27th year of our reign."
- And it says, "With these instructions, you will receive our commission under our great seal constituting and appointing you to be our Captain General and Governor in Chief of our territory called New South Wales." And that's his authority.
- And on page 6, this is the law in regard to our people, "you are to endeavour by
 every possible means to open intercourse with the savages" they crossed it out –
 "natives and to conciliate their affections, enjoining all our subjects to live in amity
 and kindness with them. And if any of our subjects shall wantonly destroy them or
 give them any unnecessary interruption in the exercise of their several obligations, it
 is our will and pleasure that you do cause such offenders to be brought to punishment
 according to the degree of the offence." It then goes on to tell him he needs to get a –
 a count of the natives, all right, in the territory.
- So that document and that statement was the law in regard to Aboriginal people. And because they were to cause our people no harm so therefore, given all the damage that's been done to our people, that makes their system null and void because according to that document the punishment was to be hung, drawn and quartered, therefore making the system a proceed of crime. And that's that's the truth, the whole truth and nothing but the truth.
- 45 **UNIDENTIFIED MALE:** And the reference a little bit earlier, and this is this can be redacted for people listening in here, but the but the reference to New South Wales, that was the colony of New South Wales which included Victoria, right?

ALAN COE: Yeah. At the time it did. That – that aspect of New South Wales also included Victoria because back then the whole eastern seaboard was New South Wales, right. So that included Victoria and – so the accountability lies even with Queensland and with New South Wales and Victoria, all right? So

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UNIDENTIFIED MALE: Was seventeen

ALAN COE: 87.

10 UNIDENTIFIED MALE: eighty-seven.

ALAN COE: I think it was the 26th of April. I think.

UNIDENTIFIED MALE: 25th of April.

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ALAN COE: 25th of April.

UNIDENTIFIED MALE: Yep.

ALAN COE: Right. And that was 12 months before he got to Australia. So those laws, according to the King, were in (indistinct) when (indistinct) okay? And I actually read this document in 1992 in a (indistinct) community service certificate II. And when I read that, I thought, "hey, this is – this is very important to our people because it's their foundation of law in regard to our people, right, and they broke it

and they've been breaking it ever since." All right?

UNIDENTIFIED MALE: Okay. And this is intertwined with – with sovereignty, our sovereignty.

ALAN COE: Yeah, of course it is. Because our sovereignty was never ceded, right, and yet again – this reminds me, actually. I've often said this, every time an Aboriginal fronts to court, he's judged by a judge who has a criminal record that's over 230 plus years old, right? So – because no one's every been convicted against the crimes against the Crown who allowed them to be here and against our people

35 who have their own sovereign (indistinct)

UNIDENTIFIED MALE: Yep.

ALAN COE: And that, for reference, is the truth, the whole truth and nothing but the truth

UNIDENTIFIED MALE: Yep.

ALAN COE: so help me God by my understanding.

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UNIDENTIFIED MALE: (indistinct) Anything else you want to say about anything else, even just about, well

ALAN COE: Well, what I think I will say

UNIDENTIFIED MALE: Yeah.

5 **ALAN COE:** is I was sitting down the other day reading (indistinct) and I saw

UNIDENTIFIED MALE:

children. Again, we have a system that's interfering with our children and the sad thing about the stuff (indistinct) they're messing with their psyche, their hearts and their soles and their minds and they're causing internal damage, right? And so (indistinct) are ongoing. They become under the umbrella of intergenerational post-traumatic stress disorder and yet it's going on around the country, right? Northern Territory, what they're doing, right? South Australia. They're taking our children. Isn't it weird we had a Royal Commission into the Stolen Generation and yet there's been more children taken since that royal commission's finished, right? And then you look at the deaths in custody enquiry, the royal commission, right? There've

been more deaths since that finished as well. So we continue to live with the impacts of the society upon us that has no – no jurisdiction according to their foundation law because when they wrote that law they wrote that jurisdiction and yet that jurisdiction still sits over us. The bible says (indistinct) about the (indistinct) the world, let him who is without sin cast the first stone.

25 **UNIDENTIFIED FEMALE:** Can I just (indistinct)

ALAN COE: Yeah. And so

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UNIDENTIFIED MALE: Is it still going?

ALAN COE: Yeah. So the impact

UNIDENTIFIED MALE: (indistinct)

35 **ALAN COE:** So – so again these impacts continue to hurt our children, hurt our families, right? And – and I said before the backbone of the strong society is the family unit, right? Because if the family is strong, the community it strong. If the community is strong, the society is strong. And that is why we as people are still here. But they work it out and happen – the Romans done it to the British. By

40 separating the people and dividing the people, you cause internal damage, internal

separating the people and dividing the people, you cause internal damage, internal turbulence, internal psychic – psychological damage and that continues to happen to our people. And so how does a government and a judicial system call itself right or righteous when it continues to do things that are contrary to even human rights here, right? Are contrary to their law. Are contrary to the bible. And I said about the bible

45 before, my dad's a pastor.

UNIDENTIFIED MALE: That's still recording, hey, is it? Is it?

UNIDENTIFIED FEMALE: Yes.

UNIDENTIFIED MALE: Yeah, great. (indistinct)

- 5 **ALAN COE:** And in every court in the land there is a bible. One one of the ten commandments is thou shall not kill. They continue to kill our families and our people because they kill us spiritually, they kill us psychologically and they kill us holistically, right. And these are the things that we need to realise and we need the government, right, and the courts to realise. They've got to stop damaging our people because it's ongoing. And the damage continues again with our high incidence of alcohol and drug addiction, incarceration. Why? Because the system which is illegal anyway from their foundation law continues to impact on us.
- UNIDENTIFIED MALE: You talked a little bit earlier, uncle, about healing and cultural healing and what does that like like, part of my job is to also also the other commissioners is to think about recommendations back to government.

ALAN COE: Yes.

- 20 **UNIDENTIFIED MALE:** What kind of what would some of the healing things look like, in your view?
- **ALAN COE:** Well some of the things is what I see you hearing. We have ceremonies, right, we have yarning circles, right. And – and the thing about the yarning circles is we'll be getting down to share our stories, right, we're getting 25 things off our chests and off our hearts and off our minds, right. And when we do that, we also look at how we can change our situation to be better and we think about the things that will cause (indistinct) Like sitting down to – in the men's sheds and all doing cultural stuff, you know? And that cultural stuff causes us to be mindful of our ancestors, our connections. And again, connection is one of the strongest and 30 most healing things that can have – that we can have because it lets us know who we are and who we are is how we heal. Because once we know who we are, then we can be who we need to be, right. Because the system was set up to take that away from us, to divide and conquer us. And that's what we should (indistinct) but we need to get back to how we heal, right, and the yarning circles, little ceremonies out on our 35 communities, you know? Sitting around talking about things and having smoking ceremonies, right? And bringing up our culture back to us, right. Things that reach into our heart and cause us to be stronger, you know?
- 40 **UNIDENTIFIED MALE:** In your view, how important is language to identity and connection?
- ALAN COE: Well, language is strong. Because the thing about language, that's a real sense of who I am, right, and who my mob are. Because even though we we (indistinct) different many tribes and different many language groups, that brings us closer to as I said about family, that fortress of family, right.

And (indistinct) that, right. Because there's not only (indistinct) right, and that brings peace and comfort to you, knowing that you're safe from what's out there or you're safe from what's over there, right? And these are the things, you know? And there are times even for our people when we get together with different groups or different families and different mobs, we use that time together, you sit down and you want to have a sing along, you might get to (indistinct) right, get the didge going, do the things. See, I've sat down with mobs up on Country, The Maralinga lands, my community up there. My father-in-law was from up there and I sat down with his people. My brother been up the top of Coober Pedy where his father-in-law and his family come from. He sat there with their mob up there.

And I have connection with people across the country. One of the mobs in Western Australia (indistinct) mobs in South Australia and in all these situations we see all these connections we need to make us strong, to keep our people healthy, right, to keep our families happy and to keep us connected, right? Because we're so about the 15 land before. This is why the lands so important. We come from the land. When we die, we go back to the land, right, and they're the connection – when I go into full (indistinct) and now and again I was doing welcome to countries for the new recruits, I explained those aspects to them so that they understood they have to look after the land where they work, they have to look at what's around them on the land and they 20 also look after the men on the land. And I mean (indistinct) So that everybody is looked after, everybody is cared for because that's their responsibility with that because they're our responsibilities. They're our communities' and our people's responsibilities. 25

We always say Mother Earth, well that's right. We've got to look after our mother. We see a lot of damage getting done to this planet we live on and this country we live on, right, because people are more interested about what money they can get out of it without thinking about the life. Because if the land is looked after, then our children will have a healthy life and that's why you've got to look after (indistinct) right? And the connections are what make us strong. Looking after the land, the water, the trees, the grass, the animals, you know, they're the things that make out community strong. They're the things that heal our community, you know? Be mindful of these connections because it's all connected.

UNIDENTIFIED MALE: You're talking about land and roles and – and people and contributions. How important is men's business and women's business to our people and our culture? Because there's separations there.

40 **ALAN COE:** (Indistinct)

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UNIDENTIFIED MALE: And I know in contemporary times it can be seen as we're leaving people behind, but traditionally and culturally and still to today we practice men's business and women's business. They – in your view, why do you think that's so important?

ALAN COE: Well, they're important because the men's role is a role of protecting, right. The woman's role is a role of nurturing and caring, right. So those roles, right, define those connections for families. And I'm going to say something now. Have you seen the (indistinct) to Melbourne or – well, I have. And on that document was back then an (indistinct) right, I think there was eight of them or six of them or whatever, but on the other side of the document the tribal elders, I think there was nine or 10 of them, right (indistinct) was one and all the rest. And that document was made us (indistinct) and probably be as wide as that black – where that black plug hangs. But I've actually seen it. It's in a frame. I've got a photo on my phone, right.

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- And so they're all men on both sides on that document, right, because they hadn't had (indistinct) right. Women, I say it again, their role is the caring and the nurturing, right. But don't take nothing away from the women because women are the cornerstone of the family unit, right? And they hold it all together. They do the (indistinct) and the nurture and and the comforting of the children and that because that's their role. But they also when the father comes home, he needs to be nurtured and comforted, right? But his role when I say protective, right, he's got to protect her, right. And the only reason that the man lays a hand on a woman is to comfort her, to caress her and to protect her and to allow her to feel his love, right. There's none of this, right. That's not right. Dom violence is not not in our culture and it shouldn't be in our culture because that takes (indistinct) And this is a thing people forget, our cultural aspects were to sustain, to maintain and to enhance life, right. That's what our people are about and were about and we need to get back to that.
- 25 **UNIDENTIFIED MALE:** Yep. And how important and we can stop any time, but I'm just I'm curious myself and I think it's really important (indistinct)

ALAN COE: I want to say one thing here.

30 UNIDENTIFIED MALE: Yeah, you go ahead.

ALAN COE: I talk about truth a lot. You know where truth starts? In the mirror, right. And that's where its (indistinct) are too. Because if you don't – and also love, right? When I was – I was (indistinct) when I came to Victoria I was a drug addict, right. 11 years now, right. And then I realised my grandchildren – that's what made me wake up, right. I had nothing to give them, right, because we've got to give our children, our grandchildren, right, advice, love, nurturing and care and that has to come from our hearts and our soul, right? And that's what I realised, that I've got (indistinct) I was (indistinct) right. And then – and I went cold turkey. I – I come home after a funeral on the 17th of June 2013 (indistinct) and I was drugged for six days. But I come home and on the way home I said, "I can't do this to them." And the next day I said, "that's it." And I waked straight to (indistinct) and then I got (indistinct) I went (indistinct) And so – but then I start to realise (indistinct) community service certificate IV (indistinct) right. Because we all have a responsibility to look after each other and you have children (indistinct) right.

And that's what (indistinct) right. That's what we have to do, right. Because that is (indistinct) and sustained and maintains (indistinct). But if your (indistinct) then I think you're a lost soul.

5 **UNIDENTIFIED MALE:** It's a really, really – lot of life lessons in there as well, you know.

ALAN COE: Yes.

10 **UNIDENTIFIED MALE:** That's right, a hundred per cent. I think a lot of deep – deep reflections. I mean, have you got a little bit more time? You got a little bit more time?

ALAN COE: Yeah.

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UNIDENTIFIED MALE: Yeah.

ALAN COE: I have (indistinct)

20 **UNIDENTIFIED MALE:** Yeah, right. Well, don't push pause. Let her – just keep going. Keep going.

ALAN COE: (Indistinct)

25 UNIDENTIFIED MALE: You're all right. You're all right.

ALAN COE: I'll talk about my nephew (indistinct)

UNIDENTIFIED MALE: Yeah, great. I want to ask you some other stuff about some land

ALAN COE: (Indistinct)

UNIDENTIFIED FEMALE: (Indistinct)

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UNIDENTIFIED FEMALE: Do you want me to stay in or

UNIDENTIFIED MALE: Up to you.

45 **ALAN COE**: And see, the -

UNIDENTIFIED MALE: Just for the transcript, Uncle's back now so we're going to keep – keep going. So – yeah. Sorry (indistinct)

ALAN COE: You're right. So we look – every Aboriginal child and every

Aboriginal (indistinct) has walked down the road somewhere in Australia and along come the police. And they pull over and the 20 questions start, right. It's always, "What are you here – what are you doing? What are you doing here?" And you don't want to answer that question, "same thing my ancestors – my ancestors have being doing thousands of years." Now, that's from that racist perspective. That's from that racist interpretation of that – those five interpretations or six, right. That's got to stop.

UNIDENTIFIED MALE: Yeah. Because there's always an assumption that they've done something wrong rather

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ALAN COE: Yeah. That's exactly right.

UNIDENTIFIED MALE: Rather than they're just walking country, connecting with their ancestors.

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ALAN COE: Yeah. That's – well, that's the thing. They don't understand

UNIDENTIFIED MALE: Yeah.

25 **ALAN COE:** (Indistinct) we have in here.

UNIDENTIFIED MALE: Yeah. You know, could be undertaking cultural obligations of just, you know

30 **ALAN COE:** Well, that's right.

UNIDENTIFIED MALE: walking and talking and connecting with country, letting country talk to – talk to us. And I think that's – goes to that point you were making before about it's a deeper – it's a deeper connection and it's not just economic-based.

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ALAN COE: No.

UNIDENTIFIED MALE: But – but – but I wanted to take into – I wanted to ask you some questions about that. Because through the destruction of – from colonisation

ALAN COE: Yes.

UNIDENTIFIED MALE: We did have an economy.

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ALAN COE: Yeah.

UNIDENTIFIED MALE: We had a trade route system.

ALAN COE: We did. I know that.

- 5 **UNIDENTIFIED MALE:** So no. No. No. No. No. No. So my questions to you are do you want to share any sort of insights around, you know, some of the things that that have been taken, ie the economic part. The you know, the the trade systems that we had to have or that we had in order to, you know to be self-sufficient.
- ALAN COE: Well, they were broken down, right, because because (indistinct) yeah. I (indistinct) as I said, I grew up in Sydney, right. I've lived in Victoria. I've lived in WA, lived in South Australia and I lived in (indistinct) Australia on the (indistinct) community on the Maralinga lands, right. And I've spoken to men from other communities up the top of WA and across the top of the NT, right. (indistinct) and other different places like that (indistinct) you know?

And so in these things there were – there still are connections, right, with these people. And the other thing I want to (indistinct) too is all about connections, right. There was a time back in the day where there were massive big (indistinct) with all the tribes would have – would meet, right, and – and – and people would – would meet – would meet other (indistinct) right (indistinct) and they'd take (indistinct) home and get married and – and that's what the totem system was there so that we didn't, right, cross over and breed incest into the bloodlines, right. So those things were unlike the British system, right.

Our people – and this – I always say this, right, to our young fellas, don't ever let no one tell you you're dirty or unclean because when the white men got here we had the purest blood in the world, right? Because our bloodlines were clean, right. Our bloodlines were clean, our hearts were clean, our minds were clean, right? It's only since the impact of European colonisation which has caused you to get our trauma, right. So they've taken away our defences, they've taken away our strengths, right, and they've taken away the system and the things that keep us holistically healthy, right.

- And this is why we have high incarcerations, right. And like I said before, we've got young people walking around this land (indistinct) in big houses and things like this on my grandfather's country yet we've got nothing, right? And that and that's why we have young guys who want to go and steal. It's not because they want to steal, right, it's because as far as they're concerned it's some kind of repatriation, right?
- 40 And what I want to I want to say this now, right, when I was growing up in Sydney I was (indistinct) on our country and we (indistinct) rich fellas from rocking up, you know, running around spending their money on our country.
- For me to go and (indistinct) right, but I you know. And obviously we'd taken it back, right. (indistinct) National Park, you know, you see all these rich people sitting around, walking around on our country and other places.

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We see all these people driving around in cars yet we – we're one of the poorest societies in our country, not only the world. In our country, why? Why is it (indistinct) jumping our country, right, being generated towards us. Why are we even (indistinct). Do you know actually if the wealth that come from our land was directed at us, the jail wouldn't be full of our people, right, because there would not be a reason to be here, right? And most of that is really done because of the inter-gen PTSD, right. And the aspect that we're living poor. How come we live (indistinct) poor in our country? How much in dollars would you say has come from our land, from our ancestors' land?

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UNIDENTIFIED MALE: Well, I mean, some of – I mean, just some of the things that we highlighted in the land injustice hearings we had in April in May just in gold alone

15 **ALAN COE:** Yes.

UNIDENTIFIED MALE: \$267 billion has been extracted and not one cent went to mob.

20 ALAN COE: That's right. And then you've got

UNIDENTIFIED MALE: In water in the last 10 years, Unc, 10 years of water, 87 billion dollars; nothing gone to the mob.

25 **ALAN COE:** (Indistinct)

UNIDENTIFIED MALE: Just in 10 years, 87 bill. Billion.

ALAN COE: And this is why I say why haven't – why don't our people – our family, why don't every one of our families have a nice house for them and their children, a nice car in the driveway, right? And – and – and (indistinct) to look after each other? Because that's what – that's what justice is, right? That's what Justice is. And you said just gold. Then you've got aluminium, then you've got tin, then you've got (indistinct) right? Then you've got copper. Then you've got lead, right. So you've got all these other minerals. Diamonds, even, right. What have we seen? Not one – not even a drop in the ocean. People don't have (indistinct) the bucket. Right? And we're all walking around paupers.

UNIDENTIFIED MALE: Yeah.

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ALAN COE: And they wonder why our people are suffering. And they wonder why the jails are full of our people, right? That's the other thing in talking about that because I go to (indistinct) right. I - I go – and you see (indistinct). Two months, three months later you go in here and they're back. And you go (indistinct) and they go, "I go home, you get there and mob want to come and have a yarn. You come down drinking, something happens." Or "I'm couch surfing (indistinct) sitting here. I've got a bed" (indistinct) you know? So, a system, right -

UNIDENTIFIED MALE: So, what – what inspires you to do what you do, you know? Like, you're – you're helping a lot of our people. Like, what – what gets you out of bed every day, you know?

- ALAN COE: Life. Life. And and if it didn't what I told you what I told you, I come here, I was doing drugs and drinking and what happened was I had my my oldest granddaughter, right, for eight years. The last time I seen her was I think five, six. And I come over and then I went home to Adelaide to see my family and when I got over there my son said to me, "hey (indistinct)" I said (indistinct) "No, no. She she had (indistinct)" So I went out there to my niece's house and she went (indistinct) jumped up, "Poppa! Poppa!" So, I've got (indistinct) I was crying and she was crying. And I looked at her and I said, "Look at you? How old are you, pop?" She says, "I'll be 15 this year." And all of a sudden (indistinct) And on the way back to (indistinct) I I looked in the mirror, I said she's going on 15, I was (indistinct) that long and I what have I got to give her, right? And all I had was a drug addicted grandfather.
- And when I come back here (indistinct) right, come home (indistinct) and and and I got out to my Auntie's funeral on 12th of July, right. And I got (indistinct) in Sydney so I (indistinct) days and I flew home and (indistinct) when I come home I 20 was that sick, I got out of the plane in Melbourne and got on a train, the night train, too, so I got out – I got out at (indistinct) at quarter to 11 and I was that sick and sore. And my sister picked me up and she said, "what (indistinct)" "That's it." I said I (indistinct) I said no. And so, the next day I went down to (indistinct) on Monday 25 (indistinct) and they (indistinct) right? And then six months – I was (indistinct) until 2016 when (indistinct) come and – but – but that's when I met got him – I was working (indistinct) so I started going to forum, right, seeing (indistinct) And then in (indistinct) passed away, right, I was coming home – '17 when that's when the treaty conversation started. And I was coming home on the train, right, and I got a message on my phone from (indistinct) 30 was working
- So, what happened was I rung (indistinct) and I said hey, what's going on? Because she she was worked for the treaty (indistinct) and I said (indistinct) I said, "no, my brother-in-law passed away and the boys aren't coping." So, she says, "I'll give you a phone number. Ring this number." So, I rung the number and a woman answered. I said, "Hello, you don't know my but my name's Alan Coe and (indistinct) prison." And she said to me, "are you the Alan Coe that spoke to Justice (indistinct) in 2016?" And I yeah, that's me." "Hello, it's me (indistinct)

 40 Commissioner of (indistinct)" So so I said to her (indistinct)
 - **UNIDENTIFIED FEMALE:** We're just going to need a fire alarm to go off soon and we've got to leave the building. So, I was going to say I won't be able to do lunch before 12 (indistinct)

ALAN COE: That's okay.

(indistinct) and she said (indistinct)

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UNIDENTIFIED MALE: How long do you reckon, five minutes or could be 10 minutes?

UNIDENTIFIED FEMALE: It could be up to 20 minutes.

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UNIDENTIFIED MALE: Okay. All right.

UNIDENTIFIED FEMALE: (Indistinct)

10 UNIDENTIFIED MALE: Well, I've got one more question for Unc and then -

UNIDENTIFIED FEMALE: Yeah. (Indistinct)

UNIDENTIFIED MALE: Yeah, good. Perfect. Thank you.

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UNIDENTIFIED FEMALE: They said about quarter to.

UNIDENTIFIED MALE: Okay, great. Yeah. So – so that was about what inspired you. But I want to ask you on last question. What gives you hope, which is different to inspire. What gives you hope for the future around our people and

ALAN COE: What gives me hope is truth, right. Because if you get truth, you can deny it for as long as you like, right, but at the end of the day truth is like a mirror, right? And everybody has to face the mirror sooner or later. And I know – I say this (indistinct) a lot of people are frightened of looking in the mirror. I'm not. Because I – because I know (indistinct) I've done and I know who I am, right. And I also know that it's about life, right. And my role (indistinct) is how do I (indistinct) right?

And when I talk about (indistinct) right, it – the seven years of doing what I do, and
I've worked the same time, I reckon me and three (indistinct) boys could nearly
(indistinct) down in Sydney, right, but didn't go that way. (indistinct) But didn't do
nothing (indistinct) right. So I have to do right. Because I also have accountability to
my (indistinct) right? Because what do we say, I want to pay respects to my elders
past and present. Guess what? If you're not doing what they've done and building on
their lives and (indistinct) the community for our children, guess what? That's a lie,
right.

UNIDENTIFIED MALE: Deadly. Anything else?

40 **ALAN COE:** That's it.

UNIDENTIFIED MALE: Yeah, solid. Thanks very much, Unc.

ALAN COE: Thank you, mate.

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UNIDENTIFIED MALE: Deadly.

ALAN COE: I'll (indistinct)

<THE RECORDING CONCLUDED