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**FMG Respondents' outstanding objections and evidence subject to limitations under the *Evidence Act 1995* (Cth) (EA)**

**Witness Statement of Lorraine Coppin**

<b>Paragraph / Part of Paragraph</b>	<b>Objection</b>	<b>Applicant's response</b>	<b>Resolution/ Ruling required</b>
[8]; [9] (6 <sup>th</sup> to 9 <sup>th</sup> sentences); [12]; [14]; [19]; [22]-[43]; [49] (14 <sup>th</sup> sentence); [55] (all except 1 <sup>st</sup> sentence); [56]; [58]-[62]; [71]-[72]; [80]	Relevance (Social disharmony)		Resolution: the parties have agreed that the ruling on this objection is appropriately dealt with when judgment is delivered because whether social disharmony is compensable under Part 2, Division 5 of the NTA is a matter in issue between the parties.

## NOTICE OF FILING

### Details of Filing

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## WITNESS STATEMENT OF LORRAINE COPPIN

Federal Court of Australia  
District Registry: Western Australia

Division: General

No: WAD 37/2022

**YINDJIBARNDI NGURRA ABORIGINAL  
CORPORATION RNTBC (ICN 8721)**

Applicant

**STATE OF WESTERN AUSTRALIA**

**AND OTHERS**

Respondents



### **Background**

1. My name is Lorraine Coppin and I am a Yindjibarndi native title holder. I was born in 1972. I am married to Michael Woodley and we have 6 children, Finola, John, Hayden, Michael junior, Wimiya and Wil.

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2. I live with my husband, children and grandchildren at Ngurrawaana community on the water reserve near Millstream. Michael and I recently moved there from Roebourne because all the fighting with Wirlu-murra has finally gotten to us and we want a quieter and safer life for our family. We want our **kidssons** to stay there out of the trouble I speak about below.
3. My mother is Judith Coppin. I am Yindjibarndi through my mother. My father Ross Walker was Ngarluma and Yindjibarndi.
4. I gave evidence in the Yindjibarndi #1 native title claim hearing.
5. I am a member of the Yindjibarndi Aboriginal Corporation (**YAC**) and have never been a member of the Wirlu-Murra Yindjibarndi Aboriginal Corporation (**Wirlu-murra**).
6. I wasn't involved in the Ngarluma Yindjibarndi case. But we were living at Ngurrawaana at the time with Woodley King. The lawyers and anthropologists working on that case would come out to Ngurrawaana and interview him and tell him about the case. I watched this happening.
7. In 2000, my husband Michael and I set up the Juluwarlu Aboriginal Corporation. It is for the purpose of preserving Yindjibarndi and Ngarluma cultural heritage. We would spend hours and hours recording our elders' cultural information and information about Yindjibarndi country. We would also organise trips on country for the elders and other Yindjibarndi people. We have an office in Roebourne and also out at Ngurrawaana. We worked with Woodley King, Cheedy Ned and other elders like Aileen Sandy (**deceased**), Bridget Warrie, Dora Solomon, Eadie Whalebone, Cherry Cheedy, Alec Ned, Joyce Hubert, Sylvia Allen (**deceased**), Elsie Adams, Maudie Jerrold, Kenny Jerrold, David Daniel, Mayleen Harold (who is a Wirlu-murra elder), Bruce Woodley (Michael's uncle who is a Wirlu-murra elder), Sodie Williams, Julie Stevens, Shirley Walker, Alma Walker, Betty Toby and Sally Indjie. Of these elders, Maudie Jerrold, Kenny Jerrold, Mayleen Harold, Bruce Woodley and Aileen Sandy were involved in setting up Wirlu-murra.

8. Karen Toby and Jenna Toby who are the daughters for Betty Toby and Sally Indjie are Wirlu-murra members. Sodie Williams was the big sister for Dianna Smith, another Wirlu-murra elder. But back when we were working with all of these elders, there was no Wirlu-murra. Only Yindjibarndi people.
9. After the Ngarluma Yindjibarndi native title claim was decided, there were no big arguments in YAC, which was the Yindjibarndi PBC for the Daniel determination area. There were arguments among Yindjibarndi back then but they were easily resolved and generally everyone got along. We all got along pretty well and there were no fights. Under Yindjibarndi traditional law and custom, we had a system for resolving disputes. The elders from the families involved in the argument would meet and work it out. All of that changed after FMG came to town in 2007. We don't really follow this system now. Some of us try but the Wirlu-murra mob won't have these meetings. They just want to keep fighting.

### **Speaking for Country**

10. In Yindjibarndi law and custom, all Yindjibarndi own all of Yindjibarndi country, the ngurra, together. But different families have family connections to particular parts of the ngurra and these connections are respected by all Yindjibarndi. My family connections are to the tablelands and Tamboury Station. The ngurra holders, or families, responsible for the Solomon Hub Project Mine area (**the Mine**) include the descendants of Woodley King.
11. Yindjibarndi law says that you have to know the country to speak for it. Our laws also say that it is the senior men who can speak for the country. Women have ngurra and rights in the country but the men, who have the responsibility of the *Bundut*, are the ones to speak for the country. You break this law if you don't follow this or respect the senior men.
12. The Wirlu-murra ladies are not respecting this law. They are behaving like the 7 Sisters. That reminds us of our place in Yindjibarndi stories. Those sisters got punished and turned into anthills. This is to remind women of their place. When

you open the termite mound you see the leader of the anthill is the queen. That's a reminder that this is our place. We run our home – we look after our people. Outside of the anthill, it's the men's responsibility. The Wirlu-murra ladies like Sylvia Allen (deceased) and Aileen Sandy (deceased) and Allery Sandy just want to be in charge of everything. This is not right. It is against the Law.

### **The Mine and its impact**

13. Yindjibarndi people are very strong about their *wirrard*, or spirit. The *wirrard* tells you if you feel good or bad in your heart and is a way to connect you to the *ngurra*, the country. My *wirrard* has been broken by this mine. We call this *Wirrirndangarra wirrirt* – spiritual loss. It feels like your breath has been taken away from you. We feel breathless – *ngayanyi jimbayi*. This Mine has meant we Yindjibarndi people have lost our identity and culture. Those things are in the land, they are things the land gives us and the land has now been broken.
14. I can't believe this has all happened. I can't believe FMG have used our own people, Yindjibarndi people, to break our laws, structure, culture and belief system. We aren't all practicing the *Birdarra* Law together anymore and the *Galharra* isn't being followed any more. FMG has chosen a few individuals from the Yindjibarndi community and weakened and broken us up. No amount of money can fix this.
15. Yindjibarndi people have had their right to protect and care for the country of the Mine taken away. FMG and the government have done this. We are being punished for this by the country.
16. When you are *manjangu* (a stranger) you must see the elders of that place and get permission. FMG has never been given permission from the Yindjibarndi. I feel hopeless. I can't do anything about this. I get so hurt. I have this responsibility and obligations and I am being punished by the country for not fulfilling these responsibilities and obligations.

### Arrival of FMG in Roebourne and the background to the Split

17. I can remember Andrew Forrest and FMG came to Roebourne in 2007/2008. They wanted to talk about a mine on Yindjibarndi lands and wanted to start with doing a heritage survey. They came to our Juluwarlu office in Roebourne to meet with our Yindjibarndi elders. Yindjibarndi had very little money then. Now shown to me and Annexed to the affidavit of Simon Charles Blackshield affirmed 27 April 2023 are copies of the minutes of the following meetings with FMG that I attended in 2008, being:
- a) a meeting at the Roebourne community hall (the basketball court) on 12 February 2008 ([SCB-7]);
  - b) a meeting at the Roebourne basketball courts on 10 March 2008 (SCB-8)]; and
  - c) a meeting at Juluwarlu's offices on 23 April 2008 ([SCB-11])
18. When we were having these meetings with FMG, what money we had was in a trust for Yindjibarndi and Ngarluma to share. There were no mines on Yindjibarndi country then. There still aren't any mines other than the Solomon Hub Mine (**the Mine**). At the time, the Pilbara Native Title Services (**PNTS**) were still working with YAC. These meetings were difficult for me because I could see that FMG weren't listening to our concerns about the impact of the Mine on Yindjibarndi *ngurra* or country.
19. I can remember the February 2008 community meeting well. It was called after there had been a secret meeting at the 5 Mile community. I remember Maudie Jerrold, Clifton Mack, May Adams, Jill Tucker and Michelle Adams were all there. Sylvia Allan and Aileen Sandy were also there. At the time Alum Cheedy was the YAC CEO and Vincent Adams was undermining Alum publicly at the meeting. Michael was sticking up for Alum. Michael Woodley encouraged those there to come along to the YAC meetings.
20. A year or two later there was an employment forum organised by FMG they called "VTech Training." [REDACTED]  
[REDACTED] This was on 6 July 2010. Even though this meeting was a

training forum, there was talk about doing a heritage clearance at that meeting. At that time Yindjibarndi were refusing to do surveys until an agreement had been finalised with FMG. I did not attend that meeting but it was discussed at an emergency meeting I did attend called by YAC 2 days later on 8 July 2010. Now shown to me is a copy of the minutes of this meeting that I attended. They are annexed to the affidavit of Simon Charles Blackshield affirmed 27 April 2023 at **SCB-39**.

21. By this stage, FMG had made an offer to YAC, but the deal wasn't good enough for YAC's board and members. However, Maudie Jerrold and Bruce Woodley (who became key members of Wirlu-murra) were saying the deal was good and we should take it. I remember them saying words to this effect in our YAC meetings.
  
22. Later on after the split happened we realised that FMG had gone behind YAC's back and talked directly with individual Yindjibarndi people. But at the time we didn't really know who was supporting YAC saying "no deal" and who was going behind our backs trying to get the deal over the line. I can remember for instance that Michael (Woodley), Uncle Stanley Warrie and I went down town to do something and we saw Maudie Jerrold coming out of Michael Gallagher's office. This was when Michael Gallagher was working for FMG. Uncle Stanley Warrie got upset. He asked Maudie "what are you doing here? What this man in town for?" She said "we leaving you fellas. You stopping us from getting our agreement." I asked her "what are you doing this for?" She started saying "no, we're going on our own. We want our agreement, we want our money. Michael Gallagher is helping us." This was in the second part of 2010.
  
23. I found out later about another meeting at the Roebourne Diner. [REDACTED]  
 [REDACTED] This was in late 2010 or early 2011. Michael and I were in Perth at the time as we were putting one of our kids in school and Finola was going into university. Someone called Michael and told him about this.

24. The last meeting before the split was when Allery Sandy got up and said she and her supporters including the Sandy and Adams families were going off on their own. I was there, it was a big community meeting. Allery had an argument with Rosie Cheedy and others. Tootsie and Aileen nearly had a fight at that meeting. This was the last meeting before what YAC supporters call the great native title swindle meeting that I went to.

### **March 2011 Meeting attended by Andrew Forrest**

25. I went to this meeting. I was heartbroken at that meeting. I was really shocked. I was shocked about the treatment of Cheedy Ned (see below) and at the families sitting on one side and the others sitting on the other side. The room was divided into YAC supporters and Wirlu-murra supporters. I was also shocked and feeling sorry for our people because we were fighting over this one white fella and what he wants.
26. We were trying to talk and get our message across but FMG and the Wirlu-murra lawyer Ron Bower, weren't allowing us to speak. They wouldn't let Michael or Lynne Cheedy talk. They gave Andrew Forrest the microphone twice. So we Yindjibarndi just got up and left.

### **The Split and Violence**

27. Since the split between YAC and the Wirlu-Murra, there has been a lot of physical fighting in the streets. These fights are mainly between members of the Sandy and Adams families (on the Wirlu-murra side) and my family, the Woodleys and Coppins, on the YAC side. Some of these fights have been filmed and posted on Youtube and Facebook. They have been taken down now. I have seen a lot of these videos and I have been involved in about 20 of these fights since 2010. One video was of a fight in 2017 and it is filmed outside my son John Woodley's house in Lockyer Street in Roebourne. Michael and I also lived on Lockyer Street and my mum lives on Burrup Street just around the corner. Most of the fights happened outside of one our houses there. [REDACTED]

[REDACTED] Allery Sandy would regularly drive young

people from the Sandy and Adams family from the 5 Mile Reserve where she lives to our house in Roebourne for the purpose of fighting members of my family. [REDACTED]

[REDACTED]

[REDACTED]

28. At the time, these fights were happening most weekends. I would often join in these fights. They were outside my house and I felt I had to help my kids out. They would start after native title meetings. Our kids would be at the basketball court in Roebourne and the fighting would start there and then it would move to my house.
29. I have been hospitalised a few times as a result of this fighting. Once, Dianna Smith's grandson hit me with a stick and I had to go to hospital. Dianna Smith is an elder for Wirlu-murra. This was 3 or 4 years ago, just before we opened Ganalilee. At this time I was at the Juluwarlu office making puppets and my young sister Leslie called me. She told me my daughter Finola had just been assaulted outside my mother's place. So Michael and I went there and found a car load of Wirlu-murra people. We weren't intending to go there and fight. When we got there, we parked in the driveway and saw two police officers there. As Michael got out of the car he was suddenly slung to the ground on the driveway. All these Wirlu-murra boys were fighting and kicking him. This young boy (Dianna Smith's grandson) had a stick and he was trying to hit Michael with it. I tried to grab the stick off him and he hit me hard on the elbow area and it all swelled up. That is how I ended up hospitalised. I remember the police officers were trying to help. These boys kept saying "we're going to kill you" to Michael. There was about 7 of them. They were all about 18-24 years old. They included Wesley Lockyer, Claude Eaton, and Quan Smirke. Wesley and Claude are grandchildren of Dianna Smith. Quan is Kaylene Daniel's son. I believe all of this violence is coming from people's hate about YAC and the stance YAC has taken on negotiations with FMG and the Mine.
30. Another fight happened like this. My nieces went to the basketball court with Wimiya to play a game. Something happened there but I'm not sure what. I got a phone call that said Aileen Sandy was there with all the girls and boys from 5

Mile fighting young Michael and Wimiya. Ashton Munda was there. He has recently been released from prison. That night, Asthon Munda hit Mum (Judith Coppin) on the head with a chair when she was asleep. [REDACTED]

[REDACTED] He was charged with assault and was jailed for that. Today Mum still goes wobbly and has blackouts. She has a sore on her head that has never healed properly.

31. The fighting all started just after the Wirlu-murra split from YAC. At the time, Finola was 18, John was 11 and Wimiya was 8. My family has always been a target of these fights. I believe this is because the Wirlu-murra families (the Sandys and Adams) blame Michael for the fact that Yindjibarndi would not accept FMG's deal about the Mine. People from these families have attacked my family and bullied my children. My children have grown up in Roebourne feeling anxious and unsafe. This has been very devastating for me. I have seen the split turn friends on each other.
32. When Wimiya was young his best friend was Max Sandy. Then when the split happened, they would fight. Wimiya was only 8 or 10 years old at the time. The fighting would happen after school. I felt so helpless and frustrated watching this happen to my young children. Michael and I asked for help from the police and community leaders. But no one would help us. Around this time (so in 2012/2013), I would get verbally abused by the Sandy ladies, Allery Sandy and Aileen Sandy, outside the Fifty Cent Hall after Yindjibarndi meetings. It was very wearying. This abuse just wore me out.
33. We moved to Perth in October or November in 2015 to get the kids away from the violence and to have a break from it ourselves. Our son Wil was 7 or 8 and he had just been bashed up. A couple of boys hit him. They were 7 years older than him in high school. Somehow he escaped and ran home. Michael Junior and John were fighting kids at that time too.
34. When that happened to Wil, it felt like I had no more fight in me. I had a nervous breakdown. I got anxiety. I couldn't breathe. These panic attacks were happening every half an hour. I would get up in the middle of the night. I

thought I was having a heart attack. So I decided to move to Perth and try and get the kids into boarding school. This was a whole school year and then the kids got into the boarding school in 2017. We came back to Yindjibarndi country for the Yindjibarndi #1 native title hearing and I felt really comfortable back in the community. I felt healed by then so we decided to come back to Roebourne. But that was a bad move really.

35. After we moved back, I got assaulted at the Ampol in Karratha by Ken Sandy's sons. I was parked in the carpark with my daughter Finola. Finola had gone in to buy cigarettes and I was sitting in the car. I saw these boys fuelling up and I could see they were drunk. Then they banged on my door. This was Kenrick Sandy and Jaydon Brown, Danny Brown's son who is married to Ken Sandy's daughter. They knocked on my window and said, "where's your fucking sons? Wind your window down." I told them to "just fucking go away". But they positioned their car so it was blocking my car. I couldn't get out. I was shaken up but they got back in the car and drove off and Finola came out.
36. I went straight to the police station and tried to report it. But the police wouldn't do anything and wouldn't take a statement from me. They told me to get my boys to go and sort it out (suggesting there be more fighting). So I rang Michael and we went to see Ken Sandy and Geraldine Jenkins (Ken's wife) to tell them what the boys did. Then Ken and Geraldine rang their boys up and they came all guns blazing to the Sandy's house and started a fight. Young Michael fought Kendrick, my other nephew WW fought Payton Sandy. Hayden had a fight with Shaun Derschow. Then me and Ken's wife had a fight. Finola and Caitlin Sandy had a fight. When it was finished, we went back home and then the Wirlu-murra bus turned up there. This was Rodney Adam's bus. He drove it and Ken Sandy was there and it was filled with men including Rex Munda, Francis Philip and Brian Philip. They all belong to Aileen Sandy's family. They came to fight Michael and the kids. Michael senior went out. He and Ken were arguing. Ken took a swing and Michael fought him then there were 4 boys on top of Michael. They moved the bus so everyone could have a fight. The street was packed. This is when I got a cut in my eye and I had to go to the hospital to get

stitches. Geraldine brought her sister-in-law and nieces. I was fighting her sister-in-law and her daughter came from the side and hit me from the side.

37. ~~Our children have all~~ Michael Junior has had time in jail for this fight. Once, Michael Junior hit Aileen Sandy's son, Wesley Munda, and her niece, in the head with a rake. Michael Senior and I were at Woodbrooke and left the kids at home. However Finola got in a fight with 3 or 4 of the Sandys then they double banked (ganged up on her). To try and get his sister out of there, Michael hit those 2 kids on the head with a rake. He was jailed for 3 years for this. He was only 18 when that happened.
38. Our son John went to prison for hitting Jason Munda, Aileen Sandy's son. He had gone to Mum's house and was smashing things up. John went to sort him out and they hit him there. At the time a lot of police got bashed. John lost his marriage over that. His wife couldn't survive the fights anymore.
39. Leslie my young sister was always in the fights on our side and she was really good. We only survived this period because we had family helping us out.
40. I feel very sad and depressed about the split in the Yindjibarndi community. Before the split, Charmaine Adams was my best friend, and Joanne Willis (Allery Sandy's daughter) was also a very good friend of mine. Since the split I don't mix with the women on the Wirlu-murra side. We all stay away from them and we are frightened about saying anything to them. I am worried they might use what we say against us and will cause trouble or will physically harm us. This kept happening when we were fighting FMG in the National Native Title Tribunal and Courts. [REDACTED]  
[REDACTED]  
[REDACTED]
41. The split has changed how Yindjibarndi people behave towards each other. We resolve disputes differently now. Relationships through the *Galharra* get very one sided. Respect being demanded by elders isn't reciprocated by caring for the younger generations. People are fearful for standing up for something now.

Yindjibarndi families are not all working together now to stand strong because they are intimidated by the violence and shouting that's been happening since FMG turned up.

42. FMG has used our own people to harm and hurt us. We were all strong together but FMG broke us. We wouldn't wish this experience on anyone. I know that there would be no Wirilu-murra if there was no FMG. I forgive Wirilu-murra but I don't think I can ever trust them again. Even if they come back to YAC, I don't think I can trust them.

### **Compensation**

43. To the best of my knowledge, only members of the Wirilu-murra corporation have received money from FMG. YAC has never received money from FMG. Michael and I have never received money from FMG.
44. If we get compensation money I would like to see it go into developing our projects – cultural projects, developing young people, employment, balancing Yindjibarndi and white fella worlds – helping people have a good income, education to survive and to be strong in their culture and caring for their ngurra.

### **The Effect of the Mine on the Bundut and the Birdarra**

45. In the creation time, we had good spirits and bad spirits. When we had the bad *Marrga*, the bad spirits, he was trying to interrupt the creation of *Minkala* (country and Law). That's what we're breaking today, the law, because we have failed in trying to protect the land and stop the Mine.
46. The *Bundut* is the Yindjibarndi songlines and the blue prints for Yindjibarndi *ngurra* and laws, the *Birdarra* Law. The *Birdarra* Law gave us our *Galharra* which sets down the laws for how Yindjibarndi people relate to each other and how we need to behave with each other.
47. Our *Bundut* goes through the area of the Mine. There is a songline and creation story for Gamburdayinha, the Hammersley Ranges, which the Mine sits on top

of. It has destroyed part of those ranges. It travels through at the hill called Bunguweena, which forms the boundary with Guruma people. Garlawinji is also the area of the Mine which has significant places in it. The Gamburdayinha was created in the creation period so that whole area is a site or area of significance to Yindjibarndi *ngurra* and Yindjibarndi people.

48. There are *thalus*, increase sites, which Yindjibarndi have to perform ceremonies for to make sure they work properly. They are for babies, kangaroos, emus and for other plants and animals. We have some in the Garlawinji and Gamburdayinha areas. [REDACTED] We still perform those ceremonies but we feel the loss and the animals and plants have been taken away – those *thalus* don't work anymore.
49. All of this – the *thalus*, *Bundut*, has been broken by the Mine. This has caused a ripple effect. Normally when we are on Yindjibarndi *Ngurra*, we can feel the spirits of the *Marrga*, the creation beings from when the world was soft, are still on the country. When we behave the right way on country, the *Marrga* gives us their blessings and they connect with us and provide for us. But if we do the wrong thing the *Marrga* won't give us their blessings and you can't be a part of the *ngurra* anymore, you don't have your spiritual connection to the land. This is happening when we are on *ngurra* now in the Garliwinyji area (where the Mine is). The spirits of the country are seeing the Mine and feeling we are doing the wrong things so they punish us. They are taking away their blessings from us. They are blaming us for the mine. Even though we have done everything in our power to stop the mine and protect the country, we are responsible for the survival of the country – the song line, birth places, sacred sites, the *thalus* and we have failed. This is a part of the *nyinyaard*, our system of reciprocity handed down by the *Marrga* when the world was soft. We have to look after the country and the country looks after us. But because we haven't looked after the country, because there is a large Mine with huge holes in the ground, the country is punishing us. The split and disharmony in the community is part of this punishment. We are also being punished because there's no animals to hunt on Yindjibarndi *ngurra* anymore. We are not dreaming songs and stories anymore.

50. This makes me very depressed and sad but also fearful. I fear the next generation will miss out on what we grew up learning about Yindjibarndi customs and *ngurra*. We are sick with anxiety about this and about the *ngurra*. We cry about this, we cry for the country. We always cry for the elders and we cry for the next generation.
51. The Mine can never be fixed. It can never be rehabilitated. There are caves, burial grounds and waterways that have been destroyed. You can't put it back like a jigsaw. That waterway that runs through the Mine, Ganjingingunha, is broken. That river and other streams in that area are supposed to all channel in to the Fortescue River. But that's not happening because the Mine is blocking it. [REDACTED]  
[REDACTED] We can't rehabilitate this. the country is dying because the waterways have all been changed.
52. We have a *jowi*, a song, for that river, Ganjingingunha. But because that river has dried up, the song and dance for it is empty now. We sing and perform them, but when the young people ask us about it and where it is, we can't talk about it or show them because it's broken. There won't be any more dreams about it now because the country is saying "no, you allowed it to be wrecked."
53. I've been to waterholes in that Garlawindji area like Bangkangarraa and they have changed since the Mine started up. We can't go there regularly because it is close to the Mine and FMG humbug us about this. The last time we went there was a couple of months ago. We couldn't get in there because it was overgrown with trees and the roads had been washed over. It's not being looked after and maintained by our people. This is because we have to seek permission from FMG to go there. They won't give us permission. I have been trying to go there about 5 times. Each time they stand there with a tape and a fence and say "you can't enter, mining in progress". It's all fenced off in that area.

**Breakdown of the *Nyinyaard* and *Galharra* and non-observance of the rules associated with the Birdarra ceremonies**

54. Yindjibarndi traditional law and custom about how Yindjibarndi relate to each other is set down in the *Galharra*. That is our kinship system. Under that system, Yindjibarndi people must follow what the elders say – even if we don't agree with it. That is what Michael and other YAC directors have been doing all along about the Mine. Our elders were Woodley King. Uncle Stanley's Mum Bridget Warrie, Berry Malcolm, Julie Stevens, Dora Soloman, Yidji Whalebone, Elsie Adams, Sylvia ~~Allen~~ Adam (deceased), Kenny Jerold, Guinness ~~Gilbie~~ Jilby, Polly Churnside, Pansy Munda, Alec Ned, Cherry Cheedy, Sodie Williams, Billy King, Ned Cheedy and Norman King. Those elders taught me, Michael and all the other Yindjibarndi the Yindjibarndi belief system and the rules for how you must behave.
55. When FMG came to Roebourne in 2007, a lot of these elders were around but the most senior Yindjibarndi law man was Ned Cheedy. When we had the meeting at the Fifty Cent Hall in March 2011 that Andrew Forrest attended, I realised that our *Galharra* was being broken. This was because people like Allery Sandy were not listening to our most senior law man, Cheedy Ned. This is our law – and Allery was breaking it. He got up and tried to tell them all at that meeting to listen to him, but the people on the Wirlu-murra side wouldn't listen. Charlie Cheedy said "you fellas are disrespecting my grandfather". Dianna Smith said "no we're not". It was heart breaking. It made me so angry to see that. It was shame for the old man to have to get up and shout as under our law you have to do what the old fellas say. He shouldn't have had to shout out like that.
56. Most of the Sandy family are family with Michael – they are his senior aunties so under the *Galharra*, Michael has to listen to them. But he is following what his senior elder Cheedy Ned told him and because these ladies are going against what Cheedy Ned said, Michael can't follow the *Galharra* and listen to those old girls like Allery and Aileen Sandy.

57. The *Ninyaard* system I talk about above is also not being followed. This is a system about feelings – togetherness, caring and sharing. You have to always be there for someone when they need your help. It's the same with the *ngurra*. That's what the *thalus* are. If you service them by following your rituals, they will provide for you. But if you don't care for the country, it won't provide for you. FMG's behaviour through the creation of the Mine and stopping us accessing areas near where the Mine is has meant we haven't been able to care for the country so it no longer cares for us. This is why it's so hard to listen to Mum Allery Sandy's comments. I recall hearing her asking at a meeting "why do we need to go back to country?". That made me so worried. I was worried that if people believe her, then they will miss out on that relationship we have with country.
58. I don't feel that I could ask any of the Sandys or Adams families for help if I needed it. To me this is proof the *nyinyaard* is broken.
59. The way we practice the *Birdarra* law ceremonies has changed too. For example, Pansy and Violet Sampson stopped coming to our law ceremonies at Woodbrooke. But they are involved in heritage surveys for mining companies and go to native title meetings. I don't understand. You can't just choose to follow part of the law. you have to follow the whole law. Yindjibarndi law says that you have to go to Law time and follow the *ninyaard* and *Galharra* there.
60. When it's law time, traditionally all the senior men get together and make the decision to start. But this isn't happening as Ken and John Sandy are now doing separate law ceremonies with Tim Douglas. He was a part of the Wongoo-too group during the Ngarluma Yindjibarndi claim but he's Ngarluma too. This is breaking the law because you've got to let everyone know when it's Law time but they don't.
61. When the senior men decide to start Law time, they invite the Sandys but sometimes, the Sandys don't come. This is deeply hurtful and breaking the law. When you're told its on, you have to go to Law time.

62. This all comes back to FMG and the split and the Mine. The bad *Marrga*, creation spirits, are bringing out bad behaviour in people because the country is damaged.

### Story of the Jidi Jidi

63. The story of the jidi jidi (willy wagtail) is like Yindjibarndi people's experiences with FMG. The *warlunga* (rufus night heron) was fat and slow. Jidi jidi had the job to shoo all the fish into the net when they went fishing. All the big birds were holding the net and eagle was keeping watch. The *warlunga* had a magic firestick and his job was to get the fish and cook it for the community and to divide it up equally, following the *nyinyaard*. However, he was stealing some big fish for himself. Jidi jidi told everyone 3 times about *warlunga* stealing the fish. But no-one listened to him. So jidi jidi stole the firestick to try and put it out. He travelled all the way to the sea. Most of the birds were commissioned by the elders to go and get that firestick. But when they all failed, they said "get *kalamana*" (eagle hawk) because he is fast. But he denied them. He said "no you ignored jidi jidi so they forced him down and they flogged him until he agreed to go. He got there in time and got the magic firestick off the jidi jidi. In the end, they punished the *warlunga*. They put the firestick up his bum. Now when you see that bird, he always waits for someone else's scraps. He can't get his own food. Jidi Jidi was also punished for trying to put the firestick out. They tried to spear him but he was too clever and danced out of the way. These stories have moral principles. They talk about the character of people. We see *warlunga* as Andrew Forrest.

### Spirits in and around the Mine

64. When you are out on country and the sun is going down, you have to be quiet. Dad told us this when we were small. It's a rule for Yindjibarndi people. This is because night time is when we believe the bad *Marrgas* made in the creation times were left on the earth. There are different bad *Marrgas*. For example, one is like the devil. Then there is the *mooarn* that looks like a dinosaur. These bad

*Marrgas* can harm you and corrupt you. They usually come out when the sun goes down. So after sun down your *wirrard* has to go carefully.

65. But at the Mine, there is constant noise and lights. Those *Marrgas* and other spirit beings are there and they are tormenting or targeting people who work on that Mine.
66. I know the Mine has damaged the spirits. You can feel there's no soul there in that country anymore. My *wirrard* feels empty when I'm there. Before the Mine it was very strong in spirits there because it is significant in the *Bundut*.

### **Prevention of Access and damage to Yindjibarndi sites**

67. Michael and I have been to the country of the mine many times. Galarwindji was a popular camping place when I was first married to Michael. His grandfather used to like going there as that was his country. When we were living at Ngurrawaana, we would go often in that old man's truck. In 2000 we did a couple of trips out that way and we used Garlarwindji as our base. It was in a valley and it had two rivers going through it (the Ganjingaringunha and the Garlawindji). We would set up camp there. We would go to Wirlumurra and Bangkangarra.
68. In more recent time, we did a couple of trips there when the mine was starting up.
69. In 2011 we went on a trip there. We have video footage of this. Our elders like Uncle Stanley Warrie and TJ, Aunty Rose Cheedy and Joyce Hubert were there too. This was some time after the Mine had started up. There were roads and explosions at the time. We found bones in a cave there. Michael and the elders did a smoking ceremony. We put the bones back. I don't know if that cave and the remains have been blown up or not. We provided the details to FMG and the police too. It's so hard not knowing whether our places and the old people in the country have been protected or destroyed. I do know that

many of the caves in that area have been destroyed. I know this because when we have returned to that area over the years, they have gone.

70. I have tried many times with other Yindjibarndi people to visit the Mine. But we have never been allowed in by FMG even though it's our country. Each time they stop us at the gate and tell us we are not allowed in. At the time of the 2015 hearing, we wanted to take the judge to the Mine but FMG wouldn't give us access. We wanted to show the judge our country but we couldn't and we had no say in that. That was so hurtful and upsetting.

### **Supreme Court actions**

71. I was directly involved in dealing with the Supreme Court litigation with the Sandys. I had to do most of the family trees for the evidence and for assessing YAC membership applications. The Wirlu-murra lawyers would send the applications in and then it would come across to me at Juluwarlu. It was a long process. I recall they provided many applications from people who were not Yindjibarndi, such as members of the Todd family. Now shown to me and forming Annexure **SCB-40** to the affidavit affirmed by Simon Charles Blackshield on 27 April 2023 are copies of applications made Margaret (Margie) Todd, Phyllis Harris and Lindsay Harris, who were the Todd Respondents in the Yindjibarndi #1 native title claim hearing. I considered and recommended that YAC reject these memberships as these people were not Yindjibarndi people.
72. This was so hard, time consuming and frustrating. It was also very expensive. We hired lawyers and anthropologists to assist us. I had to give up Juluwarlu work to help YAC. In this past 8-10 years, I haven't had any time for Juluwarlu projects because I have been helping YAC with:
- a) The native title claim;
  - b) The Supreme Court actions;
  - c) Responding to the Eastern Guruma overlapping claim;
  - d) Responding to ORIC inquiries; and

e) lobbying to get the votes up for the s 66B meeting in 2011 and at the 2015 poll.

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

**Eastern Guruma actions in 2015/16**

75. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

76. [REDACTED] In the 2000 we did a field trip with senior Guruma man Peter Stevens and Yindjibarndi elders. We talked about and agreed on the boundary back then. No Guruma people on that trip talked about the country that ended up in their overlap claim.

77. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**The Todd Respondents**

79. The Todds are Ngarluma. They never claimed to be Yindibarndi until the Wirulumurra and FMG dispute started up. As I say above, they applied to be members of YAC and tried to be included in our native title claim.

**Complaints about YAC to ORIC**

80. As I say above, I had to do a lot of work in responding to the complaints Wirulumurra were making to YAC. I had to do a lot of archival research and work with the elders to prepare and review family trees. We also had to pay archivists and researchers to assist us. It was very stressful.

**Working on the Mine**

81. I would never work at that mine. I just don't want to be a part of something that is blowing up my own country. I am spiritually connected to our *ngurra*. I also don't want to work there because I am saying no to the mine and I have been trying to save the culture in that *ngurra*.

**Compensation Claim**

82. I attended the meeting on 11 December 2021 in Roebourne to authorise this compensation claim. I agreed to it and saw everyone else at that meeting agree to make this claim.

Signed:

A handwritten signature in cursive script, appearing to read 'Lorraine Coppin', written over a horizontal line.

Lorraine Coppin

Date: 27 April 2023