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In this issue.....

We reflect on the life of Kevin Mahony AM who sadly passed away in late July.

A recap of the Beneficiary Focus Group is given as well as articles from Travellers Aid and Consumer Affairs who presented on the day.

Two contributions from beneficiaries; My Life by Ross McKay and Artwork by Darryl Felstead.

Details on the Aspire Awards©.



Vale Kevin Mahony AM

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The flag flew at half-mast on Monday 5 August to mark the passing of former Senior Master Kevin Mahony AM, who passed away on 28 July 2019.

Kevin Mahony AM was the second Senior Master in the history of the Supreme Court, serving in the role for 29 years until his retirement in September 2012.

He was admitted to practise in 1964 and called to the Bar in 1966. During his 17 years as a commercial barrister, he mentored four readers – the Honourable Justice Jennifer Davies, Her Honour Judge Frances Hogan, Michael Shand AM QC and Tom Gyorffy QC.

“Kevin’s first love was for his family, his dear wife Gaby, son Ned, Nellie their little girl (who passed away at the age of 5) and his extended family. His second great love was football and in particular the Carlton Football Club. He could tell you what team had won every AFL grand final since the 1960s, and by how many goals. He was always right,” reflected Miranda Bain, Funds in Court.

“His next passion was Australian cricket. Perhaps not as well-known was his love of mimicry and his extraordinary ability to recount episodes of ‘Yes Minister’ while acting the part of Sir

Humphrey,” she added. “The staff of Funds in Court remember his warmth, his ready smile, his compassion, his defence of the most vulnerable and his excellent sense of humour. His door was always open and nothing was ever too much trouble. He had an impeccable work ethic and an acute attention to detail.”

One of Kevin’s great legacies during his time at the Supreme Court was his stewardship of the Funds in Court and his great compassion for those deemed most vulnerable and needing the protection of the Court.

Under Kevin’s leadership, the beneficiaries’ funds held in trust grew from \$60m to \$1.3b (now \$2b). Since 2004, moneys awarded for a person with a disability in the County and Magistrates’ Courts and VCAT were also paid into the Funds in Court, resulting in the number of beneficiaries growing from around 1,400 to more than 5,000 at the time of Kevin’s retirement.

“In addition to his responsibilities for the Court’s beneficiaries, Kevin fulfilled his judicial obligations as a Master of the Court. This included hearing and determining corporations matters for a period of approximately two decades,” said his former associate James Stevens. “He was very involved in the management of the masters’ chambers, was a valued member of the Court’s Rules Committee and would always make himself available to assist the Prothonotary and staff.”

Earlier this year the Funds in Court offices, located at 469 LaTrobe Street, were renamed the Kevin Mahony Chambers, in recognition of his service and dedication to Funds in Court and to honour this quiet but rather extraordinary man.

“When I was about to commence in the role of Senior Master, Kevin told me it didn’t matter if a beneficiary had \$1,000 or \$10,000,000, they must all be treated the same. Every decision made must be in the best interest of the beneficiaries,” said current Senior Master, John Eftim, at the renaming event. “There is no doubt in my mind this great office would not exist but for Kevin Mahony.”

Beneficiary Focus Group

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This year's Beneficiary Focus Group was held on Wednesday, 12 June. Our regular attendees were warmly welcomed as were a few new beneficiaries who expressed an interest and attended the group for the first time. This is our twelfth consecutive meeting of the group, which first met in December 2008.

Our focus this year was on public transport and scamming. We were fortunate to meet with two wonderful volunteers from Travellers Aid (www.travellersaid.org.au) who provided the group with details of the services they provide to persons travelling on public transport. Both the participants and staff attending the presentation were surprised to learn of the many services available, through Travellers Aid, to the public and people with special requirements or experiencing travel emergencies.

Kayla, from Consumer Affairs Victoria, spoke to the group about "Scamming" and included many examples in which people can be scammed, as well as ways to try and keep yourself protected from scamming.

Both sessions went exceptionally well with great group interaction and lots of questions being posed to the presenters.

This year, from a focus perspective, we sought feedback from the group as to how we can communicate better with beneficiaries. The feedback is always appreciated and valued.

If you would like to participate in the next Focus Group, we anticipate to be held in June 2020, please contact the office on 1300 039 390 to express your interest.

Further information on both presentations is given in the following articles.



Travellers Aid Services

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People face challenges to get from place to place for all sorts of reasons. It might be age or illness, it could be lack of familiarity or a medical condition. Whatever the barrier that stands between them and where they need to be, Travellers Aid are there to assist and guide. Every day they help people continue to live a full life and travel independently through a range of services they provide at both train stations and in the community.

Travellers Aid have fully staffed lounges at Southern Cross and Flinders Street stations that provide a number of services to assist people travelling on the public transport network.

At Southern Cross Travellers Aid provides a free buggy service to assist people with mobility challenges to transit through the station and connect between transport modes, and the Travellers Aid lounge provides free and low-cost amenities to assist the travelling public including: fully accessible toilets, adult change facilities, low cost resting rooms and mobility equipment hire.

Staff at the Flinders Street site provide personal care to those who need it as well as luggage storage, computers with internet access and mobility equipment hire.

Travelling around the city can be daunting for anyone. Add to this having mobility challenges and being unfamiliar with the city and public transport and it can be overwhelming. The Travellers Aid companion service provides people travelling to and from essential appointments with a volunteer companion to assist them getting there and back.

For more information about Travellers Aid's services, please visit www.travellersaid.org.au. They look forward to assisting you in the future.

Buggy Service**Mobility Service****Companion Service****Luggage Service**



What are scams?

Schemes designed to deceive and trick you for the purpose of stealing your money and/or personal details.

Ways to be scammed?

'Fake Tradies' – these are trades people who offer maintenance work and will often take payment then leave the job unfinished or provide substandard work, if they start work at all.

Be suspicious of:

- Flyers that look legitimate but offer services at reduced prices.
- People who knock on your door, or approach you while you are in the garden and offer to:
 - paint the house
 - work on your garden or cut trees
 - resurface driveways
 - fix your roof
- Anyone who:
 - offers cheap deals using words like 'for today only'
 - asks for cash up front
 - offers to drive you to the bank to get money to pay for the job
 - pressures you to accept their offer says they can do the job now as another nearby has just cancelled.

You can ask a suspected fake tradie to leave. If they refuse, they are breaking the law and you can call the police.

If you want work done on your house:

- Shop around for a quote that is right for you.
- Use established tradespeople who provide written quotes.
- Ask for contact details of previous clients, so you can check references.
- Do not sign any agreement until you are ready.
- Ask for the tradesman's full name and registration or licence details (if applicable) so you can check these with their industry authority - especially if you have received a pamphlet advertising their services in your mailbox.
- Ask for the business' number, so you can call to confirm whether the tradesman works for them.

<https://www.consumer.vic.gov.au/resources-and-tools/scams/travelling-con-men>

Consumer Scams

There are a range of ways people will try to steal your money or personal details. Below is a list of types of Consumer Scams:

- Online selling scam
- Romance scam
- Rental scam
- Rebate scam
- Investment scam
- Lottery scam

Protect yourself:

- Be wary of online sellers offering goods and well-known brands at extremely low prices.
- Do not provide an up-front payment to a stranger via money order or wire transfer.

Consumer Affairs Victoria—Scams Continued

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- When selling items online, do not follow the links in a payment notification email to check whether the payment has arrived - log into your account directly.
- With online dating, do not send money to someone you have never met, even if you have spoken to them or received gifts.
- Always inspect a property you want to rent before sending any money.
- Be wary of unsolicited emails, phone calls or letters saying you have unclaimed funds or are owed money.
- Do not let anyone pressure you into making quick investment decisions.
- Never send-off money or bank details to claim a prize.

<https://www.consumer.vic.gov.au/resources-and-tools/scams/consumer-scams>

Investment scams

Investment scammers may contact you offering unsolicited advice on investment opportunities such as shares or property. They make claims that an investment is risk-free, or that it will quickly make you rich. They say you need to act immediately, or you will miss out.

Scammers may also use advertising or 'free' investment seminars to promote their schemes.

To protect yourself:

- Do not respond to unsolicited calls or emails offering investment opportunities.
- Be suspicious of investments that promise a high return with little or no risk.
- Get independent financial advice before making investment decisions.

<https://www.consumer.vic.gov.au/resources-and-tools/scams/consumer-scams>

Phishing Scams

Phishing scammers may contact you by phone, email, text message or social media. They pretend to be a business that you have an account with - such as your bank, phone company or internet provider - and ask you to provide or confirm your personal details.

If you give the scammer your details, they can use them to steal your identity and your money.

To protect yourself:

- Don't provide any information.

Contact the business independently to check whether the call or message is genuine.

<https://www.consumer.vic.gov.au/resources-and-tools/scams/scams-savvy>

For information on reporting scams visit this site
<https://www.consumer.vic.gov.au/contact-us/report-an-issue/report-a-scam>

For tips on staying 'Scam Savvy' visit this site
<https://www.consumer.vic.gov.au/resources-and-tools/scams/scam-savvy>

Information sourced from <https://www.consumer.vic.gov.au/resources-and-tools/scams>

My Life - by Ross McKay (Funds in Court Beneficiary)**p.6**

I always had a keen interest in motorbikes, cars and boats. I went from life on a farm learning to drive tractors and ride motorbikes to growing up as a teenager in the outer-suburbs racing motorbikes at the Dandenong Motorcycle Track with friends.

Naturally, this led me to complete an apprenticeship as a Motor Mechanic working at Peter Stevens Motorcycles. After working there a while I would borrow road bikes overnight and go for rides with friends up and down Mount Dandenong Road, racing each other to the top. One foggy morning before work I was going down too fast, overshot the corner heading down an embankment, and went straight into the front door of a shop. No damage was done fortunately.

Racing was always my main love. At that time I was either practicing or racing bikes. Then I tried other things like jet skiing, hand gliding - practicing off the sand dunes to get the hang of it then straight off the high ramp. I went straight out into Bass Strait hearing voices all saying "Turn! Turn!", eventually landing on the beach. Skydiving was next. I did training all day with a small group of about five people. The instructor said, "we only have enough daylight for one jump today, who wants a go?", so I stuck my hand up with one other. As we sat watching, waiting for our turn, the plane we would be boarding lost one wheel and had to crash land into a paddock making us all even more nervous. Another plane was organised for the remainder of the flights, however, this one had no doors. I was kneeling beside the pilot as he did a big right-hand turn. I was trying to hold on grabbing the pilots arm. Finally we reached the right altitude and the instructor shouts out from the back "move out onto the wing". So I stepped out onto the wheel (as we were told to do) and it spun! I nearly fell off! "Ooops" said the pilot, "sorry", and he put on the handbrake. Then against all the wind I had to hang on to the back of the wing with my left foot on the wheel, I heard the instructor say "push off!" and I did it! I went back for a few more jumps before bad weather stopped me pursuing anymore.



One time I went Enduro riding with a good friend. Enduro is off-road riding on tracks with obstacles and challenges. We were testing each other out, as friends tend to do, and we came across an old aqueduct. My friend spotted a large pipe from one side to the other, all mossy and dirty, and he just rode across it! I could not believe it! So I rode along further until I found a big side on it, I took a run up, crossed my fingers as it was a massive leap across, 40ft minimum. I just made it, phewew!!

Searching for other things to do, I bought a ski boat. The owner was setting it up with a slower engine for water skiing and said to me that this boat was his ex-racing boat and to come along and try it, so I jumped at the chance.

Meanwhile, still working at Peter Stevens Motorcycles as a mechanic, I finished my trade school early and the teachers gave me two choices, go back to Peter Stevens or continue to finish similar courses, so I did extra courses and became qualified to work on motorbikes, cars, and boats. I was also testing new models of bikes for a motorcycle magazine, working on weekends at Johnson Cycle Tune, as well as doing motorbikes from home. I was also fortunate enough to be able to keep my new Honda Cr250rb at Peter Stevens while I was getting it ready for races. The Manager at the time asked me to do a few "monos" on the highway for a TV commercial they were doing; they blocked off two lanes to do it.

My Life - by Ross McKay Continued

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Following this, I worked at Porsche Head Office in Dandenong for a number of years before moving on to Dandenong Volvo as I wanted to work on more cars and learn more. Once Dandenong Volvo closed down I started at Kmart Auto. I moved around to other stores during my time there, Keysborough, Dandenong, Boronia, Hampton Park, Chirnside Park and, finally, Box Hill, which is where I ran the store.

Then I worked for Peter Brock - hardest exam I have ever done! Looking back now, he was one of the nicest people. I always used to park in his spot and he always found me and nicely asked me to move. He always asked about me. One day we sat on some tires and spoke for hours, or it seemed. Not long after that I went back to Kmart Auto Burwood, then back to Peter Stevens Motorcycle and all this time I was also racing boats.

The boat that started my obsession was a Concord, then I purchased a Tennessee, hull only, that I called 'Holeshot' - meaning get to the lead and stay there. I won some races and set up the boat to race Marathons. I started winning races at Paynesville. One race, water got so rough that a lot of competitors had pulled out. I stayed out there using the waves like I would motocross jumps, but the boat took such a pounding that the battery broke out and was dancing inside, then the fuel tank - which I had made especially - broke out of the floor, my steering also became very loose. At one point I had my hands full trying to hold things from falling out as I had many more waves to jump. I remember saying to myself "after this lap I will have to come in". Much to my surprise, though, I got back and they told me I had won, yahoo!

Learning the ropes with that boat just made me hungry for success. My work moto was - "bite off more than you can chew, then chew like bugger!"

Then I got my next boat, it was a proven winning hull minus the engine that I put on. We started winning nearly straight away. That is was when we started getting noticed, we were serious and it showed. We kept winning nearly everywhere

we went; it took us to the State Titles. The first round came and we just won, beating Andrew Hill, the current State Champion. The second round came and again I was battling it out with Andrew, a gust of wind flipped Andrew's boat ruining his chances and I won my first Victoria Title! From then on, I was sold!

Next were the Australian Titles, they were being held in Tasmania. My thoughts at the time were to go out with a bang, "must win or die trying", I remember telling myself. I was very determined.

After an issue with the throttle was remedied we won each race fairly convincingly. First time Australian Champion, yahoo!

While waiting to start for another race I could hear the speaker telling fans that this race will be a good one as it is a grudge race against the Australian Inboard Champion and the Australian Outboard Champion. I felt the hairs on the back of my neck stand straight up. That was me! It was adrenalin plus, as I had to win.

I entered another Marathon event, it was a 100km race, called the Lake Eppalock Enduro, for all boats but mostly huge offshore boats, and mine looked very odd, nearly out of place. As it turned out, they were the odd ones, as it was a calm day, not much chop on the water, (they did not have those types of races anymore). I really cleaned up, lapping nearly everyone several times over.

While I was a mechanic at Peter Stevens my hunger for horsepower was so intense, I wanted to learn anything to help out here, my colleges called me "Mr Horsepower". F1 boat racing was just taking off here and I had to get on-board; that become my obsession. A F1 boat cost \$100,000 minimum and easily that much again to race a season. I found a way to buy one with many bank loans and I also had three managers all working to get me sponsors.

My first F1 race was in Canberra. I was so nervous, it was huge, with all the race teams and crowds there were approximately 70,000 people.

My Life - by Ross McKay Continued**p.8**

All new drivers had a 30 second delay start, they were all half a lap in front and I drove hard catching some back markers, I just kept looking hard for the next one. Boat racing looks so different when watching compared to racing. If you are following others it looks like it is all fog and you do not even know where the turn buoys are, you are counting the seconds from the drop in Rooster tails from the others depending on how far ahead they are. I had come third in my first race from a delay. Wow! I had made it to all the F1 rounds finishing on the Gold Coast, I finished third in my first F1 season.

We set off to Adelaide for the second round with a new untested boat but we had sponsorship from an earthmoving company in Adelaide, we would not let them down.

We started last on the grid of approximately 26 boats. We jumped into the race working our way up to third place. Every time I passed the docks I saw my sponsors cheering me on. The race was stopped due to an accident so we lined up for a restart, only four laps to go, I must win for my sponsors, but there was nothing, no power to start!

I had a few more seasons but with damaged boats I was unable to finish them. As I climb higher up this Christmas tree there are a lot less branches!

After setting up my new boat I raced it with much success. I went up to Brisbane to a F1 race there; I got my first poll position in Round 1. Then Round 2 in the Newcastle F1, I made poll position again! But I kept getting beaten so I had to get it back in front of huge crowds of 75,000 – 80,000 people. Then race day comes, always nervous, I won the first race easily, finally on top of all the best in Australia. It has taken me years of trying and a lot of dollars. Many tried to cheat and deceive me and some have even lost their lives in race accidents, it has been a huge learning experience for me.

My Dad and I got a 1650 Tennessee tunnel hull which I extended and added a new top and

shape. We got it legal for drag racing, which we did with good success as well as gaining more titles and records.

I have had as many good times as bad. At the last Australian Powerboat Titles I was clearly in the lead and in the final corner of the last lap I was about to claim another title and my engine blew up. I was racing my Bullet as well but it too had engine problems. It was only getting three quarter throttle then at the end of each straight it would take off reaching 110mph.

I got so overcome with emotion I closed my helmet visor and cried so no one would see. I felt so bad for all my family and friends who put in so much to just get me there. The same thing happened at my last F1 race in Brisbane. I won the first race easy then I was in the lead the next time fairly easily when the engine blew. Totally upset! All that work and not only from me.

At least I have a good record to show from it all as it has not been easy but I am here as a lot are not. I am grateful, as it has made me a better and stronger person.

I made so many records that I remember the Officials asking me which ones I wanted to claim. I would ask who holds it and it was always me. So not wanting to bother them I stupidly passed.

Career Results

F1 off the Podium - Never finished
Victorian Championship - 10 times
Australian Championship - 5 times
Australian Water Speed Records - 5

My sister, Fiona and Father, Ivo and I were always fairly close. Dad and I had a special bond, throughout racing he was my rock.

So after all this I bought a house with my girlfriend, Jane. It had to have a big, good shed as I wanted to start a mechanical business from there, which I did and it was going very well.

My Life - by Ross McKay Continued

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Then one sunny day a customer said come up to the pie shop in Emerald for lunch, so I had lunch up there not knowing what was in store. On the way back the traffic lights were green to the right (Burwood Highway) so I went that way. I stopped for the pedestrian lights as a big truck parked on the left-hand side of the road was blocking the view. As I took off from the pedestrian crossing lights a four wheel drive tried to cross over the Highway. Not seeing each other taking off we both hit hard. I was airlifted to the Alfred hospital, the police told me I had died three times on the way, I must have been just holding on. I spent years coming back. It was fifteen years ago and I still have carers and am not working but I am still here with good support from my wife Jane and our two beautiful girls. Jane has been a fantastic support for me and continues to be. So when I get told that I am a lucky person I know I should appreciate things more, I still just battle with things.

Since my accident I am still making milestones. I have been doing a swim group, which we named ourselves "Stroke by Stroke" - pun intended, as we have all had a stroke from our accidents.

My left-hand side was unable to move at all, but over the last fifteen years it has started to come back, now it is nearly all ok again.

We have had different coaches of the swim group over the years. I used to think I was the worst of the group and as I have progressed I am at the other end of the group doing personal bests a lot of the time.

Racing has been so very useful in general learning, not only to understand engines but also people.

Thank you for reading my story.

Ross McKay



Art by Darryl Felstead (Funds in Court Beneficiary)

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Church, Lightning, Thunder, Gold (2015) - Oil pastel



Jugular (2016) - Mixed media



Skink in the Sand (2016) - Mixed media



Seals After Themselves (2015) - Mixed media

Artist's reflection:

"My artwork is about the planets and the stars, Mother Earth, the animals that live on her, the weather above and all the things underground too!

"Australiana is also really important to me because I'm an Aussie - you might see Qantas (Queensland and Northern Territory Air Service) or VB (Victorian Bitter) appear in my work, and I also like to draw things I remember from the past, like TAA (Trans Australian Airlines) and Aeroplane Jelly (for me!). Sometimes I even include things from before I was born, like the first Australian utility vehicle or old workman's tools that make me think of my Dad and Grandads.

"I'm not sure why I like making art, but it is good fun. I've just had my first solo exhibition at the Royal Talbot, and it was alright: I enjoy other people seeing my work and hearing what they have to say about it – maybe having a smile too."

September 2019

Darryl lives at Mary Guthrie House in Kew, where creative self-expression is central to his week – on Mondays he attends a group run by Royal Talbot art therapist Sandra Hatton and twice a week he has one-to-one sessions with visiting art therapist Erica Mainprize. At the request of Darryl and his family, Darryl's one-to-one sessions are paid for by Funds in Court.

This interview and all images appear by consent of the artist.

The Aspire Awards©, an initiative of Funds in Court, are now national and recognise all Australians who identify with a disability and whose work and achievements have made a significant contribution to their profession or community.

The awards are open to anyone who is;

- 18 years of age or older
- is a resident of Australia (and has been a resident for a minimum of three years)
- has demonstrated achievement at a high level that is recognised by their peers.

Award categories include:

Business (including farming, health and online businesses operating in Australia).

Arts (for any individual whose main occupation is in the visual, music or performing arts).

Community and or Advocacy (for any individual in not-for-profit, volunteer, or community organisations, emergency services and local councils).

Sports (for any individual in sport).

Government and Non-Government (for any individual, including an individual working in the public service, teacher or lecturer in a University, TAFE, or in Community and Adult Education).

Medicine including Research (for any individual doctor, nurse and/or researcher in Australia).

Law (for any individual solicitor, barrister, Judge or other Judicial Officer).

Writing, fiction or non-fiction, performing/ journalism, including online (for any individual whose main occupation arises from one of these professions).

Human Rights (presented to a nominated person or project which demonstrates the most outstanding outcomes towards advancing the rights of people with a disability in Australia. The winner can also be selected from all other award nominations).

For more information about the awards including nominating and event dates please take a look at the Aspire Awards© website: <https://theaspireawards.com.au/>

Contribute to the Newsletter

We welcome your contributions to the Funds in Court Newsletter. Do you have a story to tell? Artwork to share? What kind of information would you like to see in future editions? Do you have a story you would like to share? Is there an Office procedure you would like explained?

Whatever it is, send your suggestion or contributions to:

Funds in Court Newsletter
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