

Gurrumul Yunupingu estate bid withdrawn as NT public trustee takes control — for now

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Gurrumul Yunupingu, who sold hundreds of thousands of records, died in the NT in 2017.
(Supplied)

The finances of late musical legend Geoffrey Gurrumul Yunupingu will for now be handed over to the Northern Territory government's public trustee, the NT Supreme Court has ordered.

WARNING: Aboriginal and Torres Strait Islander readers are advised this article contains an image of a person who has died.

The musician's family has granted permission to use his image.

The ruling will mean ongoing posthumous royalties earned by the renowned Elcho Island musician – including from album and song sales – will be managed by the NT government authority, pending a bid by any of Gurrumul's family to administer the estate themselves.

During a 10-year solo career, Gurrumul released four studio albums, including his self-titled debut, which was last year named number 20 in Rolling Stone's 200 Greatest Australian Albums of All Time.

It remains unclear exactly how much his estate is currently worth.

It comes as an application made last year by Mark Grose, the co-founder of Gurrumul's record label Skinnyfish, to take on the official administration of his estate, was today withdrawn.

Solicitor Chris Osborne said Mr Grose wanted to discontinue the bid, citing a lack of financial and emotional resources to pursue it, amid a possibility flagged in court that Gurrumul's family members could be eligible to make a counterclaim to run the estate.

"My client doesn't feel equipped to continue with the application," Ms Osborne said.

"[He] has made the incredibly difficult decision to apply to withdraw the application, leaving the opportunity for the appropriate party to ... properly manage the estate."

Key points:

- A judge has ordered Gurrumul's finances be handed over to an NT government trustee
- The musician's record label co-founder has withdrawn a bid to administer his estate
- There may be a provision to rely on Yolngu law and customs to make the decision



The internationally renowned musician died after a long battle with kidney and liver disease. (702 ABC Sydney: John Donegan)

Judge Judith Kelly then proposed that the public trustee be appointed to look after Gurrumul's estate in the interim, at least until any other potential administrators emerged.

"The public trustee is agreeable to being appointed administrator, *pendente lite* [depending on the outcome of litigation]," said the trustee's representative Taylah Cramp.

Ms Cramp said the trustee would now "need time to investigate the matter" to determine if it would apply to be the long-term administrator of the musician's estate, or "whether there is someone else who is more appropriate with an interest in the estate to do that".

Gurrumul passed away in Darwin aged 46 in 2017.

Since then, his estate has been run unofficially by Mr Grose, who Justice Kelly said had been managing "the affairs of the estate" for the past five years.

According to the judge's orders, Mr Grose will now have 14 days to "transfer control of any money in any bank accounts which are established to receive or which have received income from the estate of Geoffrey Gurrumul Yunupingu ... to the public trustee for the Northern Territory".

Whether or not his estate will remain in the hands of the trustee will depend on whether eligible members of Gurrumul's family apply to administer it moving forward.

Among those possibly in line to do so, the court heard, were Gurrumul's daughter, Jasmine Yunupingu, and his three former wives.

Ms Yunupingu's lawyer, Sean Bowden, told the court that there could be a need to "revert to traditional law and [Yolngu] custom" in trying to determine who will be administrator of Gurrumul's estate.

Mr Bowden said there was a legal provision that "does provide for that" and "may be applicable in this situation".

"There's a concern here to do this carefully and diligently and ensure that things are done right and the full community is behind the final decision," he said.

The matter will return to court for a mention on April 27.