



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

COUNCIL OF TERRITORY CO-OPERATION

SUB-COMMITTEE – ANIMAL WELFARE GOVERNANCE

Public Hearing - Meeting No AWG10 – 31 August 2011

Members:

Ms Lynne Walker, MLA, Member for Nhulunbuy – CHAIR
Mr Gerry Wood, MLA, Member for Nelson
Ms Kezia Purick, MLA, Member for Goyder
Mr John Elferink, MLA, Member for Port Darwin

Witnesses

Ms Julie Carlsen, Deputy Ombudsman

INTERVIEW COMMENCES 10:58am

CHAIR: Julie, if you could just bear with me, I'm required to read through the formal statement as part of the opening and then we can get on to business.

So welcome everybody, I declare open this public hearing of the Council of Territory Cooperation Sub-Committee on Animal Welfare Governance and very pleased to welcome Ms Julie Carlsen, Deputy Ombudsman.

Although the Committee does not require witnesses to give evidence under oath, these hearings are formal proceedings of the Parliament and consequently they warrant the same respect as proceedings of the House itself. I remind witnesses that giving false or misleading evidence is a serious matter and may be regarded as contempt of Parliament.

Whilst this hearing is public, witnesses have the right to request to be heard in private session. If you wish to be heard in-camera please advise the Committee prior to commencing your answer.

Today's proceedings are being electronically recorded. Witnesses are asked to state their full name and position before commencing their evidence. As soon as practicable following this hearing the transcript of proceedings will be uploaded to the Committee's website but not before you have had the opportunity to see it and approve it, Julie.

I remind Members that personal opinions should not be sought from public servants appearing in a professional capacity. I remind Members, witnesses and members of the public that there are legal protections which apply to witnesses appearing before this Sub-Committee.

Parliamentary privilege is derived from the Legislative Assembly Powers and Privileges Act, Legislative Assembly Standing Order No. 290 reads: "All witnesses examined before the Assembly or any Committee thereof are entitled to the protection of the Assembly in respect of anything that may be said by them in their evidence".

And further, the Assembly adopted a resolution of continuing effect on 20th of August 1992; that resolution deals with guidelines for witnesses appearing before Committees and can be found in the Assembly Sessional Orders on the Legislative Assembly website. Copies of the guidelines are available here today if you want a copy.

And paragraph 5 of the resolution reads where appropriate: "Reasonable opportunity shall be given to the witness to raise any matter of concern for the witness relating to the witness' submission or the evidence the witness is to give before the witness appears at a meeting".

And paragraph 20 reads: "Where the Committee has any reason to believe that any person has been improperly influenced in respect of evidence which may be given before the Committee or has been subjected to or threatened with any penalty or injury in respect of any evidence given, the Committee shall take all reasonable steps to ascertain the facts of the matter. Where the Committee considers that the

facts disclosed that a person may have been improperly influenced or subjected to or threatened with penalty or injury in respect of evidence which may be or has been given before the Committee, the Committee shall report the facts and its conclusions to the Assembly”.

Julie, if you'd like to make an opening statement, you are very welcome to do so, otherwise we would move straight in to questions.

Ms CARLSEN: I'm happy to move straight in to questions.

CHAIR: Okay. And I believe you know my colleagues ...

Ms CARLSEN: I do, thank you.

CHAIR: ... on the Committee.

Ms CARLSEN: Good morning.

CHAIR: Member for Port Darwin is going to start.

Mr ELFERINK: Yeah. Ms Carlsen, thank you very much for joining us here today, we appreciate your coming along. My questions are going to be very straightforward. I won't be questioning you for long, I don't see any point in keeping you any longer than necessary. A lot of the information that you have we have already had evidence of from different sources.

However, I do want to visit one particular issue and dwell there for a moment, which was the matter of a briefing advice to government in relation to what occurred at the Mataranka Station. I note from a letter signed by the Ombudsman of the Northern Territory on the 24th of October 2010 to Ken Davies the CEO or CE of DHLGRS and in amongst the bullet points in that letter, I quote: "My officers visit and discussion with DHLGRS put forward my view that prosecution was warranted. My officer was advised that an investigation by DHLGRS would be undertaken, as previously noted there was ample evidence in the DoR, the Department of Resources reports, complaints and photographs that a prosecution by the enforcement agency should have been considered appropriate" – end quote. You did have a meeting with DHLGRS, is that correct?

Ms CARLSEN: Yes, that's right.

Mr ELFERINK: Okay. Who did you meet in that meeting, and did you have more than one meeting? If so, on what dates?

Ms CARLSEN: The first meeting with Department of Local Government Housing and Sport was approximately 25th of May in 2010, and that was with Ms Meryl Gowing who at the time was the manager of Water Safety and Animal Welfare.

Mr ELFERINK: Okay. Just pause on that meeting for a second. During that meeting, did you raise the issues of a matter of prosecution?

Ms CARLSEN: Yes, I did.

Mr ELFERINK: And what was your advice to Ms Gowing?

Ms CARLSEN: That prosecution was warranted with the evidence that we'd already gathered, that we were happy to provide to Local Government Housing and Sport any information they required to undertake the investigation and that I would expect that going forward that an investigation would be undertaken.

Mr ELFERINK: Okay. They gave you an assurance that an investigation was going to proceed?

Ms CARLSEN: Yes, I have an email dated the 2nd of June from Miss Gowing and I'd just like to quote from that, if I may?

Mr ELFERINK: Well could you ...

Ms CARLSEN: Sorry, am I not talking loud enough?

Mr ELFERINK: No, that's fine. Would you be in a position to table that email?

Ms CARLSEN: I certainly would. Yes.

Mr ELFERINK: Okay.

Ms CARLSEN: And it is within the documents, the many files that you have received.

Mr ELFERINK: Yeah. I'm aware of it somewhere. That was the one that I was talking about earlier.

Ms CARLSEN: And within this I have set out all of the times that prosecution had been referred to by different departments. And I summed up by saying, "A statute of limitation of 12 months applies to the Act. This enables complaints made recently or several months after an incident to be pursued. I am not sure your office has the full picture, information, documents or any other evidence that you should have been provided by the AEC, DoR or CDU etcetera".

Mr ELFERINK: Okay. Now I need a little bit of information about you because you're recommending a prosecution. Do you have any history or expert ... in terms of prosecution or policing?

Ms CARLSEN: Yes. I was a police officer 12 years in Western Australia and in that time I did successfully prosecute animal welfare cases.

Mr ELFERINK: Okay. So you were familiar with Western Australian legislation, I presume through this process you became familiar with Northern Territory legislation?

Ms CARLSEN: Yes, that's right.

Mr WOOD: Excuse me, John, could I just ask one question?

Mr ELFERINK: Sure.

Mr WOOD: Was your experience in relation to cattle and horses or dogs and cats?

Ms CARLSEN: No, it was dogs and cats because I was in the urban ... oh the CBD of Perth.

Mr WOOD: So you didn't deal with issues in relation to cattle stations?

Ms CARLSEN: No. They actually had a special stock squad in Western Australia that dealt with the theft of stock and also neglect cases.

Mr WOOD: Right.

Mr ELFERINK: But more generally speaking, before you specialised in animal prosecutions, you would have done other prosecutions as a police officer?

Ms CARLSEN: Certainly did. And ...

Mr ELFERINK: I know this is a hard one to ask, ball park figure, how many prosecution files would you have submitted over that 12 year period? Would it be hundreds?

Ms CARLSEN: Hundreds. Yes.

Mr ELFERINK: Yeah. So you're familiar with elements required such as points of proof etcetera, etcetera to prosecute matters.

Having established your level of expertise at least in terms of your capacity to identify a legitimate prosecution, was it based on that experience and expertise that you were satisfied that sufficient evidence had been collected to warrant a prosecution in this instance?

Ms CARLSEN: In my view it was overwhelming evidence.

Mr ELFERINK: Overwhelming evidence.

Ms CARLSEN: Hmm hmm.

Mr ELFERINK: So in terms of, from a prosecutorial point of view, with your experience, had you been required to do a prosecution investigation, then it's fair to say that you would have felt comfortable that you would have been able to collect sufficient ... you had collected sufficient evidence for a successful prosecution?

Ms CARLSEN: Yes, that's right.

Mr ELFERINK: Okay. Are you aware of the Northern Territory's prosecution guidelines, at all?

Ms CARLSEN: No, I am not. No.

Mr ELFERINK: Okay. No, that's fine. I won't take you down there, but they outline the grounds under which prosecutions can be advanced, and I just can't lay my hands on them at the moment, I do have a copy somewhere.

Ms CARLSEN: I assume it would be similar to Western Australia where the brief is provided to the DPP for a determination as to whether the proofs of all the elements ...

Mr ELFERINK: Yeah. You're in exactly the right ball park. There are, you know, likelihood of success, those sorts of standards ...

Ms CARLSEN: Certainly.

Mr ELFERINK: ... there are about 12 of them.

Ms CARLSEN: Hmm hmm.

Mr ELFERINK: So you consider the evidence to be overwhelming as a breach of the Animal Welfare Act of the Northern Territory, was that the advice you gave to government?

Ms CARLSEN: Certainly was.

Mr ELFERINK: Okay. Once you had given that advice and the undertaking was given that a further investigation was going to be conducted, did you have any subsequent meetings with DHLGRS or any other arm of government including the Ministry?

Ms CARLSEN: Yes, I later met with Ms Trish Angus and the incoming Animal Welfare Authority, I think that they ...

Mr ELFERINK: And on what date was that?

Ms CARLSEN: Oh ...

Mr ELFERINK: Approximately.

Ms CARLSEN: It was early June.

Mr ELFERINK: Okay. And what was the advice that you gave on that occasion?

Ms CARLSEN: I produced photographs and documents from the Department of Resources in relation to the investigations they'd undertaken and the finding of Mr Eccles and Mr Scott that there was welfare concerns at the Station and their determination. I also addressed with them the issue of the documents that they were using that seemed to be deficient or flawed or nonexistent.

Mr ELFERINK: Okay. So once again, what advice ... did you give any advice in relation to a prosecution during that meeting?

Ms CARLSEN: Yes. I have stated almost at every meeting I've had, except with the Minister, that a prosecution, in my view, was warranted.

Mr ELFERINK: Okay. How many meetings did you have in total, can you recall?

Ms CARLSEN: It would have been three face-to-face meetings and a number of phone discussions.

Mr ELFERINK: Sure. So three face-to-face meetings, a number of phone discussions, on each occasion you have said, 'Guys, it's prosecution time'. Is that essentially a fair summation?

Ms CARLSEN: That is a very fair summation.

Mr ELFERINK: So you then meet with the Minister on what date?

Ms CARLSEN: Twenty second of June.

Mr ELFERINK: No, that's alright ... well, 22nd of June. Do I detect in your answers here today ...

Ms CARLSEN: Yes.

Mr ELFERINK: ... that there is an element of urgency in your repeated communications with the departments? And if so, why?

Ms CARLSEN: Well, certainly the 12 month statute of limitation was a concern to me and that that was drawing to a close quite rapidly.

Mr ELFERINK: Okay.

Ms CARLSEN: And that if action wasn't taken within a period that was allowed by the statute, that that opportunity would be missed.

Mr ELFERINK: So you had repeatedly warned again and again that there was sufficient evidence, overwhelming evidence to proceed? Do I take it from that then you would not agree with Ken Davies' summation of the evidence that he'd received that there was insufficient evidence to proceed?

Ms CARLSEN: I would not agree with that, no.

Mr ELFERINK: Okay. The next question I have is in relation to your meeting with the Minister. You just said that you didn't mention with the Minister a desire to prosecute. Why not?

Ms CARLSEN: I was with the Ombudsman. It was a meeting between the Ombudsman and the Minister and if any questions about the situation were required to be answered there and then I was present to answer those questions.

Mr ELFERINK: Okay. So you were there in an advisory capacity?

Ms CARLSEN: Yes.

Mr ELFERINK: Did the Ombudsman indicate to the Minister that a prosecution was warranted during that meeting?

Ms CARLSEN: She certainly, in my opinion, had raised that there was enough evidence, provided photographs, provided enough information that suggested that action was required.

Mr ELFERINK: Okay. So to surmise, basically you had three face-to-face meetings, a swag of phone calls, you were present at a meeting with the Minister, all

of which it was indicated quite clearly to everybody along that food chain that a prosecution was warranted. Did you seek any comfort during those meetings that the department had actually instigated an investigation?

Ms CARLSEN: No. No, I did not.

Mr ELFERINK: Okay. Did they indicate in those meetings at any stage that they were not proceeding with an investigation?

Ms CARLSEN: At that point in time I had no idea that they weren't conducting an investigation, it was my opinion that they may have started making some enquiries.

Mr ELFERINK: Yes. Because it's clear from Carolyn Richards' letter, the Ombudsman to Mr Davies, that there is an expectation that ... or there was an indication that a prosecution ... sorry, an investigation was going to be undertaken.

Ms CARLSEN: That's right. Yes.

Mr ELFERINK: Is that minuted anywhere or is that noted anywhere, other than in that letter?

Ms CARLSEN: The letter from Ms Richards or the ...

Mr ELFERINK: The letter dated the 24th October 2010.

Ms CARLSEN: Oh, from Mr Davies?

Mr ELFERINK: No, to Mr Davies from Carolyn Richards.

Ms CARLSEN: Okay. I'm actually looking at the letter that was received in response to Ms Richards' letter.

Mr ELFERINK: Ah, okay. Take me through it.

Ms CARLSEN: In relation to Ms Richards' letter it says: "Thank you obviously for the letter of 24th October regarding the findings of your investigation into the treatment of cattle and horses at Charles Darwin University's Mataranka Station and for identifying areas in which the Department of Housing, Local Government and Regional Services can improve in regards to animal welfare issues and complaints. We are currently working through each of these issues identifying your letter with a number of issues already addressed.

Progress to date includes the appointment of a new director of water safety and animal welfare who has both a regulatory and licensing background. The engagement of Mr Ray Murphy, an experienced lawyer and former police prosecutor, to undertake investigation of the evidence to assess whether any matters raised in your report should proceed to prosecution. Investigator training for inspectors was conducted in June of 2010 during Animal Awareness Week and will continue on an annual basis.

A functional assessment by PricewaterhouseCoopers of the capacity of the Animal Welfare Unit to manage major animal welfare matters has been completed

and resulted in a recommendation for additional resources to be put in place in the Animal Welfare Unit.

Updating of the guidelines for animal welfare inspectors officers in line with your officers' early recommendations, the introduction of forms for reporting and making recommendations for legal action have been introduced for use by the inspectors with the Department of Resources, books with forms for issuing notice to inspect and obtaining consent to inspect have been distributed to all relevant parties and website information pertaining to the constitution of the Animal Welfare Authority has been updated.

It is clear that you are extremely concerned that no prosecution has commenced in relation to the treatment of cattle at Mataranka Station. Further work needs to be undertaken by the department to ascertain whether or not prosecution under the Animal Welfare Act is warranted. To that end, the department has engaged Mr Ray Murphy, an experienced lawyer and former police prosecutor to undertake necessary work. Your offer to provide information to Mr Murphy is very much appreciated and should expedite Mr Murphy's work considerably".

Mr ELFERINK: Okay. Thank you. What's the date of that letter?

Ms CARLSEN: The 24th of November 2010.

Mr ELFERINK: Was that past or after the expiration of the requisite statute of limitations?

Ms CARLSEN: The issue in relation to this particular matter is we were still receiving animal welfare neglect complaints in June of 2010.

Mr ELFERINK: So as late as June 2011, a matter still may well have been brought forward?

Ms CARLSEN: Yes.

Mr ELFERINK: Okay. Mr Murphy, I think, in his January report indicated that there was still some scope for further potential prosecution in relation to that sort of thing, dealing with some horses, if memory serves me. Is that correct?

Ms CARLSEN: From memory, I did read his report and there was reference to a prosecution that could still be undertaken.

Mr ELFERINK: And so what was then done of course is that he was asked by the department to go and have a further look and then he comes back and says, well, there's insufficient evidence by that stage, but the case had gone pretty stale by that stage. That wasn't a question by the way, that was just an observation. That's pretty much me done, Madam Chair. Thank you.

Mr WOOD: Thanks, Madam Chair. Pardon my voice, some people are very happy to hear less as we go on. In relation ... just a couple of follow up questions, and they partly relate to your belief that there should have been a prosecution. How much weight do you think Dr Brian Radunz's opinion should have been given? He advised the Animal Welfare Branch that, reading off your report that we just received on page 13, the latest report, it says, "Miss Gowing advised that in discussions with DoR's Brian Radunz and Sue Fitzpatrick that they had advised the situation at

Mataranka was not that bad and as such prosecution was not deemed necessary”. Do you believe that that statement by Dr Brian Radunz and Sue Fitzpatrick was reasonable?

Ms CARLSEN: It went against the advice provided by their inspectors, Mr Eccles and Mr Scott, who had written within their one of their reports prosecution...

Mr WOOD: Yeah.

Ms CARLSEN: ... in their view, was to be undertaken.

Mr WOOD: Yeah. Okay.

Mr ELFERINK: That’s the report that was provided.

Mr WOOD: That’s right. Yeah. Yeah. And I understand that. Well, when we had our meeting in Katherine, Dr Brian Radunz, I suppose in ... and I haven’t got it in front of me ...

Mr ELFERINK: That’s alright.

Mr WOOD: ... basically he said, sorry, said that they did not see that as a priority. Not saying they didn’t see it as something that would occur, but their priority was to get the cattle back and fed and that prosecution was lower down in the ladder of their priorities. But if this is the Senior Veterinary Inspector who’s making a recommendation to the Animal Welfare Branch that a prosecution was not deemed necessary, would it have been that the government had to weigh up both your advice and the advice from their Senior Veterinary Officer in relation to this?

Ms CARLSEN: I think there’s two issues here. One is the issue that in my view there was a breach of the Animal Welfare Act. But secondly that there seemed to be interference from a variety of parties who were suggesting that because feed was being now provided or because watering points had now been fixed, that the situation was improving, and education was more important more than prosecution. And I think that there should be a separation. If there has been an offence committed, the legislation is there for a purpose. And whilst education and improvements are certainly admirable, I don’t believe that the legislation should be ignored. It’s there for a reason and it should be investigated, it should be applied and if it’s applicable to a situation, I don’t see why it wouldn’t be.

Mr WOOD: Yeah. But if ... I’m not sort of making judgments either here, I’m just trying to find my way through where the decisions were made. Do you know if ... have you had a look at any of the history of the Department of Resources as to whether they’ve ever prosecuted any cattle station for cruelty or neglect of animals?

Ms CARLSEN: Not that I’ve been made aware of.

Mr WOOD: So could it be ... and I understand where you’re coming from about other influences, but could it simply be the department has always believed that their expertise in this area was that we don’t go down the path of prosecution, we try and fix the issue rather than prosecute. I’m not saying that that’s right, but would you feel that that has been the philosophy of that department rather than go down the path of actually implementing a prosecution?

Ms CARLSEN: In my view, that is the path that they were taking.

Mr WOOD: Right. In relation to influences that you're referring to, are those influences related to, one is Mr Eccles not being asked to visit the cattle station after the first two visits?

Ms CARLSEN: That is one of the issues. Another one which is in the submission of the Ombudsman is a letter to the Animal Welfare branch, Ms Mary Gearin-Smith's the officer there, from Professor Watson, excuse me, it's ...

Mr WOOD: So have you got a page ...

Ms CARLSEN: It's second from the back.

Mr WOOD: Yeah. Yeah.

Ms CARLSEN: And you'll notice in paragraph four: "Under the circumstances, a further investigation by the Animal Welfare Branch would seem unnecessary, and moreover it will make it difficult to obtain the responses from the station manager that the Animal Ethics, sorry, Animal Research Ethics Committee requires. This is because staff of the station are trying to meet the Committee's requirements and their own best practice and further demands may make this difficult". And that was dated on the 15th of October of 2009, and when the Animal Welfare Branch is receiving from a senior member of the Animal Ethics Committee a letter saying a further investigation would seem unnecessary, it would possibly allay the concerns of the Animal Welfare Branch that the situation was as dire as it was.

Mr WOOD: So we've got two people basically not recommending anything further happen. One is Dr Radunz as the Senior Veterinary Officer and two is Professor Rob Wasson, who was the Deputy Vice Chancellor and also the Chair of the Animal Research Ethics Committee?

Ms CARLSEN: Yeah.

Mr ELFERINK: And you can also add Ken Davies to that list.

Mr WOOD: So ... yeah.

Ms CARLSEN: Yes. And one of the things that I did notice was that there seemed to be confusion about which agency was responsible. And from the correspondence that we did receive, Local Government Housing and Sport, the Minister and Animal Ethics Committee have all stated that there was confusion about prosecution. However, I then received a letter, oh sorry, the Ombudsman received a letter from Department of Regional Services saying they don't agree that there was a confusion, and I believe that letter will also be attached, last page of the Ombudsman's solution. "I cannot concur with the conclusion that there was significant confusion regarding which agency was responsible to act when livestock neglect was identified".

Mr WOOD: Right. I understand that. I suppose I haven't felt there was necessarily a confusion about which department should be responsible, it's about the uniformity in ideas between one department and another. In other words Animal Welfare has got a particular view based more or less on domestic animals, they pass over that responsibility to some extent to the Department of Resources by giving their

inspectors the power to go in and look at animal cruelty matters. That Department of Resources then makes a decision as to whether they think prosecution is warranted, and passes that information back to Animal Welfare.

Ms CARLSEN: But that was the problem. The information wasn't passed back to Animal Welfare.

Mr WOOD: Right.

Ms CARLSEN: It wasn't until several weeks after the reports had been completed and provided by Mr Eccles, Mr Scott and their co-workers to either Sue Fitzpatrick or Brian Radunz that they eventually became sent ... or were sent to the Animal Welfare Branch. But that was several weeks after the reports had been done.

Mr WOOD: And Meryl Gowing actually had a informal discussion with Sue Fitzpatrick, had a meeting in Perth much earlier than this, and she was then told that there were problems at Mataranka. Do you know if anything came from that or was it simply just a notification and that was it?

Ms CARLSEN: I didn't know about that meeting until I read the transcripts from the CTC.

Mr WOOD: Alright. You say ... I say 'you' as an Ombudsman, in your report on page 19, that under the definition of cruelty and neglect which is something I suppose as the CTC we're interested in as well, that you have two areas that needed to be dealt with. One is an offence under Section 8 which deals with provision of food, drink and shelter, and the other one is Section 6 which relates to neglect and cruelty. Now, when we interviewed Dr Brian Radunz in Katherine he mentioned, and this is where I need to get clarification, he only spoke, I think, about neglect and cruelty, and he said, and again I haven't got the proper quote in front of me, but he said, "If I hit a cow with a steel bar on the head, that would be cruel, but in relation to an animal starving or short on feed it's a lot harder to prove that. One is much simpler to prove than the other". But where it ... so are we getting ... is there a bit of blurring of the definitions of what actually occurred at Mataranka? Did we have a case of neglect and cruelty, or did we have a case of lack of provision of food and drink and shelter, or did we have a bit of both?

Ms CARLSEN: From the reports that were provided to us it was a bit of both.

Mr WOOD: So even if there was some problem with maybe defining what neglect was, and you're saying here under 19, page 19: "I bring to the CTC's attention that under the Animal Welfare Act there are several offences. Section 8 provision of food, drink and shelter. This is an offence that is committed by the person in charge, that could be a truck driver transporting animals or a house-sitter when an animal is on holidays, it is a specific offence on clear criteria. Ian Gray was in my opinion guilty of that offence". So do you believe that that area there could have been brought forward as a prosecution without getting into the other issues of whether ... that Mr Radunz was talking about. They could have picked one of these issues, even if they had some doubts as to whether other issues might have been a problem?

Ms CARLSEN: Yes, that's correct.

Mr WOOD: And your belief that there was a lack of provision of food, drink and shelter is based on your documentation of how much food and water was available for those cattle at that time?

Ms CARLSEN: What was purchased, what was available and the interviews provided by the staff members who were either at the Station or went down to work at that Station. Also the comments made by the students that were there.

Mr WOOD: Alright. Now just ...

CHAIR: Gerry.

Mr ELFERINK: Can I just jump in for one question?

Mr WOOD: Yeah.

Mr ELFERINK: Given your expertise in the history of prosecutions through your policing activities in the past, is it, as an investigator, an expert investigator, your opinion that the withholding of food and water could constitute criminal neglect?

Ms CARLSEN: In my view, yes.

Mr ELFERINK: Okay. Thanks. That's it.

Mr WOOD: Ta. My other question is in relation to who is responsible. So Charles Darwin University owns Mataranka Station, they employ Mr Gray, or any other manager for that matter. If that particular manager has done something wrong, is the prosecution only in relation to the manager, or does it go further to say, you know, a bit like the buck stops here with ... perhaps there might be a case of I'm a truck driver, I know the brakes aren't working but I've been told by my boss I've got to go and drive. So is there a case that it is only the person in charge of the animals directly that is responsible for the feeding of those cattle, or are other people who are responsible for the manager to do his job responsible as well?

Ms CARLSEN: Well, certainly, in my view the ... it's difficult to say where the buck stops. It's just ... in this particular instance, going by the job description of the Station Manager, which I believe I do have somewhere in these documents, provides there that the responsibility of the feed, shelter, water is the responsibility of the Station Manager.

Mr ELFERINK: Gerry, if it helps, we have taken evidence on this particular issue ...

Mr WOOD: That's right.

Mr ELFERINK: ... and vicarious liability does flow through to the University according to the legislation.

Mr WOOD: Yeah. That's right. Yeah. I was just asking because you're the one that made the comment, sorry.

Ms CARLSEN: Hmm hmm.

Mr WOOD: And you said, you know, Ian Gray was, my opinion, guilty of the offence and I just wondered whether that actually goes to other people.

Ms CARLSEN: Well, I certainly would have believed that Brian, Dr Brian Heim was also responsible. And it doesn't stop there, because the persons in charge of those people, Mr Suter and Mr Biggs would have also been responsible and accountable as the managers of these managers. So whilst there is a widening circle of persons, the responsibility, according to the job description for that particular Station, rested with the Station Manager.

Mr WOOD: If I slightly broaden that. Some of what we've heard is, I think, from the Manager saying, 'I didn't have enough staff to help me'. We've also heard that some staff didn't like Mr Gray, so obviously there was a management issue in relation to how people got on with one another, and if that management issue was so bad that basically there were not enough people to feed the cattle, and then does it go higher again from a management point of view, that is HR level, that they didn't look at this earlier to see whether it should have been sorted out before this happened?

Ms CARLSEN: Well, certainly as a manager myself, if I do not have sufficient staff or resources to undertake my job or role I will ask, either by writing or by phone call, for those additional resources or staff.

Ms PURICK: But what if the person asked for the additional resources and it goes through to a part of the management of the organisation which really doesn't believe extra resources are warranted because they're from a financial background and so they just flatly say no? I mean, it's one thing to actually ask and put something in writing, but it can still be ignored.

Ms CARLSEN: Well, that's true. But then if I was ignored, I would go higher still. And higher still. And if I still wasn't receiving the assistance that I needed, knowing that I was responsible for what was happening, and made responsible through the job that I was doing, then I would keep going until I got someone who was in a position that could provide the staff or resources that I was seeking.

Ms PURICK: I understand, just to follow on from Gerry's questioning.

Mr WOOD: Yeah.

Ms PURICK: It was my understanding that under the code, the government's Animal Ethics Committee and also the legislation that anyone who is involved with the use of animals for scientific purposes or for teaching, is liable for the welfare of those animals. So all the lecturers and all the people involved at that Station had some responsibility, including, I think, I understand Toby Gorringer was in charge of the horses, so that's my understanding.

Ms CARLSEN: It was my understanding as well. However, I received ... the Ombudsman received a letter from the University stating that the code is just that, the code, and is not, does not have to be adhered to strictly because it is a code.

Ms PURICK: I would beg to differ on the code, but ...

Ms CARLSEN: I would agree. It's part of ...

Ms PURICK: ... if that's what they said.

Ms CARLSEN: ... the legislation.

Ms PURICK: Yeah.

Ms CARLSEN: And it's quite a surprising response.

Ms PURICK: Can I ask a couple of questions?

Mr WOOD: Yeah. Yeah. Yeah.

Ms PURICK: I guess this is probably a subjective answer that you could give, but in your professional opinion, do you think the University took this matter seriously from the beginning, or only when ... am I on the wrong grounds, Madam Chairman?

Mr WOOD: No.

Mr ELFERINK: I mean, she can't answer for what's in the minds of other people, but she can speculate on the evidence that she's aware of.

Ms PURICK: Yes. Okay.

Mr ELFERINK: And you can probably ask her to do that considering that she has some expertise, but you can only give certain weight to what she says.

Ms PURICK: But do you think the University took it seriously, and when it first came to their attention, within their management structure and their senior hierarchy?

Ms CARLSEN: The short answer is no.

Ms PURICK: Okay. Can I just ask a related question? I understand, but it goes to the heart of our people training in animal welfare. I understand that obviously the Ombudsman had a contract with the University to assist in the delivery of training for animal welfare, but that has now been cancelled. Is there a reason, do you think, given the powers or the skills, the knowledge that Ombudsman staff could deliver to help people in training to do investigations?

Ms CARLSEN: In 2009, the Office of the Ombudsman determined that there was a requirement for all Northern Territory government agencies to have available to them investigative training. And at that point in time it was determined that a Certificate IV in Government Investigations would be developed by our office and delivered, and offered to all Northern Territory government agencies. We're not a registered training organisation and we needed to go into partnership with a registered training organisation to provide the accredited training and the certificate, yeah.

So we went into partnership with Charles Darwin University and that was a successful partnership. CDU did not deliver any of the training, it was done by officers, mainly myself at ... using Charles Darwin University's facilities and we would tailor the training, for example, the Environmental Protection Authority asked us to deliver training for their staff and the training module was added to, to make sure that environmental protection investigations were added in to the course material.

It came to a point where Charles Darwin University in 2010 made a determination that an intensive two week course was not sufficient to deliver a Certificate IV in Government Investigations, and they cancelled their MOU with us. And we have gone interstate and we have now partnered with a Victorian company, a registered training organisation.

Ms PURICK: Okay.

Ms CARLSEN: And we then got calls from persons within CDU who wanted to attend our course and we told them that CDU did not believe that a intensive course is sufficient and the person that I actually spoke to personally said that it was an unusual thing for them to say considering they were sending him to Canberra to do a two week intensive Cert IV course. And I don't know why, other than the reason given to us, that our partnership was terminated.

Ms PURICK: Thank you. And probably just one final question, do you reckon that the stock squad in WA, we used to have the stock squad here in the Northern Territory, in light of the upheaval in our pastoral industry that we've gone through, and we'll probably continue to go through for some period of time, and given the focus that will now be on the pastoral and the cattle industry both from a domestic point and also the export industry, do you believe that we should be investigating the introduction again of the stock squad?

Ms CARLSEN: I think that that would be a very good idea.

Ms PURICK: Okay.

CHAIR: Gerry.

Mr WOOD: Yeah. Can I just go back to some details about how you thought that some players had an influence on some of the decisions that were made. The Animal Ethics Committee visited Mataranka Station very early after the first reports came in, and they came back with some reports which they ticked off where they spoke about, there was adequate feed and water etcetera. Did you see those reports?

Ms CARLSEN: I saw the Animal Ethics Committee reports, yes.

Mr WOOD: Do you think they were accurate?

Ms CARLSEN: A great reliance was placed on information being given to them rather than from their own observations. I did not see one report where all paddocks were visited, or discussions with the persons that should have been spoken to. For example, I don't note any discussions with the persons that were working on that particular Station and I saw from the transcript of Mr Gorrings's interview here with the CTC that they would drive past his house and head into the Station without actually seeing him, and as the main complainant to this particular issue, I would have thought that the person who should have been approached, who could have pointed out the animals that were of concern, would have been approached by the Animal Ethics Committee when they arrived.

Mr WOOD: The first reports that were done from the Animal Ethics Committee, or the very first one said that there was sufficient feed and water. But that when the stock inspectors came back for their third visit, I think there was one on the 4th or the

5th, they said very little had changed, and that's what's worried that me. If very little had changed and the AEC is saying that when we visited there was plenty of water and food ... I suppose I can't ask you that, but I just thought ... I sort of see the two don't match. The stock inspectors have said the cattle haven't improved over the last three, four weeks but the Animal Ethics Committee is saying, well, when we visited there was plenty of food and water. So I'm just not too sure how the two go together. But maybe that's more of a statement rather than a question.

Could I just ask then, and still in relation to this. In your report on page 271 you talk about an email from Ms Vicky Williams who's the campus administrator at Charles Darwin University. In that report, it's quite a long email, she does say on point number six that Ian was working - that's Ian Gray - was working within budgetary constraints in managing the Station. Do you know what that referred to?

Ms CARLSEN: Every year CDU assign a certain amount of money to Mataranka Station, obviously for the running of the Station. At that point in time there was over 6,000 animals at that Station and the feed budget that had been set aside for that particular year was insufficient.

Mr WOOD: So whose job would it have been to say to the University, I don't have enough feed here to feed the cattle?

Ms CARLSEN: In my opinion that would be the Station Manager who would say, "The budget is insufficient, I need more".

Mr WOOD: And in your discussions with the Manager, did you come across evidence that he had actually said to the University, I need more money for feed?

Ms CARLSEN: I didn't find any evidence of that, no.

Mr WOOD: Okay. You do have a chart here on page 289 which is the total amount of feed, I think, for the year 2009, and down the bottom you say there is no conclusion open except that they, the animals, were not fed adequately. So is the feed shown on this particular graph sufficient to have fed all those cattle or did all this feed end up at the Station? I'm not saying it went somewhere else, but was it actually ever delivered there or can you have other interpretations on whether there was enough feed?

Ms CARLSEN: In my view, there wasn't enough feed supplied. Doug Jenkins, when I spoke to him, and I provided him the list of the food that had purchased, he started crossing out and saying, no, that went to KRC and that went here, you know, to the stud bulls, and this went here. So this document says that this is Mataranka feed purchases is incorrect, because some of this stuff went to, and he said my stud bulls, which are held at ... which were held at Katherine Rural Campus. So ...

Mr WOOD: So this is relating to invoices marked Mataranka ...

Ms CARLSEN: To Mataranka.

Mr WOOD: But there's no proof that this feed ever arrived at that station?

Ms CARLSEN: Some obviously did because there was some in the shed in the photographs taken by the Department of Resources. But whether all of that feed

was actually delivered or fed out at that Station is something that still remains a little bit of a mystery.

Ms PURICK: So ... oh sorry, you finish.

Mr WOOD: So there is the possibility that Mr Gray might have ordered the correct amount of feed but it never reached the Station because other people ...

Ms CARLSEN: For 6000 animals ...

Mr WOOD: Not enough feed regardless.

Ms CARLSEN: ... there's not enough feed there.

Mr WOOD: Okay. And your figure for working out how much feed the cattle would need, you've got a ... a cattle expert was asked?

Ms CARLSEN: That's right.

Mr WOOD: ... have you got an indication of who that cattle expert was?

Ms CARLSEN: At that time it was the Cattlemen's Association President and his name's ...

CHAIR: Rohan Sullivan.

Ms CARLSEN: Rohan Sullivan.

Mr WOOD: Rohan Sullivan. Alright. So ...

Mr ELFERINK: Just one thing ...

Mr WOOD: Alright. I've got some broader questions, if that's alright, Madam?

CHAIR: Yeah. Sure. We've got till midday.

Mr WOOD: Thank you. Did you put together the whole report?

Ms CARLSEN: I put together a draft report and it is then provided to the Ombudsman with the supporting documents for her to finalise and assess and check for accuracy of the information within the report.

Mr WOOD: And did you do all the interviews with ...

Ms CARLSEN: Yes, that's right.

Mr WOOD: Now this has been raised recently, but when you put out an Ombudsman's report, and I've seen a few from being in local government ...

Ms CARLSEN: Uh-huh.

Mr WOOD: Before it goes out for public scrutiny ...

Ms CARLSEN: Yes.

Mr WOOD: ... is there a requirement of the Ombudsman to send that report to all those people who have been, I suppose ...

Ms CARLSEN: Adversely ...

Mr WOOD: ... negatively affected?

Ms CARLSEN: Yes, that's right.

Mr WOOD: So all the people like Ian Gray, Dr Heim and any of those people that were given a negative report, you might say, were they all given a copy and were all able to have a right of reply?

Ms CARLSEN: Yes. And they all responded.

Mr WOOD: Okay. My questions actually were covered mainly by John earlier, but I do have a question in relation to your meeting with the department.

Ms CARLSEN: I'm sorry, which department?

Mr WOOD: Sorry, DHLGRS. Yeah. Was there a belief that the department was waiting for your report to be tabled in Parliament before they took any action?

Ms CARLSEN: I actually said to Ms Gowing that there is no point in waiting for our report because we use coercive powers, and in using coercive powers much of the information from interviews etcetera cannot be used within a court of law, so there would be no point in waiting for our report to come out.

Mr WOOD: Yeah. I think that was mentioned by Meryl Gowing that they would have to use their own evidence they collect but they could use you as the basis for that evidence, is that right?

Ms CARLSEN: We were certainly prepared to provide them, and we did. But Ms Gowing didn't have at that time a copy of the Stockwell report, that was provided to her. So we were happy to provide any information that they required to conduct their own investigation.

Mr WOOD: Alright. I just tagged a few things there, I'll just check before ...

CHAIR: Can John just ...

Mr WOOD: Yeah, John, you're alright.

Mr ELFERINK: Look, there are a couple of things I want to return to very quickly. During the investigations of this Committee, we uncovered a thing called the Coles report by Kanzen and Partners. Are you aware of that particular report?

Ms CARLSEN: No.

Mr ELFERINK: Okay. It dates back to December 2007 after the then Minister for Local Government, Elliot McAdam, ordered a review of the Animal Welfare Act. I just seek your professional and expert opinion on a couple of recommendations out of that report. And I'll quote them to you as you're unaware of it.

In 2007 it was reported to the Northern Territory government that: “A number of submissions to the review noted that it was unclear which agency was responsible for the administration of the Act, thus it was difficult to hold an agency or Minister accountable”. You’ve just given evidence that you believe that it would have been easy to identify the appropriate agency in this case. Do you agree with this particular observation that the lines of demarcation could have been clearer?

Ms CARLSEN: They certainly could have been, yes.

Mr ELFERINK: Okay. The next component is a recommendation from that same report that says: “It is recommended that the Act be amended to provide that proceedings may commence within 18 months provided that the proceedings are commenced within six months of the time when the complainant obtained evidence and was considered sufficient to allow a prosecution to proceed”. In other words, a statute of limitations of 18 months. Clearly from the evidence you’ve provided, such a statute extension would have captured or alleviated the sense of urgency that you had in terms of a prosecution?

Ms CARLSEN: Yes, it would have.

Mr ELFERINK: So that if this report had been acted upon by the Northern Territory government, the statute of limitations would not have effectively provided a bar for a timely prosecution?

Ms CARLSEN: No.

Mr ELFERINK: Okay. The report also makes the observations, and I quote from page 22 of that report. Actually I won’t because it’s a long quote, but basically what it says is that there is a problem with the level of skills and qualifications necessary to investigate and prosecute offences, which just basically says that the skills aren’t available to these departments, and particularly those with carriage of the legislation. Would you concur that that’s a correct observation?

Ms CARLSEN: I would certainly agree with it.

Mr ELFERINK: So as early as 2007, in your opinion, on what I’ve told you and what’s contained in this report, because you haven’t read it on what I’ve quoted to you, that if these three elements had been, or even one of those three elements had been acted upon, in your opinion, a prosecution would have been much more likely and this stuff-up wouldn’t have occurred?

Ms CARLSEN: I would agree with that, yes.

Mr ELFERINK: Okay. Thank you.

CHAIR: Gerry.

Mr WOOD: The question you asked for?

Ms PURICK: No.

Mr WOOD: Oh, I had it in my head. Just in relation to the period in which you can prosecute and the statute of limitations. What's the statute of limitations in Western Australia?

Ms CARLSEN: Look, I believe it's changed since I've left the Police Department which is 2001 when I left, so ...

Mr WOOD: Yeah.

Ms CARLSEN: ... or 2000. So I believe it's changed, and it may be three years but I could not say that with certainty without looking at the legislation now.

Mr WOOD: Do you have any idea, or can you recall any prosecutions of cattle stations in Western Australia for this particular offence?

Ms CARLSEN: There wasn't a cattle station, there was a sheep station which was quite recent as of 2009 or 2010. There was mass deaths from starvation at a sheep station and that was quite heavily reported in the media.

Mr WOOD: Alright.

Ms PURICK: But not associated with drought?

Ms CARLSEN: No. No.

Mr WOOD: I'm just wondering whether ... I mean, I'm trying to get a picture of ... it's all very well to say, you know, the Department of Resources should have recommended prosecution and our stock inspectors did, I'm just trying to see how far that history spreads out, even Australia wide from when these particular actions happened. I mean, this is not the first place cattle have starved.

Ms CARLSEN: No. I believe there was Queensland as well.

Mr WOOD: I suppose in this case what's disappointing is that this was a training centre run by Charles Darwin University so you would expect even though it's a cattle station, cattle weren't going to starve, simply because that's not the way you train people in the management of cattle. But I just was trying to get an understanding whether right across Australia, you know, and to some extent these actions on cattle stations excused and in many cases it might be a reasonable excuse, simply drought, whereas if you don't feed a horse or a dog in a property in town you're immediately prosecuted for neglect or cruelty or not providing them enough feed and water. So do you think that whole issue about animals in general, regardless of whether they're on a cattle station or in a city or a town needs to be sort of looked at and judged, not where they are but they're animals and they need to be looked after?

Ms CARLSEN: Well, these are animals that aren't free-ranging, they are locked away. Whether they're in a paddock surrounded by a fence or whether they're in someone's back garden they are surrounded by a fence. It is up to the person in charge of those animals to make sure that appropriate food, water and shelter is provided to them, and that is what the legislation states. So I don't believe that it matters where they are, and accepting that there are droughts and things like that, there's not much that can be done if a fire goes through a property, there's not

much that can be done about that. But when you have the ability to make a change and to look after the animals that are under your care, I think you should.

Mr WOOD: Well, that's good. Yeah. Thank you.

CHAIR: Any further questions?

Mr ELFERINK: I'm done, Madam Chair.

CHAIR: No. Thank you. Ms Carlsen, on behalf of the Committee I'd like to thank you for appearing today and providing us with further evidence. As soon as practicable you will be sent a copy of the transcript to check before it goes up on to our website. So again, thank you very much. We appreciate your time.

Ms CARLSEN: Thank you.

Mr WOOD: Thank you.

Ms CARLSEN: Could I just finish with just one item?

CHAIR: Of course.

Ms CARLSEN: There has been much speculation about the number of animals that have died at Mataranka Station, and it certainly is of great interest as to how the Ombudsman calculated deaths, and I would like to draw your attention to her submission and the submission that Charles Darwin University provided in writing to the CTC, and I'll just find the correct page for you. There we go. It's on ...

Mr ELFERINK: Are you talking about the Science Matters report which is the ...

Ms CARLSEN: No. Page 9 of the Ombudsman's ...

Mr WOOD: The Station ...

Mr ELFERINK: No. No. I know. But the Ombudsman sent through with the Charles Darwin University submission and you refer to their submission.

Ms CARLSEN: Right.

Mr ELFERINK: That was developed by a group called Science Matters. Is that the one you're referring to?

Ms CARLSEN: No, it's not. When the Charles Darwin University staff appeared here they had provided a written submission and ...

Mr ELFERINK: Yeah, I think we're still talking about the same document, but anyway.

Ms CARLSEN: I didn't see Science Matters written on any of that document that was submitted ...

Mr ELFERINK: Alright. No worries. Go on.

Ms CARLSEN: ... but it may have been done by Science Matters. And on page 9 of the Ombudsman's submission you'll see that Charles Darwin University has estimated deaths in 2009 and they've made a calculation and they have ... it was on page 2 of their submission of the 22nd August.

Mr ELFERINK: Yeah.

Ms CARLSEN: And they said the estimated deaths in 2009 should be a) 4353, take c) 5397 and they came up with a minus 1044 animals, suggesting that there was more stock on the Station in 2009. But then looking at the calculations they provided at a) CDU recorded 4124 animals plus births of 950, minus sales 721 equalling 4353 animals at the end of 2009.

Then at b) CDU records 4035 cattle at the end of 2010. However, they then add the sales of 2317 rather than taking from the totals they did in point a). The total of 6352 was documented instead of a total of 1718 if you took the sales from the total, and this would suggest at the end of 2009 and the beginning of 2010 there was 6352 animals at the property and not 4035. And in the Science Matters report, I think it was, or the Mataranka Station Advisory Committee report they said there was 4735 head reported at the end of December.

And then at c) CDU records 6352 stock in 2010, and then despite adding births in point a), they have now taken 955 births from the figure coming to a total of 5397. If you added those births which you would expect would be added it would take the equation now to 7307 animals.

So if we accept the CDU formula is correct, 7307 take 5397 equals a total of 1910 deaths. And then using CDU's formula without the confusing calculations, the 2009 start of year stock was 4124 plus births of 950, taking sales of 721, which totals 4353 animals.

In 2010, end of year stock, 4035, take sales of 2317 plus births totals 2673. 4353 take 2673 equals 1680 deaths.

So as you can see, the calculations that they provided, provide more confusing information in relation to how many animals died. And I just wanted to point out that whilst there has been a lot of conjecture about how many animals died, the calculations provided as recently as the 22nd of August, depending on which calculation you'd like to go with, there was either 1910 deaths or there was 1680 deaths.

Mr ELFERINK: So I take it then from that you're saying that the figure of 800 which appears on page 61, I think, of the Ombudsman's report, is a conservative figure?

Ms CARLSEN: That was based on the figures that we'd been provided at the time. We did not know that there was more than 6000 animals at that property during the period when that calculation was made. So this would suggest, if we're taking the most recent calculations, that many more animals died than what we originally believed.

Mr ELFERINK: Why did the number of cattle deaths even at 800 take a much more prominent role in the Ombudsman's report as the draft of the report? It appears essentially as a footnote on page 61 of ... 61, I'll double check that, but it

appears essentially as a footnote. If you were concerned about that number of cattle deaths, why didn't it appear more prominently?

Ms CARLSEN: At that point in time, as you can see from the submission, the documents that were provided were confusing. On one particular document there was this many cattle, on the next document dated the same dates there was a different figure, and then another document you would see there was a different figure. So it was an estimate based on the overall amount of animals that were on several documents. So it wasn't more prominent because to actually state that there was definitely 800 or more deaths, you would have to have reliance on the figures that are provided to you, and when they're confusing and do not match up in any way, shape or form, then it's very difficult to put more emphasis on deaths when you do not have correct documentation in front of you.

CHAIR: And I see in the letter that the Ombudsman had sent to the Auditor General and then his response obviously had been reliant upon CDU data provided to him, and the big question mark that hangs over it is just the reliability of that data from mustering.

Ms CARLSEN: That's right.

Mr WOOD: Have you ... and we've got figures from other people?

Ms CARLSEN: Uh-huh.

Mr WOOD: One I think is Tom Stockwell, and he uses figures around the hundred to two hundred and he bases it on what he sees as the number. I think Jenkins, what's his name?

Ms CARLSEN: Doug Jenkins.

CHAIR: Doug Jenkins.

Mr WOOD: Doug Jenkins. He also did an estimate, I think, from an account as well. I suppose we could argue the toss about, and I'm not saying it's not important, but whether it's 200 cattle or 800 or more, the issue wasn't really so much that, it was that certain animals you've said should not have died, and they should have been fed and so therefore you've come to your conclusions. I mean, the only other way would be that someone basically had to have kept a track of how many cattle were dying and shot and buried.

Ms CARLSEN: I agree completely. Whether it was one or a thousand, it makes no difference. There is absolutely no reason to allow any animal to die in those sorts of circumstances.

Mr ELFERINK: Okay. Central to all of these figures is a thing called birth rates. There's a prediction of 900 birth rates. In your experience as an investigator and into animal welfare issues, starving animals don't reproduce.

Ms CARLSEN: They can reproduce but sometimes their calves will slip, in other words, they will die.

Mr ELFERINK: Yeah.

Ms CARLSEN: And if an animal is starving, I am advised by Grant Parker, that if an animal is starving that they may leave their calf behind, and it's a mechanism both of saving themselves.

Mr ELFERINK: Yeah. Okay.

Ms CARLSEN: So whilst they may give birth, they'll leave that animal behind in search of food and water.

Mr ELFERINK: Alright. So in any instance, from any real point of view, if the birth rate drops due to starvation, then from an animal welfare point of view, whether they are dying or not reproducing because they're starving, from an animal welfare point of view, six of one and half a dozen of the other, because either way it's indicative of neglect?

Ms CARLSEN: Yes.

Mr ELFERINK: Okay.

Mr WOOD: Unless it's a drought situation, as you referred to before.

Ms CARLSEN: Of course. And it must be taken in to consideration that if there is a drought, then other action should be taken.

Mr ELFERINK: There's no evidence of a drought during this period?

Mr WOOD: No. No.

Ms CARLSEN: No.

Mr WOOD: That's what I, I just make it clear that ...

Ms CARLSEN: Oh, I agree with you completely. There are circumstances where you cannot save the animals due to fire or drought or environmental conditions. But when you do have the ability to save an animal, you should.

Mr WOOD: And they could have been fed in this case? Okay.

Mr ELFERINK: Alright.

Mr WOOD: Thank you.

Mr ELFERINK: Thank you, Ms Carlsen.

CHAIR: Thank you, Ms Carlsen. We're just going to take a very quick break before we hear from our next witness, Mr Gray, and there's tea and coffee at the back there and something to nibble on.

INTERVIEW CONCLUDES 12pm