



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

Mr Ian Gray

INTERVIEW COMMENCES 12:13am

CHAIR: 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 an in private session. If you wish to be heard in-camera, that means in private, in confidence, please advise the Committee prior to commencement of 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 a transcript of proceedings will be uploaded to the Committee's website but not before the Members have had the opportunity to proof and correct that evidence.

I remind Members, witnesses and members of the public 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 and I quote: "Protection of witnesses, all witnesses examined before the Assembly or any Committee thereof are entitled to the protection of the Assembly in respect to anything that may be said by them in their evidence."

Further, the Assembly adopted a resolution of continuing effect on the 20th of August 1992. That resolution deals with guidelines for witnesses appearing before Committees and can be found in the Assembly's Sessional Orders on the Legislative Assembly website. Copies of the guidelines are available here today. Paragraph 5 of that resolution reads, and I quote: "Where appropriate reasonable opportunity shall be given for a witness to raise any matters of concern to 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, and I quote: "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 that that's the matter. Where the Committee considers that the facts disclosed of 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".

Mr Gray, you're very welcome to make an opening statement if you wish before we then go to Members of the Committee to ask you questions, so maybe if you'd like to start.

Mr GRAY: Thank you, Madam Chairperson. Firstly, I appreciate the opportunity to appear before the Committee and provide additional evidence that may have been unavailable up until now.

I realise that the Charter of the Committee, the focus is animal welfare, however, I also believe that the catalyst behind this formation of the Committee is the report from the Office of the Ombudsman. This particular report is flawed in very many regards, over 300 factual errors and erroneous conclusions, and the fact that that report was basically derived from

information received by a previous report that had been conducted, and that information was also ... and the bulk of that information in that report, being the Stockwell Report, was derived from the original Complainant.

So I have great concerns in regard to the accuracy of the report produced by the Office of the Ombudsman. And secondly, I would like to raise the point that I have not had access to previous transcripts from prior hearings, and I believe there's possibly additional information I may be able to provide the Committee at a later date following perusal of that.

CHAIR: Certainly, and you're very welcome to do that once you've read those transcripts, Mr Gray.

Mr GRAY: Thank you.

CHAIR: Gerry.

Mr WOOD: Thank you, Mr Gray, thank you for turning up today. Could I probably just ask you some very basic questions so you have an opportunity to say what your version of events are, but we know cattle died in the period which you were manager. Can you say why those cattle died, who was responsible for the deaths of those cattle, and could have the deaths of those cattle been avoided?

Mr GRAY: I guess the first point I would like to make is that cattle mortality is an accepted phenomenon in the cattle industry, particularly in Northern Australia. This is well documented with industry surveys of 3% mortality and recent data from Meat and Livestock Australia, from research that they have conducted, mortality's up to 8%. So using figures ... powers of extrapolation which seems to have been quite widely used in the Ombudsman's report that with a cow herd of one and quarter million in the Northern Territory, that it is feasible to expect that between 37500 and 100,000 cows die of natural causes every year in the Northern Territory.

Mr WOOD: In the case of this cattle station, it also was a training facility run by Charles Darwin University. Could have the cattle deaths of this particular cattle station, because it was run by Charles Darwin University, could have they been avoided?

Mr GRAY: The case on every cattle property there are deaths that possibly could be avoided, but due to the extensive nature of the operations, often it is impractical. So at no point in time was I advised by my managers or management of the University that Mataranka Station was being held to a higher standard than the industry norm.

Mr WOOD: But if you knew cattle were starving and you knew that there was the possibility that you could get feed to feed those cattle, wouldn't have you gone down that path first?

Mr GRAY: There was considerable effort on my part to acquire additional feed, additional staffing.

Mr WOOD: And what happened in relation to being able to acquire extra feed and extra staff, was that knocked back or what?

Mr GRAY: I think due to University processes that often there was a delay in acquiring additional resources and staffing. In one particular case, a period of four months elapsed in my efforts to replace a staff member.

Mr WOOD: Right, but was that the only reason?

Mr GRAY: Well, despite assurances from University management that due to the perceived situation that things would be progressed expediently, that was still not the case.

Mr WOOD: Well, I just quote from Vicky Williams who sent an email to the Ombudsman, and I'll just find it, sorry, and she refers to Doug, I'm not sure whether it's Doug Jenkins is it, saying that he felt that you were not performing as per expectations, and there are other quotes from other people saying that your management wasn't up to standard. Would you say that that was the problem or do you think it was the University just simply wouldn't provide you with either the feed or the staff to help you manage the property?

Mr GRAY: I believe that relying on the evidence of a lecturer, and that that evidence has been relied on quite extensively from what I can gather, is of great concern to start with. And I guess it's a plethora of situations that were occurring, and I think if I refer you to the Walter Bellin Report, that my management was found to be lacking in my time management skills and my communication.

Now if you read further into that report, you'll realise that I was one person trying to do the work of three, so I did have difficulty being at more than one place at a time, and I will freely admit that, yes, there were occasions when I had appointments that I did not ... was unable to meet those appointments, generally because ... a perfect example is I had on one occasion probably of the two occasions that the Vice Chancellor arrived at Mataranka Station, I was actually late for my interview/appointment with the Vice Chancellor. The reason being was that ... and I arrived to that meeting covered in grease and diesel because I was repairing a bore pump that had broken down.

So I believe strongly that the animal welfare ... the welfare of the animals and ensuring water supply was my paramount concern, even to the point where, as I said, I was late for an appointment with the most senior person in the University.

Ms PURICK: Can I just jump in?

Mr WOOD: Yep.

Ms PURICK: Was the visit by the Vice Chancellor after the issues of Mataranka become public or was it before, this one you're talking about, which I guess ...

Mr GRAY: Unfortunately, Ms Purick, I was relocated. A lot of my personal belongings are still located in Townsville which have ...

Ms PURICK: Okay.

Mr GRAY: ... gone under flood, I'd have to check my diary. I believe ... [pause] I'd have to check my diary ...

Ms PURICK: Oh, that's okay.

MR GRAY: ... but I do believe it was after, because the Vice Chancellor was coming in with Dr Brian Heim on that occasion.

Ms PURICK: Okay.

Mr WOOD: Mr Gray, the stock inspectors visited the Station three times. On the 2nd, I think it was the 4th and 5th of September, they reported back that there should be a prosecution saying that the animals were being neglected or whatever. Do you agree with their summary of that report?

Mr GRAY: No, I don't agree, and I believe the stock inspectors, the veterinary officer that was present at that inspection did not have sufficient experience in a northern extensive pastoral environment.

Mr WOOD: Are you talking about Mr Eccles?

Mr GRAY: Yes, I am.

Mr WOOD: Is it true that Mr Eccles worked in both Papua New Guinea, Western Australia and for AQIS as a health inspector?

Mr GRAY: I believe he worked in Papua New Guinea which is a far different environment.

Mr WOOD: But also Western Australia.

Mr GRAY: I was unaware of that, but my observations of Mr Eccles when he was at Mataranka was that he lacked ... he had a limited understanding of the northern pastoral environment.

Mr WOOD: Because there two other stock inspectors with him?

Mr GRAY: I was only present when, on that occasion, on the 5th of September, that particular ... the other stock inspector observed a cow that they believed was down. They wanted to euthanize the cow. When we returned to the location of where they believed the cow was down, the cow was nowhere to be seen, highlighting my point that they overreacted. They wanted to destroy a cow that in the period that when they had seen the cow and when they returned, the cow, which would have been the space of half an hour, that that cow had risen to her feet and moved away.

Again, they believed that there was insufficient feed, two kilometres. Now with the independent vet who inspected that paddock on the 14th of September, I think it was, found that there was feed 500 metres from that watering point. So it's come down to a difference of opinion.

Mr WOOD: But isn't the basis, we know the cattle died ...

Mr GRAY: Yes.

Mr WOOD: Is that correct? If they had sufficient feed, they would have lived?

Mr GRAY: That's speculative. I don't believe we can answer that question.

Mr WOOD: Well, say if you've got X number of cattle then you will need X number of feed to keep them alive, X number of kilos of feed, that would be a fairly scientific sort of formula.

Mr GRAY: Yes, and then some cattle will still perish, will still die because through natural causes.

Mr WOOD: That's right, but if we take out the natural causes, just in an ideal situation, if there is enough feed and enough supplement and enough water to give a cow, unless it gets a disease or as you said there's some other part of natural mortality, those cattle will live?

Mr GRAY: There will still be mortalities ...

Mr WOOD: That's right.

Mr GRAY: ... and we will still see cattle in good condition that will die.

Mr WOOD: So are you saying that the cattle that died at Mataranka only died because that's normal, not because they weren't fed?

Mr GRAY: Yes.

Mr WOOD: And you're saying there was sufficient feed?

Mr GRAY: There were times there wasn't sufficient feed, yes, I agree.

Mr WOOD: So when there wasn't sufficient feed, would that have been the cause of some of the cattle dying?

Mr GRAY: I don't ... I think where ... it's again a speculative comment because, I mean, it's been documented that 2009 is probably one of the worst climatic conditions on record as far as Northern Territory ... for that environment. So to suggest that with feed that no cattle would have died, I don't believe is possible.

Mr WOOD: And we've got figures between 100 or 800 or more cattle that might have died. We know the station was overstocked because some of the cattle weren't sold. So are you saying that nothing could have really been done to save those cattle?

Mr GRAY: I'm saying if you refer to section 8 of the Animal Welfare Act and legislation, that I did everything practicable that a person can do, yes, I did.

CHAIR: Mr Gray, when you state that at times there wasn't sufficient feed, was that because there wasn't enough stock purchased or there wasn't enough money to purchase that stock, there were insufficient staff on hand to get that feed out there? How do you account for it?

Mr GRAY: There were again a combination of issues. There was on occasions feed orders that had been placed. I found that contrary to University management believing that they had speeded up the purchasing system, that there were orders still being delayed, unfortunately because of the structure of the ordering system that there were orders waiting to be approved on someone's desk in Alice Springs.

So there were issues with the expediency that the orders were being processed. When orders were processed, I had on quite a number of occasions when the carrier that was to deliver the feed would opt to service another station prior to looking after the Mataranka Station. And my response to that was often I would take the College truck to a producer just south of Katherine, Ian King, King Producers, regularly after hours and pick up enough feed to keep us going, knowing that there should have been a road train of hay due to arrive shortly.

I was also actually chastised for that by my supervisors, I think the quote, the exact words were, I was spinning my wheels, but I had no alternative. Again, I needed feed so I did what I believed what I could possibly do.

CHAIR: So frustrated by those procurement processes you were trying to working within with the CDU, and then chastised, did the system change at all? Were they listening to you in the need to have this system adapted?

Mr GRAY: No. I received a phone call in February 2010, and this is just as a comment, I think there was a comment made earlier about the amount of funding that was available, that was allocated. I received a phone call to say you've got \$26 left in the Mataranka budget, and that was in February. I believe that was then, that was rectified. When I first arrived at the ... sorry.

CHAIR: No, keep going.

Mr GRAY: When I first arrived I received emails from a lady by the name of Jo Carlesso, the finance office in Alice Springs, who advised me that, this was in June, that approximately there was three budgets that related to the operation of the commercial enterprises of the rural college in Katherine and also Mataranka which I was responsible for all three, that two of the budgets, one was 85 ... this is off memory as I said because I don't have access to my records, but I believe, I've been informed that I may be able to get some of those emails through this Committee, that one budget had spent 85 percent, another was 88 percent and the other one was 50 percent, and this was in June and I still had six months of the year to get through with the money that was available.

Ms PURICK: Can I just ...

Mr GRAY: I'd also like just to make a point, just reading through the Ombudsman's report, that there were these comments that I made about preventing people from accessing, buying feed. Now I need to make a point here that there was again, there was the three budgets that were for the commercial enterprises and there was also the training budget of which I had no control over. Now all feed purchases were to come from the training budget, because as I stated to the Ombudsman, that I was not responsible for the horses when I first returned to Mataranka in May 2009. That was made clear to me that the horses were a training resource, I had no responsibility for those horses whatsoever. However, I found that there was feed being purchased for horses and also for, as the Office of the Ombudsman said, Doug's bulls. And this is another point that I would like to make is that there was misappropriation of University resources to feed private cattle on Katherine Rural College.

Ms PURICK: Can I ask a question about the hay ...

Mr GRAY: Sure.

Ms PURICK: ... and that was seen earlier this morning, the hay that you purchased or the Station purchased, was that hay ... was it one main stockpile on the Station and hay from that went to the Rural College and hay that went for the stud bulls and hay went for the training of horses, or did Katherine Rural College have their own pile of hay?

Mr GRAY: The Rural College ... any feed, any hay that was purchased was specifically for the Katherine Rural College stayed at the Rural College and was delivered to the Rural College. Any hay that was purchased specifically for Mataranka Station was delivered to Mataranka Station. The only times that that may have altered was hay that was

actually produced at Katherine Rural College with their own resources, some of that hay was transported to Mataranka for use at Mataranka.

Ms PURICK: Because when we had Mr Biggs as part of the University appearing before this Committee, I asked him questions in regards to the purchase of hay and the allocation of hay, and I got ... my understanding from his answers was he was just concerned about the hay that he'd get out of his budget but it was also put with the Station hay and he didn't seem to understand ... well, I was trying to find out from him exactly did he realise that he had a pile of hay and the Station had a pile of hay. So he gave me the impression that the hay that he utilised in training or getting cattle prepared for say, for instance, for show in Darwin Show was separate and it came out of his budget.

So I guess my question is, given that it appears that other people could access the hay stock from the Station, was it difficult to have good inventory control of the level of hay or feed that was required, like others could access it, like hay or feed that was going to the stud bulls that weren't ...

Mr GRAY: Absolutely, yeah. Hay that was at Katherine Rural Campus, definitely there was a huge problem with inventory control in regard to hay at Katherine Rural Campus. Not to the same extent at Mataranka Station, basically most of the hay at Mataranka was large square bales and it would have been difficult to ...

Ms PURICK: Right.

Mr GRAY: ... utilise that in an inappropriate manner other than for feeding the cattle.

Ms PURICK: With that ... just one more hay question, with the Station, I mean, we are aware that there were stud bulls that were privately owned at the Rural College and fed on University's obviously assets or whatever ...

Mr GRAY: Mmm hmm.

Ms PURICK: ... but were there other cattle agisted on the neighbouring properties at Mataranka Station? I mean, I'm trying to find out if feed from Mataranka Station was being accessed by non-University owned cattle?

Mr GRAY: Ms Purick, I think you've actually found the issue that was probably again another catalyst behind this entire debacle in that I am ... believe I operate a very straight operation without wavering from outside legal boundaries. My understanding is there was numerous cattle owned by staff from the Rural College, and they were agisted on other properties, and that there were resources being used probably inappropriately.

Ms PURICK: Okay. I've got some other questions but I'll come back, John might want some ...

Mr ELFERINK: I've come in to a few questions. Some of the photographs that we've received in the course of our enquiries, and has recently been received from several sources, this photograph here is of Mataranka Station I'm advised, one of the paddocks where it's my belief that this of one of the paddocks.

CHAIR: Can you see that Mr Gray, would you like ...

Mr GRAY: Yes.

Mr ELFERINK: Yeah. You would agree that the pasture's pretty lean in this photograph, as an understatement?

Mr GRAY: At that time of year, Mr Elferink, that would be not unexpected in paddocks, in holding paddocks and laneways close to the cattle yards.

Mr ELFERINK: So would these photographs have been in the laneway paddock or the highway paddock, one of those two, the holding paddocks?

Mr GRAY: It possibly could have been. Again, there are some photos that I could not even hazard a guess as to where they were taken and I would suggest that many of them were not even taken on Mataranka Station.

Mr ELFERINK: So you're suggesting that these actual photographs that we've been supplied have been taken elsewhere?

Mr GRAY: I would suggest that they're not all on Mataranka Station.

Mr ELFERINK: Okay, the Matar...

Mr GRAY: I'd also suggest that you could take similar photographs on any station in the Northern Territory late in the dry season.

Mr ELFERINK: Alright. Well, this is a photograph of cattle and I will ask if we can pass this around to him.

Mr GRAY: I would suggest that that photo not be passed around. I know the photo and that photo, if ... I know the exact photo, those cattle, okay. This is an issue that was raised that I was ... in the belief that I was cruel in the way I dehorn cattle.

Mr ELFERINK: Mmm.

Mr GRAY: Now I supplied again at the Office of the Ombudsman an Agnote that was written by David Lafontaine and Kevin DeWitt. Kevin Dewitt is now in Canberra. It was published in 2002, it was a Dehorning Agnote February 2002 which is basically exactly the same technique that I use to dehorn.

Mr ELFERINK: Okay. Those are Mataranka cattle brands on these cows?

Mr GRAY: No, that calf, that particular calf is a State calf. That calf was branded at Katherine Rural Campus ...

Mr ELFERINK: Yeah.

Mr GRAY: ... with students. The method used to dehorn that animal was a cauterising iron ...

Mr ELFERINK: How many cuts do you normally use?

Mr GRAY: That animal there had no cuts whatsoever, Mr Elferink, that animal was ... that was dehorned with a cauterising iron which uses no cutting whatsoever. However, due to that there is the risk ... that was convenient with that, I know that photo, and it was conveniently omitted taking photographs of any other cattle in that particular group, where the cauterising iron does not ... the animals will not bleed, okay? So that animal would have

... I actually know that particular animal, he bumped his head and the cauterising obviously caused him to bleed. Now ...

Mr ELFERINK: How often ... when you did dehorning on the cattle station itself ...

Mr GRAY: Mmm hmm.

Mr ELFERINK: ... was it normal to cut ... use three cuts to ...

Mr GRAY: Yes.

Mr ELFERINK: ... it was normal practice ...

Mr GRAY: For a larger animal, because as explained in that Agnote, if you take the time to read it which the Office of the Ombudsman has chosen to suppress from her annexes, that particular, as suggests, because of the oval shape of any horns on a Bos Indicus animal, that it is not possible to perform the operation in one cut, but ...

Mr ELFERINK: Okay. I just want to get to more general ...

Mr GRAY: Sure.

Mr ELFERINK: ... circumstances leading up to all of these investigations, the first real investigation was the Stockwell Report. That was based on the complaint of a fellow by the name of Toby Gorringer who worked on the Station with you at the time. Can you describe to me your relationship with Mr Gorringer?

Mr GRAY: I had a very difficult relationship with Mr Gorringer. Mr Gorringer was part of the lecturing team. His direct supervisor was Mr Tim Biggs ...

Mr ELFERINK: Mmm.

Mr GRAY: ... I had no supervisory responsibility over Mr Gorringer whatsoever. If you care to read my duty statement, actually it suggests that I was to assist Mr Gorringer as a lecturer in my role, and you'll also notice in Mr Gorringer's duty statement that the only person that he was responsible to was Mr Biggs.

Mr ELFERINK: Would it be fair to say that there was conflict between you and Mr Gorringer?

Mr GRAY: Absolutely. Mr Gorringer threatened me on numerous occasions.

Mr ELFERINK: Right, so he then makes complaints. Mr Stockwell comes in and does a review. What's your relationship like with Mr Stockwell?

Mr GRAY: I only know of Mr Stockwell from my attendance at ... obviously going back a step, I was manager of Mataranka Station and the Katherine Rural College from 2002 to 2005. In that capacity, I attended most NTCA meetings and observed ...

Mr ELFERINK: How do you get on with him?

Mr GRAY: ... observed Mr Stockwell at those meetings. Other than that, I have no relationship with Mr Stockwell whatsoever.

Mr ELFERINK: Alright. So it was purely a professional relationship in a very small way?

Mr GRAY: Absolutely.

Mr ELFERINK: Okay. His report was hardly glowing of your management, was it?

Mr GRAY: Yes, and I guess I believe you would have a copy of my response to his accusations?

Mr ELFERINK: I have, but we then have a further investigation by the Ombudsman which suggests that you should have been prosecuted for the way that you handled cattle on that cattle station. Hardly another glowing endorsement of your management practices. Would you agree?

Mr GRAY: I agree. And I will quite happily appear in a court of law to face any prosecution that may possibly ...

Mr ELFERINK: Well, there won't be one.

Mr GRAY: Well, I am making the point, Mr Elferink, that I believe, I still believe that I provided everything that was possible according to that Section 8A that is practical for a person to provide ...

Mr ELFERINK: Do you know a ...

Mr GRAY: ... working up to 18 hours a day with no support. Sorry, Mr Elferink.

Mr ELFERINK: Okay. So I appreciate that you weren't properly supported, and that I suspect will probably be one of ... without putting words in my colleague's mouths, may well be one of the findings of this particular Committee. But I'm also concerned about the animal welfare issues ...

Mr GRAY: Sure.

Mr ELFERINK: ... that occurred under your management. Do you know a lady by the name of Nicky Walters?

Mr GRAY: Ms Walters was a station hand at Mataranka when I first returned in May 2009.

Mr ELFERINK: She made notes while she was working for you, were you aware of that?

Mr GRAY: I was not aware of notes that she had made and at no point in time were they ever shown to me.

Mr ELFERINK: Alright. So when she noted in notebooks that the cattle were weak and dying, that weaners were dying, being attacked by dingos whilst they were down and she was shooting cattle daily, would they be an accurate reflection of what was happening on the Station?

Mr GRAY: I don't believe so.

Mr ELFERINK: She described the working environment as having, “Tensions all round. The boss is rubbing me behind my back. Boss is trying to get rid of me. Unstable environment. Working overtime all the time but still not good enough. Boss not putting second person on. Job now level 4 not 3, my job gone. Being told not to think. Being told not to talk to Toby”, I presume that’s Toby Gorringer. “Cattle is being perished.” She was nervous about going back to work. “There was no communication. There was distrust. The boss is a control freak and talking about getting rid of Toby and me. Stud cows in the highway paddocks starve weaner and Tom’s,” - I presume that’s Tom’s paddock. Hardly a glowing endorsement of what was happening on the cattle station, would you agree?

Mr GRAY: If you care to believe what Miss Walters said, yes, it is hardly glowing.

Mr ELFERINK: But you can see my problem. Mr Stockwell has an opinion, the Ombudsman has an opinion, Mr Gorringer had an opinion, Ms Walters has an opinion, and you’re telling me they’re all wrong?

Mr GRAY: Absolutely.

Mr ELFERINK: Okay.

Mr GRAY: I believe the Ombudsman was sadly lacking in her impartiality in that the interviews that she conducted were all with Mr Gorringer and Mr Parker, Ms Walters and Mr Jenkins who are all in collusion with them. At no point in time did the Ombudsman ever make the effort to interview someone who would offer a different view, no point in time, and yet being offered at least 20 names of people who could refute the nonsense that the Ombudsman was being offered by these other witnesses.

Mr ELFERINK: Hang on ...

Ms PURICK: Mr Gray, can I ask a question in regards to the reference of Toby Gorringer, and he has appeared before this Committee, was he at the Station when you were first there between 2002 and 2005?

Mr GRAY: No.

Ms PURICK: So when did he arrive at the Station to do his lecturing work?

Mr GRAY: He was appointed before I arrived in May 2009.

Ms PURICK: So he wasn’t there in 2005, but he came ... he was there when you came in 2009?

Mr GRAY: Yes.

Ms PURICK: And was he responsible ... as I understand it, he was responsible for the horse management ...

Mr GRAY: Yes.

Ms PURICK: ... I shouldn’t say, I’ll rephrase that, he was responsible for the care and well-being of the horses?

Mr GRAY: That’s correct.

Ms PURICK: And weren't there complaints about the horses as well?

Mr GRAY: Yes.

Ms PURICK: In some of the documentation here, I understand that he's got qualifications as a farrier, did ...

Mr GRAY: That ... sorry.

Ms PURICK: ... as a person who's in charge of the Station, the management of the Station, of which horses were utilised as part of the Station work, would you within your job check his qualifications to ensure that he really was a qualified farrier?

Mr GRAY: I guess I ...was overwhelmed with the situation when I returned to Mataranka in 2009, there were many things that I, in hindsight, should have checked, one of those being his qualifications. He claims to be a master farrier.

Ms PURICK: Mmm hmm.

Mr GRAY: I believe he ... a horse that I had ... myself and one other gentleman had shod in the past, a thoroughbred horse with thin walls, that Mr Gorringer, that the industry terminology is pricked the horse. This is not something you'd expect of a master farrier.

Mr Gorringer also was looking after the hooves of Ms Walters, and again this is where there was an intense collusion between these people, and I pointed out ... Ms Walters asked me ... said, "I'm having trouble, my horse doesn't seem quite right," and I said, "Well, look, I don't want to make ..." you know, I'm trying to be ... without causing angst or, you know, there was already tension in the environment, I said, "You need to look at the way the horse is being shod. The angles of his hooves," I said, "are incorrect and the horse is overstepping," and that horse was being shod by Mr Gorringer, again a master farrier who I believe should have known the correct hoof angles.

Mr Gorringer claims to have trained under Keith Swan. Now I believe if you question Keith Swan as a Master Farrier, Queensland, that Mr Swan recalls Mr Gorringer but he did not train under him as an apprentice, in that he did not do a four year indentured apprenticeship.

So, yes, I did ask the question of his qualifications, and when his personal file was accessed to ... there was some sort of a farrier qualification, that particular qualification was missing when I asked to ... yeah.

Mr ELFERINK: Yeah.

Ms PURICK: So but he was responsible for the horses because they are predominantly used in the training?

Mr GRAY: That's correct.

Ms PURICK: We were told by Mr Biggs ... I'll rephrase that, we were told by Mr Gorringer that he was told by Mr Biggs that the horses were taken off him from a management and care point of view and given back to the Station, is that correct?

Mr GRAY: Yes.

Ms PURICK: Or was that because they weren't ... or the complaints that had been received about the horses' welfare?

Mr GRAY: It was ... basically I think I had raised concerns in regard to the care of the horses, and I believe that responsibility for the horses was taken from Mr Gorringer and I think this in the Office of the Ombudsman, that Mr Gorringer actually admits that the responsibility for the horses was removed from his care in mid October.

Ms PURICK: Of 2009?

Mr GRAY: Of 2009.

Ms PURICK: Because of welfare issues, or because of some other management complex issues?

Mr GRAY: I think, well, at that point in time, because I was basically struggling for human resources at Mataranka. There were housing issues that I identified. Mr Gorringer was resident in a house at Mataranka, and not only did we have a tenuous working relationship, but also he was on numerous occasions counterproductive, making ... not only was I understaffed, but the staff that were available at Mataranka were being counterproductive to what we were trying to achieve, and that was the main ... and also Mr Gorringer's literacy skills, there was a belief that if he was relocated to Katherine that it would further his professional development.

The inference that it was because he was a whistle blower is again not the case whatsoever, it was purely from a management perspective to make that house available to house a station hand. And I make the point that he remained in his residence until late January, a period of four to five months. Again, this is a case of the University really not supporting me. I needed that residence and if they were truly supporting me that they would have made that house available much more ...

Mr ELFERINK: Can I just ...

Ms PURICK: Okay. Just one more, just on the timing of that process. Mr Gorringer wasn't there in 2005 but he was in 2009. You were manager from 2002 to 2005, went away, came back in 2009. So between 2005 and 2009 when there was a complaint about animal welfare at Mataranka Station, who was the manager?

Mr GRAY: Umm...

Ms PURICK: Because there was a complaint lodged in 2008.

Mr GRAY: I believe the manager at the time was ... well, there was a combination of managers in 2008 being Calvin Chandler and Mr Doug Jenkins.

Ms PURICK: Okay. Thank you.

CHAIR: John.

Mr ELFERINK: Getting back to where I was before, so just going back over, Mr Stockwell found problems, the Ombudsman found problems ...

Mr GRAY: But the Ombudsman found problems because she relied so heavily on the Stockwell Report. I'm sorry, John, sorry to interrupt but ...

Mr ELFERINK: No, that's fine. You're here, you want to have your day and I have no problems with that, but we are obliged to ask you the difficult questions as well.

Mr GRAY: Sure.

Mr ELFERINK: Subsequent to your departure on the ... actually, no. When Garry Riggs came in and sort of took over the Station management, was that about the time you left?

Mr GRAY: It would have been. I felt that I was being persecuted and ...

Mr ELFERINK: Okay.

Mr GRAY: ... and chose to leave the employment of the University.

Mr ELFERINK: Alright, because the issues outlined in the Ombudsman's report are supported by reports provided to this Committee by the ... subsequent to a lot of these events, provided to this Committee by CDU. CDU had a review of the cattle station as a result of what was going on there, and I'll quote from the report: "Precise numbers have not been easy to obtain because of the difficulty of mustering all cattle on the Station and good quality estimates do not exist because the management tools to produce them have not been employed." Was it your job as the cattle station manager to have the management systems in place to be able to keep account on what's on the station?

Mr GRAY: Yes, they were, John, and I implemented application of NIS tags to all cattle, I employed an advanced herd recording system in its Fairport software, the software is called PAM; that was implemented under my direction in an effort to improve the recording.

Mr ELFERINK: So ...

Mr GRAY: Prior to the implementation of that computer recording that I returned to this system where every animal that was processed through the yards, the age of the animal is recorded. If it was a female, it was the lactational status of the cow was recorded, and condition score of all animals was recorded as they come through the yard, and I can provide you with evidence of all that ... all the spreadsheets where all the data was recorded ...

Mr ELFERINK: Well, I'll look forward to that because nobody else has seen this material.

Mr GRAY: Well, that was presented to the ... at the inaugural Mataranka Advisory Committee.

Mr ELFERINK: Okay.

Mr GRAY: There was evidence of that material or those spreadsheets was provided to that Committee. I make a point at that Committee too, before we get on a tangent, that one of the members, a pastoralist of that Committee said, "We have cattle the same as that, but we put them in a back paddock so no one can see them."

Mr ELFERINK: Tsumengeri Lane, according to Garry Riggs in a report to the CDU and their overseeing body, said in week one after he took over, Tsumengeri Lane being one of the paddocks on Mataranka Station, and I quote ...

Mr GRAY: Sorry John, I'll interrupt, it's not a paddock, it's a laneway.

Mr ELFERINK: It's a laneway, okay. "No feed there, open fence to let cattle in to feed on side of the lane. All of the young cattle are half starved from lack of management. Should not be in this condition at this time of year." What would be your response to that?

Mr GRAY: My response to that, what was, sorry, the date of that?

Mr ELFERINK: That would have been the 14th of June 2010.

Mr GRAY: I was removed, forcibly removed from the Station, given an hour's notice to vacate the Station in May, and that there was no opportunity to advise anyone as to where cattle were. I would suggest that if that is the case, that I was not present and I cannot be held accountable for that.

Mr ELFERINK: So Stockwell found deficiencies, the Ombudsman found deficiencies, I appreciate your explanation in relation to that, certainly Mr Gorringer had problems with your management style. There is evidence that Nichola Walters had problems with your management style. Subsequent reports from CDU found faults with the recording systems that are meant to be in place. Mr Riggs, when he took over, found problems with the cattle station. Everybody that has given evidence in terms of these sorts of reports have found problem with the cattle station, are they all wrong?

Mr GRAY: Yes.

Mr ELFERINK: Okay.

Mr GRAY: I would suggest that the list of other people that could provide evidence, that not one of those people has been contacted. I would ask the question, why? Why hasn't anybody who would provide some realistic true evidence been contacted?

CHAIR: Who would these other people be, Mr Gray, other employees at the Station?

Mr GRAY: Other employees, Miss Holbury, Ms Alexander ...

CHAIR: Yeah, a list was given to the Secretariat.

Mr GRAY: Miss Beckhouse, contractors who were employed, Mr Jim Sullivan who attended at the Station to pick up some of his cattle ...

Mr ELFERINK: Mmm hmm.

Mr GRAY: ... this is Mr Rohan Sullivan's father, and commented that the cattle looked well, that I was doing a good job.

Mr ELFERINK: Okay.

Mr GRAY: And Miss Hill was a witness to that comment from Mr Jim Sullivan. Miss Hill has never been questioned. Miss Hill was present at the Station from August through to June/July, yet the Ombudsman has chosen to ignore her or not interview her. Why?

Mr ELFERINK: Alright. Did you ever work at Liveringa Station, where is it, WA?

Mr GRAY: I was ... yes, I spent a very short period of time there.

Mr ELFERINK: How long were you there for?

Mr GRAY: Only a few months, John.

Mr ELFERINK: And what was the circumstances of your departure?

Mr GRAY: I could not tolerate the way that the Station was being operated by the General Manager. I was engaged to conduct a large scale artificial insemination program. When I arrived, the semen tanks, they had been allowed to be depleted of liquid nitrogen rendering all the semen useless. I'd made the trip so I basically stayed for a short period of time, but I opted to leave.

Mr ELFERINK: Okay.

Mr GRAY: I ... sorry.

Mr ELFERINK: Did you also ever work at the Longreach Agricultural College?

Mr GRAY: Yes.

Mr ELFERINK: How long did you work there for?

Mr GRAY: I would have to check. I don't recall how ...

Mr ELFERINK: Months, days, weeks, years?

Mr GRAY: Probably 12 months, John.

Mr ELFERINK: Twelve months. What was the circumstances of your departure there?

Mr GRAY: I was offered a position as a Senior Beef Extension Officer with the then Queensland Department of Primary Industries and chose to accept that appointment as a career.

Mr ELFERINK: So you had no major problems with either Liveringa or Longreach Agricultural College in terms of your performance or work output etcetera?

Mr GRAY: I don't believe so.

Mr ELFERINK: Okay, so ...

Mr GRAY: I also worked at Burdekin Agricultural College and there was reference to that made in the Ombudsman's Report and the Ombudsman chose not to pursue that. Why didn't she choose to pursue it? Because if you contact the CEO of the Burdekin Agricultural College, you'll find I had glowing reports from there and they actually asked me ... 12 months after I left, they asked me to return to manage the cattle at that operation.

Mr ELFERINK: Okay.

Mr GRAY: And Mr Det Fischer was the CEO at the time, currently employed by James Cook University.

Mr ELFERINK: Okay. The photographs, and I can't lay my hands on them, I've got them here somewhere, of DoR staff shooting down a cattle in the head, the evidence we've received was that that was one of many from DoR staff. We have also the evidence of shooting being conducted by Nicky Walters. How do you respond to all of these allegations that you'd left cattle sitting in paddocks basically with no feed? I mean, generally speaking, you've got a right of response, I'm throwing open the stage. So how do you respond and what do you say to those people who are alleging that you mismanaged the cattle station?

Mr GRAY: I did everything that I possibly could that, as I said, as referring to that Section 8A, everything that was practical that a person could practically provide. I worked ... I was approximately 68 kilos, by January/February I think I was weighing about 57 kilos. I was working up to 18 hours day.

I also had additional demands placed on me because the Charles Darwin University had no one else with qualifications or skills to teach artificial insemination, so I also spent in October a week running an artificial insemination course. Miss Hill, with very little experience was left then to continue because Miss Walters had gone on sick leave which she admitted freely to other staff members on my suspension, that she did that purely out of a means of she did not want to work with me. There was no post-traumatic stress disorder whatsoever as she suggested, and the staff witnessed ... Miss Holbury witnessed that comment.

So Miss Hill was then left to distribute lick, and then when I would return home of an evening from teaching in Katherine for the week, we would then finish off whatever Miss Hill hadn't been able to complete, up to 10 o'clock at night, and then up again at 4 o'clock the next morning.

I did everything ... I actually was on the verge of suicide and you can confirm that with the EAS counsellor that I sought counselling from, Bernadette Barnes.

Mr ELFERINK: Because you felt like you weren't being properly supported either?

Mr GRAY: I was not being supported whatsoever, and not only that, but the staff were at Mataranka were counterproductive and making life more difficult than it really needed to be.

Mr ELFERINK: Okay. The reason I raised Liveringa Station and Longreach Agricultural College is that we have received evidence in amongst the paperwork we received that your departure from Liveringa Station was terminated due to poor cattle management. How do you respond to that?

Mr GRAY: I was not terminated. I resigned of my own free will because I could not tolerate the situation at Liveringa any longer.

Mr ELFERINK: The information that we've received in amongst the paperwork that we've got was that it was alleged that you'd left Longreach Agricultural College because of poor cattle management. How do you respond to that?

Mr GRAY: It was poor cattle management possibly on the part of the campus manager.

Mr ELFERINK: What happened in those circumstances?

Mr GRAY: The campus manager again was concerned at the amount of hay ... I was being chastised for the amount of hay that I was providing to the cattle at Longreach Pastoral College.

Mr ELFERINK: So were you aware of those allegations at Longreach Pastoral College?

Mr GRAY: No.

Mr ELFERINK: You weren't?

Mr GRAY: No.

Mr ELFERINK: Okay. So that's the first time you have heard of this?

Mr GRAY: Yes.

Mr ELFERINK: Okay.

Ms PURICK: Mr Gray, it seems to me that you had multiple bosses, you had the Charles Darwin University, you had the Animal Ethics Committee telling you what to do, you had the Department of Resources, I guess stock inspector type of people, and you possibly had some other relationship with the Katherine Rural College. This would have made your job pretty difficult, I suspect. Did you have issues with this multiple reporting, or ... yes, multiple reporting and multiple answering to various organisations?

Mr GRAY: Yes, absolutely, Ms Purick, and I believe that's probably some of the criticisms that I've been ... the demands placed on me from so many different directions that, yeah, honestly it was overwhelming and my primary concern was that of the cattle and that writing a report, five different reports to five different people, I guess was secondary, that I had no-one at the coalface other than myself and Miss Hill, and we basically worked tirelessly to do what we possibly could. I mean, there was suggestions that the Station was left unattended over Christmas and New Year. Miss Hill and I did a bore run on Christmas Day, we did bore runs on Boxing Day, we did bore runs on New Year's Day.

There's so many untruths, and again, Mr Elferink, the evidence that you've been given, no-one has ... it's again so one-sided. No one has actually ... when is someone going to start asking some people who were actually there and know what happened?

Mr ELFERINK: Well, the photograph that I've showed you ...

Mr GRAY: Again, the number of ... on the times that I was present for DoR inspections, there was not one animal destroyed, so these ... any of the animals that were destroyed, I was not present.

Mr ELFERINK: The photograph that I showed you, some photographs, and I'll show some more. These come from the Ombudsman's report, the photographs were produced by either CDU employees or students, provided by DoR, CDU or employees or students. They show empty water troughs, cattle in poor condition, broken bores, downers, dead cattle, calves stuck in tyre licks, etcetera, etcetera. I will presume that the Ombudsman checked

the veracity of these photographs sufficiently well to stick them in her report, and that these photographs are of Mataranka Station during the period of your management.

Mr GRAY: The photo of a water trough that you have there, again I discussed this issue with ... water supply with Dr Sue Fitzpatrick, and Dr Fitzpatrick agreed that the extensive nature of a pastoral operation in the north, that there will be occasions when a water line breaks. A bore breaks down, it is not a perfect world. As you can see from that photo, there was still water in that trough. In the peak of the dry season, if ...

Mr ELFERINK: That photograph there shows about enough water to lick at the bottom of the trough ...

Mr GRAY: That's correct.

Mr ELFERINK: ... which is essentially dry.

Mr GRAY: That's correct.

Mr ELFERINK: And that is not sufficient to keep a cow alive, is it, let alone a herd of cows?

Mr GRAY: You're missing the point, Mr Elferink. That trough ... if that trough has only gone dry during the course of that morning. If it had been longer ... if there'd been no water in that trough any longer than that, in the peak of the dry at 28, 29 degrees in the Northern Territory, that trough would have been bone dry. That has only just occurred. So I would suggest that in the course of a bore run, that that would have been repaired.

I would also suggest that whoever took those photos, if they were aware of the situation, then why didn't they do something? As I think it was alluded to earlier that we are all responsible for animal welfare. Why was the person taking those photographs, if they truly had the interest of the cattle at heart, why did they not assist me? I'm sorry, why was there photographs taken when there could have been assistance given instead?

Mr ELFERINK: So are these photographs reflective of what was happening on the Station?

Mr GRAY: Reflective of what would happen on any cattle station, Mr Elferink.

Mr ELFERINK: So you would assert that this is normal practice and this occurred under your management?

Mr GRAY: On one occasion, a trough broke. As I alluded to earlier, a lot of the infrastructure at Mataranka was old. Some of the bore motors were over 30, 40 years old. I worked within the resources that I had available to me.

Mr ELFERINK: So as the manager though, you had a duty to the owner to tell the owner what was going on.

Mr GRAY: The owner was aware and had been made aware.

Mr ELFERINK: And you got no support from the owner?

Mr GRAY: Absolutely not.

Mr ELFERINK: The owner is Charles Darwin University?

Mr GRAY: Well, the owner is not actually Charles Darwin University. Charles Darwin University is the lessee.

Mr ELFERINK: Okay. So the lessee has all management responsibilities under pastoral lease arrangements, yeah?

Mr GRAY: Yes.

Mr ELFERINK: Okay. So ultimately what was happening on the Station was their responsibility and not yours?

Mr GRAY: Ultimately.

Mr ELFERINK: Okay. Can you provide any evidence of communications or information, letters, emails records of telephone conversations where you advised your upline of what was happening on the Station and the help that you needed?

Mr GRAY: I would have to get access to my email records, yes.

Mr ELFERINK: But do you recall making such communications?

Mr GRAY: There would have been comments made to Mr Suter in regard to the state of the infrastructure. Again, Mr Elferink, that water line breaking is something that would occur on any cattle station.

Mr ELFERINK: The cattle in these photographs look in poor condition. That didn't happen that morning, these cattle look like they're starving.

Mr GRAY: And if you care to have a look at the photos of cattle that in October 2008, they were in similar condition which basically demonstrates the fact that I walked into a mess. The cattle were in a mess in late 2008. I arrived in 2009. Due to the fact that the performance that I had demonstrated in my previous engagement with the University in 2002, 2005, I achieved many, many accomplishments for the Rural College, one of the principal reasons that I was asked to return. Unfortunately, I do not have a direct connection with the Lord above and I could not turn things around in three months, I'm sorry, I did the best I could.

Mr ELFERINK: This photograph here which you said to me before could have been taken on any cattle station ...

Mr GRAY: Yes.

Mr ELFERINK: ... actually comes out of the Ombudsman's Report and she reports that this photograph was actually taken on the cattle station. It actually shows, I think, the same trough.

Mr GRAY: Yes, yes.

Mr ELFERINK: So you now agree that this photograph...

Mr GRAY: I didn't disagree, Mr Elferink. I agree that that photograph is on Mataranka Station.

Mr ELFERINK: Okay.

Mr GRAY: What I'm suggesting is the fact that there is still water in the trough, that that has only just occurred. It would have occurred that morning, otherwise that trough in the heat of the day in the Northern Territory, by the time the cattle had had their drink, the trough would have been bone dry by the afternoon.

Mr ELFERINK: Is this the same trough?

Mr GRAY: Possibly.

Mr ELFERINK: Okay.

Ms PURICK: Mr Gray ...

CHAIR: One last question, John, and then ...

Mr ELFERINK: Well, this photograph shows cattle in bloody awful condition, quite frankly. That didn't happen just that morning. That's a matter of something that will have happened over a period of weeks at least. Do you have any response to that?

Mr GRAY: Again, I was doing the best I could with the resources I had available, Mr Elferink ...

Mr ELFERINK: Right.

Mr GRAY: ... and if you care to avail yourself of some photos the Department of Resources had, you will find on the neighbouring station, Lakefield, steers in early 2010 in worse condition than that. Steers, not lactating cows, steers in worse condition than those.

Mr ELFERINK: Okay.

Mr GRAY: I'm not making excuses, but the fact that those cattle are in poor condition, what I'm suggesting is that for that period of time, if you look at the climatic records, was one of the harshest in 50 years.

CHAIR: Gerry.

Mr WOOD: Mr Gray, could I ask how many staff did you actually have working that weren't part of the training side of the College?

Mr GRAY: When I arrived at the station, there was one station hand and there was one person based at the Katherine campus.

Mr WOOD: I think you mentioned in places that you had trouble getting enough people to help you ...

Mr GRAY: That's correct.

Mr WOOD: ... with feeding cattle, and also the tractor was broken.

Mr GRAY: Yes.

Mr WOOD: Did training staff give you a hand if you asked for it?

Mr GRAY: Absolutely. There's staff such as Mr Bob Piper, Mr Chris Pegg, Mr Murray Lauritzen, when they did not have teaching responsibilities at Katherine would travel to Mataranka to give me a hand. Mr Piper worked tirelessly to help me maintain the bores which were in a sad state of repair.

Mr WOOD: What about training staff who lived on the Station? Would they give you a hand or was there a conflict there?

Mr GRAY: There was a conflict and on the occasions that the training member that was at Mataranka was actually, as I said, proved to be counterproductive on many occasions. He actually made things more difficult.

Mr WOOD: Who was that?

Mr GRAY: Mr Gorringe.

Mr WOOD: Right.

Mr GRAY: And again, as I said, verbally threatened me on least one occasion if not twice.

CHAIR: Verbally threatened you in what way, with what?

Mr GRAY: Basically the situation, and I think it's noted in the Ombudsman's Report and that ... a supposedly experienced stockman left when we finished branding some calves, the calves were left to mother up with their dams. Mr Gorringe volunteered to walk those cattle back to the paddock. When I went to the yards later that day, there were two calves, two freshly branded young calves laying in the shade in the corner. Now anyone with any knowledge of Brahman cattle will know that the possibility of those calves then mothering up with those cows was going to be very difficult.

Ms PURICK: Gone.

Mr GRAY: Contrary to claims that there was no problem and they were then taken back to the paddock and they were mothered up, no, it would be very difficult. So there are things like I had a horse in a yard because I needed to move some cattle, this was on a Saturday morning or a Sunday morning, I went to go out to the yard and that horse had been put back out in a paddock which then meant having to muster up the entire horse clan again because the horse that I normally had ridden was lame, just things along those lines that are just very difficult.

And there's also inference in there that I use profanities, I mean, this is just highlighting the fact that the blatant untruths in that Ombudsman's Report. I do not swear, yet you've got people suggesting that I use profanities, I do not swear. So I would suggest that the accuracy of that some of that evidence is suspect. Again, the evidence of Miss Walters, if you'd like to refer to David Johnson from Verifact, you will find he found evidence that Miss Walters had difficulty with the truth.

Mr WOOD: If you had your way again, how many staff would you say ... would you need to run the Station?

Mr GRAY: I would want at least two full-time staff members at Mataranka Station, bearing in mind ...

Ms PURICK: Stockman type staff?

Mr GRAY: Stockmen ...

Mr WOOD: Or general hand.

Mr GRAY: General hand, I mean, you would need at least one person who was dedicated to maintaining waters, and then hopefully that person would then also have been able to assist with husbandry operations as well, at least one. I would though, bearing in mind that the management position in Mataranka also has responsibility for Katherine Rural Campus, which realistically I spend far more time ... two thirds of my time should have been at the Katherine Rural Campus, if you look at the way that the wage was broken down in the budgets, and I probably spent 90 percent of my time at Mataranka which ...

Ms PURICK: So when you came back in May 2009 to manage the Station, were you also the manager for Katherine Rural College?

Mr GRAY: That's correct.

Mr WOOD: Yes, that's right.

Ms PURICK: So you've been manager of the Station and the Rural College both times?

Mr GRAY: Yes.

Mr WOOD: And it was the Brahman Stud?

Mr GRAY: The Brahman Stud.

Ms PURICK: So you managed that as well?

Mr GRAY: Yes. And if hadn't been for Miss Susie Holbury, again the Stud would have been in dire need of someone. Mr Parker occupied that position prior to that. Mr Parker did on occasion offer to come to Mataranka to help. I suggested that, no, I would prefer that he was that far behind in his duties at the Katherine Rural Campus that I would prefer he stayed there and catch up on his duties there, and that he did offer to attend at Mataranka and I declined that offer. I think I asked ... there was a hay operation that was in place when I returned, and I actually asked for a business plan from Mr Parker, as the overseer I requested a business plan. Now to this date ... that was not long after I started, he then became a lecturer and up to that time still had not produced the business plan that I requested to validate why that hay operation was in place. I'll add that that hay operation, by the time I said we cannot continue with this venture, it had cost over \$60,000 for a return of \$4,000.

Ms PURICK: Just whilst my colleague gets organised, I know that the University because we've been told has put in substantial improvements ...

Mr GRAY: Yes.

Ms PURICK: ... more watering troughs, paddocks, dams, fences whatever, but clearly they were deficient. I understand that the University took over ownership of the cattle station in 2005, from memory. So they'd put in the infrastructure now obviously, and that's fine and it's good, but did they give any attention to improving the infrastructure of watering points, dams, like you said, some of the bores and things were very old ...

Mr GRAY: In the ...

Ms PURICK: ... let me finish.

Mr GRAY: Sorry.

Ms PURICK: ... so I guess my question is, was it just out of sight, out of mind in regards to improving the property runnage in the station? The second is, if they did sell cattle from a commercial point of view, did that money go back into the cattle station for improvements, or did it just go in to the coffers at the University?

Mr GRAY: Any funds raised through cattle sales was returned to the University.

Ms PURICK: So it didn't go in to infrastructure improvements on the station ...

Mr GRAY: Absolutely not. Absolutely not.

Ms PURICK: ... as would happen in other stations?

Ms GRAY: You are correct, yes.

Ms PURICK: Okay. So the other question I've got, and I know I keep talking about hay. I've seen the hay shed at Mataranka Station and I just don't think it's a very big and sufficiently sized hay shelter for a cattle station, and I know they said they stored hay outside of the shed, Have you got a comment on that? I mean, I just don't think it ... perhaps that's part of the problem is the infrastructure was not sufficient given the number of cattle and stock on that station.

Mr GRAY: The hay shed had been constructed in the period that I was ... when I had left the Rural College in 2005. It was again, I guess, bearing in mind that the hay shed certainly was not big enough, depending on what the purpose you had in mind. If you were wanting to keep all the hay that you could possibly need under cover, then, no, it was nowhere of sufficient size. However, bearing in mind that in the dry season the chance ...

Ms PURICK: Didn't matter.

Mr GRAY: ... of precipitation are minimal. So the hay shed realistically was big enough to keep enough hay under cover, say, towards the end of October/November when there was a chance that you may experience some storm activity. Other than that, no, generally the hay would have been stored outside the shed.

Ms PURICK: And you could always tarp it.

Mr GRAY: Yes, yes, well, again the rate that I was using the hay, it wasn't worth putting a tarp on.

Ms PURICK: In your period between 2005 and then 2009, did the University management people, or your line of reporting, visit the station on a regular basis? Not the

Animal Ethics Committee people. I mean, they've got a fairly valuable asset under their ownership, both property size and infrastructure and animals. Did they visit on a regular basis, like organised visits?

Mr GRAY: No. Mr Suter met with me at the Station in that first week I returned which is approximately 7th or 8th of May. I did not see Mr Suter again at the Station other than the Inaugural Mataranka Advisory Committee meeting. I had telephone conversations with Mr Suter. Again, I raised the issue of communication. I believe there is some suggestion that there was sufficient communication there. That was in one of the residences that Mr Jenkins resided in. That residence, when I returned to the Station, was not liveable due to refurbishment issues; the house was actually suggested that it would be demolished due to the asbestos ... because it had asbestos.

I lived in one of the single man's rooms, a 10 x 10 room for the first three months of my return to Mataranka. I was promised that when I returned that there would be new residences, and as I said, I spent three months in a 10 x 10 room. When the residence did become available, I had a station hand, a single mother, living in a donga with no water, no ablution facilities. In, what I thought, in my efforts to make the arrangements more comfortable and Mataranka a pleasant place to work and live, I then offered that residence to the station hand because she had a young child.

Ms PURICK: Okay. Just on something different ...

Mr GRAY: But sorry, oh sorry, so along from that then I had actually no communication other than a mobile phone and mobile reception was very ordinary. It took over twelve months before a satellite dish was installed, despite repeated requests saying that we had no communication, no reliable communication. Contrary to what other people have probably advised you, there was no reliable communication.

Ms PURICK: So from a safety perspective, the University did not equip you or your Station with a satellite phone as you travelled around the property?

Mr GRAY: There was a satellite phone which was inoperable when it was given to me. It took some time to actually get that phone, it was actually in the possession of Mr Parker when I first arrived at the Station.

Ms PURICK: That's a bit scary. Anyway, separate issue, you are aware of the Animal Ethics Committee and its role, or an Animal Ethics Committee and its role in regards to ensuring that animals are cared for and maintained to a particular standard? In your view or opinion, do you believe that some of the lecturing staff of Katherine Rural College resented the Animal Ethics Committee believing that what would they know about a cattle station and animal husbandry? I mean, they've got a very important job to do, but they didn't really want to know about what the Animal Ethics' job was.

Mr GRAY: Possibly, yeah, I don't recall any specific conversations but that is possibly correct. I would probably, Ms Purick, I make the point here, that when I was manager back in 2002, 2005, when I became aware that the then Northern Territory University, because at that stage the Northern Territory University ...

Ms PURICK: Had no permit.

Mr GRAY: ... was in a transition phase as to whether the University would take on or accept the Rural College under their banner. And when the ... and that was Anton Barnard that actually moved that, got that, pushed that through. When I became aware that NT

University had an Animal Ethics Committee I contacted, and I don't know how far back the email records will go, I actually asked the Animal Ethics Committee back in those days, and Miss Plaxy Purich will be able to confirm who the Executive Officer was at the time, and I was, to use a common phrase, I was fobbed off.

Ms PURICK: So you knew that you were operating without the correct Animal Ethics permit?

Mr GRAY: Well, I wasn't sure what at that point in time ...

Ms PURICK: But they weren't interested in talking to you, that's what you're trying to say?

Mr GRAY: ... the Animal Ethics Committee were not ... in 2005 when I suggested that as a facility manager I should be there as a category E member. The Animal Ethics Committee said, no, our quorum's full, we do not require you, and we realistically do not want to know about it. It was not until I returned in 2009 that there was, from what I could see, that the Executive Officer contacted me and said, well ... again it's probably the catalyst was the Animal Welfare Complaints.

Ms PURICK: Yep. So was that the Chairman of the Animal Ethics Committee who officially told you, we don't need you or we don't want you?

Mr GRAY: No. Back in 2005, that would have been the Executive Officer of the Committee in those days. I do not recall her name. Miss Purich would be able to say ...

Ms PURICK: Who it is.

Mr GRAY: Yeah.

Ms PURICK: But then an Executive Officer usually acts under instructions from their Chairman or their senior manager.

Mr GRAY: I believe I actually did send an email back on that occasion suggesting that we, you know, did they believe that, well, again I was asking the question again at that stage, I guess I was a little bit naïve to actually what the licensing requirements in regard to educational premises was concerned.

Ms PURICK: Okay. Just one last question before I move back to Member for Nelson. When you returned in 2009 and were going through all the management documents and various things that you have on cattle stations, was the way notices, were they up-to-date, do you find? The reason I'm asking that is I just want to get it clarified whether stock had been sold perhaps during 2008 and correct and proper records weren't kept, so we might not know who they were sold to.

Mr GRAY: No, no. They were not up-to-date. The notices from what I could see were not up-to-date. I received actually a phone call from Mr Greg Scott, the senior stock inspector in Katherine, requesting that ... they had done a random check and found that the self-carboning copy had not been returned to the Department of Resources at that time.

I believe talking to some of the carriers that were ... the livestock carriers that were transporting cattle off the Station, they advised me in 2008 that there were some cattle that were removed off the Station that they did not have a waybill for at all, not just the correct ... there was no waybill at all.

Ms PURICK: So they could have been sold, people received monies but there was no documentary evidence of it ...

Mr GRAY: Absolutely, absolutely.

Ms PURICK: ... in the Station management?

Mr GRAY: And I would suggest that's happening. I have heard, again I do not have evidence of this, that there were some ... that the management of Elsey Station, there was some illicit activity occurring in regard to cattle being moved off Mataranka in return for supposed services provided. I don't have evidence of that but that has been provided to me, I would say, by a reliable source, but I do not have evidence of that.

Ms PURICK: Okay.

Mr ELFERINK: Who's the reliable source?

Mr GRAY: I'd prefer not to mention.

Mr ELFERINK: Well ...

Mr GRAY: No, because if we can close the ...

Mr ELFERINK: If you want to hear ... we take the evidence in-camera ...

Mr GRAY: Mmm.

Mr ELFERINK: ... but what you're essentially doing is now alleging criminal activity.

Mr GRAY: Absolutely.

Mr ELFERINK: If that's the case, I think it's incumbent upon us to, Madam Chair, to move into camera and then we may take the evidence, not make it public but pass it onto the authorities.

CHAIR: Well, we can certainly go into camera.

Mr GRAY: Or I can supply you with that evidence at a teleconference at a later date?

Mr ELFERINK: Well, clearly you know the person that you've spoken to. I would prefer it ... you've just made essentially an allegation of a criminal offence.

Mr GRAY: Yes.

Mr ELFERINK: You've told us you know who's ... or you've told us you've been told by another party; we'd like to know who that party is. Now it's not because I want the public to know. We can hear this evidence in-camera and that evidence will not be heard beyond this room, but we may have to refer it to the authorities for proper investigation.

CHAIR: Can I suggest then that we have another half hour with Mr Gray, so if you've got some further questions and then when we've exhausted those questions we might ...

Mr ELFERINK: That's a fair suggestion, Madam Chair.

CHAIR: ... in-camera for the last few minutes to deal with that particular question. Gerry?

Mr WOOD: Okay. Mr Gray, was the Station overstocked when you took over in May, and how many cattle do you think there were?

Mr GRAY: Without accurate records, Member for Nelson, I have no idea. One of the things that the Office of the Ombudsman has suggested is that I was incompetent. Some of the things that I implemented, as I said, I implemented a computerised recording scheme utilising NIS tags. In the time that I was there, I liaised with Adrian Creighton from the Bushfires Council to develop a bushfire mitigation strategy. I engaged the services of Dionne Walsh from the Department of Resources to undertake a full stocking rate capacity study. These are the sorts of things that I implemented and was working towards until I was cut off at the knees, excuse me for the colloquialism.

Mr WOOD: Alright. Now in relation to some sale of cattle which I sort of presume is because you had too many cattle, Doug Jenkins had arranged that but it fell through and my understanding is because you over-rated ...

Mr GRAY: That's ... sorry, no, that's incorrect. Again, that is a blatant untruth. I did not ... I've read the claims by Mr Jenkins, and I did not in any way alter the specifications of the cattle that the buyer specifically requested. That is incorrect. The agent said the price is now \$100 less than what I was advised that Mr Jenkins had been offered, and it was at no point in time was that on the proviso that certain cattle were removed or included in the sale cattle.

Mr WOOD: So the price didn't drop?

Mr GRAY: The price dropped ... sorry? No.

Mr WOOD: The price didn't drop because some cattle, the more valuable cattle were taken out?

Mr GRAY: No, absolutely not.

Mr WOOD: Right. So where did that report come from, that was different than yours. You're saying Mr Jenkins didn't tell the truth?

Mr GRAY: I am suggesting that that's the case.

Mr WOOD: Alright. I just need to go back a little bit to the feeding of the cattle. We interviewed Dr Radunz in Katherine, and he said that when he was giving a little bit of a statement he saw it, "in my role," I'm quoting, "to elevate it to the higher levels to make sure that there was sufficient resources applied to fix the problem." Could I ask, do you think there was a problem?

Mr GRAY: Absolutely. I don't think that it should be expected that a person work the hours that I was working, that in this day and age is unfair. However, because of my loyalty and my work ethic, I continued on in that capacity, but definitely I should have had additional resources available to me.

Mr WOOD: But is he talking about also fixing the problem of the cattle, was there a problem with the cattle?

Mr GRAY: I don't ... I believe that it would be nice to have had all of the cattle in a body condition score at a higher level, yes.

Mr WOOD: And what was stopping you from doing that?

Mr GRAY: We were in the peak of one of the worst ... as I said, according to climatic records, one of the worst dry seasons on record. At that point in time, to reverse that, what the condition that those cattle were in, would not occur until the following wet season. It would not ... regardless of the amount of hay that was fed to those cattle.

Mr WOOD: But hay and supplement keep cattle alive.

Mr GRAY: They will provide them to a maintenance level, not to gain weight. To gain weight they would ...

Mr WOOD: No, no, you're right, they keep them alive, but these cattle died so ...

Mr GRAY: Some cattle died, as I said, which is accepted in the industry that some cattle will die.

Mr WOOD: Well, can I go on and I'm talking about a quote from Dr Radunz, and he is the Chief Veterinary Officer, and he accepts your figure about there's normally a three to four percent death rate. He says if you look at sort of, say, 200, that would be about five percent of the herd at Mataranka. But he then says that, "there is no doubt that there is poor management which occurred on Mataranka Station. I would support a prosecution for, say, animals which were in the yard or in the holding facility which weren't being fed, but the appropriate action for grazing animals out in the paddock is to manage it as well as you can, and then if there isn't sufficient feed, or it's not economic to feed the animals, to humanely destroy those animals". The senior veterinary ... or Chief Veterinary Officer is saying that there was poor management in relation to the animals in the yard. Do you accept that?

Mr GRAY: No.

Mr WOOD: Why wouldn't you accept the Chief Veterinary Officer's, who's been around a fair while, too, his comments?

Mr GRAY: Because you've actually got Dr Fitzpatrick saying that the cattle are showing increased energy and look better from the previous visit. You've got Dr Martin Edelmaier, another Veterinarian who attended not two days after Dr Eccles, and basically while he said that there was cattle, and again the Ombudsman has ignored that report suggesting that he only saw the cattle in the yard which was contradictory because it actually says that he observed the cattle in the paddock. So I'll have to ... what page that was, but, I mean, there's contradictory evidence throughout the Ombudsman's Report. As I said, that she has suppressed or overlooked the evidence from Dr Edelmaier, that a vet who works in private practice seeing cattle every day ... Dr Radunz, I believe, did not ever attend Mataranka Station, he is relying on the ...

Mr WOOD: But he relied on his ...

Mr GRAY: His subordinates, yes.

Mr WOOD: ... here who were ... well, very experienced. Greg Scott, 37 years in the Territory with cattle in the Top End, so he put his name to that report as well as Dr Eccles,

and we didn't get any of them saying that they didn't support that report on the 5th of September saying that prosecution should occur. So you disagree with ...

Mr GRAY: I believe Dr Fitzpatrick didn't accept that report.

Mr WOOD: No, no. I'm saying that I'm asking you that you don't accept the report of three inspectors, Rob Wait, Greg Scott and Dr Eccles. Are you saying those three inspectors were wrong in their summing up of what they saw when they visited on the 5th of September?

Mr GRAY: If that was their belief then I will accept that. Again I will say, Member for Nelson, is that I did everything I possibly ... that was physically that I could practically provide for those animals.

Mr WOOD: Did you read their report, did you have ...

Mr GRAY: Yes, I would have read their report.

Mr WOOD: And they basically said that, "there are additional animal welfare issues of failure to adequately dispose of downers, the overall condition of the stock is very poor and the current management of which is an animal welfare issue. So these issues of animal welfare are not to be viewed as carried over from last year as has been stated. There has been a wet season between the problems of last year and the issues that have been seen in the last three reports. It is in the interests of animal welfare of all the animals involved, an immediate solution is required". Mr Gray, wouldn't you say that if they say that a solution is required, there was a problem?

Mr GRAY: Yes, there were issues which we've discussed.

Mr WOOD: Yeah, look I'm not trying to pick on you ...

Mr GRAY: No, I know.

Mr WOOD: ... I'm just trying to find out were ... you were the manager, I'm trying to find out whether there was sufficient feed. I know there's a natural mortality rate. I want to know, was the issues of staffing part of the problem? And was it also that you may not have had a good relationship with other staff? We know that just from hearing different people's points of view about the management of the Station. I'm trying to find out whether that mixture of things is part of the reason these cattle starved: that you didn't have sufficient resources, that you didn't have sufficient staff, that you may have had a problem yourself getting on with people, and there may have been a certain element of natural mortality in a dry season and we know it was longer than normal. So don't you think that there was a problem, and if there was a problem, how do you think it could have been fixed, or at least ameliorated?

Mr GRAY: Yes, there was a problem for all the reasons you've stated, Member for Nelson. Staffing issues, resourcing issues, it was not ... I was quite flabbergasted that when I returned to Mataranka that the Kubota tractor which should have been replaced when I left in 2005 was still the main tractor on the Station. It was not until these initial reports came in that the University managed to find funds to then replace that tractor. To use Dr Fitzpatrick's words, the response was, I can't recall her exact words, but lethargic at best, I would have to agree with that.

It was again simply issues like replacing human resources. Within the University time frames, as I said, that the earliest I could get a replacement station hand when it was identified that the station hand would not return to work at Mataranka. That was in January, I think that was, the earliest I could get an appointment was mid April. I mean, it's a period of time, you know, on a normal cattle station, that person would have been replaced within a week.

Mr WOOD: But I refer to Dr Eccles in page 19 of our report in the Katherine meeting, and he was referring to you, he said basically people didn't want to work with Ian Gray. Was there a problem that they couldn't get staff because some people just simply couldn't work with you?

Mr GRAY: No, there was staff that had declined to come to work at Mataranka, that's correct. But again, as I said, why ... that we've neglected to interview the people like Bob Piper, Chris Peck, Murray Lauritzen. Murray Lauritzen was the station hand at Mataranka, Murray ... and before I returned in 2009, and he also could not work for Mr Gorrige. When an opportunity came to him, basically a promotion, he went to Katherine as a lecturer because he said he didn't believe ... as a station hand there, it was his responsibility to be guiding Mr Gorrige, he could no longer work with Mr Gorrige. So if you want to continue on the witch hunt with, yes, it was all me, then you need to look at other people that, yes, there was many people that could work with me.

Mr WOOD: Did the University send down some HR people, because obviously this problem must have been known about, it seems that a lot of people knew there were issues in management on the Station. Was there any attempt to try and sort these issues out to try and fix up any of these issues?

Mr GRAY: There was the offer of mediation, and actually Tim Biggs and myself entered into a mediation arrangement with Mr Parker and Mr Gorrige, and there were agreements that were drawn up and accepted by parties, and there was a management ... actually the University engaged a management coach and I had one meeting with that management coach before I opted to cease employment with the University.

Mr WOOD: So ...

Mr GRAY: We were ... sorry.

Mr WOOD: You're right.

Mr GRAY: Definitely there was mediation again, the offer of mediation was made available to Miss Walters so that she could return to ... that the position that she occupied had been advertised. She had the right to ... and she had applied for that position, she had the right to keep her application active. Dr Shaw organised a mediation and following that mediation, Miss Walters opted to withdraw her application.

Mr WOOD: Alright.

Mr GRAY: I have tried to accommodate ... all the requests that the University has placed on me, I have done my utmost to meet those requests, attended all mediation sessions, attended all the training sessions.

Getting back to when Mr Riggs assumed acting management of Mataranka Station, miraculously funds became available. I'm still puzzled, I would ask that question of the Committee, that there needs to be some investigation as to why I struggled with a phone call

from Miss Snell saying in February, you've got \$26 left in the Mataranka account, and then all of a sudden there is money available for dams, fences, tree clearing. I'm still puzzled.

CHAIR: It's not a question we can answer.

Mr GRAY: No, well, I just ...

Mr ELFERINK: I can speculate for you, there was a hand grenade in the bucket of the proverbial do-do about to go off, and that's why they found some money.

Mr GRAY: And I have suffered as a consequence, Mr Elferink. I mean, my career, my life, as a result of blatant untruths and rumours, hearsay, someone, you know, there was a suggestion that some of the things that were implemented in the past were implemented that I took credit for.

I worked as a senior technical officer in the CSIRO, I worked with some of the leading scientists, cattlemen and veterinarians from across the world. I was exposed to technology that most people in the cattle industry will never see. Now I implemented that when I went to the Station in 2002, so ...

Ms PURICK: Mr Gray, could I ask a question? You were there, you went away, you came back, and yes, there's documentation that people said certain things about your style, your management or how you performed in the job and that's going to happen, it doesn't matter what job you're in.

Mr GRAY: Absolutely.

MS PURICK: And we have alluded to perhaps some improper practices that went on, people perhaps utilising hay that they shouldn't have, or agisting cows or stud bulls or whatever. Do you believe that in returning to the Station that you found a whole lot of things that were just not right, not proper, not correct and possibly not legal, and went about implementing changes as best you could, and as a consequence of you trying to do the right thing by perhaps cows as well as humans, that's when some of these claims came out about your performance or how went you about your business?

Mr GRAY: Absolutely. You have hit the nail on the head.

Mr ELFERINK: Alright, and I think it's time to go into camera with that question.

CHAIR: Any last questions before we go into camera?

Ms PURICK: Gerry?

Mr WOOD: There was, I just got side-tracked.

Ms PURICK: Sorry.

Mr WOOD: That's alright.

Ms PURICK: I just think it was important to ask that question.

Mr WOOD: I just need to ask a question about the cattle in the pens, and that's what Dr Radunz talks about, and even Miss Fitzpatrick does give it a mention in her ... Sue Fitzpatrick says, "I did note that there was sporadic feeding of the supplement, that's why in

all the reports it's acknowledged that there were difficulties in not only sourcing labour but maintaining labour, there's a regular change-over staff that could have an impact on the welfare of the animals." She's also ... it was ensuring that there was feed in all the paddocks, but did you provide enough feed in those paddocks that are referred to, those laneways for those cattle?

Mr GRAY: I provided sufficient feed based on the National Health guidelines as to ... I have made a mention of that in my response to the Stockwell Report, based on the energy and protein requirements of the cattle, I believe that we supplied sufficient hay, again bearing in mind that that is a maintenance ration, not a fattening ration.

Mr WOOD: But if they died ...

Mr ELFERINK: Gerry.

Mr WOOD: ... was there enough maintenance? Because the stock inspectors came down and helped put some bales of hay out.

Mr GRAY: Again, Mr Eccles became very emotional and overreacted on many occasions and, as I said, I suggested there was an example there where they wanted to euthanize a cow that when we returned was not there. I believe that Dr Eccles overreacted to what he saw, and that was borne about by further discussions and in that he was actually excluded from visiting from Mataranka on further occasions because he was unable to keep an objective view.

Mr WOOD: Just final question there.

CHAIR: Last one.

Mr WOOD: Just so I'm clear, if the cattle had sufficient feed and supplement, would have the maximum number of cows expected to die been three percent as Dr Radunz mentions as the normal death rate for cattle?

Mr GRAY: There was possibly, Member for Nelson, there was possibly a slightly higher mortality due to the fact that I, again as Dr Fitzpatrick alluded to, the sporadic feeding, again I was one man with a casual or a station hand that was originally employed as a domestic hand and it was basically to try and ... I was stifled by the University management, probably getting off the track where you want to go, but creating positions, and the University management that they had implemented processes that things would happen expediently and that was not the case. To replace staff was still taking too long, so we were understaffed, definitely severely understaffed.

Mr ELFERINK: Alright, Madam Chair, I strongly suggest considering out of time ...

CHAIR: Yes, we are going in to in-camera not and so that means that member of the public, members of the media basically ...

Mr ELFERINK: They're out.

CHAIR: ... the witness. The support may stay with you, Mr Gray.

Ms PURICK: No, support can stay.

CHAIR: Secretariat and Committee Members, so if others could leave, please. And if the ABC could take their microphones, please.

INTERVIEW CONCLUDES 1:50pm