



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**  
**COUNCIL OF TERRITORY CO-OPERATION**  
**SUB-COMMITTEE – ANIMAL WELFARE GOVERNANCE**

Public Hearing - Meeting No AWG03  
Thursday the 30<sup>th</sup> of June 2011

Members:

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

Witnesses

**Charles Darwin University**

Professor Barney Glover – Vice Chancellor  
Dr Jenny Carter – Director, Office of Research & Innovation  
Dr Janis Shaw – Director, Office of Leadership & Organisational Culture – former  
Director, Office of Human Resource Services  
Ms Elaine Gardiner – Chair, Mataranka Station Advisory Committee  
Dr Cathy Shilton – Deputy Chair – CDU Animal Ethics Committee  
Ms Deb Brackenreg – CDU Animal Ethics Committee  
Mr Tim Biggs – Team Leader, Agricultural and Rural Operations  
Mr Brad Walker – Current Manager – Mataranka Station  
Professor Bob Wasson – Chair – CDU Animal Ethics Committee

**CHAIR:** Good morning everybody. We'll get this session underway. I do have some official words here that I need to work through.

So I declare open this first public hearing of the Council of Territory Co-operation's Sub-Committee on Animal Welfare Governance.

I am pleased to welcome the Vice Chancellor of Charles Darwin University, Professor Barney Glover, and the other witnesses from the University who are also appearing with him. Professor Glover, when I get to the end I might get you to just introduce your team with you today.

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 – that means in private - 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 witnesses have had the opportunity to proof and correct their evidence.

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 number 290 reads, and I quote: "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". Unquote. Further, the Assembly adopted a resolution of continuing effect on 20<sup>th</sup> 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 and copies of the guidelines are available here today.

Paragraph 5 of the 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" - unquote. 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 the facts of the matter. Where the Committee considers that the facts disclose 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". And as I said, copies of those guidelines are available here today.

Professor Glover, before I turn to you, I should introduce myself. I am Lynne Walker, the Member for Nhulunbuy and Chair of this sub-committee. Marion Scrymgour is the Member for Arafura; Mr John Elferink is Member for Port Darwin; Mr Gerry Wood, Member for Nelson and Ms Kezia Purick, Member for Goyder.

So Professor Glover, if I could ask you to introduce witnesses appearing with you today and if you have an opening statement that you wish to make then please do so.

**Professor Barney GLOVER:** Professor Barney Glover, Vice Chancellor, Charles Darwin University. At the table at the moment we have, Cathy Shilton, Dr Cathy Shilton from our Animal Ethics Committee, Deputy Chair of the Animal Ethics Committee. Elaine Gardiner who is the Chair of our Mataranka Station Advisory Committee; Dr Janis Shaw who is presently the Director of our Office of Leadership and Organisational Culture, she was previous to that the General Manager of our Office of Human Resource Services. It did change name but that's its current name; and Dr Jenny Carter who is the Director of our Office of Research and Innovation at the University. We have other members of the University and people who have been members of the University in the audience which I'll leave until later to introduce.

Chair, the University has provided a submission to the CTC sub-committee; we thank you for the opportunity to appear before you and to answer your questions. Rather than reading a statement I will simply make note that we have made a submission to the CTC Sub-committee with respect to the matter before you.

**CHAIR:** Thank you very much, and of course Professor Glover has other witnesses with him, there may be a little bit of turmoil going from chairs so if people [inaudible 9.06.29] this morning and [inaudible 9.06.30].

**Mr ELFERINK:** Okay. Good morning, Doctors and Vice Chancellor, and Ms Gardiner, sorry. The evidence that this Committee's already received to date, including the reports that we've seen have been indicative of a cattle station that for over a period of several years suffered problems with management, primarily, according to the Auditor-General yesterday, his estimation of the decay in record keeping would have to go back to three to four years. Clearly since May 2009 when there was a change of manager at the Station, it went pretty badly downhill from that point.

What happened, what went wrong from a University's perspective that would allow record keeping to decay over several years and then finally of course the situation where the cattle were left, according to many witnesses, to starve in the cattle station. So what happened? What went wrong from a University perspective?

**Professor Barney GLOVER:** Mr Elferink, with respect to record keeping in particular, you'd like me to answer?

**Mr ELFERINK:** Well, yep, that's a very broad question and it's inviting a broad answer.

**Professor Barney GLOVER:** The Ombudsman's report that was tabled in Parliament in October 2010 included in it similar comments to your own regarding record keeping at Mataranka Station over a period of time. When those matters

became apparent to the University we established a range of ... put in place a range of initiatives to address that problem, having recognised that the recording keeping has been less than satisfactory and in fact very poor over a period of time.

Primarily, I think, amongst those steps we instituted the Mataranka Station Advisory Committee with independent membership chaired by Elaine Gardiner as a method for regularly monitoring both record keeping at the station but importantly all matters related to the oversight of the University's cattle station including the management of the herd, the record keeping, the practices to be used in terms of supporting the station and the livestock on the station and I think having instituted that Advisory Committee, and I believe that the minutes of their meetings have been ... and agendas have been provided to the sub-committee, you'll get a sense of the scope of their role in providing direct advice to the Vice Chancellor, where necessary the Chair, and I'll leave it to Elaine to make any other comments she might wish to make but now she and I have regular discussions, if she has any concerns about the progress at the station but predominantly those conversations are around the actions of being taken to address the issues you've raised.

I can't comment on why the record keeping had deteriorated over the period in question prior to my term as Vice Chancellor. All I can say is that at the time that these matters were brought to our attention we took what steps we could to improve record keeping at Mataranka Station and I think one of the difficulties that we have faced from time to time in this process is to give accurate information because of poor record keeping. So I think the University has recognised the problem and has done what we can to address it. I'm much more confident now that we have a much greater understanding of the necessary record keeping, the Science Matters report from Doug McGhie which I think has also been submitted to the CTC Sub-committee provided us with ...

**Mr ELFERINK:** We have a couple of versions of it, but yes.

**Professor Barney GLOVER:** Yes, and we'd be more than happy to address any issues you have with that report but it primarily gave us guidance which we passed through to the Mataranka Station Advisory Committee about how to change systems and practices at the station to ensure best practice in the way in which we manage and record information with respect to the livestock and the station more generally.

**Mr ELFERINK:** Yeah, my question was not so much directed at the practices on the station. I think beyond all shadow of a doubt they were sub-standard and I don't believe that the University for one second denies that. What my concern is is that the structures within the University itself, an asset like cattle ... pastoral lease plus the property is literally worth tens of millions of dollars in today's market. What I would like to be reassured of is that the University's practices for its asset management, rather than the asset itself, the asset management is up to speed now but also I am concerned that a decay in the capacity to manage that asset went on for several years and moreover went on undetected for several years. We heard yesterday evidence, albeit professional opinion evidence but evidence nevertheless from the Auditor-General who observed that it was simply an issue of remoteness which caused the Mataranka Station to fall off the CDU's radar.

So can you describe to us why this decay was allowed to or, won't say allowed to go on, but went on undetected for several years and can you assure us that the University's own practices, to just what's happening on the cattle station, the University's own asset management system now has the protocols in place to detect

a decay not only in its assets remote from Darwin but its assets as a whole. Whilst the cattle industry itself, or the issue of cattle is shocking, the issue is that an asset management system needs to be in place. So I seek two comments: primarily is why did the asset management system fail over several years, and what has been changed within the University's own structures to make certain that those assets have now been properly managed?

**Professor Barney GLOVER:** Your reference to why the deterioration hadn't been detected, Mr Elferink, I can't answer other than to say that the incident that occurred primarily in the period of August/September 2009 when the cattle ... when concerns were expressed about the welfare of the cattle at Mataranka Station brought into stark contrast the need for the University to take a very, ... at the senior levels of the University, a very direct role in understanding what was happening at Mataranka Station.

So all I can say is in the absence of a major incident, that deterioration had occurred. One of the things that I did in 2009 to attempt to get closer scrutiny, two things that I think were important that we did: one was to transfer responsibility for Mataranka Station from our Finance and Asset Services Division which is essentially based in Darwin, and to transfer that responsibility to the Pro Vice Chancellor Vocational Education and Training because it's essentially a Vocational Education and Training facility. And of course we have then direct line management out of Katherine rather than out of Darwin. So to bring the overall management much closer to the station itself and the issue of remoteness is important, remoteness from Darwin.

And secondly, as I said, the establishment of the Mataranka Station Advisory Committee was a critical step to provide independent regular oversight of all of the matters that you're alluding to in relation to the management of that asset, that station, and to ensure that that Advisory Committee provided advice to the senior levels of the University as and when necessary.

Your broader question about asset management for the University is very important, as you know at the moment, the University's assets broadly are in the process of being substantially upgraded through a variety of mechanisms particularly in the sense of our physical infrastructure. Including, I might add, the physical infrastructure at Mataranka Station. So there is a significant responsibility on the part of the University to ensure that we have the project management and long term asset management capability to support that asset base. Not just the biological assets in the context of our livestock but importantly the infrastructure that exists across our operations throughout the Northern Territory. And we're unlike any other university in Australia in the context of remote operations that we undertake, and the infrastructure we use to support those remote operations as well as obviously our major centres in Alice Springs, in Katherine, Mataranka Station, in Palmerston, Casuarina, Nhulunbuy, Jabiru and so on.

So it is a broad responsibility, the University is aware of it, it's certainly high on our risk management arrangements for the University now so that we now have a process where my advisory group, the Vice Chancellor Advisory Group regularly oversees the risk agenda for the University. And it's certainly a matter that's before our Council and our Finance Risk and Review Committee, because we recognise that risk issue.

**Mr ELFERINK:** So having heard that then I presume that somewhere in existence there is an asset management manual or some sort of asset management system which is documented and written down. Do you have such a thing?

**Professor Barney GLOVER:** I can't say that we have a document of that form in that way, Mr Elferink. I think you'll find that the University is in the early stages of developing our overall risk management strategy, identifying our risks, identifying our mitigation strategies, identifying the activities that have to take place, and where we have high risk activities that we have identified then of course we're putting in place the sorts of management plans that you were talking about and with respect to the area under attention from this sub-committee and that is animal welfare governance. We've done extensive reviews of our operations at Mataranka Station, we've put in place a governance arrangement to oversight that. Management plans are part of their responsibility working with the Station Manager and our Director of the Katherine Region, Jill Kennedy, you put that documentation together to have it accepted by and approved by the Advisory Committee and then to be implemented. So I think we're making good progress, particularly in those areas we've identified as high risk as a result of what happened.

**Mr ELFERINK:** Was there in the past prior to this review of your asset management system an asset management manual or other asset management system in place?

**Professor Barney GLOVER:** Not that I'm aware of.

**Mr ELFERINK:** What's the budget for the NT University?

**Professor Barney GLOVER:** For Charles Darwin University?

**Mr ELFERINK:** Yeah, sorry, for the Charles Darwin University.

**Professor Barney GLOVER:** Charles Darwin University's budget is, if you think of it in the consolidated way, including our controlled entities, this year's total revenue will be approximately \$250 million.

**Mr ELFERINK:** With an asset base of?

**Professor Barney GLOVER:** Total assets in excess of \$500 million.

**Mr ELFERINK:** Can I say that I'm a little bit surprised that the answer that I get to this question is you don't have an asset management system identifiable that you can place your hand on, in place in the past. And that you are constructing one, if you like, now.

**Professor Barney GLOVER:** Can I clarify? We do have, for example, with respect to our physical infrastructure, we've done detailed audits of the physical infrastructure of the University. We have detailed plans with regard to cyclic maintenance of our infrastructure. So we have had, and at the moment we're in a process, we've appointed an independent consultant to undertake a master planning exercise for the University to present to Council a long term Master Plan for our campus developments. It's not that there's an absence of those documents and the framework you put the question there's not a single document of that sort, but the University does have a very detailed analysis of its physical infrastructure ...

**Mr ELFERINK:** Which is buildings, bridges, roads, those sorts of things.

**Professor Barney GLOVER:** Of course, yes, it's the physical infrastructure of the University across our campuses in assessing the condition of that infrastructure, predicting its lifespan, predicting issues to do with repair and maintenance requirements, we have a very accurate assessment of our, for example, need for deferred maintenance and for cyclic maintenance to be instituted on our infrastructure, and now as I said, the Mataranka Station issue much more prominently in our overall asset management structure. So it's not that they don't exist, they don't exist in the format that you're describing but certainly those other documents do exist.

**Mr ELFERINK:** Do I understand then from your answer that asset management of, let's say, non-tangible assets and biological assets haven't been included in those documents and those considerations.

**Professor Barney GLOVER:** Well, they are certainly included, not in the physical infrastructure obviously but they've certainly been the responsibility of our Asset Services area up until I transferred responsibility to the VET area, and then of course we rely upon our Advisory Committee to oversight that as well as, of course, our Asset Services area to ensure that changes to the physical infrastructure required to support Mataranka Station, for example, is undertaken and I think in our documentation we provided you with information regarding the investment the University has made to address the deterioration and the physical infrastructure at Mataranka, the additional bores, dams, water points, improvements to fencing, improvements, for example, to new chemical storage areas that we're putting on site, and a new office and administration complex we've put on site. We are very focussed on ensuring that the circumstances that arose that your Committee is obviously deeply interested in will never occur again, and that is very much the focus of the University and has been the focus of the University for some time.

**Mr ELFERINK:** One of the best ways in determining or finding out one of the best ways to ensure that something happens, doesn't happen again is to examine what happened the first time round, which clearly you've determined that you've moved the management of Mataranka away from your asset management people in the University to the Pro Vice Chancellor of VET. What happened to make you make that change?

**Professor Barney GLOVER:** Primarily in my view, I needed to have high level oversight of Mataranka from a line management perspective much closer to the station, which meant moving it to the responsibility of our Director of VET who was based at Katherine.

**Mr ELFERINK:** So you identified that as a problem?

**Professor Barney GLOVER:** I identified the issue of remoteness of concern to me so that more regular visits and inspections could occur in our line management context out of Katherine than could occur out of Darwin.

**Mr ELFERINK:** How many visits prior to that change were conducted by the asset management people when they had control of Mataranka Station?

**Professor Barney GLOVER:** I couldn't answer that question, I'd have to get back to you with that information.

**Mr ELFERINK:** Could you?

**Professor Barney GLOVER:** Yes. Take that on ...

**CHAIR:** We'll take that as question on notice.

**Mr ELFERINK:** Yeah, if you like, question on notice.

**Professor Barney GLOVER:** Over what period, sorry, Mr Elferink, could you ...

**Mr ELFERINK:** Since 2005. So since 2005, for the sake of the record, since 2005 how many visits were taken by the asset management group of the Charles Darwin University to Mataranka Station and that's it. That'll be that question.

**CHAIR:** Professor Glover, we can provide these questions on notice to you.

**Secretary Ms Helen CAMPBELL:** From 2005, Mr Elferink to when?

**Mr ELFERINK:** To the time that the asset management group ceased to have control of the station.

**Professor Barney GLOVER:** Which would have been September 2009.

**Mr ELFERINK:** During the course of this, I mean, clearly you would have been paying a lot of attention to what was going on. Did you enquire of the asset management – I keep referring to it as a group, what's the correct title?

**Professor Barney GLOVER:** The area broadly is our Finance and Asset Services Division.

**Mr ELFERINK:** During the period that you became aware that there was a real issue here and that you were determined to respond, did you enquire of that division as to how often they had visited or what exactly was their role and how did they execute their role in terms of being the managers of the station?

**Professor Barney GLOVER:** Yes, we certainly did make those enquiries to get a sense of the history leading up to August/September of 2009 and without having looked at the records which we will obtain in relation to the question on notice that you've given, I believe there were quarterly discussions between the Finance and Asset Services Manager responsible for Mataranka Station and the Station Manager, but we'll check the number of times in which visitation had occurred and we were certainly interested in and concerned about the level of direct management that went on, line management that went on. I'm just trying to get a sense of infrastructure developments that occurred prior to the investment we've made now. There certainly had been some, we put a new station manager's house in in 2009, I believe, this was part of the infrastructure upgrade and other major developments at the main complex at the station were also developed in 2007 and 2008, so there had been a program of infrastructure improvement there that would have been managed out of the Finance and Asset Services area.

**Mr ELFERINK:** Right, moving on then onto the assets that were lost, and this is the issue of the cows themselves. We're aware of the figure of 800 which is an extrapolation by the Ombudsman of the number of cows that had died. It's interesting to note that the Auditor-General puts the figure substantially lower and the ...



**Mr WOOD:** And Stockwell ...

**Mr ELFERINK:** And Stockwell, yes.

**Mr WOOD:** ... and Science Matters.

**Mr ELFERINK:** Yep, all of that. The Auditor-General was questioned yesterday about the figures and the figures that he ended up relying on were the figures that were essentially provided to him by you. I presume the figures that he was referring to were the ones in the Science Matters report which is the review of operations at Mataranka Station.

**Professor Barney GLOVER:** I believe he was using the stock evaluation material that's submitted as part of our audit process.

**Mr ELFERINK:** Okay. Because the figures that he had through that process ... Well, I'll rephrase the question, the Science Matters report rely on the same documentation to come up with the same numbers. As the Auditor-General.

**Professor Barney GLOVER:** One of the difficulties, and this goes back to your first question, Mr Elferink, is that the record keeping at Mataranka Station has been a serious concern to us in this whole process of getting accurate figures. And as you know, there was no muster in the second half of 2009 and because of that estimates were made. We did a very thorough muster in 2010, I've been informed, and we provided that data because it gives a sense of what the closing figure for 2009 should have been, we addressed that in the opening section of our report to this sub-committee. So we believe that is the most accurate estimate we can make based on the material that we've been able to collect. I apologise for the fact that there has been so much change in some of the information simply because from time to time we discover records that hadn't previously been provided to us. They don't materially change the overall figure that we believe relates to the number of cattle deaths in 2009 but of course it means that some of the numbers vary slightly.

**Mr ELFERINK:** No, that's fine. Because at the essence, from the evidence that we received from the Auditor-General yesterday, it's the whole thing hinges depending on what number that you use on the birth rate, If the use the Auditor-General's assumptions then you end up with a figure of 216 which is what Science Matters came up with. The birth rate of cattle in the year 2007 according you the Science Matters report was 1817 and the year 2008 it was 1612 and then there is a substantial drop of 600 to the year 2009. That according to the Auditor-General was possible, or made possible by virtue of the fact that the condition of the cattle did not allow for a substantial birth rate, or it had caused a substantial drop in the birth rate. That places, if you like, the University on the horns of a dilemma. The cattle was in such poor condition that it was unable to reproduce which means that the quality of animal husbandry had been poor for some time, or indeed the death rate was higher than the Science Matters report reveals. Would you care to comment on that observation?

**Professor Barney GLOVER:** No.

**Mr ELFERINK:** No. The concern that we have, and I appreciate the University has made enormous strides to deal with these issues, but the gestational period for a cow is more than a handful of months. It's substantially longer than one or two months, which means that of the birth rate was lower that the condition on the cattle

station was poor for some time prior to mid 2009 or there was simply a higher level of deaths after the [mate?]. I note that the University has put enormous funds to bring the cattle station up to standard, I have read the minutes of the committee that's overseeing the work it's done, Mr Riggs' work has been doubtlessly excellent but you can well understand public concern and the Ombudsman's concern that you either end up with a high death rate or a very poor birth rate as a consequence of low quality management.

When the University ... Actually, I'll rephrase the question. At what time did the University start to become aware of real issues? Was it the time there was an Ombudsman investigation or was it prior to that as a result of communication from government?

**Professor Barney GLOVER:** Are you referring, Mr Elferink, to when I as Vice Chancellor became aware of those matters?

**Mr ELFERINK:** Yeah, start with that.

**Professor Barney GLOVER:** My recollection is, without having the notes in front of me, late August, early September. I think it was late August of 2009.

**Mr ELFERINK:** Late August 2009.

**Professor Barney GLOVER:** I was informed by the Director of our Vocational Education and Training area that there were concerns being expressed about the welfare of cattle at Mataranka Station.

**Mr ELFERINK:** And what was the source of those concerns?

**Professor Barney GLOVER:** They were complaints that were being made to independent agencies, government agencies, regarding the welfare of the cattle and that had been conveyed to the University and it was conveyed to me.

**Mr ELFERINK:** Okay, so what was the form of that information being conveyed to the University?

**Professor Barney GLOVER:** I don't think I understand the question?

**Mr ELFERINK:** Were you sent a letter, were you given a telephone call?

**Professor Barney GLOVER:** No, I was informed by the Director of VET and he had received information directly from the agencies I imagine, I didn't question him about the source, we were more concerned then about stepping in to address the problem.

**Mr WOOD:** Can I, through the Chair, we're just moving away from the cattle there.

**CHAIR:** Gerry's got some questions about the cattle numbers.

**Mr ELFERINK:** Okay, that's fine. I'll come back to this.

**Mr WOOD:** Yesterday morning when discussing the cattle numbers at Mataranka I raised this document with the Ombudsman, the Science Matters, and raised the numbers of cattle or the statistics shown in the back of here with the

Ombudsman and when I said that these figures had come from Douglas Jenkins, Livestock Auctioneer, and I think you've also got a response to cattle numbers in a separate piece of documentation, she – and I hope I'm not trying to verbal her here – but she implied that she didn't know about those particular figures because she was saying that she had not received them therefore the University was in breach of, I presume, the Ombudsman's Act that you didn't provide enough information to her to, I suppose, accurately estimate what the deaths were.

So I also note that I think some of your figures for cattle came in at a later stage, I think I've seen some notes saying that. So is it the case that you didn't provide the Ombudsman with the figures or you simply didn't know where they were or they came in at a later stage?

**Professor Barney GLOVER:** The University has, throughout this process, and particularly during the course of the investigation by the Ombudsman, taken the view that we would provide all information openly and transparently and as rapidly as we could to assist her in her enquiries. We provided cattle numbers to her as best we could, either estimated them or through the documentation we had available to us. Bearing in mind that some of those numbers were estimates because of the fact that we didn't have a cattle muster at the end of 2009. We provided her throughout the period up until she submitted her report updates on cattle numbers as they became available to us, and she certainly, I believe, refers to the June/July cattle muster figures of 2010 which provided us with a better sense of the number of cattle on the station and to work backwards to try and address the number of cattle at the end of 2009.

It's my view that we have consistently said, and I have consistently said, that we did not accept the figure that was quoted by the Ombudsman based on the numbers that we had available to us, even though some of them were estimates and there is always a certain amount of error in these figures, musters are never 100% complete, so you're always dealing with a certain amount of error in those figures. But certainly based on the information that Mr Riggs provided to us when we asked him, in fact he came to the University and said that he was concerned at that figure because he didn't see physical evidence to support that number, the 800 figure, and I think we've included in the documentation provided to you a document that he provided to us in relation to that matter.

So it was both based on the estimates that we had available, the numbers that we provided to the Ombudsman and the physical evidence, commentary from Mr Riggs and others that we have consistently said that we did not accept that figure. However, could I say, we are deeply concerned at any number of cattle suffering at Mataranka Station in 2009. That has been very much the view the University has expressed publicly and I've expressed in the media from September 2009 to the present. We deeply regret what occurred and we are doing what we can to ensure it does not occur again.

**Mr WOOD:** And I think we all don't approve of animal cruelty but I think that the figure of 800 has been important because the media has used it, politicians have used it, letter writers and text messages have used the figure and I think from the point of view of at least keeping the record accurate, I think at least we need to investigate whether there was accuracy in that figure.

And following on from that of course there was reports later that there had been a large number of cattle buried somewhere on the station. Now, I mean, we weren't given any evidence that occurred but of course it splashed across the newspaper.

So did the University investigate that claim and try and find out whether there was any legitimacy in that claim?

**Professor Barney GLOVER:** Well, I can only refer you to Mr Riggs' document to us which he claims was based both on physical inspection of the property as well as, I believe, helicopter mustering, to say that he did not believe there was any possibility of that many animals being buried on the property. We have done no further investigation other than that.

**Mr WOOD:** And he'd have a pretty good understanding because he was the previous manager many years ago, and he was also the neighbour of Lakefield Station.

**Professor Barney GLOVER:** He was manager for a period at Mataranka and he is the Manager at Lakefield Station and from the period June 2009 through to early 2010 he was the Acting Manager at Mataranka Station.

**Mr WOOD:** So he'd have a good understanding of the lie of the land, you know, so he'd just have an understanding of where thing would be.

**Professor Barney GLOVER:** I believe so, I believe he's a highly competent cattle station manager and certainly, Elaine might like to add to this as Chair of the MSAC, but certainly from what I've heard he did a great job in assisting us through that period as Mr Elferink has referred to in terms of improving the situation at the station and lifting it to a more acceptable standard.

**Mr WOOD:** Can I just ask some clarifi ... No, these are just questions just to get an understanding ...

**CHAIR:** Kezia's got some questions around numbers.

**Mr WOOD:** I'll come back, yeah. I just need to get some things clear in my head, I mean, there's a lot of paperwork around the place and trying to sort of follow things in a logical order. Now, Mr Gray at the time was the manager of the station. Who was he directly responsible to?

**Professor Barney GLOVER:** Prior to September 2009 he would have been reporting to Ken Suter who was our Senior Manager in Finance and Asset Services area.

**Mr WOOD:** And where was he based?

**Professor Barney GLOVER:** Darwin. Casuarina.

**Mr WOOD:** So that was prior to September?

**Professor Barney GLOVER:** I think it was September, the exact date I'd have to check but it was the date at which responsibility, I transferred responsibility to the Vocational Education and Training Division.

**Mr WOOD:** So that management process changed because of the complaint?

**Professor Barney GLOVER:** It changed because I was concerned I didn't have people close enough to the station to supervise the station manager and address the issues that we were confronted with.

**Mr WOOD:** So who was Ken Suter then responsible to?

**Professor Barney GLOVER:** He was responsible to our Executive Director, Finance and Asset Services.

**Mr WOOD:** Who was that?

**Professor Barney GLOVER:** Mr Rob Brelsford-Smith.

**Mr WOOD:** Where did it go after that? I'm just trying to see the chain up the other way.

**Professor Barney GLOVER:** Mr Brelsford-Smith reports to the Vice Chancellor, to me.

**Mr WOOD:** So did you get any reports about animal cruelty before someone else reported it from the manager through the system to you?

**Professor Barney GLOVER:** No, the first report, as I said, in the answer to Mr Elferink's question, the first report I got of concerns about animal welfare at Mataranka Station were late August 2009 from the Director of Vocational Education and Training.

**Mr WOOD:** So when you changed the system, Mr Gray then was responsible to who?

**Professor Barney GLOVER:** To Dr Brian Heim.

**Mr WOOD:** And he was stationed at Katherine?

**Professor Barney GLOVER:** He was based at Katherine, he was also spending quite a bit of time in Darwin as Director of VET at the time.

**Mr WOOD:** And who was he then responsible to?

**Professor Barney GLOVER:** At the time he was reporting to our Pro Vice Chancellor, Vocational Education and Training, Acting Pro Vice Chancellor which was Mr Don Zoellner.

**Mr WOOD:** And then he ...

**Professor Barney GLOVER:** He reports to me.

**Mr WOOD:** Okay. Now, where does the Animal Ethics Committee come into the process in relation to these people, and the reason I say that, I've got a document here from the University, it is dated way back, 20<sup>th</sup> of May 2005, it mentions there would be a review in May 2008 but it says the purposes of the Animal Ethics Committee clearance process for research projection. The second dot point says "protect the welfare and rights of animals involved in research and other activities conforming with the Northern Territory Animal Welfare Act 2004". So how would they, with the system you've showed me, how would they know that there was something happening that would actually be directly in opposition to what they were supposed to be doing, protecting the welfare and rights of animals?

**Professor Barney GLOVER:** The Animal Ethics Committee is a committee of the University which is about governance and oversight of animal ethics application processes, facility inspections and so on. It's not a line management, it doesn't fit within the line management structure. At the time it was chaired by the Deputy Vice Chancellor Research, Professor Bob Wasson, in September of 2009, so it was, in that sense, linked into the overall management structure of the University. But no, it exists separate to the line management arrangements.

**Mr WOOD:** So besides contact via the animal welfare board which is a government body, was there any other way the Animal Ethics Committee would have known that there had been complaints and there had been photographs of severely malnourished animals?

**Professor Barney GLOVER:** As soon as it came to my attention and I referred the matter immediately to the Chair of the AEC so that the AEC could ensure that it was informed and took whatever action it deemed necessary. And the AEC played a very important role throughout the latter half of 2009 and into 2010 with regular inspection by AEC members of the station and providing detailed reports on those facility inspections and the condition of the cattle to assist the University in addressing the problems at the station. They also obviously took as their responsible action the suspension of training activities while the welfare issues were addressed.

**Mr WOOD:** But the issue that seems to be the area that the Ombudsman is saying where neglect occurred in September to October and I'm trying to work out if the Animal Ethics Committee was doing what it's required to do, was there a delay in actually acting quick enough to change things on the ground because that's where a lot of this debate lies. Was action taken quick enough, and some people will say it certainly wasn't. Other people say, well, there was a ... the University did put in a train of improvements but by the time those train of improvements had come there was more cattle dying, there was more complaints. So I'm just trying to get in my head, you know, where was the Animal Ethics ... when were they told, what was their reaction because from what I read they had a, you know, they could have pulled the license on Mataranka Station or the University to operate that, they could have pulled the permits off every person that operated there, and they could of, I suppose, then sent up signals that something's got to be done instantly because, you know. But is there anything like paperwork that would show that the Animal Ethics Committee was told at a certain date.

**Professor Barney GLOVER:** I'm sure there would but I'd have to refer ... I don't have that information in front of me, I'm not sure if Cathy as Deputy Chair was ...

**Dr Cathy SHILTON:** I actually ... and I'll ...

**CHAIR:** Can you just identify yourself.

**Dr Cathy SHILTON:** Sorry. Dr Cathy Shilton, I'm actually an employee of the Department of Resources as a veterinary pathologist, and essentially my role is the Category A veterinary member of ... one of the veterinary members of the Animal Ethics Committee. I actually looked for documentation prior to coming here as to exactly when we were informed but I couldn't find it. My recollection is that we were told during an Animal Ethics Committee meeting some time around August/September 2009 and the context in which we were told was there has been a serious welfare issue with starving cattle at Mataranka, we have trucked in thousands of dollars worth of feed, the worst affected animals have been removed to a feed lot

etcetera, etcetera, so by the time we heard about it, it was already substantially on the road to being addressed and my recollection of our discussion as to what to do about it was it seems to be getting addressed, we should inspect them as soon as possible and I think we did inspect them in October, and we didn't see the advantage at that point of removing the permits which essentially just makes it so they are unable to teach. We were more concerned with what's being done for the animals, is this being remedied as fast as possible and the information we had was they were doing everything as fast as they could to remedy it and we didn't really see any reason to pull their permits at that stage.

**Ms PURICK:** Can I just clarify, through Professor Glover, was it that ...

**CHAIR:** You don't actually have to do it through [inaudible 9.45.36], you can ask a question of any witness.

**Ms PURICK:** I'm looking at a timeline that was brought up for us by the Secretariat and when did the Katherine Rural College and Mataranka Station actually get their licensing permit, because I'm ...

**Dr Cathy SHILTON:** It would have been probably just 2008, prior to that, and ...

**Ms PURICK:** They were operating without a permit and license from the Animal Ethics Committee?

**Dr Cathy SHILTON:** Correct. There was a ... It was a state of, and still exists to some degree, a state of ignorance that teaching facilities are actually required ethics permits and ... like researchers do. I can distinctly remember that process and I think it was during 2008 where it was a realisation that this had been an oversight and it's a Territory wide oversight that teaching facilities require the same permits and processes as researchers.

**Professor Barney GLOVER:** Can I add something to that, Chair?

**CHAIR:** Of course.

**Professor Barney GLOVER:** I think that, and again this is my recollection and I rely on Bob for any update, was it was February 2009, I think, by the time that the permits ... I think the discussion occurred in relation to the need for Mataranka Station, for people doing training at Mataranka Station to have permits and licenses and so on, occurred in 2008 but the actual application was approved in February of 2009.

**Ms PURICK:** Can I just go back then to clear the cattle numbers, sort of issue that might come back again. If the records at the station were so poor in regards to births, deaths, sales, etcetera, is it not possible that a lot of stock might have just wandered off or been taken off and sold and you wouldn't know about it, or stolen. That's the first part.

The second part is, given that there was no records, what would you say that the station was probably overstocked anyway given that they're been some bad dry seasons leading up to 2008/2009? So two parts to the question: if there's to good records, how do you know how much stock the University lost through wandering off or theft or sales that hadn't been recorded, for whatever reason; and two, was the station understocked?

**Professor Barney GLOVER:** Do you want me to answer that question, Chair?

**Ms PURICK:** Yes please, or someone.

**Professor Barney GLOVER:** I can't comment on whether stock were taken or in any other way. There's no evidence of that that's been provided to me or concerns expressed in relation to that matter so I can't make any comment on it. It's not that records didn't exist, the University was subject to audit on an annual basis. Certainly there wasn't a muster in the second half of 2009 and that's acknowledged in the Ombudsman's report in relation to a concern about mustering the cattle if they were in poor condition. The helicopter muster could have put them under additional stress, I think that was the reason that was put forward and accepted at the time, so there's some doubt about the herd size at that point.

And it is clear that one of the things we have done extensively over the last 12 to 18 months is to destock Mataranka. Primarily to allow it to recover as a station, to put in more water points because there were concerns expressed that the cattle had to walk too far to get access to water, and so we needed to destock. And we have, I think it's in the documentation, fairly detailed estimates of the carrying capacity of the station and with the additional water points and dams and bores that have been put in, the carrying capacity has increased. But it is fair to say that the Animal Ethics Committee I think expressed concerns about the number of cattle on the station and the carrying capacity issue. And so we needed to destock.

**Ms PURICK:** When was that expressed, that concern?

**Professor Barney GLOVER:** Cathy, do you recall when that was discussed or Bob?

**Professor Bob WASSON:** I think it was in the second inspection report. Cathy, can you ...

**CHAIR:** Sorry, people giving evidence, they do need to come to the table.

**Professor Barney GLOVER:** Professor Wasson, would you come forward to the table?

**CHAIR:** Just for the benefit of [inaudible 9.49.50] so people's voices.

**Professor Bob WASSON:** I do apologise.

**Professor Barney GLOVER:** Professor Bob Wasson, who was Chair of the Animal Ethics Committee at the time and the issue being when carrying capacity concerns were expressed.

**Professor Bob WASSON:** My recollection is that it was the ...

**CHAIR:** If you can just introduce yourself.

**Professor Bob WASSON:** I'm sorry, Bob Wasson, formerly Chair of the Animal Ethics Committee, and Deputy Vice Chancellor, Research and International of the University. My recollection is, and Cathy may wish to add to this. It was the second inspection report, the one that you were on in October, is that correct, because weren't inspected it, my recollection is, on the 4<sup>th</sup> of September, within a



week of receiving information that the Vice Chancellor passed on but we also had received information through the Executive Officer of the Animal Ethics Committee directly from a stock inspector in Katherine.

So going to Mr Wood's question, there was another route by which the Animal Ethics Committee was receiving information directly from stock inspectors, and then we got information from a Charles Darwin University staff member as well with photographs that provided us with further reason for moving as quickly as we could. Cathy, is that your recollection of the timing?... We became very concerned that there were insufficient ... the watering points issue which the Vice Chancellor has already raised was one that we spotted fairly early on and also the maintenance of the pumps for the bores, and the fact that the animals were congregating close to the bores and eating out everything, and that's standard practice for animals but the fact that the bores were too far apart is a real problem.

Secondly that there's been no fire management plan for the station for a number of years so a lot of the grass was rank, was of little value for cattle, and we were concerned that as a consequence of that and the numbers, although we were uncertain about the numbers, that the place probably was overstocked.

**Ms PURICK:** But if someone had been ... if this asset management people had been visiting the station on a regular basis in their job of upline supervisor, I think they were, they would have picked up that there was some issues with the station so that it didn't get overstocked.

**Professor Bob WASSON:** I had no knowledge of what they had concluded, and the first ... We had been attempting to get to Mataranka to do an inspection but for a whole lot of reasons we diverted to other matters through the AEC and I wish that hadn't been the case. The first occasion which we inspected Mataranka was, as I said, in early September 2009 and frankly I have no knowledge of what decision had been taken except that as the Vice Chancellor has said, there was a program for several years of upgrading the infrastructure on the property.

**Ms PURICK:** Okay, Gerry can get clarification ...

**Mr WOOD:** I've got some emails here between Professor Barney Glover and Brian Heim and Dr [inaudible 9.52.55]?

**Professor Barney GLOVER:** Professor Wasson.

**Mr WOOD:** Professor, Bob. And what concerns me a little bit here is these relate to just after the 25<sup>th</sup> of September visit by DOR and some of this I would have thought would have perhaps raised the eye ... not the eye but the interest of the Animal Ethics Committee amongst other things. Dr Brian Heim did say on the 25<sup>th</sup> of September in relation to a letter to Professor Barney Glover, both our staff within the NTG staff people are continuing to stir the pot unnecessarily. From our side people who are passionate and emotive are expecting instantaneous change. Some NTG staff are the same. I tend to explain to staff what we are doing to address issues raised.

Professor, you wrote back to ... emailed Brian, "Can you let me know the nature of the final reference you have you made regarding staff issues", and then there was another letter from Dr Brian Heim discussing, "I am getting conflicting information from the senior veterinary officer in Darwin, Katherine based staff who are inspecting the property". And then on the 26<sup>th</sup> in an email to you, Professor, Dr

Brian Heim says, “Sue Fitzpatrick ...” ... Besides giving ... he put down a strategy of things that the staff were doing in relation to the complaints, but then he says, “Sue Fitzpatrick, the senior vet, facilitated the meeting very well and is to be commended. The two stock inspectors ...”, and by the way, this email went to you, Professor Bob, “The two stock inspectors were also positive and helpful. The Department vet from the Katherine office, John Eccles” – incorrectly spelt here – “was openly confrontational and accusatory which was not helpful but we worked our way through it and everyone shook hands in the end. I have requested that John not attend further inspections unless required to do so by Brian Radunz or Sue”, and I think there’s an email later on from Sue Fitzpatrick agreeing that Mr Eccles won’t be in further inspection.

Considering that Mr Eccles did a report, I think, on the 25<sup>th</sup>, stating that, I think, both the manager and his, I think, person you just mentioned, Ken Sutter, should be made accountable for what was happening there. Did somebody in the University say, well, do we take those issues seriously or do we just take what Dr Brian Heim said, well, things are going okay. I mean, it’s coming from the veterinary inspector who had many years experience in AQIS and has also, I think, been in the business quite a while. Did that raise any alarms at the University, or did they say, well, our opinion is they’re not right and let’s move on?

**Professor Barney GLOVER:** First of all, directed to me, Mr Wood?

**Mr WOOD:** Yes.

**Professor Barney GLOVER:** First of all, the Ombudsman has done a detailed investigation of all of the matters and had access to all of the emails you’re referring to, and has undertaken a detailed report which we have acted upon. Secondly, the University did take these matters very, very seriously. We were certainly cognisant of the views being expressed by a range of people, not always consistent views being expressed, but nevertheless different views were being expressed, but that didn’t for a moment mean that the University didn’t take this matter extraordinarily seriously. And we’re deeply concerned about the welfare of the cattle and that action should be taken quickly.

I’m on the record as being very concerned that our actions were not quick enough, that our actions were tardy. Whether that’s because of inaction of individuals or whether it’s simply because getting feed and water to some of those animals was just not possible to be done quickly enough, I don’t know. But it is not, I think, reasonable to suggest that the University didn’t take these matters seriously. We were getting advice from a variety of sources, we were encouraging regular inspections by whatever agencies were necessary to come onto the property to provide us with expert opinion about the actions that were being taken, and of course the Animal Ethics Committee had its own quite appropriate inspection regime underway to continue to check the station and provide feedback about the progress being made. And as you read the reports throughout the course of the last quarter of 2009, there are reports of improvements occurring, as I said, the speed with which those improvements occurred, the speed with which additional supplementary feed was made available and so on of course could be questioned.

**Mr WOOD:** But if I was being a cynic, or just looking at this, could one feel that someone is perhaps trying to smooth over the situation when they say, I have requested that John who was the Department vet who attended 4<sup>th</sup> and 5<sup>th</sup> and 25<sup>th</sup> of September inspections, not attend further inspections unless required to do so by Brian Radunz and Sue. Have we got here someone trying to deflect comment from a

senior veterinary officer, he's the deputy vet from Katherine who has long experience, simply because he might have been overly confrontational and accusatory? So could one, if I was to look at it from standing back, say this person was giving us a report that was going to put us in bad light and could actually in actual fact mean it would be we'd get prosecuted because if you read the end of the report that's obviously what Mr Eccles is saying. So there's a letter from Dr Brian Heim, an email to the Department saying, please get rid of him. Please move him on somewhere else, we don't want him at the station. So would you think that would be a fair comment if I was to read that the way it's written here?

**Professor Barney GLOVER:** I think you'd have to direct that question to Dr Heim in terms of what he was thinking at the time. I'm sure, my personal view is, I'm sure all of the people involved were attempting to resolve the problem as rapidly as possible. But that wasn't quick enough.

**Mr WOOD:** Okay.

**Ms PURICK:** Can I just ask a couple more questions?

**CHAIR:** Kezia and then John.

**Ms PURICK:** I understand that there was a complaint made to the University in 2008 about the condition of stock at Mataranka Station from one of the Aboriginal communities that utilised it for their training purposes. Was that dealt with properly or is there documentation of how that complaint was dealt with?

**Professor Barney GLOVER:** I've heard that that complaint was made. I can't comment on how it was investigated in 2008, I would have to take that on notice and ask for more information on it. So I will take it on notice.

**Ms PURICK:** Okay.

**CHAIR:** Kezia, can you repeat that so we can put it on notice, please?

**Ms PURICK:** There was a com ...

**Professor Barney GLOVER:** Perhaps Professor Wasson might have some knowledge of it.

**Professor Bob WASSON:** Yes, I have some. My understanding is that the stock inspector from Katherine contacted the Executive Officer of the Animal Ethics Committee and mentioned that a complaint had been made about the condition of cattle, I believe in the roadside paddock at Mataranka, from memory. But it said all is well, we've spoken to the Manager and we've got it under control. End of story. I had never heard that it came from an Aboriginal community.

**Ms PURICK:** Well, I understand it did so I ...

**Professor Bob WASSON:** As I say, I don't know.

**Ms PURICK:** ... so if there was a report ... so if there was a follow up report done ...

**CHAIR:** So Kezia, are you satisfied with that or would you still like to have that question on notice?

**Ms PURICK:** No, I'll have that question on notice, yep.

**CHAIR:** So if you can just repeat that question, please?

**Ms PURICK:** Based on the complaint made to the University, and I can get the full name of the community and the participants, there was a report done in 2008 in regards to the poor condition of stock on Mataranka Station. How did the University deal with it and what was the documentation and any recommendations arising out of the review of the complaint.

Professor, just on a ... well, we can just take a break.

**CHAIR:** 10.30 we'll take a break.

**Ms PURICK:** In some of your opening comments you said that the University does a range of risk assessment across the projects, their activities. Is that all done internally or do you outsource that you people who specialise in risk assessment and risk management?

**Professor Barney GLOVER:** We appoint an internal auditor which is Deloitte and so Deloitte do a regular sequence of audits for us of our internal functions even though it's the internal auditor they're actually auditing our internal functions, processes and so on. When some suggestions were made regarding financial management issues at Mataranka we asked Deloitte to do an immediate audit of financial arrangements which they did and then we act upon those audit reports. They also most recently have done an audit of the cattle numbers and that was received yesterday in which they confirm the basis under which we reached our conclusions and that report could be provided to the CTC.

So yes, we do utilise the services of an external agency for internal audit. There is a long term cyclic audit program to audit a range of risk issues to do with the University and I can assure you the operations at Mataranka Station are on that risk cycle.

**Ms PURICK:** Okay, just one quick question before we move on. When this current issue came before, I suppose yourself or the University, so what, 2009, thereabouts, did you set up a crisis management team to look at ... given that it had great potential and obviously you know it has now, the legacy, so did the University respond in such that they set up a crisis, what I call a crisis management team to manage the issue? And if so, have you got just some preliminary details of how you did it?

**Professor Barney GLOVER:** Sure, the answer is no. We didn't operate under an arrangement that would have suggested we do that. The University is not a large institution in the context of Australian universities, notwithstanding that we have over 1400 staff spread around the Northern Territory. At the time the issue became apparent ... we became aware of it at the senior levels in late August, early September 2009, it was referred to the relevant senior managers to step in and take whatever action was necessary. So we didn't form ...

**Ms PURICK:** Who coordinated that?

**Professor Barney GLOVER:** Well, the only coordination was that they were reporting back regularly to me, on progress, as you can see in the documentation, as

Vice Chancellor I have taken the view from my first media statements in September of 2009 that this was an incident that had potential to, and has, damaged the reputation of the University and that my view has been we need to recover the confidence of the community and my focus has been on keeping the community informed at every opportunity about what we're doing to ensure that the circumstances of 2009 can't recur. So in that context I took an important role in that way and didn't allow more junior staff, for example, to speak to the media, I felt they needed to hear from the Chief Executive.

**Ms PURICK:** That's fine, thank you.

**CHAIR:** Before you speak, John, if I can just remind Members of the Committee that you are welcome to ask questions to any witness that's here today, it's not the Estimates process where we need to work through a lead person like a Minister although obviously Professor Glover has a lead role here. And similarly any witnesses who wish to supplement an answer or make a comment, similarly you're very welcome to do so. This process is fairly conversational in nature. John?

**Mr ELFERINK:** Okay. All roads lead to Rome in the sense that the problem of course was your manager on the ground, Ian Gray. The Stockwell report which was the product of a request by the Animal Ethics Committee, I'm sure you would have received a copy of the Stockwell report. Largely the Stockwell report was reliant on Toby Gorrings' complaints and on five complaints all the complaints were deemed to have been accurate reports of what was happening on the station.

What was the University's response to Mr Gray in relation to the Stockwell report?

**Professor Barney GLOVER:** This matter is dealt with at length in the Ombudsman's report, so I could refer you there, Mr Elferink. Do you want me to state on the record for ... ?

**Mr ELFERINK:** He was suspended basically.

**Professor Barney GLOVER:** Yes, he was suspended pending ... Could I suggest at the beginning that the University has processes for investigating complaints of misconduct or serious misconduct that we need to work through. Given the seriousness of the matters raised in the Stockwell report, Mr Gray was stood down from his role and in terms of natural justice, we asked for a response from him as a person who was adversely referred to in the Stockwell report and also a response from Dr Brian Heim and on the basis of that information the University determined a course of action.

**Mr ELFERINK:** Okay, and what was that course of action?

**Professor Barney GLOVER:** Again that's covered extensively in the Ombudsman's report.

**Mr ELFERINK:** Yes, okay. So he was reinstated?

**Professor Barney GLOVER:** He was reinstated with conditions associated with the reinstatement to that position.

**Mr ELFERINK:** In terms of the natural justice process, were the findings of the Stockwell report upheld?

**Professor Barney GLOVER:** Well, the findings of the Stockwell report were taken into account in determining a course of action and certainly we had concerns regarding the support to the Station Manager at Mataranka Station. And that that additional support needed to be provided to that person to enable them to address the issues that had been identified.

**Mr ELFERINK:** I suppose the obvious question then is why wasn't he fired?

**Professor Barney GLOVER:** Well, as I said, the University has due process. The University took into account the information provided to us which was the Stockwell report and the responses from the individuals concerned, their responses to some of the concerns raised in the Stockwell report and the University took a course of action to support the Station Manager with additional conditions on his reinstatement.

**Mr ELFERINK:** Some of the advice you received in keeping him on, did I hear you correctly when you said that some of that advice was received from Brian Heim?

**Professor Barney GLOVER:** Yes, that's correct.

**Mr ELFERINK:** Yesterday in evidence it became apparent that there was a relationship between Mr Heim and Mr Gray which was quote. This was reference to evidence received by the Ombudsman and this person who spoke to the Ombudsman said, "He said that Ian Gray was hired by Brian Heim who was a close personal friend. He said that Brian Heim was the chairperson of the panel and did not declare a conflict of interest in knowing Mr Gray. He said that he was part of the panel and didn't choose Ian however Brian did". Were you aware of a relationship between Dr Heim and Mr Ian Gray?

**Professor Barney GLOVER:** No.

**Mr ELFERINK:** Are you aware of that ... have you become subsequently aware of a relationship between Mr Heim and Mr Gray?

**Professor Barney GLOVER:** Only to the extent that those matters would have been canvassed in the Ombudsman's report.

**Mr ELFERINK:** Okay. Did you do any, or during the process of natural justice, was there any research done in relation to Mr Gray's antecedence? In terms of his past? Perhaps Ms Gardiner ... sorry, did I see you nodding or ... ?

**Ms Elaine GARDINER:** No.

**Mr ELFERINK:** Sorry, I misunderstood. Yes?

**Professor Barney GLOVER:** Sorry, do you mean where he was employed previously?

**Mr ELFERINK:** Yes.

**Professor Barney GLOVER:** No.

**Mr ELFERINK:** Alright.

**Professor Barney GLOVER:** Not that I'm aware of.

**Professor Bob WASSON:** Not to my knowledge.

**Mr ELFERINK:** Alright. Were you aware that Ian Gray used to work at a Livinga Station prior to commencement of employment with Mataranka?

**Professor Barney GLOVER:** I'm not personally aware of that, no. Nor would I be, I'm not involved in the selection process.

**Mr ELFERINK:** During the process of determining whether or not you continued to employ this man, was any homework or research done in relation to his antecedence in the conditions of his employment?

**Professor Barney GLOVER:** I've answered that question, no.

**Mr ELFERINK:** There is also an allegation that Mr Ian Gray was investigated for poor cattle management at the Longreach Agricultural College prior to him commencing work at Mataranka. Were you aware of any such allegations?

**Professor Barney GLOVER:** Not until they were brought to our attention by the Ombudsman, no.

**Mr ELFERINK:** So at the time that you went through a process and determined to keep Mr Gray on, it was just the internal processes of the University affording Mr Gray natural justice and the advice of Dr Heim?

**Professor Barney GLOVER:** That's correct.

**Mr ELFERINK:** Okay. Mr Gray is no longer with the University?

**Professor Barney GLOVER:** No.

**Mr ELFERINK:** Okay.

**CHAIR:** Further questions?

**Mr WOOD:** I've got a few.

**CHAIR:** Gerry?

**Mr WOOD:** Just some clarification. I'm wondering whether Dr Cathy Shilton, you've been asked, could you give me ... this is a professional opinion in relation to your background, you are a vet?

**Dr Cathy SHILTON:** Yes.

**Mr WOOD:** One of the issues and I suppose it's been highlighted by matters that have been raised in regards to cattle van is, you know, how much feed would be required to keep cattle alive, you know, during the dry season. Would it be fair to say if the cattle that died at Mataranka had sufficient hay, even without supplements, but had sufficient hay and although I think they've got to have ... wieners have got to be fed on something a bit different. If they'd had sufficient food then that we would not have had at least that number of deaths that occurred? We might have had natural

deaths for natural reasons but if there'd been sufficient hay fed to those cattle they would have lived.

**Dr Cathy SHILTON:** I'll preface my answer with a statement that my background isn't in Northern Territory cattle stations and that question would perhaps be a good question for some of the Department of Resources field vets, however, just as a general veterinary and common sense answer, yes, if you're feeding hay to cattle is the way you get around not enough pasture.

**Mr WOOD:** Now were you part of the Animal Ethics Committee when this all occurred?

**Dr Cathy SHILTON:** Yes, I've been on the Animal Ethics Committee for ten years.

**Mr WOOD:** Well, a couple of question then. The Animal Ethics Committee inspected Mataranka soon after the complaints, and when I say soon can you give us an idea of ... ?

**Dr Cathy SHILTON:** By the time we heard about the complaints we were advised that hay had been brought in and the worst animals had been removed to a feed lot and I wasn't on that ... the inspection that's coming to my mind is October although there may well have been one in September as well, but at least in the October 2009 inspection report, mention was made that the cattle were ... they actually went around the paddocks and looked at the cattle and mention was made that the cattle seemed to be getting feed and that they seemed to be putting on condition and things were slowly improving.

**Mr WOOD:** Can I just ask Professor Bob then. Professor, were you part of the first inspection by the Animal Ethics Committee of the station after the complaints were made?

**Professor Bob WASSON:** Yes, I was.

**Mr WOOD:** And in that inspection did you check the shed and see how much hay was in that shed?

**Professor Bob WASSON:** Yes, it was zero.

**Mr WOOD:** Now there are records that I can't pull out just at this moment which show for the year 2009 the purchases of fairly large quantities of hay and when we're talking about bales here we talk about the large bales. So do you know what happened to that hay that was purchased or was it all used up?

**Professor Bob WASSON:** We were told that it had been used up but there was a problem of getting the hay out at that point, even the new hay because the tractor had broken down and one of our first requirements of the University in recognising that the Animal Ethics Committee can actually make a statement, recommendations and require the University to do particular things, was to buy a new tractor, which the University did.

**Mr WOOD:** Right, but between buying a new tractor and feeding a cow could mean some cows could die?

**Professor Bob WASSON:** Yes.



**Mr WOOD:** The inspectors from DOR actually fed cattle themselves, I gather?

**Professor Bob WASSON:** I have never spoken to one of them about that but I have heard that same story.

**Mr WOOD:** So is it a case that they just ran out of hay or are they saying, well, we just couldn't get it out because the tractor was broken down?

**Professor Bob WASSON:** I don't think ... My recollection - and Catherine may have a different one - my recollection is that at the time, to be quite honest, this is a clear recollection, I'm sorry, I'm just thinking back to that time, my concern and the concern of the Executive Officer of the AEC, we were the only two on the inspection because we had to get down there quickly and we couldn't get other members of the committee to come. Our focus was on fixing the problem as soon as possible.. or getting the management of the station to fix the problem as fast as possible rather than going over the history of how we got to that point, accepting Mr Elferink's comment that eventually you need to understand what had happened in the past. So buying in hay, getting a new tractor, and getting some assistance to distribute the hay was our top priority at the time.

May I say, to comment, just at the Chair's invitation to explain something a little bit more. I just want to make something very, very clear. This is not an attempt in any way to shift responsibility. The AEC was not the manager of Mataranka. Some of this conversation has sort of blurred that boundary, and at times we as the AEC blurred that boundary because we wanted to see things happen quickly. We were not the managers of the station. Had we tried to become the managers of the station we would have then been sitting in judgement on our own actions. And from a governance perspective that, in my view, is not on. I just wanted to make that crystal clear.

**Mr WOOD:** But Professor Bob, that's understandable but when I read out that section that said what the purpose of the Animal Ethics Committee is, to protect the welfare and rights of animals involved in research and other activities conforming with the Northern Territory Animal Welfare Act 2004, obviously to make sure you are actually doing that I would have thought it would be natural if you would go down and try and find out what was going on, simply just you needed to know what was happening, and why the welfare and rights of the animals weren't being looked after, considering this is a teaching facility. Not just a cattle station that might have problems with finances or something, this is a teaching facility. So surely looking at that particular dot point, you had a responsibility to protect the welfare and rights of animals, even if it meant to go down and see, well, how come there's no hay in the shed.

**Professor Bob WASSON:** Look, I agree, and we did. Not in the first inspection. The first inspection was a crisis inspection and we had to get certain things moving or the management of the station had to get certain things moving to fix the problem for the animals that were in most distress immediately. We did exactly the same thing unhappily the next year for some horses. But we then did try to find out what had happened and Dr Shaw can comment on an investigation that a consultant was brought in to try to help with that as well. To be quite honest with you, I don't think we ever got to the bottom of exactly what happened.

**Mr WOOD:** What was the name of that consultant? Have we got that ... ?

**CHAIR:** Dr Shaw.

**Dr Janis SHAW:** Are you talking about the Stockwell report?

**Professor Barney GLOVER:** No, no, I'm thinking of the cultural change review.

**Dr Janis SHAW:** Oh yes, Walter Bellin.

**Professor Barney GLOVER:** That's right.

**Mr WOOD:** Have we got ... Sorry, through ... I don't have to go through them, we're not the estimates committee. Dr, is that ... ?

**Dr Janis SHAW:** Janis Shaw.

**Mr WOOD:** Janis, has that been ... that consultancy report been given to the CTC, do you know?

**CHAIR:** Dr Shaw, if you can just identify your position?

**Dr Janis SHAW:** At present I'm Director of the Office of Leadership and Organisational Culture at the University. At the time that we're discussing here I was General Manager of People Management and Development which is now the Human Resource Services office.

**Professor Barney GLOVER:** Can I just answer the specific question about whether you have a copy of the Bellin report?

**Mr WOOD:** Yep.

**Professor Barney GLOVER:** We didn't provide it to you, it was provided to the Ombudsman, and I imagine in her documentation to you, you would have received a copy of it. The Ombudsman chose not to refer to the Bellin report in her report. Janis can explain the circumstances. The Bellin report was a report that was done in early 2010. Walter Bellin was a HR consultant, we brought him up to investigate the concerns we had about the culture of Katherine and Mataranka amongst our staff to try and understand the circumstances that were leading to some of the conflict between staff, and he did an extensive interview process, I think with about 19 staff?

**Dr Janis SHAW:** Yes, I can't recall the number but it was most of the staff at Katherine and Mataranka and certainly all staff at Katherine and Mataranka were invited to participate in that consultancy, it was the review of the staff culture at Katherine at the time and it resulted in a report to the Vice Chancellor about steps forward and Dr Bellin came back and provided a workshop in April 2010 for all the staff that were available to attend that workshop to talk about how they operate as a team.

**Mr WOOD:** Could I then put on notice the question asking for a copy of that report? The question would be to Professor Glover could the Council of Territory Co-operation receive a copy of the Bellin report?

**Mr ELFERINK:** Walter Bellin. B-E-L-L-I-N, if memory serves me.

**Dr Janis SHAW:** That's correct.

**Mr WOOD:** Look, just a ...

**Mr ELFERINK:** Sorry, before you move too far off I just wanted to go back to ...

**Mr WOOD:** Yeah, I'm just ... I just want to ask, there's a few things I want to clear up in my own mind because the Animal Ethics Committee does play a major part in some of our discussions and we'll probably come back to it later but in regards to the Animal Welfare Act, if someone, say, on the Animal Ethics Committee, and I'm not naming or picking on anyone here so don't get that wrong, but if the Animal Ethics Committee, is to some extent it's an independent body even though it comes under the University, was told of cases of animal cruelty and they had the documentary evidence from the Department of Resources to say that.

Was there a responsibility on either individuals or the Animal Ethics Committee to take that further from the point of view that they should say to the animal welfare board that there should be some prosecute ... Not necessarily prosecution but at least an investigation because you are the Animal Ethics Committee and you had qualified people on there. Was there a responsibility not just to leave it within the bounds of the University or was there responsibility to take it to a government department or write to a Minister or say that we had concerns that there were animal welfare issues here, and as a separate body called the Animal Ethics Committee we want this to be investigated?

**Professor Bob WASSON:** I have two forms of answer for you, Mr Elferink. One is, as I understand it, Dr Carter has looked into this most recently. From a legal perspective there is no such responsibility on the Animal Ethics Committee to inform a government agency. That said, given that the initial complaint that had come to us ... sorry, the initial complaint that we acted on within a week came to us from a government agency. It was my assumption all along that the government agencies were actually talking to each other. And also that the chief vet, Sue Fitzpatrick, soon became involved along with others that you've mentioned in the email exchanges. Again that was evidence that the government agencies were involved.

We didn't immediately supply to the Animal Welfare Branch the reports of our inspections, to be quite honest with you, we were focussed on Mataranka, from the Animal Ethics Committee's perspective, but soon thereafter we did supply all of our reports to the Animal Welfare Branch and they supplied their reports to the Animal Ethics Committee and those reports were tabled at the Animal Ethics Committee meetings. But there was a bit of a time lag before all of that happened for the reasons I've given.

**Mr WOOD:** And just one last question, I think we may not have that information. Is it possible to get a list of all those members the Animal Ethics Committee at the time of the, you know, around that September 2009, and their qualifications and which categories they fit into.

**Professor Bob WASSON:** I can't see why not.

**Ms PURICK:** That'd be good.

**Mr WOOD:** So can I put that on notice, through Professor Glover, could the University please supply us with a list of names of those people on the Animal Ethics Committee in 2009, their qualifications and their grading. Is it called grading?

**Professor Bob WASSON:** Categories.

**Mr WOOD:** And their categories. That sounds a bit like cattle to me. But didn't mean it that way. Yeah, so that's okay? Thank you.

**Ms PURICK:** Can I go back to the report that, I think, it was ... Dr Shaw?

**Dr Janis SHAW:** Shaw.

**Ms PURICK:** You talked about the report or the consultancy work was to look at the culture between, or at Mataranka and Charles Darwin ... Mataranka and the station. Why was the University CDU campus not included in that given that, you know, there's obviously some cultural issues at Charles Darwin University related to this, so is that not in the scope of reference of this report?

**Dr Janis SHAW:** It was specifically about the staff at Katherine and Mataranka Station as a team, and the ...

**Ms PURICK:** But there's a direct link between that team and Casuarina team. I just find it unusual that people at Charles Darwin University weren't included in the scope of the consultancy.

**Professor Barney GLOVER:** Could I respond to that?

**Ms PURICK:** Yeah, sure.

**Dr Janis SHAW:** Yes, I'm not quite sure what the question is.

**Professor Barney GLOVER:** The intent of bringing in a consultant was to address concerns that were raised in the response to the Stockwell report in part by Mr Gray where he expressed concerns in regard to the way he was being treated by staff at Katherine Rural Campus, and we have a large contingent of staff in Katherine and Mataranka, and it was our view that we should get someone independent to speak to the staff and to see what the source of some of those concerns were and how we could address them, and I think it was quite appropriate for us to focus in the first instance on Katherine and Mataranka bearing in mind that a great deal of the support for the station comes from our staff, our VET lecturers at Katherine and also our students at Katherine. So from our perspective it was vital that we understood the cultural dimension there first, and that was an immediate issue following the Stockwell report and the availability of the particular consultant to come to the Northern Territory and interview people and I recall, although I'd have to check this, that I think that was 19 staff in total that Mr Bellin met with as well as running a forum.

So I think the basis of your question about the broader cultural issue between a University operating in the context of Darwin and remote locations is very valid. The focus at the time was to address those specific concerns that had been expressed coming out of the response to the Stockwell report.

**Ms PURICK:** Okay. Just to follow up on that then, given that you're in charge of cultural behaviour, cultural management, organisational change, in your professional opinion, do you believe that there exists a school of thought within

university management that perhaps Mataranka Station people, staff, Katherine Rural College are the poor city cousins?

**Mr WOOD:** Or country cousins.

**Ms PURICK:** Poor country cousins.

**Dr Janis SHAW:** No, that would not be my view.

**Ms PURICK:** So you believe that the campus at Katherine and its station would be considered equally as any other school of thought, studies, management, how they've been treated or not been treated as [campersit?] Casuarina?

**Dr Janis SHAW:** Certainly from an HR point of view they're treated equally with all staff.

**Ms PURICK:** That's not [inaudible 10.27.28].

**Dr Janis SHAW:** They have a different set of requirements from other staff; it's a very diverse organisation so VET is being delivered in Katherine and Mataranka rather than in a higher education context that would be more likely delivered in Casuarina. From a staff management point of view, if we have areas of problems or conflict or where there's cultural issues that we believe need to be dealt with, we actually focus in on that particular area and certainly Katherine is not the only area of the University that we focussed on for those purposes. So we treat them equally ...

**Ms PURICK:** Okay, thank you. Just a couple of quick sort of management questions, I'm not sure if you've answered, Professor Glover. Do you have data as to the staff turnover at Mataranka Station and Katherine Rural College for 2008/2009?

**Professor Barney GLOVER:** Yes. We do.

**Ms PURICK:** Are you able ...

**Professor Barney GLOVER:** We do have that data, yes. I don't have it in front of me but if you put it on notice we'll provide it to you.

**Ms PURICK:** The turnover rate for staff at Katherine Rural College and Mataranka Station for the years 2008, nine and possibly 2010.

**CHAIR:** Thanks Kezia. I was just going to say, at this point, we really need to take a break, so we'll just take five minutes, there's tea and coffee at the back of the room, there's toilets at the entrance to this section.

**Ms PURICK:** And could I just add a little bit to that question on notice. And the number of student enrolments and their ... Not so much the enrol ... the enrolments and the completion of studies and courses.

**Professor Barney GLOVER:** Can I add something to that? In the Science Matters report, I believe we have a lot of data on enrolments and where those students have come from. I think our Council particularly asked that we provide some information in relation not for this sub-committee but in previous conversations at Council in relation to where did the students come from, who studied, and it is in that report in relation to student enrolments.

**Ms PURICK:** Okay, well, we'll just stick with the staff for those two establishments.

**CHAIR:** Alright, we'll be back in five minutes.

**[Adjournment]**

**CHAIR:** Alright, if we could just resume and once again if I can just remind people that this inquiry is somewhat conversational in nature and that witnesses present are more than welcome to make a comment, to elaborate on something and similarly just to remind Members of the Committee that we have any number of witnesses here today, not all of whom are sitting at the table simply because we have a space issue. Did you have questions to ask?

**Mr ELFERINK:** Yeah, just a couple.

**CHAIR:** And then Kezia.

**Mr ELFERINK:** I don't think we'll need all of the time here today.

**Mr WOOD:** You don't know what we've got in mind, you might need it ...

**Mr ELFERINK:** Okay, I'm going to keep it nice and short. My interests are elsewhere than with the University necessarily, however, Dr Shilton, you're with DoR – what was your position in DoR?

**Dr Cathy SHILTON:** I'm a veterinary pathologist.

**Mr ELFERINK:** In the rank structure whereabouts would I find you?

**Dr Cathy SHILTON:** I'm a P3.

**Mr ELFERINK:** Okay, so you're just a professional in a higher ... up and down in the management group anywhere?

**Dr Cathy SHILTON:** Correct, I have limited supervisory capacity for other technicians in the laboratory, but I would not have much management ...

**Mr ELFERINK:** Alright, no, that's cool. My questions are fairly simple. You of course as a member of the Animal Ethics Committee of course became aware of this issue as it was unfolding, and you would have been aware that at some point DoR had become involved. Did you in any way or at any time have input into DoR's involvement in this issue?

**Dr Cathy SHILTON:** No. I was aware of their involvement in terms of they had ... and the committee in general was aware of their involvement in terms of they had been undertaking inspections and the committee was aware that a decision had been made to not, by whoever makes these decisions, that there would be no prosecutions and ...

**Mr ELFERINK:** I'm sorry, say that again, I missed that.

**Dr Cathy SHILTON:** When this was unfolding, the committee was aware of the inspections that the Department of Resources was doing and that there was

going to be recommendations that no prosecutions would likely be taking place. And in fact that to some degree in terms of the committee's decision about Mataranka and what to do, the fact that animal inspectors and stockies and our Department of Resources field vets had been out there and there was an overall decision that there was not grounds for prosecution allayed the Committee's feelings to some degree about what was going on. We felt that knowledgeable people were inspecting and if there was going to be ... this gets back to the question asked of Professor Wasson earlier, that we knew that that whole process was underway and decisions were being made between inspectors and the Animal Welfare Authority and ...

**Mr ELFERINK:** At what point did the AEC become aware of DoR's decision not to prosecute? Can you remember a rough time?

**Dr Cathy SHILTON:** I don't.

**Mr ELFERINK:** Earlier in the piece ...

**Dr Cathy SHILTON:** I think it would have been towards the end of 2009.

**Mr ELFERINK:** Towards the end of 2009. Possibly.

**Dr Cathy SHILTON:** Yes, I don't remember an exact date.

**Mr ELFERINK:** How did you become aware of that decision?

**Dr Cathy SHILTON:** I think the Executive Officer of the Animal Ethics Committee advised us.

**Mr ELFERINK:** Who was?

**Dr Cathy SHILTON:** Plaxy Purich at the time.

**Mr ELFERINK:** Okay, she's not here today. Professor Wasson, were you still in charge of the Animal Ethics ... when did you step away from the Animal Ethics Committee, Professor?

**Professor Bob WASSON:** June 2010.

**Mr ELFERINK:** So at what point did you become aware that there was no longer going to be a ... there was ... no prosecution was intended in relation to what was happening in Mataranka?

**Professor Bob WASSON:** There was no clear statement on that from DoR.

**Mr ELFERINK:** There was no clear statement. Were you aware that ... did you become aware at any stage that there was a decision not to prosecute?

**Professor Bob WASSON:** No.

**Mr ELFERINK:** You didn't. Dr Shilton, when you told us the Animal Ethics Committee had become aware of a decision not to prosecute, how was that communicated to the Animal Ethics Committee and when?

**Dr Cathy SHILTON:** It was communicated to me directly through Plaxy Purich and it could have been a phone call.

**Mr ELFERINK:** Did it get a mention in any of the Animal Ethics Committee's meetings? I presume you would have been having quite a few meetings at this period.

**Dr Cathy SHILTON:** Yes. I don't think it's in the minutes, and I don't know if it was specifically mentioned in the meetings. There's another committee member here that may ...

**Mr ELFERINK:** I'm happy to hear him/her.

**Dr Cathy SHILTON:** Deborah ...

**CHAIR:** Ms Brackenreg, could you be so kind as to come forward? Can we just get you to introduce yourself?

**Ms Deb BRACKENREG:** Sorry. Deborah Brackenreg, I'm a category D member. I don't actually remember it coming up at all.

**Mr ELFERINK:** Alright, that's fine. So when did you first ...

**Professor Barney GLOVER:** Sorry, to me?

**Mr ELFERINK:** No, that's alright, I don't care who. When did you first become aware then that, if at all, that a prosecution would not be resulting as to what ... in relation to what occurred?

**Ms Deb BRACKENREG:** I think I read it in the paper.

**Mr ELFERINK:** When you read it in the paper. Professor Wasson, is that your recollection as well?

**Mr ELFERINK:** Sorry guys, I know, it's such a nuisance.

**CHAIR:** Just bring in some extra chairs.

**Professor Bob WASSON:** Alright, I'll pull an extra chair.

**CHAIR:** Thanks Professor.

**Professor Bob WASSON:** As I said in my previous answer, there was no definitive statement from DoR so there's nothing more I can really say.

**Mr WOOD:** John, can I just ask a question, it's important in this line?

**Mr ELFERINK:** Yeah, okay.

**CHAIR:** You can ask me if you can ask the question.

**Mr WOOD:** I'm sorry, Chair. Look, I'm not sure which member of the AEC will answer this but there was an email from the 14<sup>th</sup> of the tenth from Unnamed Officer to, I think it was to the EO, saying that the AWB may prosecute. I've not been able to see any response to that so could anyone tell me when there was an official response back to Unnamed Officer because I can't find any paper trail on that?



**Professor Barney GLOVER:** Could I comment briefly on that? I'm not sure of the email you're referring to, Mr Wood, but I can say that I was informed that there was a suggestion being made of a potential prosecution of the University, so I was informed of that. I don't think it deemed a response from the University, it was certain information to us that it was being considered. I made one attempt to contact the relevant Minister, unsuccessfully, in an effort to explain what we were doing to address the problems, I thought it was important to keep the information flow as strongly as was possible, I was unable to make contact and I did not follow up on that matter. I don't know of any official University response to that particular email.

**Mr WOOD:** I'm just wondering did the AEC then respond back to Unnamed Officer?

**Professor Barney GLOVER:** I don't know.

**Professor Bob WASSON:** No, we didn't. There was nothing to respond to. As the Vice Chancellor said it was information there was a possibility. There was nothing to respond to.

**Mr WOOD:** I just thought it might have sent alarm bells if all of a sudden the animal welfare board is saying we may prosecute, you go, well.

**Ms PURICK:** That's nice.

**Mr WOOD:** That's a bit of a concern. So Professor, you took up that concern?

**Professor Barney GLOVER:** I attempted to.

**Mr WOOD:** And you would have got that information through the Animal Ethics Committee, correct?

**Professor Barney GLOVER:** No, I think I was informed of that from Dr Heim is my recollection.

**Mr ELFERINK:** Which Minister did you try and contact?

**Professor Barney GLOVER:** That's a very good question, look, I'd be guessing ...

**Mr ELFERINK:** Did you do it by phone or email?

**Professor Barney GLOVER:** No, I rang the office. I was in transit at the time and I rang the office and didn't get through.

**Mr WOOD:** Sorry John, thank you.

**Mr ELFERINK:** That's cool. Look, that's actually pretty much my line of questioning done. I'm a little bit confused as to some of the answers, perhaps there's a blurring of the lines between your DoR rolling around on the ethics committee role and memory plays tricks, I'm not accusing you of anything or suggesting anything, it's just that memory can play tricks. What I need to know is basically at what time or if there was any evidence affordable as to what time the decision or when the decision was made not to prosecute, and I don't think that there's anybody else who can shed any more light in this room, is there?

**Professor Barney GLOVER:** Well, that matter should be referred to the agency.

**Mr ELFERINK:** That's correct, but Dr Shilton told me she was from DoR, I thought I'd ask the question, which is why I started with the questions about where your existence is in the food chain.

**Dr Cathy SHILTON:** But that's true that you should ...

**Mr ELFERINK:** Exactly right, and that's where I'm going, I was deliberately being very cautious about how I approached that. In that case I have no further questions on this issue. Unless anybody else has anything in relation to the prosecution matter? Nope, okay.

**CHAIR:** Kezia?

**Ms PURICK:** Yes, thank you, I apologise, Professor Glover, I should have said at the beginning of my questions that as you are fully aware I have a family member associated with this matter and if you feel that some of my questions are not quite appropriate or any of the staff [inaudible 10.53.13].

I just wanted to clarify a couple of point from Elaine Gardiner. The advisory committee that's been set up for Mataranka, what's its relationship to the Animal Ethics Committee, and if there is an issue of animal welfare, how's it dealt with, I mean, if the ... apart from obviously correcting a problem but is the Mataranka Advisory Committee more superior to the Animal Ethics Committee or ... ?

**Ms Elaine GARDINER:** No.

**Ms PURICK:** Not?

**Ms Elaine GARDINER:** No. The Mataranka Station Advisory Committee is set up to report back to the Vice Chancellor as he said earlier ...

**Ms PURICK:** University committee?

**Ms Elaine GARDINER:** It's a University committee, yes.

**Ms PURICK:** Okay. So what's its relationship and role with the Animal Ethics Committee?

**Ms Elaine GARDINER:** Well, I don't actually think we have one. If there's anything that I see untoward happening on the station I go straight back to the Vice Chancellor and he then deals with it from there.

**Professor Barney GLOVER:** Can I comment on that, Chair?

**CHAIR:** Certainly.

**Professor Barney GLOVER:** In fact the Animal Ethics Committee review that was conducted earlier this year by an expert panel addressed this issue in relation to, for example, membership and I think, Deb, you were at one stage a member of the MSAC

**Ms Deb BRACKENREG:** I subbed for someone.

**Professor Barney GLOVER:** Subbed for someone. I think it might have been Sue Hutton

**Ms Elaine GARDINER:** Yes.

**Professor Barney GLOVER:** So for a while we had a representative of the Animal Ethics Committee on the MSAC to keep the cross information flow. The AEC review committee believed this was blurring management and governance and so the recommendation from the AEC review committee and external independent body was that this should not continue, the AEC has a mandate to consider all matters to do with animal welfare and governance, can inspect facilities whenever it wishes and has a regular facility inspection program with Mataranka. As a result it conducts its business, MSAC is very much about management of the station and providing advice to the Vice Chancellor, directly to me, on any issues or concerns so we can act quickly and decisively. But certainly if at any time there are issues of animal welfare they need to be directed to the AEC and to the relevant agencies under the Animal Welfare Act.

**Ms PURICK:** Okay. If there was an issue at Mataranka Station of the infrastructure and delivery of services [inaudible 10.55.34] and there was staffing issues, was there ever the situation where staff in the Katherine Rural College could be seconded across to assist with either fitting out or helping get the station through its crisis position? Or were they, were staff in Katherine Rural College given their qualifications, some of them, seconded across to the station to help it get through?

**Professor Barney GLOVER:** Tim might like to particularly elaborate on the relationship between the rural campus and Mataranka but it's certainly my understanding that many of our VET lecturers and our students spend a great deal of time at Mataranka and they are there to assist in the range of activities necessary to run an operating cattle station and I think one example of the support, the great support between the two areas occurred during the bushfires of 2008 and 2009, , I think both years, and of course our staff from Katherine came with appropriate equipment to help fight the fires at Mataranka Station.

So there is absolutely a close relationship and during the crisis, Tim might comment upon what occurred in terms of the two stations, the station and the campus, but I'll also say that the Bellin report also touches on issues of building a team culture that we needed to build so that there was that sense of being part of the University and broadly supporting our activities, not just narrowly thinking of themselves in one part of the organisation. Tim, do you want to comment on ...

**CHAIR:** Tim, if you could just introduce yourself?

**Mr Tim BIGGS:** Tim Biggs, Team Leader of Agriculture and Rural Operations of the Katherine campus. Staff when they're available, as in my teaching staff, lecturing staff, if they're not on class and their primary role is for teaching so I'm actually trying to make sure they're working in a teaching role, if there's available time for them to go down and help out, whether it's mustering or just general station work, bushfires, we sort of spend a lot of time down there as requested by the Station Manager.

**Ms PURICK:** Okay, thank you. Professor Glover, have all the Ombudsman's recommendations been accepted and implemented?

**Professor Barney GLOVER:** All of the recommendations have been considered. Many of them were actually implemented before we received the report. We've provided a detailed response to each of the recommendations to the Ombudsman to indicate those that we accepted which were the vast majority of them. Those where we had concerns we explained the reason for our concern, and in many cases, we were waiting for the outcome of the Animal Ethics Committee review in January this year because all the recommendations from the Ombudsman were put to that Animal Ethics Committee review panel. We asked them on top of their normal cyclic review of the AEC to consider all of those matters. They visited Mataranka and Katherine and they provided us with expert advice in relation to a number of the Ombudsman's recommendations and we have accepted all of those after consideration by the AEC itself, and we have passed the Ombudsman those recommendations, because they differed and in some cases they agreed with the Ombudsman on some matters and in some cases they didn't and where they recommended action, we've taken that, we have informed the Ombudsman of that.

**Ms PURICK:** Okay. With regards to Animal Ethics Committee work and operations, people, projects or institutions get, obviously, licenses, permits etcetera. What happens when there's a situation where someone who's teaching, lecturing with animals has a case of misconduct? How does that get treated?

**Professor Barney GLOVER:** In relation to an Animal Ethics Committee matter? If they ... ?

**Ms PURICK:** Mmm.

**Professor Barney GLOVER:** Well, the University, in any matter of misconduct, we have procedures to follow, so the Office of Leadership and Organisational Culture has responsibility at a high level for ...

**Ms PURICK:** No, I mean the person outside of the University who's got their license to teach or to train with animals.

**Professor Barney GLOVER:** Outside the University?

**Ms PURICK:** Mmm. If there's a case or it's reported there's misconduct occurring, how does the Animal Ethics Committee go about addressing that complaint or that person or that institution that's not doing what they should do?

**Professor Barney GLOVER:** If it comes to our attention?

**Ms PURICK:** Mmm.

**Professor Barney GLOVER:** Well, we would instigate an investigation, I imagine, but I'd have to ask ... I'm not sure that circumstance has arisen for a non-CDU person, has it?

**Dr Cathy SHILTON:** The procedure would be ... Yes, it has not arisen other than the Mataranka situation. The procedure would be to advise the appropriate head of whichever institution it was, so Department of Resources. If the committee ... Oh, first I should clarify the committee has a responsibility to substantiate the claim and to investigate to the degree they need to substantiate it. Then if they consider it a minor, relatively minor issue, it's ... I think it would be the responsibility of the Chair to communicate the issue to the relevant head of the institution. If it is a major issue

that is a welfare or a cruelty issue the Animal Ethics Committee could take it straight to the Animal Welfare Authority.

**Ms PURICK:** Okay. Who's responsible to renew the license for the CDU in regards to the animal ethics at Mataranka Station, is it the Animal Ethics Committee does it or does CDU do it?

**Professor Barney GLOVER:** The renewal of a license? It would be a responsibility of our Office of Research and Innovation and the University's responsible for renewing its license.

**Ms PURICK:** And so the Animal Ethics Committee sits within that Office of Innovation?

**Professor Barney GLOVER:** It's administratively supported by the Office of Research and Innovation, yes.

**Ms PURICK:** Would you say that the Animal Ethics Committee is under-resourced, over-worked?

**Professor Barney GLOVER:** The Animal Ethics Committee review that I referred to earlier certainly raised issues in relation to the matter of administrative support for the committee and we've been working with them. Jenny Carter could come forward perhaps to make comment. Jenny's the Director of that office. We are moving to appoint an Animal Welfare Officer, we're now in our second recruitment process for that, we were unsuccessful in the first recruitment process.

**Ms PURICK:** Attached to the committee or attached to the University?

**Professor Barney GLOVER:** Well, it would be a University appointment, it would be our Animal Welfare Officer to enable us to support and inspect facilities and develop the right sorts of standard operating procedures for the support of animals in our care. We're also looking at the administrative support side of the Animal Ethics Committee, we think by improving the support through AWO, that will lessen the burden on the Executive Officer and we need to be very cognisant of the administrative support needed.

We are moving to a user pays model for cost recovery for external agencies and that will generate resources that will enable us to properly support the AEC. But fundamentally, I think in answer to your question, the AEC review were concerned, the panel was concerned about the level of support for the AEC and we've had to respond to that.

**Ms PURICK:** Is it the role of the Animal Ethics Committee to regularly inspect premises out of the University in regards to their standards, their performance, for example, Taminmin College?

**Professor Barney GLOVER:** Yes.

**Ms PURICK:** And is there a record of that or the number of ...

**Dr Cathy SHILTON:** Excuse me, is that the only ... We're not responsible for facilities that are not under the auspices of the Animal Ethics Committee ...

**Professor Barney GLOVER:** Yes, they have to be licensed with permits from the AEC.

**Dr Cathy SHILTON:** ... they have to ... Yes, so if a researcher or a teacher is using the CDU Animal Ethics Committee and putting their applications to conduct a research project through the committee then their facilities come under the committee's auspices and they need to inspect them.

**Professor Barney GLOVER:** And to clarify your point where I ...

**Ms PURICK:** Have they been inspected and how often are they inspected?

**Professor Barney GLOVER:** Can I clarify Taminmin because you raised Taminmin ...

**Ms PURICK:** That might not be a good example.

**Professor Barney GLOVER:** Taminmin doesn't come under the auspices of our Animal Ethics Committee.

**Ms PURICK:** No, you're right, I'll rephrase that. Those outside the Department of Education and outside of Charles Darwin University, do they get inspected on a regular basis and if so, how regular is regular? To ensure that they are doing what they say they will do?

**Professor Barney GLOVER:** Do you want one of the committee members ...

**Dr Cathy SHILTON:** It's generally annually, so ...

**Ms PURICK:** Generally.

**Dr Cathy SHILTON:** Yeah, sometimes it's ... maybe we can't get people lined up to go because they're, for the most part, volunteers or whatever but for the most part, the facilities get inspected annually so, for example ...

**Ms PURICK:** A report done?

**Dr Cathy SHILTON:** Yes. Yes.

**Ms PURICK:** And generally they will comply with what they say they should, would, could do?

**Dr Cathy SHILTON:** Yes, from time to time, there's never been any major issues. From time to time there might be a minor issue, for example. We could perhaps improve the enrichment for the mice in your mice facility, for example, so the committee does do some actions at the end of their ... when suggestions for improvement. There's never been a major issue where we thought a facility was going to have to be closed down, for example.

**Ms PURICK:** Has the Department of Education applied and got its license and permits to cover all their establishments? Have they done that yet?

**Professor Barney GLOVER:** I think at the moment the information I have from DET is that they've sought advice in relation to the extent to which the Animal Welfare Act is relevant to schools in the Northern Territory, and I think it would be ...

they have withdrawn a request to us to consider coverage of some of those schools and I think it would be best to address that question to the Chief Executive of DET.

**Ms PURICK:** Okay. In the documentation that we received today, I think it might be even in this report, it references cattle stations themselves who undertake training, get trainers out, get providers out. Do some pastoral properties ... should they be covered by an Animal Ethics permit if they're utilising stock for the training? Not all cattle stations I understand do training but they're specifically referenced as doing training.

**Professor Barney GLOVER:** Well, it's a matter of an interpretation of the Animal Welfare Act, I think. At the moment we, that's the University, our view is that our training activity should be covered by the Animal Ethics Committee and I think the role the Animal Ethics Committee has played in supporting the University in relation to Mataranka Station demonstrated the important role the Animal Ethics Committee can play in that way.

In the broader instance of training, for educational institutions in the Northern Territory, this is a matter for interpretation of the Act. But more broadly those cattle stations would need to consider, the RTOs would need to consider their position relevant to the Act to take their own advice and then if they are deemed ... they deem it necessary to be licensed and then to have permits. At the moment they need to seek to do that through the AEC at CDU.

**Ms PURICK:** Okay.

**Mr WOOD:** I've got a question on that.

**Mr Tim BIGGS:** Sorry, I was just going to add. I think you might want to say whether it's accredited training or not-accredited training.

**Ms PURICK:** Yes, I understand the difference. It doesn't say there, it just says training. It doesn't say if it's accredited or not.

**Mr Tim BIGGS:** Yes, because any induction in the cattle station they're going to be inducted in how to handle the animals and that could be seen not as training but an OH&S issue.

**CHAIR:** Dr Shilton, did you want a turn?

**Dr Cathy SHILTON:** There is also the grey area that comes up in the NHMRC guidelines, there's a stipulation that if it's considered work experience it doesn't have to have ethics approval. So that's a bit of a grey ...

**Mr WOOD:** Well, that was a similar question when my daughter went to the previous operation back in the late nineties, they were sort of seconded to certain cattle stations and cattle stations had take we'll take them on after their training, but I sort of presume that there was an arrangement there and maybe that's some of the grey area as well.

**Dr Cathy SHILTON:** Yes, work experience.

**Mr WOOD:** Were they being trained or were they just guaranteed a job.

**Mr Tim BIGGS:** Because I was going to say, you could also add in apprentices as well and trainees. Do they come under ...

**Mr WOOD:** Yep, yep.

**Mr Tim BIGGS:** ... that similar ...

**Ms PURICK:** Because one of the obviously [charters?] of this sub-committee is looking at the governance of animal welfare in the Northern Territory, so there's issues of interpretation of the legislation, that's what we're trying to tease out.

**Mr WOOD:** Might also be the safety of the [skidders?].

**Professor Barney GLOVER:** Could I just make that clear, perhaps you could follow up on this issue as part of your deliberation?

**Ms PURICK:** Yes.

**Professor Barney GLOVER:** The current Act provides an exemption from being licensed to educational institutions if they're not undertaking scientific activities. So it's a matter of the definition of "scientific", for the purposes of interpreting whether educational institutions are required to have coverage. So it's for teaching related activities, and I think this is an area which does need sharpening and clarity.

**Mr WOOD:** And so Professor comes from a university, he should be able to sort of let the definitions [inaudible 11.09.05].

**Professor Barney GLOVER:** I think it's a matter for the legal profession to deal with.

**Mr WOOD:** That's alright, no.

**Ms PURICK:** Just another question before I let Gerry or someone else ... And I will take it up with the animal welfare agency when they come, but is there a difference, and I'm looking at a document that's been sent to me. The advice is that if teaching to do with animals is not scientific in nature they don't need to get an Animal Ethics Committee license and permit.

**Professor Barney GLOVER:** A license. In fact the Act refers to a license.

**Ms PURICK:** License, so what's ... This is around horses, learning to ride horses, learning to shoe horses and learning to work with horses, is there a difference in technical or scientific teaching versus some other kind of teaching ...

**Mr WOOD:** Well, that's what ...

**Professor Barney GLOVER:** I think this is a matter that needs to be clarified because ...

**Mr WOOD:** Yeah, the Act [inaudible 11.09.54].

**Ms PURICK:** Can I say, there could be ... Sorry, so there could be a lot of places, institutions out there that may well not be covered and should be covered?



**Professor Barney GLOVER:** I think that DET has sought advice on this from the Solicitor General and you might like to see an opinion.

**CHAIR:** Dr Carter, would you like to add to that?

**Dr Jenny CARTER:** Yes, Jenny Carter, Director of the Office of Research and Innovation. I just wanted to add that, I mean, the Act doesn't define scientific and so that's one of the issues where the Vice Chancellor is saying that clarity needs to be provided but the code, the national code does define scientific.

**Dr Cathy SHILTON:** And the code is fairly ... any use of an animal specifically for teaching requires Animal Ethics Committee approval unless it's like a pet guinea pig in a kindergarten.

**Mr WOOD:** That's a very broad statement. Teach you how to ride a horse.

**Mr Tim BIGGS:** It makes it very grey for people who have to report on all these activities.

**Dr Cathy SHILTON:** The national code is fairly clear on that.

**Professor Barney GLOVER:** There are differences, sorry, if I just add between jurisdictions in Australia, I think, in relation to ...

**Dr Cathy SHILTON:** Yes, just in the legislation ...

**Professor Barney GLOVER:** ... the exemption of schools, for example, in some jurisdictions from the animal welfare provisions of the Act, so I think this is a matter that your committee, sub-committee should consider in its deliberations and provide advice with respect to changes to the Act to help clarify it.

**CHAIR:** And what's very much part of what our investigation is, Professor.

**Ms PURICK:** Just one last question before my colleagues have a go. Do you believe, Professor Glover, there's scope for a second Animal Ethics Committee in the Northern Territory?

**Professor Barney GLOVER:** Yes.

**Ms PURICK:** Given that this will create perhaps more work? The short answer yes?

**Professor Barney GLOVER:** I'm sure that my colleagues here from the Animal Ethics Committee would support the view that the workload for our AEC is untenable.

**Ms PURICK:** So how does one go about getting a second animal committee, is it funding from the University or is it funding from the Northern Territory government?

**Professor Barney GLOVER:** No, the University would always continue to have its own AEC, for all the reasons that Cathy's alluded to. This would be a matter for government to establish an AEC, whether there is an AEC for schools if in fact the Act is pertinent to schools or whether it's an AEC to assist organisations other than the University that seek to do research or do training involving animals that is

relevant under the Act. So it would have to be auspiced in that way and administratively supported to enable it to inspect facilities and carry out all the functions that our AEC does.

Certainly the Chair of our AEC at the moment, Professor Keith Christian, is strongly of the view, I think it's fair to say, I can ask my colleagues to reinforce this, that there is certainly a need given the extent of the jurisdiction in the Northern Territory for more than one AEC, and I think that he's put that view very strongly and we've certainly put that view in relation to some matters that our AEC will not consider. Our AEC has made it very clear that teaching related activities in schools will not be considered by our AEC and that needs to be carefully considered by DET.

**Ms PURICK:** Because of the lack of clarity around ...

**Professor Barney GLOVER:** Workload.

**Mr WOOD:** Yeah, that's workload.

**Professor Barney GLOVER:** It's both a definitional issue but it's very much a workload issue. We have, as I think Cathy indicated, volunteers who do a great job supporting the AEC and that does require them from time to time to do site inspections. We're only now appointing our own AWO – Animal Welfare Officer – and of course that person can assist in the facility inspections but it's very, very important that the workload on AEC members is managed very carefully.

**Mr WOOD:** So do you also do government research stations like Berrimah farm, is that your responsibility as well?

**Dr Cathy SHILTON:** Yes.

**Mr WOOD:** So the chickens are in your hands out there? Just thought ...

**Dr Cathy SHILTON:** [Inaudible 11.13.50].

**Mr WOOD:** But they're in an area where animals are used for scientific research in regard to viruses and ...

**Ms Deb BRACKENREG:** Chickens, sheep, cattle.

**Mr WOOD:** So the government itself, like the small formal part of the government doesn't have its own ethics committees?

**Ms Deb BRACKENREG:** No.

**Mr WOOD:** It sort of asked you to do it?

**Ms Deb BRACKENREG:** Yes.

**Ms PURICK:** That for [inaudible 11.14.10].

**Ms Deb BRACKENREG:** Yeah.

**Dr Cathy SHILTON:** So it's actually, and like the review panel brought this up as well. It's more unusual for an ethics committee, an institutional ethics committee to actually be considering outside applications so many universities would just full on

don't look at applications other than from their own university and if they do there's an enormous fee and some of them just won't do it. So it's actually more the norm that each institution would have its own institutional ethics committee. The situation with Charles Darwin University where everyone's jumped on board and is using the one committee is unusual and it's becoming untenable.

**Mr WOOD:** It's a Territory thing.

**Dr Cathy SHILTON:** Yes.

**Professor Barney GLOVER:** I think, if I could add though to that, I think historically the argument for using a single ethics committee was sound with respect to ensuring that we had the right expertise around the table, people who knew the national code and the way it should be implemented and I think that guaranteed consistency in relation to decisions made by an AEC. So I think there is some validity in a small jurisdiction, population wise, for a single AEC. The issue now for us is that workload is untenable and any other AEC that's established needs to ensure that it has the right expertise and support to enable it to do its job effectively.

**Mr WOOD:** Thank you Professor. In relation to the period when there were no permits issued by the AEC for Mataranka, if students were taught at that time by teachers or managers or whatever who didn't have a permit, was there any threat to the validity of their qualifications?

**Professor Barney GLOVER:** That matter was raised with the University by the Ombudsman in some correspondence and the University sought the advice of the Solicitor General in relation to that, and the advice that we got was that the qualifications were not at risk.

**Mr WOOD:** Do you have a list of how many permits you actually issue so we'd have some idea how many people you ... ?

**Professor Barney GLOVER:** The AEC would have detailed information in relation to ...

**Mr WOOD:** Could I put that on ... ?

**Professor Barney GLOVER:** Yes, would you like to put that on notice?

**Mr WOOD:** I might broaden it to say ... oh, the license can't be yours anyway, that's ...

**Professor Barney GLOVER:** It's only the permits.

**Mr WOOD:** Professor, could you provide the CTC with a list of how many permits the AEC has issued since October the 10<sup>th</sup>.

**Professor Barney GLOVER:** I think we need to ... given that we're in the period of the moratorium and we're now developing the permit application system, have permits actually been issued?

**Dr Jenny CARTER:** You're referring to project approvals, aren't you? Gerry?

**Professor Barney GLOVER:** Permits to individuals.

**Mr WOOD:** Permits would be, I presume, every teacher has to have a permit? Or is it the project that has to have a permit? Or both?

**Dr Jenny CARTER:** The interpretation that has been made until recently is that it's one, the project approval and the permit are one and the same. What we have been advised recently coming out of Ray Murphy's report is that there is a project approval and then there is a permit. So we ...

**Professor Barney GLOVER:** And people get permits.

**Dr Jenny CARTER:** And people get the permits ...

**Mr WOOD:** Could you put it down to project improvements ...

**Professor Barney GLOVER:** Project approvals?

**Mr WOOD:** That's make it a bit simpler, yeah.

**Professor Barney GLOVER:** Okay.

**Secretary Ms Helen CAMPBELL:** We did get from the University a list of all the current ...

**Mr WOOD:** Yep, we got that. Well, if we've got it we won't worry about the answer but I haven't seen it. As you say, there's a lot of paperwork to get through.

**Professor Barney GLOVER:** Just in terms of the number, what's the number of active project approvals at the moment?

**Ms PURICK:** Ray Murphy said 95 in the brief that I had. 95 and 220 people.

**Professor Barney GLOVER:** Does that sound about right?

**Dr Jenny CARTER:** That sounds roughly right.

**Professor Barney GLOVER:** Yes, extent of the scope.

**Mr WOOD:** Well, the other question, and Professor Wasson might need to answer as well, it's in relation to that recommendation that hasn't been carried out by the University but I think needs to be asked is that, one, is ... there's two parts to the question. Did Professor Wasson think there was a conflict of interest being part of management and part of being the Chair of AEC, and the recommendation that of course it wasn't taken up by the Department as well as the Chair can direct the EO to, you know, about what information can go to the Animal Ethics Committee. So hopefully that's correct. I just want to know if we can get some comment on both those.

**Professor Barney GLOVER:** May I just make a comment before Professor Wasson responds. The conflict of interest issue, I think, needs to be understood. There are two, I think, conflicts of interest that have been raised, one that Ray Murphy addressed and was raised with me by the Ombudsman, and that is a conflict of interest between the Chair of the Animal Ethics Committee also being the license holder for Mataranka Station, and that matter is addressed in the Ray Murphy report and when that was brought to my attention and was put before Professor Wasson he resigned as Chair of the AEC immediately, and I think you're referring to the other

potential conflict of interest issue which is management role and Chair of AEC. And it's that one you'd like comment upon?

**Mr WOOD:** Well, both actually because you remind me of the second one. I think from Ray Murphy's report he was saying that it was intended that the University was the licensee but the way it was filled out was ...

**Professor Barney GLOVER:** Exactly.

**Mr WOOD:** Professor Bob, all the blame went to him.

**Professor Barney GLOVER:** Yes, and we've corrected that situation.

**Mr WOOD:** Okay. So if that one's okay then the management ... yeah.

**Professor Barney GLOVER:** Ray Murphy addressed that in detail so we'd only refer you to the Murphy report for commentary on that.

**Mr WOOD:** Well, the other one is Professor Bob would have had a role of management within the University at the same time having to chair basically an independent body, so that issue has been sorted out?

**Professor Barney GLOVER:** In terms of the current situation, since Professor Wasson resigned as Chair of the AEC, we had an interim Chair, Professor Ross Spark from Menzies, from Menzies School of Health Research for two or three months and then Professor Keith Christian, who is a senior academic and researcher in our School of Environmental and Life Sciences and has a long history on the AEC, accepting the invitation to chair the AEC and has been the Chair ever since. He has no management role in the University.

**Mr WOOD:** And the issue that the Ombudsman raised as to whether the EO can get directed by the Chair, you know, on the way, I suppose, what information goes through to the committee. Is that an area that's still in ... you're in disagreement with the Ombudsman or is there a way round that?

**Professor Barney GLOVER:** I think we've sought advice from the AEC review panel on that issue and our view is that we want to encourage the Executive Officer to bring to the attention of the committee through the Chair or otherwise or to the Vice Chancellor if necessary any concerns or issues that they wish. So we've tried to broaden the scope of the role to enable the individual to have access if they require it to pass information if they believe it's not occurring.

**Mr WOOD:** So the EO will have some clearly defined roles that she or he's allowed to ...

**Professor Barney GLOVER:** Certainly if they are in a position where they're concerned about bringing information to the attention of the University they will have, within their role statement, the ability to directly contact the Vice Chancellor, as they have now, it's not changing anything, it's just making it more formal.

**Mr WOOD:** A couple of broad questions, and I've got a few questions for Tim in a minute, but in relation to the running of the station it's common knowledge it's meant to be a commercial operation. How do you get that, you know, which has got the priority: the commercial or the training, because a lot of [inaudible 11.22.37] training hasn't been running, it's probably a pretty inefficient way to run a cattle

station. So how do you balance the priorities of running a commercial operational versus a training facility?

**Professor Barney GLOVER:** I think one of the issues raised in the Ombudsman's report directly addressed this issue of material on our website, for example, that referred to the station as a commercial cattle station, and we regret that those words were used. The University's assumption was that it was never a commercial cattle station, it was a working cattle station and it needed to be a working cattle station to provide the training opportunities that we believed were necessary for the pastoral industry and I think Mataranka Station's been in existence as a training station for about 20 or 25 years, I believe, attached to the Katherine Rural College before it became part of NTU and then CDU. So to have a working cattle station was an important part of providing high quality training.

All I can tell you is that you're absolutely right to identify, Mr Wood, that running a commercial cattle station and running a university are not core business, and it's not a core business overlap here, and that's one of the reasons as a result of the Ombudsman's inquiry and her recommendations that the University's entered into discussions with the Northern Territory Land Corporation, we sub-lease the station from the NTLC, and we've begun a discussion about relinquishing the sub-lease, maintaining it as a training station but no longer having responsibility for the cattle station itself and in fact looking to dispose of the herd.

**Mr WOOD:** And so that's the question [inaudible 11.24.18] through the Science Matters report, recommendation ten is that within the next two to three years and certainly before the expiry of the current lease in September 2013 the CDU should relinquish the management of Mataranka Station and transfer it to another party who agrees to manage the station commercially while providing agreed assets to the station's training venue for CDU. So you haven't necessarily made up your mind whether that would be the case or ... ?

**Professor Barney GLOVER:** Oh no, our Council, that recommendation when our Council considered the McGhie report, accepted that recommendation and I have been instructed by Council to implement that, so I have had discussions with the NTLC, we're working very co-operatively with them to develop the materials to go to an expression of interest phase to determine if there is interest in someone taking over the sub-lease of the station. Obviously issues related to our herd and the cattle and that asset and how that asset would be dealt with. And also obviously issues related to access to the facilities that we have on the station so we can continue to do high quality training at the station, which is our core business.

**Mr WOOD:** So there's no thought of dropping the teaching side of ... ?

**Professor Barney GLOVER:** No, not at all. In fact it's very clear that should we not get expressions of interest, we will continue to manage Mataranka Station in the long term as a training facility.

**Mr WOOD:** That's good, I wanted to ask Taminmin to take over.

**Professor Barney GLOVER:** No, not again.

**Mr WOOD:** The other thing there, of course, just slightly off what we're talking about but it's the option of using this as a place for correctional services to operate training courses as well, so has that come into the discussion?

**Professor Barney GLOVER:** We certainly had conversations with the Department of Justice in relation to the proposed correction and remand facility for Katherine, and the current proposal, that is under consideration, is to locate a new facility on our Katherine Rural Campus, that's still under consideration. We have made it very clear that we would like to see opportunities for those in that corrections facility to be involved in supporting the operations of the University at Mataranka Station as part of training and in various other ways and that's certainly part of the model that's being looked at but the actual facility location would be at our Katherine Rural Campus which is about 17 kilometres outside of Katherine.

**Mr WOOD:** You've had some Ngukurr students working at Mataranka at one stage, is that right? Training?

**Mr Tim BIGGS:** On and off we have.

**Mr WOOD:** Alright, thank you. I just might ask Tim a few questions if that's okay. Tim, can you just give a brief outline as to when you started at Mataranka or Katherine Rural College and what was your role in the early days and where are you today?

**Mr Tim BIGGS:** I started in 2006, just was a Lecturer, cattle and horse production, so just teaching the basic stock [inaudible 11.27.10] skills, station skills. In, it must have been about March 2007, I applied for an internal promotion to become a course coordinator, that's basically scheduling training, staff and students, and then the University changed away from the schools, the VET was taken away from the schools and became sort of guardian entities, and I became a team leader.

**Mr WOOD:** Like Bunnings.

**Mr Tim BIGGS:** Yeah, so I've been the team leader since probably end of 2007, 2008.

**Mr WOOD:** So were you there during this period that, you know ...

**Mr Tim BIGGS:** Yes, yes.

**Mr WOOD:** And so what were you then, just a lecturer at the time?

**Mr Tim BIGGS:** No, I was a team leader.

**Mr WOOD:** Which means ... pardon me, I keep thinking [inaudible 11.28.01].

**Mr Tim BIGGS:** Organised trainer.

**Mr WOOD:** Organised trainer?

**Mr Tim BIGGS:** Organised trainer.

**Mr WOOD:** Is that a bit of an organised dog's body, you do the lot?

**Mr Tim BIGGS:** Yes, I have a great deal of jobs to do and one of them's to make sure I meet my training targets for ... on behalf of the University and make sure I have some good student outcomes.

**Mr WOOD:** So has your role got anything to do with the management, or did have anything to do with the actual management, running of the station?

**Mr Tim BIGGS:** Not of the management, running of the station, no.

**Mr WOOD:** So when this all occurred, you were more an observer rather than a ... ?

**Mr Tim BIGGS:** I had been seconded in November to be an NT manager for four months, that was just basically while there'd been a change in management, while the director role was being resolved and there'd been actually a few of us who'd been put on this NT manager's role and it was just my turn.

**Mr WOOD:** So when you were the team leader you had a number of students under you?

**Mr Tim BIGGS:** Yes.

**Mr WOOD:** Were they the students that put ... or some of those students the students that complained to the Ombudsman?

**Mr Tim BIGGS:** Yes.

**Mr WOOD:** And did they raise their concerns with you?

**Mr Tim BIGGS:** Not me directly. The lecturer as such.

**Mr WOOD:** But did you have some personal concerns about what was happening in relation to the state of the cattle there?

**Mr Tim BIGGS:** Concerns that perhaps we didn't have the right resources to be able to train with. From a training context the cattle, the horses, are a resource and [inaudible 11.29.29] applies and got to make sure I had the right resource, it's got to be in a fit state to be working.

**Mr WOOD:** So the cattle, because there's a lot of discussion about whether you can do a pre-test on cattle that were in a stressed condition, and the same with horses. Not so much pre-test but whether they were suitable to use for mustering and that. So who would have been your superior to relate those matters to?

**Mr Tim BIGGS:** When I was the team leader it was just the NT Manager.

**Mr WOOD:** Who was?

**Mr Tim BIGGS:** Dr Brian Heim.

**Mr WOOD:** And did you ... ?

**Mr Tim BIGGS:** Sorry, retract that. Mr Andrew Vodic was my NT Manager at the time.

**Mr WOOD:** Where did he reside?

**Mr Tim BIGGS:** In Darwin.



**Mr WOOD:** Did you inform him that, you might say your training equipment, you call that for a cow and a horse, were ...

**Mr Tim BIGGS:** I informed him that there'd been some concerns and that was some matters raised and at the time Andrew found that because of his remoteness he felt that he wasn't probably best-placed to deal with the situation and then I remember I got tagged with being NT Manager. So there was a little bit of a blur in changeover.

**Mr WOOD:** So in your training, would feeding of cattle be part, you know, adequate feeding of cattle?

**Mr Tim BIGGS:** Yes.

**Mr WOOD:** Then you would have to also, you said, look, your job is to make sure that the equipment was up to standard, so part of that equipment will be hay?

**Mr Tim BIGGS:** Yes.

**Mr WOOD:** Was there enough hay on the station to feed those cattle at that time?

**Mr Tim BIGGS:** Not having been down there at the time I'd have to rely on my staff whether they had the resources to teach with.

**Mr WOOD:** So were you at Katherine?

**Mr Tim BIGGS:** I'm based in Katherine.

**Mr WOOD:** Right, I'm getting the wrong ... sorry, I'm thinking you're based at Mataranka. So you're based at Katherine, come down ...

**Mr Tim BIGGS:** Based in Katherine.

**Mr WOOD:** ... and you come down and do some training, go back to Katherine?

**Mr Tim BIGGS:** Yes. The staff do, so I don't personally.

**Mr WOOD:** Yeah. But would you sort of question if the cattle were emaciated, you'd say, well, someone says, look, hang on, they need some food, was there any questions about, well, where's the food, you know, is there enough food, because we've heard reports that the shed was full of hay and supplement and then I think we heard today the shed was empty and I suppose the basic question is, well, try to keep a cow alive I presume you've got to feed it. So just some basic questions as to how come the cow didn't get fed or the cows didn't get fed. So you don't know whether there was any change in feeding after you put a complaint into the stock ...

**Mr Tim BIGGS:** Not that I know of. It does depend on whether the staff down there are doing that particular training, because if they're down there fencing ...

**Mr WOOD:** You're not worried about the cattle.

**Mr Tim BIGGS:** In the training sense, not essentially, no, because we're focussing on the particular unit, which is fencing.

**Mr WOOD:** Since the time of the problems that occurred, do you think things now have changed for the better?

**Mr Tim BIGGS:** My word they have.

**Mr WOOD:** Yep. Do you still work at Katherine, still go to ... ?

**Mr Tim BIGGS:** Still based in Katherine.

**Mr WOOD:** So what changes do you see besides the cattle being fatter? I presume that the cattle are in better condition?

**Mr Tim BIGGS:** The cattle are in far better condition, yes.

**Mr WOOD:** Horses?

**Mr Tim BIGGS:** Horses [inaudible 11.32.43 coughing].

**Mr WOOD:** Feed?

**Mr Tim BIGGS:** I think we've had much better seasons as well but yes, I mean, I have a certain amount of money that gets allocated to me in my budget which I use for feeding in a training context. There's a bit of a blurring of budget lines as to what becomes farm and station and what's training. If I can get a training context out of it, I'm more than happy to spend more money.

**Mr WOOD:** Which might be an advantage if the two areas are split, because all you have to do is worry about feeding the cows, not worry about ordering ...

**Mr Tim BIGGS:** It works ... yes, it works one ... two edged sword.

**Ms PURICK:** Just on a point of clarification, you said you had the training ... you get allocated budget to buy hay, feed stock ...

**Mr Tim BIGGS:** No.

**Ms PURICK:** ... for the purposes of training?

**Mr Tim BIGGS:** For the purpose of training.

**Ms PURICK:** So they know how to put out the hay?

**Mr Tim BIGGS:** Which essentially could mean like at the moment we're preparing cattle for show, so I'll be feeding the show cattle. Outside the training it's not really my responsibility.

**Ms PURICK:** So was this hay that you tapped into and paid for, in the same hay pile as hay that the cattle station people [inaudible 11.33.51]?

**Mr Tim BIGGS:** At the time I don't know whether I was in a [inaudible 11.33.52], I don't think I bought any hay for the station for that aspect.

**Ms PURICK:** No, no, sorry, perhaps I'm not explaining myself properly. Hay is used in training ... or basically at the time you work out how to feed cows, teach the

young people. So you said you had a budget allocation to cover the cost of the hay used in training of the students. And then there would have been hay over here which the cattle station itself purchased. My question is, were the hay piles the same pile?

**Mr Tim BIGGS:** They tend to all sit in the same pile, yes. I don't sort of say well, you can't use that because that's training hay. It's food for livestock.

**Ms PURICK:** So you could have lost hay or hay could have been drawn out of your pile and vice versa and you wouldn't have known?

**Mr Tim BIGGS:** Wouldn't have known, but essentially that doesn't bother me. As long as the animals have got adequate feed.

**Ms PURICK:** Who kept the inventory of the actual ... both people's hay [camps?]?

**Mr Tim BIGGS:** The person at ... the Station Manager at Mataranka which would be the person who's keeping feed stocks.

**Ms PURICK:** So would this person tell you that your stock had depleted or was it up to you to know that your stock's depleted?

**Mr Tim BIGGS:** They should tell me if it's depleted.

**Ms PURICK:** But then you're responsible for the payment of the hay, so wouldn't you have some kind of responsibility to know how much hay you've consumed and how much you need and what you claim as an extra of your teaching?

**Mr Tim BIGGS:** [Pause] I have to say my concern's more in the training context. I've only got a small number of animals I'm working with, why, it's a bit difficult to explain. I don't buy masses and masses of food for all the cattle. I'll buy certain food that is required if the station doesn't have it already on hand, so the station may have already bought their budget of feed, in which case we're just putting it out. We just go and get what's there and go and put it out. If I need to buy some specific feed for, say, the horses or for the show cattle, that will come out of my budget. Does that explain things a bit better?

**Ms PURICK:** Yeah, I'm going to let it go there.

**Mr WOOD:** Could I ask, I think Mr Gray complained that one reason he didn't get hay out he didn't have enough staff. Now there's obviously [sells?] and the students and, you know, if the cattle are starving you think alarm bells ring, forget the rest, let's feed the cattle. So how difficult is it to get a large bale of hay on the back of a Toyota ...

**Ms PURICK:** Not hard.

**Mr WOOD:** ... you know, there was enough people already, you know, I know they're heavy but if you have enough people and you were desperate to feed cattle you should be able to get a large bale ...

**Mr Tim BIGGS:** Yes, but ...

**Mr WOOD:** Yes. Was there any request by the manager to yourselves or students to assist, because we're saying that one of the reasons they were starving is because you didn't have enough staff, you would have thought well, who cares what staff it is, the cattle become a priority. Was there any ...

**Mr Tim BIGGS:** No direct request to me. But I'd offer if you need students or staff. The difficulty I found was that if I'd sent people away from their training at that time, I've only got them for a short period of time, I've got a lot of stuff to get them through and we could have missed training that they needed to do. So even though the request might have gone in it might have been, "Sorry, they're actually doing this because if they don't do this particular unit they're not going to finish their certificate in time."

**Mr WOOD:** So Mr, is it Brodie?

**Mr Tim BIGGS:** Vodic.

**Mr WOOD:** Who was his next up, if you were reporting to him?

**Mr Tim BIGGS:** The Director.

**Mr WOOD:** Who was?

**Mr Tim BIGGS:** Brian Heim.

**Mr WOOD:** And do you if ... well, he was a regular visitor to the ... so that [inaudible 11.37.34] going round in circles. So, okay, well, we might talk to Dr Heim at some stage. Just quickly, you mentioned that you're getting cattle ready for the show. I have to ask this, so what happened to Fred's Pass?

**Mr Tim BIGGS:** It doesn't actually fit in with our training schedule. We get asked this question every year and ...

**Ms SCRYMGOUR:** It's a conflict of interest.

**Mr WOOD:** Sorry, I had to ask.

**Mr Tim BIGGS:** It doesn't fit in with my frame unless I [inaudible 11.38.02 – all talking].

**Ms SCRYMGOUR:** It doesn't fit within the terms of reference, come on.

**Mr WOOD:** You don't mind if I ask that question, yeah, the welfare of the animals and the students [inaudible 11.38.14].

**Ms PURICK:** Can I ask a couple of just quick questions? On an unrelated subject, thank you Tim, how many CDU staff were summonsed by the Ombudsman's office when she did her investigation?

**Professor Barney GLOVER:** To be interviewed by the Ombudsman?

**Ms PURICK:** Mmm.

**Professor Barney GLOVER:** How many, look, I don't know the number off the top of my head.

**Ms PURICK:** Can we find out?

**Professor Barney GLOVER:** We can find out, yes, certainly. Well, it might be better to address it to the Ombudsman. She would give you accurate records. People didn't have to inform us that they were summonsed and gave evidence, they weren't obligated to do so. We would have known some of our staff and I guess we could read the Ombudsman's report to get transcripts but it might be better to direct it to the Ombudsman's office.

**Ms PURICK:** Alright, well, in regards to the staff that you would be aware, and given that the investigation was underway, does the University have any procedures or policies in place to provide support to staff who are summonsed to that kind of investigation given the legal consequences and ramifications?

**Professor Barney GLOVER:** I'll direct that to Janis who was ... In terms of generally when staff appear before inquiries we would try and provide whatever support is available but I'm not sure specifically what might have been available at the time.

**Dr Janis SHAW:** There was nothing specifically offered but where staff were struggling a bit or ... either that or for any other reason related to the matter of being involved and were feeling somewhat distressed, we have a free counselling service we provide all the staff with and we would refer staff to that service if they needed to get some personal support. It would be another area of the University that would provide people with any kind of legal advice I suppose, I don't know that we could give people legal advice as to what they would or wouldn't say.

**Ms PURICK:** Well, I guess I'm just trying to work out whether there are systems in place within the University given the seriousness of this situation and there could be other serious situations that arise in the future – I hope they don't – to do with University business, but do you have systems in place to provide support mechanisms for staff who get summonsed to appear before inquiries or, you know, the court system?

**Dr Janis SHAW:** Not specifically nominating the context of an inquiry but certainly we've got our mechanisms in place to assist staff if they're in a situation where they're feeling stressed or distressed.

**Ms PURICK:** Okay, thank you.

**Mr WOOD:** Can I just ask some questions because we've got the gentleman at the back there and we haven't asked him any and I think it's fairly important, Mr Brad Walker. Is it possible to come on up? You've come a long way. You've come from remote ...

**Ms PURICK:** Remote Mataranka.

**Mr WOOD:** That's right, yes.

**CHAIR:** Thanks Brad, if you could just introduce yourself and your position?

**Mr Brad WALKER:** Brad Walker, Station Manager, Mataranka Station.

**Mr WOOD:** Thanks Brad. A lot has been said about the background of different managers. I'm just wondering if you can give us your background.

**Mr Brad WALKER:** Background, a lot of time with larger pastoral companies within Queensland and Northern Territory. Landmark, spending a season working as a cattle agent with domestic and live export cattle, based in Katherine then and various other property management positions.

**Mr WOOD:** So what's your role, are you the general manager for the station?

**Mr Brad WALKER:** I oversee ... well, I manage the operation at Mataranka and the livestock at KRC.

**Mr WOOD:** And who are you responsible to?

**Mr Brad WALKER:** Jillian Kennedy, Director of the KRC.

**Mr WOOD:** And where's she based?

**Mr Brad WALKER:** Katherine.

**Mr WOOD:** That's alright, I'm just checking they hadn't gone back to Darwin. So do you have an understanding of the issues that we've been dealing with today like the Animal Welfare Authority and those sorts of things?

**Mr Brad WALKER:** Yes, I have background knowledge of it, yes.

**Mr WOOD:** Do you do any teaching or are you just purely a manager?

**Mr Brad WALKER:** I'm just strictly Station Manager.

**Mr WOOD:** I didn't know whether you taught horse-riding or mustering.

**Mr Brad WALKER:** No, I'm not training staff at all.

**Mr WOOD:** Okay, so you just make sure that ...

**Mr Brad WALKER:** I am present at times while training's occurring but I'm not a trainer.

**Mr WOOD:** So have you got good records now, I mean, do we know exact ... well, you should know pretty well how many cattle you've got, roughly how many wieners you've got, how many stud cattle you've got, all those things are now up to ...

**Mr Brad WALKER:** Everything's spot on.

**Mr WOOD:** Okay, and so even things like assets, the state of fencing, I think when I was down there about a year and a half ago inspecting there was talk about laneways are too narrow, there was obviously not enough water and there was even talk, we were talking about whether some irrigation could occur, that that would improve pastures. So there's a change in that direction?

**Mr Brad WALKER:** Yes, it's still changing, like we're still implementing a lot of infrastructure into the system now.

**Mr WOOD:** And at the moment is there problems with ... has the ban on live cattle affected the station?

**Mr Brad WALKER:** No, it shouldn't. All our sales stock were done earlier in the year, first round, and before the bans came into play.

**Mr WOOD:** So you were able to get your numbers down before ...

**Mr Brad WALKER:** It dropped right down. I think we sold around 1300 head of cattle for the year between the two properties.

**Mr WOOD:** So what's your stock numbers now roughly?

**Mr Brad WALKER:** Approximately, I think it would be just under 4000 head of cattle.

**Mr WOOD:** And how does that fit in with the Dr Dione Walsh's report? She did a report, I think, on behalf of ...

**Professor Barney GLOVER:** You'd have to convert that into animal equivalents, and it would be ...

**Mr WOOD:** That's a good point. Yeah. [Laughter] So the other people working [inaudible 11.43.54].

**Professor Barney GLOVER:** Well, as I ... I'm not an expert but I know that you take the sort of total head number and you have to consider those that are large cattle and smaller ones and then you come up an adult equivalent and it's well below carrying capacity. Is that correct? Yes. It's well below carrying capacity.

**Mr WOOD:** Because that was one of the concerns was raised ...

**Professor Barney GLOVER:** Yes.

**Mr WOOD:** So it's right stock in [range?] now?

**Mr Brad WALKER:** It's well below the required stock, yes.

**Mr WOOD:** Now, how long have you been there?

**Mr Brad WALKER:** I started there last August as the overseer under Garry Riggs.

**Mr WOOD:** Now, in your travels around, you didn't see any mass grave or ... ?

**Mr Brad WALKER:** No, nothing, there's been no indication of anything like that to my knowledge that I've seen.

**Mr WOOD:** So you not only just ... you ride around on the quad bike or ...

**Mr Brad WALKER:** Yes, bikes, horses, Toyota, helicopters. From the air you'd pick something up like that pretty easily if there was some sort of mass grave around or a big burn, burnt patches, anything like that.

**Mr WOOD:** You'd see that.

**Mr Brad WALKER:** No indications.

**Mr WOOD:** And all those fences that were in the report were down have all been repaired now and fire breaks and all that are up and running?

**Mr Brad WALKER:** Yes.

**Ms PURICK:** It probably might be a dual question for Elaine and yourself. What animal welfare standards do you use in regards to the training and running of Mataranka Station?

**Ms Elaine GARDINER:** I'm sorry, what animal ... ?

**Ms PURICK:** Well, if it's ... given that some of the Animal Ethics Committee sort of could [inaudible 11.45.22] do you have any standards that you work to in regards to national standards that you work to in regards to the use of the stock for training purposes?

**Ms Elaine GARDINER:** Well, I'm assuming that the standards are there and that we are running under the standards which would be having stock that is in good condition and not stressed etcetera. I'm not really sure that I understand exactly what you're ...

**Mr Brad WALKER:** I don't know, maybe it's something Tim could answer regarding training .

**Ms PURICK:** Yeah, I probably haven't explained myself very well. I guess that you've got the Mataranka Advisory Committee that's overseeing the management of the station. Do you sit on that Committee?

**Mr Brad WALKER:** As a ... ?

**Ms PURICK:** As a manager.

**Ms Elaine GARDINER:** As the Manager, and Brad reports to the Committee when we have our meetings, he has a station report that he talks to.

**Ms PURICK:** Right. So the standards that you use in regards to the, I suppose, the welfare of the animals and [lines and codes?] talked about national standards with cattle and pastoral properties.

**Ms Elaine GARDINER:** Yes.

**Professor Barney GLOVER:** Yes, Meat and Livestock Australia have various standards that I think that Brad would be referring to in terms of the way we monitor the condition of the cattle very, very closely, as they're mustered in and Brad takes whatever action is necessary if we have any light cattle, take appropriate action and the University's extraordinarily focussed on ensuring that even the slightest indication of one or two animals that are in light condition that they're supported.

**CHAIR:** Can I just ask a question here? I'm just interested in the [inaudible 11.46.49] the Mataranka Station Advisory Committee. How frequently do you meet? Who are your members and how long have you been an entity?



**Ms Elaine GARDINER:** We've been an entity since June last year, June 2010. We met fairly frequently in the first, like, our first three meetings were very, sort of every six weeks to eight weeks. All of the first three times we had site visits so we went out and had a look at the cattle, and the other infrastructure ie. water and stuff like that. And the grass, or not, as the case may be.

We have a few industry people on there, two cattle people; we have a person from the University, a person from the Department of Resources and myself as independent chairman. And we have observers, Brad, and Tim, he was also an observer and he gives us an update on what's happening with the trainees. When we started we had someone from the Animal Ethics Committee on there because, as I think we refer to earlier, we thought it was a good way of keeping all the doors open so there was nothing hidden as is always sort of, you know, there's always someone thinking, well, you didn't tell me that, but that subsequently changed.

**CHAIR:** So currently, with what frequency are you meeting?

**Ms Elaine GARDINER:** We just had our second meeting this year about three weeks ago and we'll have another meeting in September, and then we'll have another meeting before the end of the dry season and we'll have a site visit then.

**Professor Barney GLOVER:** So about quarterly.

**Ms Elaine GARDINER:** Yes. We were going to hold it quarterly but felt in the first instance it was better to have more meetings early and get things established.

**CHAIR:** Thanks for that.

**Mr WOOD:** Can I just ask Tim, this is a question more about students. Now, when you read the reports of the students about the animal welfare, quite a few of them said never go near a cattle station again, you know, that it upset them, you know, badly, do you know if there's been any contact with those students to try and at least talk to them through those difficult times, and what's the difference between then and now in relation to students really, you know, enjoying the work that they're doing? Were students affected by what they saw, as what's written in the Ombudsman's report, and what's the situation now with students?

**Mr Tim BIGGS:** I can only, as you said, only what I've read in the report as to what they've said, how they're affected. I've had no contact with any of them since then. I actually have seen one student from late 2009 who's actually living and working on a cattle station now so ...

**Mr WOOD:** He must ... yeah.

**Mr Tim BIGGS:** ... been affected, and I do know of others that went and worked on cattle stations after that; whether they're still working on the stations now, I don't know.

**Mr WOOD:** Because I suppose one of the things, one of the legacies of this is that once a student gets out and starts talking to other kids, you say, well, don't get there, you know, this is what's happened, so I don't know whether there's been any way of trying to mend those bridges or, you know, try and recover from that sort of ... that period, from a student perspective.

**Mr Tim BIGGS:** I haven't noticed a real impact upon full-time student numbers. They fluctuate somewhat anyway. Early last year I had two groups of Certificate II students which is 20 students which is pretty large and ten of them went on to continue a Cert III which was pretty good. This year was a little bit lower. It's a little cyclical. For all the work and advertising that I do, I find it really difficult to actually pick who's going to turn up. I could get 14, 15 applicants to come in who are accepted and two turn up, and I don't know why. You try and contact them and say, why aren't you turning up, and you ... yeah, circumstances changed. So that's a bit hit and miss at times. I tend to get more work assessing people on the stations currently.

**Professor Barney GLOVER:** Can I add something to that? I mean, as I said earlier, one of the important areas of focus for the University throughout this difficult period has been to try and reassure the community, and particularly around Katherine, about what we were doing to address the situation that arose and to ensure that it doesn't happen again, and I've certainly spent time in Katherine talking to community members down there. We had an opportunity, I had an opportunity as Elaine did recently to visit the station so on June the 22<sup>nd</sup> I was at the station, we had a large group of VET in School students there, a number of our trainers, Tim was there. Certainly the impression I got from that group of students was a lot of enthusiasm about the pastoral industry and learning more about the cattle industry generally, and I think a very positive view of what we were doing at the station just in terms of the environment that they were training within. We also had a group of students from our Batchelor program in humanitarian studies that were using the station for part of their program of work. It does get used beyond the pastoral industry training by the University.

We have, I think, a long way to go in reassuring the community broadly about what we have done and what we have in place and our commitment to pastoral industry training and I think our main strategy rather than going back and trying to contact those students is to really raise community awareness of the standards of the station now.

**Ms PURICK:** Can I ask one final question, Professor Glover. If, and I know that the station's not covered under the Pastoral Lands Act, but if the station was covered under the Pastoral Lands Act and been subject to the work and management and inspections through that authority, do you think this would have been picked up well before, you know, basically the animals started to deteriorate. So if it was under Pastoral Lands Act, and whether it should be under the Pastoral Lands Act?

**Professor Barney GLOVER:** I can't comment, I don't know how frequently inspections of properties occur under that Act, Kezia, so I'm not sure I could answer it. All I can say is that no matter what auspicing and government agency would have been responsible, any agency that could have come in earlier and if action had of been undertaken more quickly, that would have ensured fewer animals were affected and that would have been a good thing. I can't comment on whether that particular arrangement would have been better or worse.

**Ms PURICK:** Okay, thank you.

**CHAIR:** No further questions?

**Mr ELFERINK:** Can I just finish with a comment, and I think it's worth acknowledging, that in spite of what happened in 2009 the University ... there needs

to be an acknowledgement, and I'm sorry that the cameras aren't still here, that the University has made strident efforts to improve what's occurred out of there and from all appearances including the meetings of the working group that's overseeing it, evidence from Mr Walker, what's come through Mr Riggs etcetera, etcetera, the University's clearly been shocked by this and responded accordingly, and I think it would be remiss of this Committee not to at least acknowledge that the University has made these efforts. Clearly something went fundamentally wrong, the University acknowledges that and has responded well. I'm comforted from what I've read and what I've heard that these issues have been addressed and I look forward to seeing that the University, or that the Mataranka cattle station, so long as it remains in University hands, will be a well run and well maintained asset into the future.

**Professor Barney GLOVER:** Thank you.

**Mr WOOD:** And that the cattle [inaudible 11.54.31].

**CHAIR:** Professor Glover, On behalf of all Members of the Committee I'd like to thank you as well as your colleagues from Charles Darwin University and its association with the Animal Ethics Committee and Mataranka Station also for appearing today, for giving us substantial evidence and if I could just add to what John has said, obviously the terms of our investigation is to look into the appropriate use and effectiveness of the Animal Welfare Act to identify the gaps, and that's [inaudible 11.55.02] today, but also to explore the systems and processes within the various government agencies and the CDU to be able to put a report to Parliament in the not too distant future with recommendations to do, you know, what we've already said to ensure that an event such as this never recurs.

A copy of the transcript will be made available to you and other witnesses to proofread and to provide feedback before that is eventually posted on our website. So again, thank you very much.

**END OF TRANSCRIPT**