
**Correspondence Arising from
Committee's Visit to Kyogle**

- (15) 13 October 1992 Submission received from Mr Lex Moss.
- (16) 21 October 1992 Letter to Mr Kerr from Mr Temby responding to Kyogle transcript of evidence.
- (17) 21 October 1992 Facsimile to Mr Kerr from Mr Norrish QC, dated 21 October 1992 regarding conduct of Kyogle inquiry by ICAC.
- (18) 10 November 1992 Letter to Mr Oral Gould from Mr Blunt forwarding copy of Kyogle transcript and inviting him to make a submission.
- (19) 11 November 1992 Letter to Mr Temby from Mr Kerr forwarding list of key issues and forwarding Norrish letter.
- (20) 11 Key Issues
- (21) 11 November 1992 Letter to Mr Temby from Mr Kerr concerning Committee's distribution of the Commission's responses.
- (22) 18 November 1992 Letter to Mr Wal Murray MP from Mr Kerr forwarding a copy of the Kyogle transcript and requesting the response of the RTA to the comments made by the Kyogle witnesses.
- (23) 6 December 1992 Letter to Mr Kerr from Mr Oral Gould regarding Kyogle.
- (24) 7 December 1992 Article in the Northern Star entitled "The bitter aftermath of ICAC".
- (25) 7 December 1992 Letter to Mr Kerr from Deborah Sweeney forwarding the Commission's responses to the Key Issues from the Kyogle Inquiry.
- (26) 22 December 1992 Letter to Ms Sweeney from Mr Kerr forwarding a copy of Mr Gould's submission.
- (27) 4 January 1993 Letter to Mr Kerr from Mr Murray MP relating the RTA's response to the Kyogle material.
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- (28) 9 February 1993 Letter to Mr Temby from Mr Kerr forwarding a copy of Mr Murray's letter.
- (29) 13 October 1993 Letter to Mr Temby from Mr Kerr requesting a response to Mr Norrish's letter referred to the Commission in November 1992.
- (30) 1 December 1993 Letter to Mr Kerr from Mr Temby responding to Mr Norrish's letter.
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The Watchdog Committee

Reviewing the Independent Commission Against Corruption Act.

My name is Stanley Lex Moss:

I reside at [REDACTED]:

I am an employee of the Kyogle Shire Council and I also own a small grazing property at Upper Bottle Creek, Bonalbo.

I have been employed by the Kyogle Shire Council for twenty two years, firstly as a Plant Operator then as Overseer of the Bonalbo Depot. I was demoted from this position in 1991 pending the outcome of criminal charges in relation to Larceny and Making a False Entry; These charges were subsequently dismissed.

In addition to my submission to your committee I am enclosing a copy of a recommendation from the C Riding Residents and Ratepayers Action Group, handed to the Kyogle Shire Council when considering recommendations for my dismissal as handed down by I.C.A.C.. This submission gives some insight into the responsibilities and workload of the Overseer at the Bonalbo Depot at that time.

When I.C.A.C. raided the Bonalbo Depot on the 28th. February, 1991, I was in complete ignorance as to the reasons for such a raid and like sheep to the slaughter we complied with all requests, never questioning and little realising what was to come. I went on Sick Leave in May and while convalescing after an operation, I received a visit from the Shire President, Sheryl Johnston, Councillor Val Johnston and the Acting Engineer, Ron Smyth. The object of this visit was to primarily obtain my resignation, failing that, sack me, and to find out " what else had I been up to ?" I was also informed that I.C.A.C. was waiting to interview me.

In my ignorance, I could not understand why they acted as they did, nor did I know what "terrible things I had done to warrant such treatment from people, who until then, I had believed had faith and trust in my honesty and integrity. I was firmly convinced that I must have done something! The final outcome of this confrontation was

- a) That I was prepared to take all the blame for any supposed wrong doing and I would resign, provided no action be taken against my men and my family be left alone;
- b) That a meeting be arranged as soon as possible with I.C.A.C..

This is just one example of how the actions of I.C.A.C. caused people to panic. to act completely out of character and turn loyal employees and friends against each other. They divided, not only a depot, but a whole council and community.

By the time my wife and daughter arrived home that evening I was in a state of shock and hardly coherent. After calming me down and talking all night, we decided to withdraw my resignation and fight for my good name. The following day, I notified council regarding my decision

The impression I was given at the imfornal meeting at my home with Greg Antonjuk was that I.C.A.C. was here, to investigate and to make recommendations that would ultimately improve conditions and, not to destroy or cause anyone to lose their jobs.

On the 21st. June, I attended the Bonalbo Police Station and made a statement in regards to specific instances on which I was questioned. At no time was I advised that allegations were being made against me and I was not, at anytime, advised of the need to obtain Counsel for my defence; I was not aware of the need for one until the Public Hearing commenced at Kyogle.

On the 2nd. July, I received a letter of Demotion, effective from the 15th. July, and on the 18th. July, I was charged with Larceny and with Making a False Entry in a Book.

The Public Hearing at Kyogle commenced on the 22nd. July, and, after listening to Oral Gould, I became aware of the seriousness of the allegations Unfortunately, I believed that no one with an atom of common sense could possibly believe him; he was constantly telling exaggerated stories about one or other of the workers and even I had woken up to him. We always checked his stories out; He was well known for telling stories; That was Oral, unfortunately, we did not realise how dangerous he could be.

As the tale unfolded at Kyogle it became more and more a farcical nightmare, only it wasn't funny! That was me they were talking about;

It was me that this was happening to and I had never even received so much as a speeding ticket in my life; I was completely isolated; I was not allowed to talk to anyone; I was even reprimanded for telephoning my son in Brisbane.

I had to listen to honest hard working men being belittled and publically embarrassed for their lack of literacy prowess. Men, served their council and community with loyalty and pride, with only a select few being aware of their deficiencies, if indeed they could be called deficiencies, were now ashamed and their families bitter. Their so called illiteracy did not hinder their capabilities nor physical skills needed to carry out the work for which they were hired. They were not hired for their secretarial skills, trained in the art of filling in forms and time sheets.

These men and all who had doubts cast upon their honesty and integrity will carry the scars and stigma of I.C.A.C. for life, regardless of whether they were innocent or guilty,

I sincerely hope that, by identifying the problems and anomalies we experienced, a just and equitable solution will be found to solve similar problems within Local Government in the future. Thereby eliminating the total waste of taxpayers and rate payers money, and the considerable cost financially to people such as myself who have had to meet their own legal expenses.

There were several areas of concern in relation to the investigations into the work practices at the Bonalbo Depot. These concerns are as follows;

1. The reliability of the commission's witnesses was never questioned.
2. Oral Gould's diary was believed; His phenomenal powers of recollection of previously destroyed diaries was also believed, even though he he could not recall recent events; eg. Exactly when I took him to Kyogle to see Patrick Knight. He asked to check his diary, when asked to recall before looking, he said it was a few days after first approaching me; it was in fact, the very next day. There was also a witness to Gould's and my conversation. This witness actually brought Gould to my office and the conversation started like this; "Lex, here is the nigger in the woodpile!"
3. Gould's honesty??? The day after the Watchdog committee visited Kyogle, Gould complained to one of his co-workers that it looked as if he would lose his job, his home and have to go to court. When his co-worker replied, "You shouldn't have told lies," Gould replied "It wasn't all lies in his diaries."
4. There was selective biased reporting by the media; Which we, the "accused" will never live down.
5. There was never any follow up or reporting of disproven accusations.
6. There was no sensitivity shown to the Illiterate workers at Bonalbo
7. Reputations and self esteem was destroyed by insensitive reporting of illiteracy within the work force.
8. I.C.A.C. did not understand nor make allowances for local politics; the country way of doing things.
9. They isolated people, allowing them no support witnesses to back up their stories.
10. I.C.A.C. informers were allowed to co-ordinate stories prior to and during the hearing, while we were kept isolated.
11. The final report was biased, giving no indication of having considered submissions nor much of the evidence in contradiction to Gould and associates allegations.
12. There has been no attempt to repair the damage done by the I.C.A.C. investigation. A council, a work force and a community carries the scars.
13. I.C.A.C.'s determination to portray me as a STAND-OVER MAN, and the fanatical attack by Council's barrister in Sydney.

THE STEERING COMMITTEE
KYOGLÉ SHIRE 'C' RIDING
Residents & Ratepayers Action Group

[REDACTED]
[REDACTED]

THE SHIRE CLERK
KYOGLÉ SHIRE COUNCIL
KYOGLÉ

26.2.92

Dear Sir,

The members of the Steering Committee of the Kyogle Shire "C" Riding Residents & Ratepayers Action Group enclose submission for consideration by Council in the matter of the possible dismissal of STANLEY LEX MOSS

STEERING COMMITTEE

MR. B. SMITH
MRS. J. MASLEN
MR. R. BARCLAY
MR. A. HARVEY
MR. D. ARMSTRONG.
MR. C. ELLISON

Yours Faithfully,

[REDACTED]

MR. D. ARMSTRONG.

THE STEERING COMMITTEE
KYOGLÉ SHIRE C RIDING
Residents & Ratepayers Action Group

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██████████

THE MEMBERS OF THE AFOREMENTIONED COMMITTEE SUBMIT THE FOLLOWING
INFORMATION FOR CONSIDERATION AS REGARDS THE POSSIBLE DISMISSAL OF
STANLEY LEX MOSS.

Lex Moss has resided in Bonalbo most of his life and for the last twenty two years he has been a loyal and committed employee of Kyogle Shire Council.

In November 1983 Lex Moss was appointed overseer at Bonalbo Depot. He replaced Ken Henry who had died due to heart attack after 14 years in the job. His death was directly related to stress generated by his job and his widow ultimately received almost \$40,000 compensation for his untimely death.

It is noteworthy to remember that when Lex Moss took the job of overseer, it was not a position he actively sought, but one he assumed by default when Council could not attract a suitable applicant from advertisements. It also should be noted that Lex Moss had ended his formal education at Intermediate - third year High School standard.

During his nine years as overseer Lex Moss gave much more than was required to the job, both in time worked and the thought given to his many responsibilities. Many of our local community would testify to this.

A list of some of the tasks that Lex Moss was responsible for, as overseer follows;-

1. BONALBO WATER SUPPLY - ARRANGE CHLORINE.
2. BONALBO BATHS - ARRANGE CHEMICAL SUPPLY & DELIVERY.
3. CARAVAN PARK -
 - a. LIASE WITH MANAGER.
 - b. TIMESHEETS.
 - c. RECEIPT BOOKS.
 - d. COLLECT & DELIVER MONIES.
4. FIRE EXTINGUISHERS - TRANSFERRAL FOR ANNUAL RECHARGING OR AS USED
FOR:- BONALBO PRESCHOOL
OLD BONALBO FIRE BRIGADE
BONALBO FIRE BRIGADE
MALLANGANEE FIRE BRIGADE
MUMMULGUM FIRE BRIGADE

17. STAFF ADMINISTRATION (FOR 19 MEN & SELF)

- a. TIMESHEETS
- b. HOLIDAYS
- c. LONG SERVICE
- d. SICK PAY
- e. WORKERS COMPENSATION
- f. ACCIDENT REPORTS.

18. CONTRACTORS & SUBCONTRACTORS -a. ADMINISTRATION OF WORK
b. SUPERVISION OF WORK.

19. PHOTOGRAPHY

- REQUIRED TO PHOTOGRAPH:-
- a. ACCIDENTS
 - b. WORKS.
 - c. BRIDGES IN FLOOD.
 - d. FLOOD DAMAGE.

20. COMMUNITY WORK

SUPERVISION OF COMMUNITY WORK FOR CORRECTIVE SERVICES DEPARTMENT.

21. ROAD WORKS

SUPERVISION OF ROAD WORKS BEING ROAD MAKING & REPAIR & INCORPORATING:-

- A. SET OUT OF WORKS.
- B. EXCAVATION OF SUBGRADES & PREPARATION OF SUBGRADES
- C. SELECTING & SUPERVISING PLACEMENT OF ROAD MAKING MATERIALS.
- D. TESTING OF MATERIALS.
- E. PLACING COMPACTING & TRIMMING MATERIALS.
- F. USE OF GEO TEXTILES FOR STABILISATION.
- G. USE OF CEMENT STABILISATION.
- H. LAYING DRAINAGE LINES TO GRADE & CONSTRUCTION OF SUITABLE PITS.
- I. SEALING WORKS.

22. SAFETY MEETINGS - ORGANISE MEETING
- ORGANISE STAFF TO ATTEND

23. COFFER DAMS

CONSTRUCTED & PUMPED OUT ON 24 HOUR PER DAY BASIS WHEN IN USE.

24. DAILY ROUTINE

SET OUT DAILY WORK FOR 19 MEN.

REORGANISE DAILY WORK WHEN (A) MEN DON'T TURN UP
(B) IT RAINS
(C) MACHINERY FAILS

25. EXECUTE ENGINEERS ORDERS.

RE. A. MAIN ROAD WORKS
B. LOCAL ROAD WORKS
C. TOWN WORKS.

26. BRIDGE TIMBER

ORGANISE A. BUYING
B. WINNING
C. MILLING
D. TRANSPORTING - TIMBER FOR BRIDGES WHICH COULD NOT BE
SUPPLIED BY CONTRACT . THIS TIMBER WAS WON FROM LOCAL PROPERTIES &
ROADSIDE VERGES.

27. BRIDGE CONSTRUCTION & MAINTAINANCE.

28. CASH TRANSFERS - FOR ANY PURPOSE. ALL FUNDS COLLECTED, CARRIED &
ACCOUNTED TO COUNCIL.

This list of duties, although not complete, gives some indication of what was expected of Lex Moss. It was indeed a complex and many faceted job requiring knowledge in many areas. It is interesting to note that at no time was he offered the opportunity to increase or upgrade his education and skills in these many areas.

The area for which Lex Moss was responsible is a large one, at least half of the Shire. He did not have a separate office at the Bonalbo Depot. He had no Fax, and no secretary or assistance with the paper work. Much of his time was spent travelling - the trip to Kyogle being at least an hour from Bonalbo.

The report of the I.C.A.C. states an opinion that "consideration" should be given to the dismissal of Stanley Lex Moss from employment with the Kyogle Shire Council.

5.

It is a reasonable summary of events to say the following in reference to Lex Moss;-

1. He has served the Council faithfully for over 22 years.
2. He gave his best as overseer for 9 years.
3. He was over worked. (pg.84 I.C.A.C. Report - "Next there is considerable evidence that Lex Moss was overworked.")
4. He was expected to maintain a road system for which there was not a definitive table of such in "C" Riding.
5. There was no clear statement of his duties.
6. There is no suggestion that he ever did anything for personal gain.
7. There was inadequate supervision and support from Kyogle.

Council has not been supportive of Lex Moss in this matter and their neglect to date has been of concern to this Riding. Whilst deficiencies in the administration of the Bonalbo Depot have been demonstrated, it would be a grave injustice to act so decisively against one member of the team - an action which could be seen as the selective dismissal of a "scapegoat" rather than what should be the sharing of liability.

The trials of the last year have fallen heavily on Lex Moss who has been accused of many things and villified by the press and other media. Besides the intense investigation by the I.C.A.C., separate criminal charges bought against him by the former Kyogle Shire Council resulting in his arrest, caused enormous distress to Lex Moss and his family. He incurred heavy legal fees to effect his personal defence. Before a magistrate these charges were subsequently dismissed for lack of evidence, without any defence being required, but the trauma and expense of the experience remains.

It is of great concern that these charges were ever bought against Lex Moss - He suffered emotionally and financially because of them - surely he has suffered enough.

6.

It is perhaps appropriate to ponder again the words of Mr. Collins in the I.C.A.C. Report (pg.84):-

"There remains the puzzling question of why Lex Moss did as he did. I have not been able to discern any personal financial motive for his actions."

And the answer is perhaps in a reply from Lex Moss to the Commissioner.

"Sir, I always tried to help the people any way we could have helped. I thought that's half the reason we were there or the full reason for Council; to serve the people, do the job.-----"

If there has ever been a singular common thread to Lex Moss and his actions, it has probably been that of an over zealous servant working to the best of his ability in disadvantaged circumstances.

It is our wish that this Council, upon "consideration" deals with this over zealous servant in a manner befitting a wise and generous master.

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The Watchdog Committee

Reviewing the Independent Commission Against Corruption Act.

I am an employee of the Kyogle Shire Council, stationed at the Bonalbo Depot. I wish to bring to the Council and the Public's attention several areas of concern relating to the I.C.A.C. Inquiry and the ensuing aftermath of the said inquiry.

Prior to becoming an employee of the Council, I was engaged as a private contractor cutting and shaping bridge components from timber, which had previously been ear-marked for removal and burning; thereby greatly minimizing costs to Council by utilizing available local resources. I continued doing this work for some time after becoming an employee of the council.

When I.C.A.C. raided the Bonalbo Depot, I gave little thought to them, as we were working hard on the many bridges in need of repair, and I assumed that it had nothing to do with me. Like many others, I was unaware of the spying activities being carried out by Oral Gould and his associates.

As time progressed, selective workers were summoned to present themselves at the Bonalbo Police Station for interrogation by two I.C.A.C. officers, regarding accusations related to improper work practices at the Bonalbo Depot. Two such incidents related to me were;

- a. receiving free tyres for my four wheel drive truck and
- b. work carried out on a private road leading to my home.

These accusations were totally unfounded and even though proof of innocence was produced i.e. receipt for payment of tyres and the availability of witnesses to disprove evidence given to I.C.A.C., neither issue was publically redressed; The accusations had been made public; nor was I given the opportunity to produce these witnesses. It was apparently far easier for I.C.A.C. to believe their informers then admit that their witnesses were unreliable.

Following this, we were then summoned to appear at the Public Hearing at Kyogle. We were denied all privileges of privacy as these summonses were handed to us in front of all the council employees. This was not only a humiliating, degrading and frightening experience, but as with all small communities, gossip spreads quickly, and the seeds of suspicion were sown and our reputations were and still are suspect.

For several days we, the accused, were on public display like common criminals, forced to listen in horror to accusations, innuendoes, distortion of truth, and fabrication of so-called events by some of our co-workers. We had to watch our friends ridiculed and belittled by "our learned city adjudicators". Men, who had given in excess of twenty years loyal service to the council and their community, were completely isolated and abandoned by their employers, whose support and loyalty to them was and is still conspicuous by its absence.

At the conclusion of the hearing at Kyogle, Wayne Albert, Lex Moss, Harry Grayson, Earl Moss, and myself were summoned to appear in Sydney; Thus, because of adverse, biased and sensational media coverage of the hearing and the manner in which the whole hearing was conducted, the main perpetrators were identified.

In Sydney, it became increasingly obvious, that not only were we under attack from I.C.A.C., but we were subjected to continual abuse from the Council's Barrister, Mr. Terricini.

We were accused of being a gang of thugs who used "stand-over tactics" to obtain WHAT? I don't know! and we, in turn, were manipulated by Lex Moss, who according to the learned Mr. Terricini, had some factitious hold over all of us. We were called liars, cheats; yelled and screamed at, and not once did Council representatives intervene on our behalf. In fact, it seemed to be the reverse, that he was acting on their instructions.

I.C.A.C.'s whole case against Bonalbo was based on Oral Gould's fantasies, lies, and his obsession to destroy Lex Moss, and let's not forget his phenomenal powers of recollection; Who else could recreate diaries destroyed years ago! The power of the written word. The whole inquiry was not only a complete waste of time, it cost an exorbitant amount of tax payers and rate payers money, which could have been used in a more productive and positive way. It destroyed reputations, self confidence and self esteem - it destroyed families by placing incredible strain on health and financial resources - it destroyed communities and the credibility of local and state government bodies by ignoring the rights of the individual - INNOCENT TILL PROVEN GUILTY. We can but live in hope, that justice will finally be done!

At no time during or since I.C.A.C. have the needs of the I.C.A.C. victims , particularly those at Bonalbo, been acknowledged or redressed by Council. Morale is at an all time low, once where people took pride in their work, there is now apathy and discontent; Loyalty to and faith in one's employers and co-workers is now non existent - each is viewed with distrust, contempt and suspicion.

Not once have we been given the opportunity to plead our case; we receive no support from Council. if we try to express our concerns and grievances we are immediately told that I.C.A.C. is over - finished - we don't want to talk about it. " Push it under the carpet and it will go away " Sounds familiar doesn't it ?

We have to cope as best as we can in an unhealthy, destructive environment, forced to work beside those who spied, fantasied, lied, and collaborated to bring about our downfall because of some misconceived notion comprehensible only to them.

After all that has happened ; the spying continues - the apathy continues - absentee'ism is ever increasing - You wonder why ? It is a simple case of having to distance oneself from an intolerable situation or losing control and physically lashing out ; This would be totally non-productive, although, being as I am, would afford considerable relief to my frustrations.

To watch daily the strutting arrogance of the so-called heroes of I.C.A.C. becomes more and more unbearable knowing that they had no hesitation in lying under oath and conspiring with Smith, Davies and Missingham to destroy not only us but also Patrick and Harry. The damage these people have done to the Kyogle Shire Council is criminal. To sit in judgement of others, when they themselves, against advice, knowingly committed breaches of Local Government and by doing so, were subject to accountability themselves. Is there one law for them and another for us!

How can our misdemeanors be blown so completely out of proportion, when a Pillar of Society, a witness ,that I.C.A.C. had no hesitation in accepting his word (quote from I.C.A.C. report) is caught stealing from R.T.A. property, the matter is hushed up and dealt with quietly by our new engineer, Bruce Leech. Then there is the continuing saga of the supposedly missing Round-Up.

Where does Ms. Davies get her information from ???

At the meeting with Council Representatives to investigate Ms. Davies concerns regarding missing ROUNd-Up, we were not given the opportunity to express our concerns regarding

a. the continuing Gould - Davies connection.

Why is he allowed to continue this practice, when other employees are expected to go through approved channels.

When the subject was brought up Mr. Leech interjected stating, "He didn't want to talk about it". He was immediately supported by Mr. Bob Graham, Bonalbo's current overseer, who had up to this point had stated, "He was going to get to the bottom of the problem.

Once again, I.C.A.C. informers can cast aspersions on the honesty and integrity of the Bonalbo workers and remain untouchable.

What do we have to do to be heard - to have a voice.

Why is it that a person who spied, gave false information to I.C.A.C. broke into overseer's office, have access to the office, store room and Duffy's Order book. No other employee has the same privileges.

Harmony at the Bonalbo Depot will only become a reality when Kyogle Council accepts responsibility for, not only the physical but the psychological well being of their employees. It is unrealistic to expect workers to co-exist with those responsible for the trauma of I.C.A.C.. It is only natural for tension and mistrust.

On the 1st. October, the watchdog committee reviewing the Independent Commission Against Corruption Act held a public meeting in Kyogle to hear complaints against I.C.A.C. procedures. This was a welcome and long overdue opportunity to discuss,

- a. the injustices and irregularities of the I.C.A.C. investigations into the Kyogle Shire Council.
- b. the insensitivity shown to illiterate workers at the Bonalbo depot.
- c. the lack of adequate investigations into complaints and complainants.
- d. the lack of understanding of the politics of a small country town.
- e. the unnecessary damage to reputations.

These complaints against the investigation, the hearing and the aftermath were heard with sensitivity and patience.

EARL MOSS

M.R. 150 ROAD SAFETY

TO REMOVE DANGEROUS LIMBS & TREES FROM ROAD & ROADSIDE.
TO IMPROVE SAFETY CONDITIONS AND VISION FOR TRAFFIC.
AT NO COST TO R.T.A. NOR COUNCIL: NO AVAILABLE FUNDS:

THE STATE FORESTRY COMMISSION WAS APPROACHED REGARDING A SIMILAR
SITUATION INVOLVING DANGEROUS TREES ON THE RICHMOND RANGE:
THESE HAVE SINCE BEEN REMOVED AT THE TAXPAYERS EXPENSE. 8/19/

DISPUTED UNPAID WORK:

M.R. 361	ROBINSON'S HILL	REMOVED TREE
TRANSLATOR ROAD	JIM BROWN'S PROPERTY	PULLED BOGGED TRACTOR/VIBRATOR
BONALBO WATER SUPPLY		REMOVED TREE
ALAN'S BRIDGE	YABBRA ROAD	SNIGGED TIMBER FOR BRIDGE. DONATED BY GAMBLEYS.NO FUNDS.
HIGHWAY 16.	MALLANGANEE	REMOVED TREES.

THERE ARE A NUMBER OF WITNESSES AVAILABLE TO CONFIRM THAT THIS WORK
WAS CARRIED OUT BY EARL MOSS.

---I'd say the fuel bill would be around 14 or 15 hundred dollars for the period of time we'd been there.

Right?---Oil, well it - probably \$50. I wouldn't have a clue on that.

Anyway, look, it's still over \$6000, isn't it, in your hand? Isn't that the sort of thing we're looking at?

---Yeah.

Even if all of these figures that you've given us are right you've still got \$6000 in the hand if the Hurfords' documents are accurate. Is that right?---Yeah, that's what I was after, that was - - -

So if you are suggesting to Mr Moss that you had to cut out \$3000 worth of work with your dozer you were only referring to half of what you really did in fact have to cut out. Is that right?---But I didn't know these figures, though, sir.

If these figures are accurate, the figure that you were discussing with Mr Lex Moss as being the figure that you had to work out or cut out with your bulldozer was half of what it should be?---Yeah.

Is that - - -?---I still can't understand the docket that I give to Lex. It comes to \$300, how it come to be less than what it is.

But if the Hurfords' business records are correct and if we take those figures that you've given us for the subcontract men and your high rate of consumption for fuel then you're looking at about \$6000 in your hand which means that the figure of 3000 you were talking about with Lex was exactly half what it should be. Do you agree with that?---Yes, sir.

MR TERRACINI: Very briefly, Mr Moss. Did you say that your experienced hand, the most expensive hand was what, \$5 a square metre or something, did you - a cubic metre? ---Yeah, that's if I pay in volume, yes, for - - -

You understand these figures pretty well. Have a look at this figure, 341.493?---Yeah. Yes.

Well, work it out for yourself, it doesn't get beyond about 14 or 15 hundred dollars?---That's for the timber faller, yeah.

Well, he's your experienced man you tell us?---Yeah.

He's your expensive man?---I just can't see what you're getting at, sir.

I think you can, Mr Moss. You gave your cousin, Lex, the overseer, you gave him a docket for \$3000. Are you sure

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E.D. MOSS

15/8/91

you didn't put another 3 in the sky rocket? You knew very well how much you were making?---I did not, sir.

Look, are you seriously telling us - - -?---Yeah.

- - - that you get gross, first of all, 16 - no, over \$17,000 from a mill and you've got no idea that - - -? ---Yeah, but I didn't get the \$17,000.

Yes, you got nearly 12?---Yeah.

You're seriously telling us, are you, that you didn't have any idea when you sat - - -?---No, I've never seen those figures before in my life.

And what, you just gave the cheque to your wife, did you? ---The mail all goes to my wife and then myself. She picks the mail up and everything is there and she banks it.

What, she doesn't tell you, "Gee whiz, they've increased the housekeeping today. A windfall of \$12,000"?---She never ever told me everything about our business, no.

What, she doesn't even tell you that she's just got \$12,000?---I'd never really asked her - - -

Come on. She got \$12,000 and you sit there and say seriously that you didn't know that your wife had received it?---No, that's right.

Your cousin, Lex, says that you told him - you?---Yes.

Told him that he owed the council about \$3000 for royalties for the timber?---Yes, that's what I told him.

Well, that's a lie?---Going on the figures of - that's what I had.

Where are your figures?---They're at home which my wife done up. They would be the same as us except I can't work out how she come up with \$3000 for the shire.

Well, there's no possibility she would have pocketed it, is there?---I don't know what - she could have made a mistake in her adding up, too.

What, just 3 for us and 3 for old Lex. Sure that's not the situation?---I don't think that's true, sir.

No? Yes, nothing further.

COMMISSIONER: Nothing arising out of that, is there, Mr Maxwell.

MR MAXWELL: No.

COMMISSIONER: Well, we'll adjourn for 15 minutes, gentlemen. You're going to call Mr Albert, then are you, Mr Maxwell?

EDWARD (TED) WEARDON

1. DROVE TRUCK: RECEIVED I.C. & ARTICULATED RATE:
LEARNT TARRING FROM AUB MAKINGS.
HAD NO PREVIOUS KNOWLEDGE OF SAME.
AUB MAKINGS RECEIVES LABOURERS WAGE.
2. TOWN GARBAGE: RECEIVED "GROG" FOR PICKING UP EXCESS GARBAGE FROM
HOTEL.
DIDN'T SHARE WITH CO-WORKERS: AUB MAKINGS/DAVID DASKEI
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7. RIPPER: STOLE RIPPER FROM BUNDOOZAL PIT.
WITNESS: ALAN (SANDY) LITTLE.

STAND OVER TACTICS

I PRESUME THE FOLLOWING WERE TED WEARDON'S CLAIMS
OF PURPORTED STAND OVER TATICS.

1. DISCIPLINED: FOR LEAVING TRAFFIC CONTROL POSITION ON DR'S HILL: M23
THUS CAUSING A POSSIBLE SAFETY HAZARD.
 2. DISCIPLINED: WASTING TIME, EARLY MONDAY MORNING DURING WORKING
TIME, ASKING IRREVELANT QUESTIONS, AT UNION MEETING.
John Lupton
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ORAL GOULD

ORAL GOULD HAS STAGED A SYSTEMATIC AND DELIBERATE VANDETTA AGAINST ME PERSONALLY. TO A LESSER EXTENT WAYNE ALBERT AND JOHN WILLIAMSON.

THIS HAS BEEN RE-AFFIRMED BY NEVILLE HANNAN, WHO WAS APPROACHED BY ORAL GOULD EARLY 1991, to TO GET RID OF ANY COUNCIL TOOLS ETC OFF HIS PROPERTY AS THE COUNCIL WAS GOING TO BE RAIDED AND THAT HE DIDN'T WANT HIM (HANNAN) INVOLVED BECAUSE HE (HANNAN) HAD BEEN GOOD TO HIS (GOULD'S) SON, AND HE ADDED THAT HE(GOULD) WAS GOING TO GET LEX MOSS.

FOR SOME UNKNOWN REASON , GOULD'S VENDETTA AGAINST ME GOES BACK SOME TIME. SEVERAL YEARS AGO, WHEN I WAS HAVING RENOVATIONS DONE TO MY HOME, I WAS REQUESTED BY THE LOCAL POLICE TO PRODUCE DOCUMENTATION OF CEMENT AND RE-ENFORCEMENT SALES. NOT ONLY DID I DO THIS BUT ALSO PRODUCED FRIEGHT DOCKETS FROM WAYNE TAYLOR: THE CEMENT ETC. HAD BEEN PURCHASED FROM HURFORDS LISMORE.

I HAD BEEN REPORTED FOR STEALING CEMENT FROM COUNCIL.

IT WAS ORAL GOULD WHO INSTIGATED THE "SUPPOSED THEFT OF POISON" FROM THE BONALBO DEPOT. THOUGH THIS WAS ALSO PROVEN TO BE INCORRECT, THAT NO POISON WAS MISSING, MERELY THAT THE PERSON SENT TO GET THE POISON COULDN'T READ THE LABEL AND SO WAS NOT AWARE THAT GLYFOSATE AND ROUNDU WAS THE SAME. ALSO THIS HAPPENED ON MY FIRST DAY BACK AFTER THE CHRISTMAS BREAK.

THERE WAS NO DISCIPLINARY ACTION BROUGHT TO BEAR ON ORAL GOULD FOR THESE FALSE ACCUSATIONS.

ORAL GOULD CONSTANLY CARRIED STORIES ABOUT ONE WORKER OR OTHER, TO THE OVERSEER, BEING BELIEVED UNTIL OTHER WORKERS WERE QUESTIONED. HIS STORIES ALWAYS SOUNDED PLAUSIBLE, UNFORTUNATELY, TO OUR COST, WE NOW KNOW HOW DANGEROUS ORAL GOULD REALLY IS.

HE BROKE INTO THE LOCKED OFFICE OF THE OVERSEER AND PAYED THE MEN BEFORE KNOCK OFF TIME. WHEN I ARRIVED BACK AT THE DEPOT AT 4.20pm. HE HAD ALREADY BROKEN IN & HANDED OUT THE PAYS. EVEN IF I DID NOT ARRIVE BACK IN TIME IT IS NOT HIS RESPONSIBILITY TO PAY THE MEN.

THIS WAS NOTED IN MY DIARY THAT WAS CONFISCATED BY I.C.A.C. NO MENTION OF CORRUPT BEHAVIOUR .

ON ANOTHER OCCASSION, HE IMFOMED ME SOMEONE WANTED MOWING DONE. I TOLD THAT ITWOULD COST \$40.00 IF HE HAD ^{TIME} HE HE COULD DO IT. HE CAME BACK WITH \$60.00 PASSING SEVERAL SHOPS WHERE HE COULD GET CHANGE. WHY???

oral gould

DURING I.C.A.C. HEARING HE LIED ABOUT MANY THINGS, SOME OF WHICH I CANNOT DISPROVE, SOME INSTANCES I COULD NOT REMEMBER, OTHERS MY VERSION WAS NOT BELIEVED: AND WAS NOT GIVEN THE OPPORTUNITY TO PRODUCE WITNESSES. ONE SUCH INSTANCE WAS REGARDING THE UNION PICNIC DAY. THE TRUTH BEING THAT I WAS APPROACHED BY TED WEARDON RE THE CHANGING OF THE VENUE FROM EVANS HEAD TO BONALBO: A MEETING OF ALL THE MEN RESULTED IN BONALBO BEING THE CHOSEN VENUE: I REFRAINED FROM VOTING. GOULD'S STORY WAS THAT I HAD INDEPENDENTLY CHANGED THE VENUE. A MINOR POINT BUT A TRUE EXAMPLE OF THE LIES HE IS CAPABLE OF TELLING. WHY??? TO ME IT WAS AN UNIMPORTANT ISSUE.

DURING I.C.A.C. HE WAS CONTINUALLY IN TOUCH WITH BERWIN SMITH AND CO. BOTH IMPARTING SO CALLED INFORMATION AND RECEIVING INFORMATION. EVEN INFORMATION DISCUSSED IN CLOSED COUNCIL. eg. HE INFORMED THE MEN AT WORK THE DAY AFTER THE COUNCIL MEETING IN TABULAM REGARDING THE OUTCOME OF COUNCILS DECISION TO DEMOTE THE OVERSEER AND APPOINT A REPLACEMENT. I, MYSELF WAS NOT NOTIFIED UNTIL THE FOLLOWING DAY BY THE WORKS ENGINEER, HARRY GRAYSON. AS SUCH EVERYONE KNEW BEFORE I DID THAT I WAS BEING DEMOTED. THIS SAYS A GREAT DEAL ABOUT THE ETHICS OF COUNCIL AND CERTAIN COUNSELLORS.

SINCE THE I.C.A.C. HEARING SEVERAL PIECES OF INFORMATION HAS BEEN REPORTED TO ME REGARDING THE CONDUCT OF ORAL GOULD BOTH PRIOR TO AND DURING THE HEARING. ONE, AUB MAKINGS, WAS TOLD NOT TO TALK TO WAYNE ALBERTS: EVEN THOUGH HE HAD ONLY SAID GOOD DAY TO WAYNE. HAD INSTRUCTED AUB MAKINGS TO TAR AND SEAL THE DRIVEWAY INTO HIS (GOULD'S) HOUSE. THIS AUB DID. IT WAS NEVER CLAIMED AS PRIVATE WORKS, HE IS CONTINUALLY SNEAKING AROUND CHECKING FUEL DOCKETS, WORK CARRIED OUT, EVEN GOING AS FAR AS CHECKING THROUGH GARBAGES.

LOCK UP SHEDS HAVE BEEN BUILT AT THE BONALBO DEPOT. ALL EQUIPMENT IS TO BE LOCKED AWAY. ON THE 17/12/91 ORAL, TED, & RON WHITNEY DID NOT LOCK UP THE PUMP AND MOTOR: THESE WERE CONSEQUENTLY STOLEN THAT NIGHT THERE HAS BEEN NO DISCIPLINARY ACTION TAKEN AND THE CULPRIT/S HAVE NOT BEEN APPREHENDED.

THERE APPEARS TO BE A DOUBLE STANDARD FOR WORKERS. THE BRIDGE GANG HAVE TO LOCK UP SAWS ETC. THIS IS NOT GOOD FOR WORKING RELATIONS. WHICH ARE STRAINED ENOUGH AS IT IS .

EDWARD (TED) WEARDON

1. DROVE TRUCK: RECEIVED I.C. & ARTICULATED RATE:
LEARNT TARRING FROM AUB MAKINGS.
HAD NO PREVIOUS KNOWLEDGE OF SAME.
AUB MAKINGS RECEIVES LABOURERS WAGE.
2. TOWN GARBAGE: RECEIVED "GROG" FOR PICKING UP EXCESS GARBAGE FROM
HOTEL.
DIDN'T SHARE WITH CO-WORKERS: AUB MAKINGS/DAVID DASKEI
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John Winton
