

NOTICE OF FILING

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This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 59
Rule 29.02(1)

Affidavit

No. NTD 17 of 2024

Federal Court of Australia
District Registry: Northern Territory
Division: General

LESLEY TURNER

Applicant

JACINTA NAMPIJINPA PRICE


Respondent

Affidavit of: **Tess O'Loughlin**
Address: [REDACTED]
Occupation: Senior Communications Manager
Date: 28 May 2025

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Filed on behalf of Lesley Turner, Applicant
Prepared by Victoria-Jane Otavski
Law firm BlackBay Lawyers
Tel [REDACTED] Fax -
Email [REDACTED]
Address for service Level 17, 20 Martin Place, Sydney NSW 2000




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5.	Annexure TOL-4, being an email from Ms O'Loughlin to Ms Hart attaching the CLC Statement dated 22 July 2024.	18	12 - 14
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I, Tess O'Loughlin, of [REDACTED], affirm:

1. I am a Senior Communications Manager at the Central Land Council (**CLC**).
2. I met Les Turner when I joined the CLC in November 2023. I have worked with Les since then.
3. Prior to July 2024, Les had a reputation among all the staff of the CLC of being highly professional and a person of integrity.
4. On 21 July 2024, the *NT News* published an article on its website titled "*Lindsay Turner dumped as Central Land Council chief executive*" (**First NT News Article**). I was notified of the First NT News Article by an alert from a media monitoring subscription service. I forwarded it to Les and Dr Josie Douglas.
5. The First NT News Article claimed that Les had been dismissed as the CEO of the CLC. It quoted from a media release which had apparently been published by Matthew Palmer, the Chair of the CLC.
6. All media releases issued by the CLC are disseminated by the communications team. I did not know anything about Mr Palmer's media release before reading the First NT News Article.
7. A short time after getting the notification about the First NT News Article, I discussed it by phone with Les. He seemed to me to be baffled and confused by it. He asked me to contact the journalist who wrote the article, Camden Smith, to find out where the story came from.
8. When I phoned Mr Smith, he informed me that the story came from a media release, but he did not say who had provided the media release to the *NT News*.




9. After speaking to Mr Smith, I discussed the CLC's response with Les, Dr Josie Douglas and Kate O'Brien, the Principal Legal Officer of the CLC. Les instructed me to ask Mr Smith to take the article down on the basis that it was inaccurate.
10. I had a couple more telephone conversations with Mr Smith during the course of 21 July 2024. I also received text messages from him, confirming that the *NT News* had taken the First NT News Article down for the time being, but that it wanted a statement from someone at the Central Land Council to explain what had happened. Copies of those messages are annexed and marked "TOL-1".
11. Because of the aggressive tone of Mr Smith's messages, I decided not to deal with him anymore, and instead contacted his editor directly.
12. Later on 21 July 2024, I spoke to Bethany Griffiths, an editor of the *NT News*, by phone, and followed up with an email, a copy of which is annexed and marked "TOL-2". The substance of what I said to Ms Griffiths on the phone was the same as what is written in the email.
13. Ms Griffiths agreed that the First NT News Article would be taken down. I followed up with a text message asking her to confirm that the article would also not be published in the next day's print edition of the newspaper, and she agreed with that too. Copies of the email and text are annexed and marked "TOL-3".
14. I first became aware of Senator Price's media release on the morning of 22 July 2024 via an alert I received through the subscription service.
15. I was the Acting Communications Manager at that time. Part of my role was to take inquiries from journalists and other parties seeking comment from the CLC on articles and other publications that referred to or were about the Council and its activities. I was extremely surprised to read the media release, because no one had contacted me for comment on the media release before it was published.
16. After I read the media release, I discussed it with my manager Dr Douglas. In consultation with Dr Douglas and other senior CLC staff including Les, it was decided that the CLC should issue a very short statement to the effect that Senator Price's media release was incorrect.
17. Later that day, after the CLC's response had been finalised and emailed to the media, I telephoned Senator Price's media adviser, Rebekah Hart, and asked her to remove Senator Price's media release from the Senator's website, as it was factually incorrect. I



referred Ms Hart to the statement the CLC had issued in response to Senator Price's media release earlier that morning.

18. Shortly after the telephone call, at 11.20am (ACST), I sent an email to Ms Hart attaching the CLC's statement. Copies of my email to Ms Hart and the CLC statement are annexed and marked "TOL-4".
19. After I sent my email, I had a further telephone call with Ms Hart. She told me that Senator Price and her staff needed evidence that a motion against Les had not been moved before they would agree to take down the media release. I was confused by this request, because it wasn't clear to me how the CLC was supposed to provide "evidence" that something had not happened.
20. I had attended the full CLC meeting held at Watarrka between 16 and 18 July 2024, and I knew that what Senator Price said in her media release had not taken place during any of the CLC sessions. I did not attend the men's only meeting on 18 July 2024, but in my experience from working at the CLC, motions and resolutions are not passed during such meetings. Men's only and women's only meetings are for discussing cultural business, not business which concerns the CLC as a whole.
21. I then asked Ms Hart where Senator Price's office had obtained Mr Palmer's media release, which was quoted at length in the Senator's media release. I told her that nobody from the CLC knew anything about it until we read it in the NT News the previous day. Ms Hart did not respond directly to my question about where they had obtained Mr Palmer's media release.
22. Sometime after our telephone call ended, at 12.42pm (ACST), she sent me an email which contained the text of Mr Palmer's media release in the body of the email. The media release was not signed by anyone, nor was it on Central Land Council letterhead, which CLC media releases always are. Ms Hart's email did not explain when or how Senator Price's office obtained Mr Palmer's media release. A copy of the email is annexed and marked "TOL-5".
23. I did not respond to Ms Hart, and I have not had any further communication with Ms Hart, Senator Price or anyone else from Senator Price's office since.
24. In the week following the publication of Senator Price's media release, Les worked from home, which is unusual for him. When he returned to the office, I saw a noticeable change in his demeanour. Les is normally a friendly and approachable person, but in the weeks following the publication of Senator Price's media release, he went into his



shell and seemed withdrawn. He seemed to me to be less confident in his body language.

- 25. According to the CLC’s media policy, the only two people who are authorised to make public comment on behalf of the CLC are the CEO and the Chair, or their delegates. Ordinarily, Les does most media appearances and interviews for the CLC himself. In the weeks after the publication of Senator Price’s media release however, I noticed that he was turning down media requests more frequently and delegating more of these media duties to other CLC staff.

Affirmed by the deponent
 at Alice Springs
 in the Northern Territory
 on 28 May 2025
 Before me:

)
)
)
)
)



Signature of deponent



Signature of witness

Dante Mavec
 Legal Practitioner

12:20

2:36

70

"TOL-1"



Camden >

Text Message
Sun, 21 Jul at 2:34 PM

You missed a call from
[REDACTED] on 21/07/2024 at
03:04 PM. No message was left.

iMessage

Please call Camden smith nt news
asap

Hi Camden, we are organising for
a CLC representative to call you as
soon as possible.

Delivered

Can you be more specific around
as soon as possible Tess? We have
deadlines and can't wait around
for some desdbeat to phone us
when they feel like it . Can you
please forward me Lesley's
contact text so o can speak with
him ... As it stands I'm writing a
story about chaos within the
central land council because
based on your phone call i feel i
should be on pretty safe legal
ground with that

And we have taken the story down

+ iMessage

Form 59
Rule 29.02(1)

Exhibit Certificate

No. NTD 17 of 2024

Federal Court of Australia
District Registry: Northern Territory
Division: General

LESLEY TURNER

Applicant

JACINTA NAMPIJINPA PRICE

Respondent



This and the following pages are **Exhibit TOL-2** to the affidavit of **Tess O'Loughlin** affirmed in the Northern Territory this 28 day of May 2025, before me:



Dante Mavea
Legal Practitioner

Filed on behalf of (name & role of party) Lesley Turner, Applicant
Prepared by (name of person/lawyer) Victoria-Jane Otavski
Law firm (if applicable) BlackBay Lawyers
Tel _____ Fax _____
Email _____
Address for service Level 17, 20 Martin Place, Sydney NSW 20 00

From: Tess O'Loughlin [REDACTED]
Sent: Sunday, 21 July 2024 5:21 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Central Land Council story 21/07/24

Hello Bethany,

Regarding your story today about the Central Land Council:

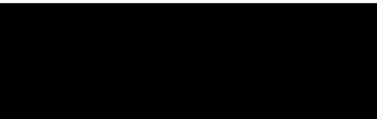
1. The story is factually inaccurate.
2. No "motion of instant dismissal against Mr Turner" was moved by council at its meeting last week.
3. Mr Lesley Turner is the CEO of the Central Land Council.
4. The media statement referred to in your story was not a CLC media statement. It was not endorsed by CLC's full council.

Regards,

Tess O'Loughlin

ACTING MANAGER - COMMUNICATIONS

Central Land Council



clc.org.au

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Form 59
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Exhibit Certificate

No. NTD 17 of 2024

Federal Court of Australia
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LESLEY TURNER

Applicant

JACINTA NAMPIJINPA PRICE

Respondent

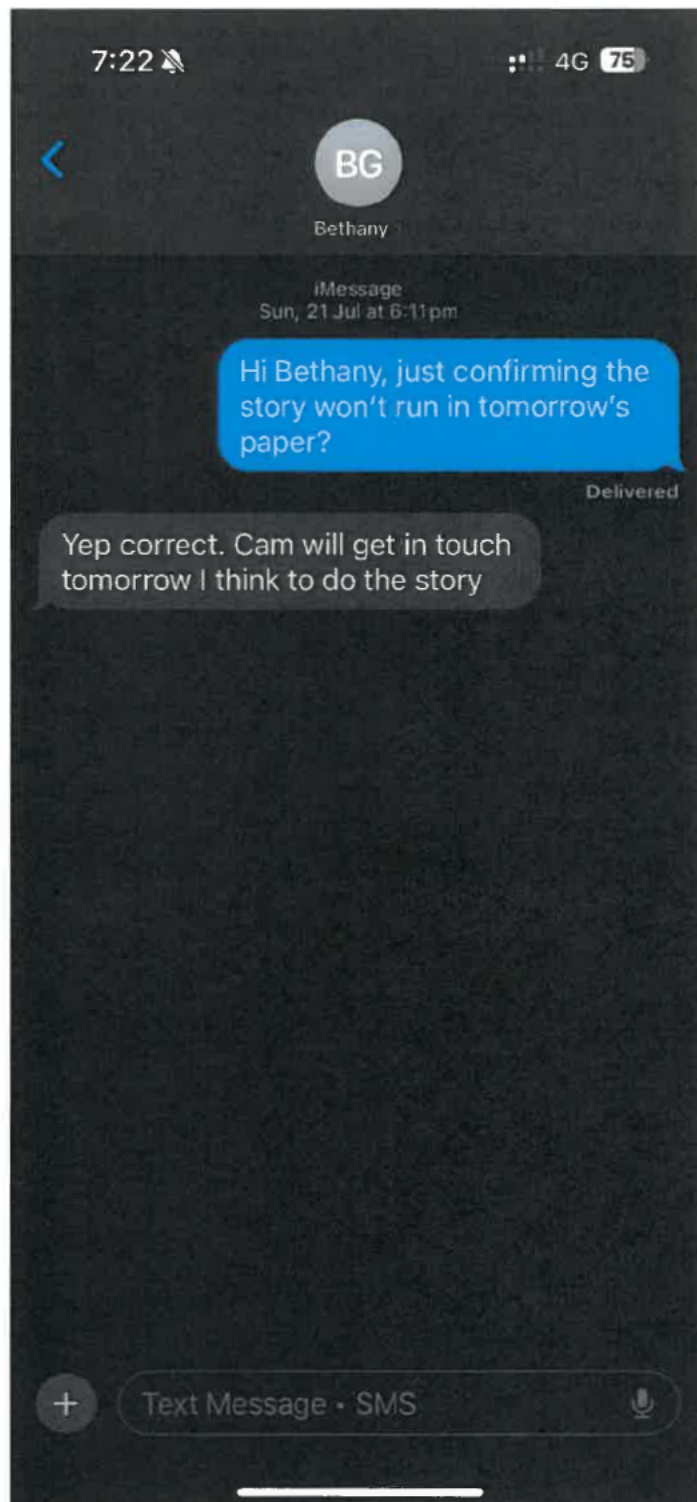


This and the following pages are **Exhibit TOL-3** to the affidavit of **Tess O'Loughlin** affirmed in the Northern Territory this 28 day of May 2025, before me:



Dante Mavec Legal Practitioner

Filed on behalf of (name & role of party)	<u>Lesley Turner, Applicant</u>
Prepared by (name of person/lawyer)	<u>Victoria-Jane Otavski</u>
Law firm (if applicable)	<u>BlackBay Lawyers</u>
Tel	<u>[REDACTED]</u> Fax
Email	<u>[REDACTED]</u>
Address for service	<u>Level 17, 20 Martin Place, Sydney NSW 2000</u>



Form 59
Rule 29.02(1)

Exhibit Certificate

No. NTD 17 of 2024

Federal Court of Australia
District Registry: Northern Territory
Division: General

LESLEY TURNER

Applicant

JACINTA NAMPIJINPA PRICE

Respondent



This and the following pages are **Exhibit TOL-4** to the affidavit of **Tess O'Loughlin** affirmed in the Northern Territory this 28 day of May 2025, before me:



Dante Mavec, Legal Practitioner

Filed on behalf of (name & role of party) Lesley Turner, Applicant
Prepared by (name of person/lawyer) Victoria-Jane Otavski
Law firm (if applicable) BlackBa yLawyers
Tel _____ Fax _____
Email _____
Address for service Level 17, 20 Martin Place, Sydney NSW 2000

From: [Tess O'Loughlin](#)
To: [Hart, Rebekah \(Sen J. Nampijinpa Price\)](#)
Subject: CLC statement
Date: Monday, 22 July 2024 11:20:39 AM
Attachments: [CLC Statement 22072024.pdf](#)

Hi Rebekah,

Thanks for your time on the phone just now. As mentioned, we are asking for the retraction of Senator Price's statement yesterday as it is factually incorrect. We have issued a statement of our own this morning, stating that there was no motion to dismiss Central Land Council's chief executive Mr Lesley Turner at its full council meeting last week.

I have attached the statement for your reference.

Kind regards,

Tess O'Loughlin

ACTING MANAGER - COMMUNICATIONS

Central Land Council



clc.org.au

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CLC statement

The Central Land Council is governed by the *Aboriginal Land Rights (Northern Territory) Act 1976* and scrupulously adheres to the Act.

Senator Jacinta Price's statement and the NT News report are inaccurate. There was no motion to dismiss Central Land Council's chief executive Mr Lesley Turner at its full council meeting last week.

Mr Turner is the CEO of the Central Land Council. Council delegates and staff of the CLC remain focused and continue to act in the interests of traditional owners and Aboriginal people across its region.

No further comment will be provided at this time.

22 July 2024

Exhibit Certificate

No. NTD 17 of 2024

Federal Court of Australia
District Registry: Northern Territory
Division: General

LESLEY TURNER

Applicant

JACINTA NAMPIJINPA PRICE

Respondent



This and the following pages are **Exhibit TOL-5** to the affidavit of **Tess O'Loughlin** affirmed in the Northern Territory this 28 day of May 2025, before me:



Donte Mavec Legal Practitioner

Filed on behalf of (name & role of party) Lesley Turner, Applicant
Prepared by (name of person/lawyer) Victoria-Jane Otavski
Law firm (if applicable) BlackBay Lawyers
Tel [REDACTED] Fax [REDACTED]
Email [REDACTED]
Address for service Level 17, 20 Martin Place, Sydney NSW 2000

From: "Hart, Rebekah (Sen J. Nampijinpa Price)" [REDACTED]

Date: 22 July 2024 at 12:41:57 PM ACST

To: Tess O'Loughlin [REDACTED]

Subject: Media Release

Caution: This message was sent from outside the CLC. Please do not click links or open attachments unless you know the sender, and are sure the content is safe. Use the **Report Phish** button to report any suspicious mail.

Hi Tess,

Further to our phone conversation earlier, please see below media release received by our office regarding what happened at last week's meeting.

Thank you.

CLC Council voice no confidence in CEO Lesley Turner

Media Release, 20 July, 2024

At this week's Central Land Council meeting, Mr Lesley Turner, CLC CEO, lost the confidence of CLC delegates.

At the full Council Meeting, members moved a motion of instant dismissal of the Chief Executive Officer based on insubordination and unprofessional conduct.

Mr Turner has been at the helm of CLC since April 2021.

Council Members expressed dissatisfaction with the current state of CLC operations that have failed to address basic needs of Aboriginal people across the region, weakening many communities and contributing to increasingly worse conditions.

Mr Matthew Palmer, CLC Chair, said, "The voices of people in community have been ignored for too long and many in this community are being kept in poverty.

Voices are ignored, people left behind and the vision of CLC has been lost.

There is majority support for change of direction and leadership in the CLC.

It is time to get things done that matter for the people in the heartland and homelands of the CLC."

While CLC values are driven by Aboriginal world views, members are insistent this needs to go further for tangible on-the-ground change. Along with radical action and progress, some members strongly support a breakaway Arrernte Land Council.

Lindsay Watson, who recently stepped into the administration of the Alcoota Station, said, "Hard questions need to be asked. Why are there Traditional Owners still living in tin sheds?

Why are we still vulnerable while living on our homelands?

Where have all the funds and resources gone that should be getting to our grass-roots, to make a difference for our mob?"

Mr Palmer declared that the time of unfulfilled promises and delay was over: "We are demanding real impacts and accountability, delivered directly to CLC members – where they live, with what is needed to thrive.

This is what self-determination looks like."

Rebekah Hart
Media Adviser

Office of Senator Jacinta Nampijinpa Price
Senator for the Northern Territory
Shadow Minister for Indigenous Australians

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