



NORTHERN TERRITORY POLICE
STATUTORY DECLARATION



PROMIS No.:	IJIS Case:	Date:
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STATEMENT OF:					
Name of Witness:	James Gray-Spence				
Date of birth:		Place of birth:		Age:	
Occupation:	Police Officer				
Home address:					
	Phone:		Mobile:		Fax:
	Email:				
Postal address:					
Work address:					
	Phone:		Mobile:		Fax:
	Email:				
Subject of statement:					

POLICE OFFICER TAKING STATEMENT:					
Name of Police officer:		Rank:		Reg. No.:	
Station:		Phone:			

SUMMARY OF EVIDENCE:

DATES UNAVAILABLE:

THE NORTHERN TERRITORY OF AUSTRALIA

OATHS, AFFIDAVITS AND DECLARATIONS ACT

STATUTORY DECLARATION

I, James Gray-Spence, of an address known to police, do solemnly and sincerely declare that:

1. My name is James Gray-Spence and I am currently the Acting Assistant Commissioner for Regional and Remote Operations, stationed in Alice Springs.
2. I was born in Darwin in 1983 and have lived in the Northern Territory my entire life outside of a year in Sydney due to a parent's work contract and several months in Queensland after high school.
3. I joined the Northern Territory Police Force (NTPF) on 14 March 2005 and was posted to Tennant Creek and Barkly Division around October that year. In Tennant Creek I relieved in Avon Downs and Ali Curung.
4. I completed my probation in Tennant Creek, staying just shy of three years, before I moved back to Darwin and was posted to Casuarina Police Station. I have served at Darwin Police Station as part of the CitySafe & Licensing Patrol Unit, and the Remote Policing Development Division attached to the now College Command, before completing my assessment for the Territory Response Group (TRG) in about 2011.
5. I joined TRG after seven years of frontline policing in regional, remote and metro uniform policing sections.
6. I was accepted into my induction courses in the TRG in around April 2012 and served in the TRG for about 9 years, prior to being promoted to Territory Duty Superintendent in May 2021.
7. When I entered the TRG, I was a Senior Constable First Class qualified up to Senior Sergeant Rank, meaning I could technically apply for Senior Sergeant positions whilst I was undertaking my TRG basic induction courses.

8. For that reason I was promoted quite quickly to Sergeant in the TRG in 2014 and commenced acting as the Officer in Charge (OIC) of the TRG in 2016 prior to being promoted substantively OIC of the TRG in March 2017.
9. I completed my basic induction course in TRG sometime after I joined due to the operational tempo at the time which meant the three to four members of my induction class finished as jurisdictionally accredited Police Tactical Group (PTG) operators by the end of 2012.
10. At the end of 2012 as a 'new boy' in TRG, I attended my first Christmas party which was one of three events, including a 'wives' and 'kids' event, put on by the TRG Social Club towards the end of each year.
11. The event recognised the efforts of team members but just as importantly the 'wives' and 'kids' parties had arguably more resources and sophistication invested in them to recognise the service and sacrifice of family units and other supports to keep TRG members doing that critical job.
12. The 'new boys' refers to recently jurisdictionally accredited operators being junior in skill and experience to more experienced TRG operators. A large part of this event is to demonstrate you don't take yourself too seriously and can leave your ego at the door.
13. The event is held at the TRG base.
14. The TRG's emblem is the bat. I don't know the background to this but as a Territory kid I am familiar with the nocturnal animals being spread through the NT and they operate effectively at night. For this reason I believe the TRG base is referred to as the 'Cave'.
15. Throughout my time in the NT Police the 'Cave' has been misconstrued as having a troglodyte inflection and that TRG operators can only 'lift concrete, not spell it'. I have also been referred to as a 'knuckle-dragger'. Caves and clubs and other motifs have long been associated with TRG.
16. The theme of this party always has a fancy dress element and for 'new boys' this is not considered optional.

17. For my first Christmas Party I dressed in a kilt, with a white shirt, and wore a silver or multi-coloured wig. Each of the parties I attended between 2012 and 2021, and I didn't attend all of them, had some element of fancy dress. I can't recall each inspiration but none of them were racist, misogynist or homophobic.
18. The TRG Christmas Party would run on a Friday which was our touch football/maintenance day with various activities until knock off. Around knock off, as some members chose to go home and not hang around, the yearly awards would be presented.
19. The yearly awards preceded my service in the TRG by many years, and most, if not all of them I believe, harked back to when TRG was the 'Task Force' formed under the auspices of the then Standing Advisory Committee on Commonwealth and State Cooperation for Protection Against Violence (SAC-PAV) post-1979.
20. One of the awards was called the 'Sooty' award which was the nickname of an ex-TRG/Task Force member who, when conducting demolition at an old police site, cut through an electrical cable and electrocuted himself non-fatally. This award was an electrical terminal and wires mounted on a board. This award was given to the TRG member who similarly injured themselves on duty in embarrassing circumstances.
21. Another award was called the 'Top Shot' award which had been awarded in the past to members who had gone to a National Counter-Terrorism course and negligently discharged their firearms during training. This was awarded to the most remarkable firearms incident that year. It was a fake handgun mounted on a wooden board.
22. Another award I believe was called the 'Eaton' award after an ex-TRG member who flooded a car or sank a boat, and was awarded for similarly coming to grief in a vehicle or vessel. This was a propeller or similar mounted on a board.
23. Another award I cannot recall the name of was a locker door that had been involved in a vehicle collision in the TRG shed. I cannot recall the specifics of why the locker door was awarded.



24. I believe the award Zachary Rolfe is referring to is the 'Noogada' (SL: NOOG-UH-DAH) award. The 'Noogada' award was given to the member of the TRG who engaged in poor conduct that resulted in a biohazard that affected the team. This award was a club or branch of some description that looks as though it was made out of pandanus nuts.
25. The award was called the 'Noogada' award not the 'Coon of the year award'.
26. As this award preceded my service in the TRG, I don't know the origins of the word 'Noogada'. My understanding is that it is a made up word that has no Indigenous connection. Other members of the TRG have suggested it is onomatopoeia that imitates the utterance of a caveman.
27. The recipient wasn't dressed up purposefully to receive the award and this third-hand observation has been conflated with the previously described fancy dress elements.
28. The award was a pandanus branch or similar, club-like in appearance but did not have nails in it.
29. I also don't know where the award 'item' or 'artefact' originated from. I've heard the item was possibly found during a search and rescue operation and taken for its unique appearance. I've heard it may have been taken from a TRG deployment to a remote community where possibly it had been used as a weapon.
30. TRG has many different spears, nulla nullas and woomeras that have been surrendered over the years from different deployments and operations. The 'Noogada' award item bears no resemblance to anything I've seen made or constructed that in my mind has actual Indigenous linkages.
31. One year between 2012 and 2016, I was the recipient of this award. I microwaved some eggs prior to physical training (PT) to eat in the Landcruiser on the way to a run. I had only half-eaten the eggs when PT was due to start so I put the container in the centre console where it sat over the weekend and festered. This resulted in the Landcruiser needing to be decontaminated the next week.
32. When I received the 'Noogada' award it was for my personal conduct alone.

33. The awards are not applied for; they are given, and a key aspect of their evolution in the TRG has been to acknowledge some incidents that otherwise could have serious consequences but at the end of each year TRG has pulled through as a team. The awards are also given out in circumstances where a member has engaged in conduct that has had a negative impact on them and the team, and the conduct is sent up at the end of the year to provide closure.
34. The purpose of the awards is to poke fun at the individual and reflect on the collective impact those moments have had on the team that year. They are not intended to be offensive nor do they intend to wound or demean the recipient.
35. I did not ever pause for thought on any of the awards during my time in TRG, or consider whether they were offensive, due to their long association with the Group, their individual meaning to the Group, and the specific instances and reasons for their award.
36. To put that in further context/perspective, members of the TRG just prior to me joining received a Commissioner's Commendation or similar for recovering the body of a young girl taken by a crocodile in Black Jungle Swamp, by wading in chest-deep water with armed police on each river bank.
37. My first job in the TRG as a 'new boy' was to help the team whilst TRG deployed to arrest a male from NSW who had decapitated his neighbour and ended up in Berry Springs armed with firearms and refusing to surrender. He was taken into custody in the bush next to his rifles and pistols.
38. Two of my last jobs were as the Sniper Coordinator deploying to arrest a person armed with an assault rifle out near Shoal Bay and as the Tactical Commander during the Hoffman mass shooting.
39. Being a member of the TRG brings with it an immense amount of pressure, both day-to-day and deploying to critical incidents, not just tactical deployments, but across the Territory and throughout Australia. Whilst the awards are mostly jocular, and the nature of their issuing and reasons for their bestowing possibly might be considered juvenile

or at times in bad taste (e.g. a person nearly electrocuting themselves) in my mind they recognise the nature of the job and are not intended to offend the recipient or be a source of negative connotation.

40. Given the evidence received by the Coroner already in relation to the 'Noogada' award was livestreamed, it has had an immediate impact on members of the NTPF, especially members of the TRG, and personnel who are Aboriginal or Torres Strait Islanders. With this further information and external inspection of this facet of TRG Christmas parties I am particularly mindful this award may continue to negatively impact the health and wellbeing of the NTPF.

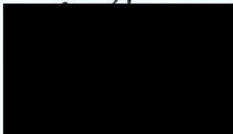
41. I unreservedly apologise for any hurt or offence caused.

42. I am sorry that the existence of this item and the way it was used in the TRG may be a source of pain, anger and division.

43. I have made enquiries since Monday's evidence and I am told the 'Noogada' award was renamed the 'Voldemort' award several years ago and I am told this was based on the inference being drawn the existing name could be perceived as offensive. The item embodying the award has not changed. The rationale for its issuing has also not changed.

44. After the evidence given to the Coroner I have contacted the Assistant Commissioner of Crime, Intelligence and Capability, who now oversees the TRG, and requested the item be removed. Prior to finalising this affidavit I have received written confirmation from the Assistant Commissioner the item has been removed and is being held pending an internal investigation.

45. The fabric of TRG was built around hard work in some of the most exacting circumstances I've experienced in my life and the way in which the team bonded through the parties around Christmas time was not on any sexist, misogynistic or racist basis,



46. I find it impossible to reconcile my lived experience in the TRG and the impact it had on me, both positive and challenging, with the external misinformed narrative that seeks to represent us as a small group of bigots without any diversity.
47. External criticism of the TRG Social Club functions is ignorant of those who attended the events who were people of colour, culturally and linguistically diverse or LGBTQ+, as well as the recent history of the TRG and the many in-house programs and initiatives TRG developed internally and ran to recruit, retain and embed diversity in its day-to-day operations.
48. From 2014-2021, the TRG actively engaged in the NTPFs strategic vision of 50/50 male/female recruitment. As the OIC of TRG I conceived of and directly led the programme to engage a University to challenge our physical employment standard (PES) so it could not be utilised as a barrier to inclusion in TRG.
49. I leveraged National projects on the Police Tactical Group (PTG) capability to inform our in-house diversity programme and as a result, save for a hurdle in the final assessments, we were nearly the first trans-Tasman PTG to have a jurisdictionally accredited female tactical assaulter.
50. We greatly increased female attendance at our assessment centres with the sole goal of bringing female tactical operators into the fold and enhancing our culture and diversity.
51. As the OIC TRG I operationalised the NTPF Respect Equity Diversity (RED) strategy into a local plan entitled 'Bullying 2017' (depending on the year) and had key personnel physically sign-up in front of the group under the plan to demonstrate poor behaviour, back-biting, bullying or unprofessional and unsafe workplace conduct would not be tolerated in TRG. I stood up in front of the group and point-blank told the membership that using racist, sexist or homophobic words and insults was unacceptable and would not be tolerated.
52. I am proud of my service in TRG and I am proud of the men and women I worked with and later led into danger on behalf of the community of the NT. The necessary level of

skill, ability and professionalism exhibited by TRG operators and other personnel in the field on operations could not occur without supporting high standards of conduct and unequivocal acceptance of the accountability and scrutiny required of a PTG.

and I further declare that:

(a) (i) I have attained the age of 18 years;

AND


(b) (i) I have read this statement before signing it;

and I make this solemn declaration by virtue of the OATHS, AFFIDAVITS AND DECLARATIONS ACT, conscientiously believing the statements contained in this declaration to be true. I acknowledge that a person who wilfully makes a false statement in any material particular is guilty of a crime and liable to imprisonment for 3 years, (*section 119 Criminal Code*). Furthermore, a person who does anything to a Statutory Declaration that results in it becoming false or misleading, is liable to a penalty of a fine or imprisonment, or both (*section 27 Oaths, Affidavits and Declarations Act*).

Maximum penalty: 400 penalty units or imprisonment for 4 years.

DECLARED AT

Alice Springs
THIS 28th DAY OF *February*, 2024.

 25/6
James Gray-spence

BEFORE ME



NAME

SANDY LAU

TELEPHONE


COMMISSIONER FOR OATHS (NT)