
TRANSCRIPT OF PROCEEDINGS

WARNING - CONTAINS LAWFULLY INTERCEPTED INFORMATION AND INTERCEPTION WARRANT INFORMATION.

These documents contain information as defined within ss 6E and s 6EA of the Telecommunications (Interception and Access) Act 1979 (Cth) (TIA Act). It is an offence to communicate to another person, make use of, or make a record of this information except as permitted by the TIA Act. Recipients should be aware of the provisions of the TIA Act.

WARNING - CONTAINS PROTECTED INFORMATION.

These documents contain 'protected information' within the meaning of s 30D of the Surveillance Devices Act 1999 (Vic) (SD Act). It is an offence to use, communicate or publish this information except as permitted by the SD Act. Recipients should be aware of the provisions of the SD Act.

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

MONDAY, 30 NOVEMBER 2020

(37th day of examinations)

BEFORE THE HONOURABLE ROBERT REDLICH AM, QC

Counsel Assisting: Mr Michael Tovey QC
Ms Amber Harris
Mr Tam McLaughlin

OPERATION SANDON INVESTIGATION

PUBLIC EXAMINATIONS PURSUANT TO PART 6 OF THE INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION ACT 2011

Every effort is made to ensure the accuracy of transcripts. Any inaccuracies will be corrected as soon as possible.

1 COMMISSIONER: It's Monday, 30 November. Ms Richards, I'm the 10:04:17AM
2 IBAC Commissioner and I'm conducting the - - - 10:04:23AM
3 MR TOVEY: We can't hear you, Mr Commissioner. Can you hear 10:04:27AM
4 me? 10:04:30AM
5 COMMISSIONER: I can. 10:04:32AM
6 MR TOVEY: Ms Richards, can you hear me? 10:04:34AM
7 MS RICHARDS: Yes, I can, and I can hear the Commissioner. 10:04:36AM
8 MR TOVEY: Ms Blair? 10:04:39AM
9 COMMISSIONER: I shall start again. Are you all able to hear 10:04:45AM
10 me? Could you just raise your hands, please? Thank you. 10:04:48AM
11 So, I'm conducting this examination pursuant to Part 6 of 10:04:52AM
12 the Independent Broad-Based Anti-Corruption Commission Act 10:04:58AM
13 of 2011. Mr Michael Tovey will be senior Counsel 10:05:00AM
14 Assisting and I authorise him to examine Ms Richards. 10:05:07AM
15 This is an inquisitorial process which means we are not 10:05:11AM
16 bound by the rules of evidence, but by and large I am 10:05:15AM
17 conducting these proceedings in accordance with the rules 10:05:19AM
18 of evidence as though - - - 10:05:22AM
19 MR TOVEY: Mr Commissioner, I'm sorry, we're just having a 10:05:26AM
20 volume problem here. Could you just give us a couple of 10:05:31AM
21 seconds? Thank you. Thank you, Commissioner. Can you 10:05:34AM
22 continue, please. 10:05:39AM
23 COMMISSIONER: Very good. So, I shall assume you heard, 10:05:40AM
24 Ms Richards, that I'm conducting this as an inquisitorial 10:05:47AM
25 process, but by and large we will apply the rules of 10:05:51AM
26 evidence. The examination is being video recorded and is 10:05:54AM
27 open to the public. Mr Tovey will ask you questions. 10:05:56AM
28 I may also ask you questions. Normally following the 10:06:02AM
29 conclusion of those questions your legal representative 10:06:07AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

will also have the opportunity to ask questions to clarify
your answers.

Ms Blair, I found it convenient, however, if you
feel that during the course of answering questions there
is further information which you feel Ms Richards should
adduce or clarify, you're welcome to interrupt and to
indicate that you would like to ask her some questions
about that, rather than wait until the end of the
examination.

MS BLAIR: Thank you, Commissioner.

COMMISSIONER: Ms Richards, we will break mid-morning, but if
at any stage during the course of the proceedings you want
to have a break or you feel it necessary for you to speak
privately with Ms Blair, just indicate that you would like
to take a break and we'll adjourn to enable you to do so;
do you follow?

The examination is being conducted by audio
videolink pursuant to Division 3 of Part 3 of the COVID-19
Omnibus Regulations of 2020. If at any stage,
Ms Richards, you cannot hear what is being said or the
questions are not clear to you, you should indicate
immediately. If it's clarification of the question that's
required, then Mr Tovey or I will repeat the question or
reformulate it so that the purpose of the question is
clear.

I note that Ms Blair of counsel is in attendance
to represent you, Ms Richards. Where an examination is
being conducted virtually using an audiovisual link, no
unauthorised person should be present in any room from

10:06:10AM
10:06:13AM
10:06:15AM
10:06:19AM
10:06:24AM
10:06:31AM
10:06:35AM
10:06:38AM
10:06:41AM
10:06:42AM
10:06:45AM
10:06:49AM
10:06:52AM
10:06:57AM
10:07:01AM
10:07:04AM
10:07:07AM
10:07:11AM
10:07:15AM
10:07:23AM
10:07:26AM
10:07:28AM
10:07:36AM
10:07:38AM
10:07:41AM
10:07:45AM
10:07:49AM
10:07:52AM
10:07:59AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

where the live stream of the virtual examination is taking place or be able to hear those proceedings, and I understand Ms Blair is in a different room to you following the proceedings.

<PAULINE LOUISE RICHARDS, sworn:

COMMISSIONER: Ms Richards, it's necessary for me to remind you of the nature and scope of the matters about which you'll be questioned. You'll be asked about your knowledge of the political donation practices of John Woodman and his business associates, agents or consultants, and how planning matters of interest to John Woodman and his business associates were advanced with elected officials at local and State Government level; your knowledge of the use of lobbyists, political donations and fundraising to assist John Woodman and his business associates, agents or consultants to gain access to public officers involved in planning and property development decision making at local and State Government level; your knowledge of matters the subject of the scope and purpose described in the attached 'Further information and directions for public examinations in Operation Sandon', in particular as they apply to planning or property development activities within Victoria that involved John Woodman, his family, his associate entities, business associates, agents or consultants; and, finally, the transparency and integrity of dealings between public officers involved in planning and property development decision making, including any person elected or seeking election to a municipal council or the parliament of Victoria, and any person who may

10:08:02AM
10:08:05AM
10:08:10AM
10:08:13AM
10:08:18AM
10:08:58AM
10:09:00AM
10:09:03AM
10:09:07AM
10:09:10AM
10:09:15AM
10:09:19AM
10:09:24AM
10:09:28AM
10:09:33AM
10:09:37AM
10:09:40AM
10:09:46AM
10:09:49AM
10:09:53AM
10:09:56AM
10:10:00AM
10:10:03AM
10:10:08AM
10:10:12AM
10:10:16AM
10:10:20AM
10:10:24AM
10:10:29AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

directly or indirectly benefit from that decision making,
including but not limited to landowners, property
developers or their consultants and any representative of
those persons including persons engaged in lobbying
activities.

Ms Richards, at the time that you were served
with a summons, were you also provided with a document
titled 'Statement of rights and obligations'?---Yes.

Thank you. And has Ms Blair or another lawyer explained the
content of that document to you?---Yes.

Do you understand the contents of the document or do you wish
to be informed about any aspect of your rights and
obligations?---I understand the document.

Very good. Well, just by way of summary, your obligation is to
answer questions which you're asked, unless you have a
reasonable excuse for not doing so. You must answer the
questions, even if they may incriminate you or make you
liable to a penalty. You must answer the questions
truthfully, otherwise you may expose yourself to a risk of
perjury which carries a penalty of up to 15 years
imprisonment. Importantly, if you answer the questions
truthfully, then your answers are not admissible and
cannot be used against you in any court, the exception
being of course if you have given a false answer, then
that answer can be used in relation to a perjury charge or
if your conduct otherwise offends a provision of the IBAC
Act. Is there anything about that that you want me to
expand on?---No, thank you.

Very good. Yes, Mr Tovey.

10:10:35AM
10:10:38AM
10:10:41AM
10:10:47AM
10:10:51AM
10:10:55AM
10:10:57AM
10:11:00AM
10:11:11AM
10:11:15AM
10:11:17AM
10:11:20AM
10:11:24AM
10:11:27AM
10:11:33AM
10:11:36AM
10:11:42AM
10:11:45AM
10:11:49AM
10:11:53AM
10:11:56AM
10:12:00AM
10:12:05AM
10:12:09AM
10:12:13AM
10:12:18AM
10:12:24AM
10:12:27AM
10:12:30AM

1 <EXAMINED BY MR TOVEY: 10:12:33AM
2 Are you Pauline Richards?---Yes, I am. 10:12:36AM
3 And did you attend here today in response to a summons served 10:12:39AM
4 on you?---Yes. 10:12:44AM
5 And was that summons numbered summons SE3326?---I assume so. 10:12:46AM
6 Yes. Yes, it is. 10:13:05AM
7 Okay. With that summons did you receive a covering letter 10:13:06AM
8 dated 21 October 2020?---Yes. 10:13:11AM
9 And you've indicated that you received a document titled 10:13:16AM
10 'Statements of rights' - sorry, 'A statement of rights and 10:13:22AM
11 obligations'; is that correct?---That's correct. 10:13:27AM
12 I tender copies of those documents, Mr Commissioner. 10:13:29AM
13 COMMISSIONER: Exhibit 309. 10:13:39AM
14 #EXHIBIT 309 - Summons SE3326 and Statement of rights and 10:13:42AM
15 obligations. 10:13:27AM
16 MR TOVEY: Ms Richards, I understand that you were elected as a 10:13:47AM
17 councillor at the City of Whitehorse in 2005 and served in 10:13:52AM
18 that role until 2007; is that understanding 10:13:59AM
19 correct?---It's about right. It was at the end of that 10:14:06AM
20 year. I think I served about maybe a bit short of two 10:14:08AM
21 years. 10:14:11AM
22 And what did you do having left the council work-wise?---After 10:14:12AM
23 I left the council I took on a role - actually, 10:14:17AM
24 simultaneously while I was still at the council I took on 10:14:22AM
25 a role with the Electrical Trades Union as a political 10:14:24AM
26 organiser. 10:14:28AM
27 And did you remain in that role for any length of 10:14:29AM
28 time?---I remained in that role about eight or nine months 10:14:34AM
29 and then became an electorate officer for Mike Symon, who 10:14:38AM

1 was the Federal member of parliament who represented the 10:14:44AM
2 Deakin electorate. 10:14:48AM
3 And over what period did you do that?---I was an electorate 10:14:50AM
4 officer for Mike Symon for about three and a half years. 10:14:54AM
5 Yes?---Maybe a little bit less, and then I became an electorate 10:14:58AM
6 officer for Laura Smyth. So I think of it as a five year 10:15:01AM
7 employment because it was employed in the same role - - - 10:15:07AM
8 Yes?---Paid by the same organisation, but working for two 10:15:13AM
9 different members of parliament. 10:15:16AM
10 And then what did you do after that?---I worked for 10:15:19AM
11 the Australian Council for International Development as a 10:15:24AM
12 Make Poverty History campaign coordinator with a role as a 10:15:26AM
13 communications officer working on - as a coalition of 10:15:30AM
14 overseas aid organisations and I undertook that role for 10:15:35AM
15 about two and a half years. 10:15:39AM
16 And then?---I stood for election as the Labor candidate for the 10:15:41AM
17 State seat of Forest Hill. I left - - - 10:15:49AM
18 Was that in 2014?---That's right. 10:15:52AM
19 Yes?---I left Make Poverty History a couple of months and 10:15:54AM
20 campaigned for the State seat of Forest Hill full-time for 10:16:00AM
21 about two months, I think. 10:16:06AM
22 Yes?---And after the election I took on a role as an adviser to 10:16:08AM
23 the Minister for Health. 10:16:12AM
24 And that was Jill Hennessy, was it?---Yes, that's correct. 10:16:14AM
25 And did you remain in that post through until the time that you 10:16:19AM
26 stood for parliament again in 2018?---I took leave, so 10:16:26AM
27 left the office in September to take on - in my capacity 10:16:31AM
28 as a candidate and had moved to part-time work sort of 10:16:40AM
29 earlier in the year. So I think around June or July 10:16:46AM

1 I sort of dropped a day, then dropped another day so that 10:16:49AM
2 I was spending more time on the campaign, and then from a 10:16:52AM
3 period in September I took permanent leave to spend time 10:16:56AM
4 on the Cranbourne campaign. 10:17:02AM
5 As an electorate officer you might be able to assist us with 10:17:04AM
6 some observations. Are you familiar with the evidence 10:17:10AM
7 that Jude Perera gave last week?---I didn't read the 10:17:17AM
8 transcript. I think I read the first couple of minutes or 10:17:22AM
9 the first 10 lines, but I didn't go much further than 10:17:25AM
10 that. But I'm happy to - I'm happy to discuss my 10:17:32AM
11 experiences as an electorate officer. 10:17:37AM
12 Did you read the newspaper reports about that?---No, I didn't. 10:17:39AM
13 Well, Mr Perera in the course of his evidence described a 10:17:46AM
14 process whereby he was aware of the fact that Woodman by 10:17:54AM
15 using the local community organisation SCWRAG had set up 10:18:04AM
16 basically a political hot potato by energising the 10:18:14AM
17 community to support the Cranbourne West rezoning. Is 10:18:19AM
18 that something that you personally were aware of at any 10:18:27AM
19 stage when you were preparing to stand for 10:18:32AM
20 parliament?---So, during the course of 2018 I became aware 10:18:39AM
21 of the Cranbourne West group and Mr Walker, Ray Walker, 10:18:45AM
22 made very frequent contact with me as a candidate, but it 10:18:50AM
23 wasn't something - - - 10:18:57AM
24 I'm just wanting - - -?---Sorry. 10:18:59AM
25 No, please go on?---But it wasn't something I was aware of 10:19:02AM
26 before taking on the role as the candidate for Cranbourne. 10:19:06AM
27 It's apparent from Mr Perera's evidence that he was well aware 10:19:10AM
28 that the SCWRAG organisation, the residents group, was a 10:19:13AM
29 front being operated by Megan Schutz for John Woodman. Is 10:19:20AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

that information which he shared with you or a suspicion which he shared with you as you headed towards the election?---It wasn't something that Mr Perera shared with me. It was something that perhaps became apparent to me and was then crystal clear after the article in The Age at the end of 2018.

Yes?---But it wasn't something that Mr Perera discussed with me.

When you say it was something that - what you say is it was something you came to suspect just by watching the way Megan Schutz operated or the way Mr Walker operated? What was it that made you aware of that?---There were several things, Mr Tovey.

Please?---Over the course of my time I had come across different residents groups in different capacities, as a councillor at Whitehorse and as a candidate in Forest Hill and a candidate in Cranbourne, and they are usually a broadly altruistic group of people who are usually, in my experience, interested in supporting some common interests, often (indistinct) around the environment or other community building elements, and Mr Walker didn't appear to display any of those or put forward anything that is in my experience usual for a residents group. And further to that, after he first approached me I decided to spend a full weekend undertaking direct voter contact in the area where he had indicated that he had a great deal of support for this particular issue.

Yes?---And after spending a full two days doorknocking, which is an old-fashioned term, and with a campaign team, it

10:19:29AM
10:19:33AM
10:19:37AM
10:19:44AM
10:19:48AM
10:19:54AM
10:19:55AM
10:20:00AM
10:20:02AM
10:20:08AM
10:20:11AM
10:20:15AM
10:20:18AM
10:20:19AM
10:20:29AM
10:20:32AM
10:20:37AM
10:20:44AM
10:20:50AM
10:20:56AM
10:21:02AM
10:21:07AM
10:21:15AM
10:21:21AM
10:21:26AM
10:21:34AM
10:21:37AM
10:21:41AM
10:21:47AM

1 wasn't raised with me even once. So, I began to become 10:21:50AM
2 perhaps suspicious that - not suspicious, maybe that's too 10:21:56AM
3 strong a word. I began to doubt his intentions and 10:22:03AM
4 whether this particular group was what it purported to be. 10:22:08AM
5 I'll take you to more as we go through. I just wanted to get 10:22:14AM
6 your general take on all this in view of Jude Perera's 10:22:18AM
7 evidence. The other thing that Mr Perera made clear is 10:22:23AM
8 that it became apparent to him, and certainly in 10:22:30AM
9 retrospect, that Megan Schutz insinuated herself with his 10:22:36AM
10 office to the extent to which she very strongly influenced 10:22:45AM
11 his office's operations in respect of the rezoning issue, 10:22:51AM
12 even to the extent to which she composed letters which his 10:22:58AM
13 office was sending to council. Is that association 10:23:03AM
14 something that he told you about or that Sammy Argiriou 10:23:09AM
15 told you about in the lead-up to the election or during 10:23:16AM
16 that last period of your candidacy?---It wasn't something 10:23:21AM
17 that they told me about, no. 10:23:26AM
18 Did you have much interaction with Jude Perera or Sammy 10:23:29AM
19 Argiriou in the run-up to the election?---I had a handful 10:23:33AM
20 of conversations with Mr Perera. At the beginning, if 10:23:39AM
21 I could perhaps separate the campaign and say at the 10:23:47AM
22 beginning of 2018, what I think of as the beginning of the 10:23:49AM
23 campaign, I met with Mr Argiriou a couple of times and 10:23:53AM
24 then after that stopped seeing him and saw him hardly at 10:23:58AM
25 all from about May or June on. I had very little - - - 10:24:05AM
26 When you say you stopped seeing him, was that for some 10:24:14AM
27 particular reason?---Yes. 10:24:17AM
28 And what was that?---I felt uncomfortable about - sorry, this 10:24:18AM
29 does not apply to Mr Perera. That's not - I'm talking 10:24:26AM

1 about Mr Argiriou. He had an approach to - an approach to 10:24:30AM
2 the community that perhaps I found to not line up with my 10:24:38AM
3 own and had made a decision that I didn't want to spend 10:24:42AM
4 any time with him. 10:24:47AM
5 Was that an approach that had anything to do with development 10:24:51AM
6 issues?---No. 10:24:54AM
7 In any event, I now just want to take you through a series of 10:24:58AM
8 events, most of which I suspect won't be very 10:25:08AM
9 controversial. One of those is early on in - sorry, in 10:25:13AM
10 2014 there was a \$4,000 contribution by a Woodman entity 10:25:27AM
11 to your electoral campaign in Forest Hill. Were you aware 10:25:41AM
12 of that?---Not - I was - the SECC, so the state electorate 10:25:44AM
13 campaign committee, managed the donations to the Forest 10:25:51AM
14 Hill campaign. 10:25:56AM
15 Yes?---I was aware, I think it was very late in the campaign, 10:25:56AM
16 that a donation had gone to the Forest Hill SECC. It 10:26:02AM
17 wasn't until - and I didn't know that name. It was not a 10:26:06AM
18 name that was familiar to me and it was not - as somebody 10:26:14AM
19 who's not a signatory to the Forest Hill SECC, it was not 10:26:16AM
20 something I was aware of until more recently when 10:26:20AM
21 Mr Woodman's name became more well known. 10:26:26AM
22 Look, I'm not suggesting there was any inappropriate link with 10:26:29AM
23 that, but from what we've heard Mr Woodman saw his 10:26:34AM
24 political contributions as an investment which would 10:26:40AM
25 hopefully, from his perspective, give him influence in 10:26:46AM
26 respect of planning decisions. Normally that would 10:26:49AM
27 involve the person who's receiving the contribution 10:26:53AM
28 becoming aware of its source and often be associated with 10:26:57AM
29 that person being briefed in respect of some planning 10:27:02AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

issue which he wanted to progress. At that time back in 2014, were you briefed by Mr Woodman or anybody associated with him in respect of any planning issues? I'm not suggesting that that would have been corrupt or inappropriate in any way. I just wanted to understand why it was that that \$4,000 contribution might have been made?---I'm unaware of being briefed by Mr Woodman, nor anyone on any planning issues. I'm unaware that there were any planning issues at all in the Forest Hill electorate. It's a long time ago, but I was not aware that there were any issues relating to any planning matters at all that were brought to my attention.

Now, at some stage earlier in 2018, I'm not sure exactly when it was but you'll probably be able to remember, you had a fundraiser at the Seaford Hotel which the documentation we have indicates was attended by John Woodman and Megan Schutz?---Yes.

You recall that fundraiser, no doubt?---Yes.

When was that? What month?---17 April, I think. Am I able to refer to notes? I think it was about the 17th.

Look, please, if you have some notes - - -?---It was 17 April.

So you've prepared detailed notes of your contacts with

Mr Woodman so far as you can recall through this period, have you, or persons associated with him?---I wouldn't call them detailed notes. I have a couple of dates on a piece of paper.

Have you been able to go back to diaries or something of that nature to assist you in putting together your recollection? I'm not suggesting there's anything wrong

10:27:07AM
10:27:14AM
10:27:19AM
10:27:24AM
10:27:27AM
10:27:30AM
10:27:36AM
10:27:40AM
10:27:43AM
10:27:48AM
10:27:52AM
10:27:55AM
10:27:58AM
10:28:06AM
10:28:09AM
10:28:15AM
10:28:21AM
10:28:22AM
10:28:28AM
10:28:36AM
10:28:39AM
10:28:43AM
10:28:47AM
10:28:51AM
10:28:56AM
10:28:59AM
10:29:00AM
10:29:04AM
10:29:08AM

1 with what you're doing, it's very helpful, but I just need 10:29:11AM
2 to know what you've looked at?---So I asked somebody who 10:29:14AM
3 was involved in the Cranbourne campaign at the time to go 10:29:17AM
4 back and have a look at the guest list. But I do recall 10:29:20AM
5 meeting Mr - it wasn't the first time I met Mr Woodman, 10:29:25AM
6 but I do recall talking to Mr Woodman at that event and so 10:29:28AM
7 I asked somebody who was involved in the campaign team to 10:29:33AM
8 get the date for me. 10:29:37AM
9 When had you first met him?---I first met him five days earlier 10:29:38AM
10 at an event which is called the Greek Tavern fundraiser. 10:29:43AM
11 Yes?---I think it's in Kew. It's an event that happens often, 10:29:49AM
12 at least seems like it happens often, perhaps happens 10:29:56AM
13 yearly, and I met Mr Woodman at that event. It was a very 10:30:03AM
14 short couple of minutes exchange that was a very 10:30:07AM
15 superficial first meeting. 10:30:17AM
16 Was that a fundraiser in any way for your benefit or - - 10:30:18AM
17 -?---That's a good question. So, it was a fundraiser for 10:30:23AM
18 the Dandenong SECC, which is the Dandenong state 10:30:27AM
19 electorate commission - campaign committee, sorry - and 10:30:31AM
20 that campaign committee later made a contribution to the 10:30:38AM
21 Cranbourne campaign, but I wasn't aware - but I don't know 10:30:42AM
22 and I wasn't certainly aware on the night if any of the 10:30:48AM
23 money that was raised from that fundraiser was then 10:30:51AM
24 transferred to the Cranbourne campaign. But there were 10:30:56AM
25 certainly two donations to the Cranbourne campaign SECC 10:31:01AM
26 from the Dandenong SECC. 10:31:05AM
27 Yes. When you first spoke to Mr Woodman at that stage, did he 10:31:07AM
28 raise any of his planning issues with you?---No, it was a 10:31:15AM
29 very noisy event with a lot of people, I think. I think 10:31:19AM

1 about 150 people, I'm not sure, and it was a very, very 10:31:27AM
2 brief introduction. I can't remember - - - 10:31:31AM
3 Did he introduce himself or was it Phil Staindl or somebody 10:31:36AM
4 like that or - - -?---No, I don't recall Mr Staindl being 10:31:39AM
5 there and I have trouble recalling who introduced me. 10:31:42AM
6 I think I was broadly moving around and catching up with 10:31:46AM
7 some people and as part of that somebody must have 10:31:54AM
8 introduced us or he started talking to me. But I can't 10:31:57AM
9 recall those details. 10:32:01AM
10 Now, following the Seaford fundraiser, there are some documents 10:32:04AM
11 which reflect Mr Woodman trying to put in place or making 10:32:12AM
12 enquiries about an arrangement he claimed he had made or 10:32:20AM
13 an undertaking he had made to you at the Seaford 10:32:25AM
14 fundraiser to run a fundraiser for you. What can you tell 10:32:29AM
15 us about that?---I've reflected a lot on that, as you 10:32:34AM
16 would imagine. Again, to present the night as a sort of 10:32:40AM
17 noisy night and I was certainly one of the three 10:32:43AM
18 candidates whose campaigns were at the centre. I had a 10:32:46AM
19 conversation with Mr Woodman. I can recall him saying he 10:32:52AM
20 was going to support me by running a fundraiser. 10:32:57AM
21 I thanked him. I probably didn't think much more about 10:33:02AM
22 it. He was a man that I perhaps took what he was saying 10:33:09AM
23 with a grain of salt. He wasn't somebody I particularly 10:33:15AM
24 knew and he seemed to be big noting himself a little bit, 10:33:18AM
25 but it was a very short conversation. I would have 10:33:26AM
26 thanked him and moved on to speak to some other people. 10:33:28AM
27 Yes. At that stage did you know he was a developer?---I don't 10:33:32AM
28 know if I knew he was a developer. I was - it's possible 10:33:39AM
29 I did know. I can't recall what I knew about him except 10:33:43AM

1 that I had met him five days earlier. 10:33:47AM

2 Yes. Did you have some sense that he might have been trying to 10:33:51AM

3 one way or the other ingratiate himself with you?---On 10:33:59AM

4 reflection, I think a lot of people in that context seemed 10:34:06AM

5 to try to ingratiate themselves and I think on reflection 10:34:09AM

6 he probably was trying to do that. But I don't think 10:34:15AM

7 I logged it in those terms in my mind. I think I just 10:34:21AM

8 moved away from the conversation and went to talk to other 10:34:26AM

9 people in the room. 10:34:30AM

10 In April there were donations of \$600 and \$750 to the 10:34:37AM

11 Cranbourne SECC. There's nothing we have which indicates 10:34:49AM

12 whether those were allocated in some way towards you or 10:34:55AM

13 towards Jude Perera, the sitting member. Are you able to 10:35:01AM

14 enlighten us in respect of those two 10:35:05AM

15 contributions?---I think I can enlighten you. Mr Argiriou 10:35:09AM

16 had organised a table and had told me he had organised for 10:35:14AM

17 some people to buy a table and I understand that those 10:35:22AM

18 donations to the Cranbourne SECC were the purchase of the 10:35:27AM

19 table for the evening. 10:35:34AM

20 What evening are we speaking about?---The Seaford Hotel 10:35:35AM

21 evening. 10:35:40AM

22 All right. Now, do you know whether that was Woodman's table? 10:35:41AM

23 Were you aware at the time that Woodman had taken a table 10:35:50AM

24 or - - -?---Sammy - Mr Argiriou presented himself as 10:35:52AM

25 having organised a table. I was a little bit unclear 10:35:56AM

26 about who was where, so it wasn't something that I logged. 10:36:02AM

27 I was not a signatory, nor did I have any access to, nor 10:36:08AM

28 much knowledge of the Cranbourne SECC and so it wasn't 10:36:16AM

29 something that I was aware of until I perhaps read the 10:36:20AM

1 article in The Age at the end of 2018 and decided to ask 10:36:25AM
2 somebody if I could see what donations were made. 10:36:33AM
3 COMMISSIONER: Ms Richards, could I just get clarification. So 10:36:40AM
4 the donation made in April 2018, do you know whether that 10:36:43AM
5 was designated just to the Cranbourne SECC? If so, for 10:36:50AM
6 whose benefit ultimately was it? Was it then known that 10:37:00AM
7 Mr Perera was not intending to stand again for re-election 10:37:03AM
8 in the forthcoming election?---Mr Perera - I had been 10:37:09AM
9 given an indication that Mr Perera was not standing for 10:37:11AM
10 re-election at the end of 2017 or perhaps around August 10:37:14AM
11 2017 and so the donation to a Cranbourne SECC would be 10:37:19AM
12 expected to be used for the Labor campaign in Cranbourne 10:37:27AM
13 at the end of 2018. So as the candidate, the Labor 10:37:33AM
14 candidate for Cranbourne in 2018, the beneficiary would be 10:37:38AM
15 the Cranbourne campaign and be used for the election, my 10:37:41AM
16 election. But, you know, I do - I am at pains to say that 10:37:47AM
17 the SECC is a body that stands separate to the candidate. 10:37:55AM
18 Yes. When was your candidacy for that seat 10:37:59AM
19 determined?---Around September 2017, September/October. 10:38:08AM
20 It's a process. September/October 2017. 10:38:13AM
21 Thank you. 10:38:17AM
22 MR TOVEY: In April of 2018 we have a communication between 10:38:21AM
23 Megan Schutz and Ray Walker about the so-called Hall Road 10:38:32AM
24 safety issue and suggesting that they should brief you as 10:38:41AM
25 the incoming member - - -?---Sorry, I missed that last 10:38:50AM
26 part. 10:38:54AM
27 Suggesting that they should brief you as the incoming member, 10:38:55AM
28 and then there is a record of a meeting some time in May 10:38:59AM
29 of 2018 between Megan Schutz and Ray Walker on one side 10:39:06AM

1 and yourself and either Jude Perera or Jude Perera's 10:39:15AM
2 office, where they - according to Ms Schutz in evidence, 10:39:19AM
3 that was at Perera's office and it was raising matters 10:39:27AM
4 relating to the Hall Road issue which was what we've 10:39:33AM
5 referred to as the H3 intersection. What recollection do 10:39:38AM
6 you have about that?---I have strong recollections of that 10:39:42AM
7 meeting. 10:39:47AM
8 Yes?---I had - can I step back to having met Ms Schutz the 10:39:48AM
9 night of the Seaford Hotel fundraiser - - - 10:39:56AM
10 Yes?---Had a discussion with her on that evening and found her 10:39:59AM
11 to be abrasive. 10:40:05AM
12 Yes?---And I was quite surprised at the approach she took in 10:40:11AM
13 the conversation I had with her at the Seaford Hotel. 10:40:20AM
14 And what was the topic of that conversation?---Well, initially, 10:40:24AM
15 so initially - so she approached me and raised - indicated 10:40:30AM
16 that she had an interest in a housing estate, a new 10:40:36AM
17 housing estate. There wasn't a lot of small talk, I would 10:40:41AM
18 say. She became - she approached me - no, she was 10:40:50AM
19 introduced to me by Mr Argiriou and immediately presented 10:40:53AM
20 herself as having an interest in a housing estate that was 10:40:59AM
21 under development. I initially started talking to her and 10:41:05AM
22 showed an interest and in fact expressed perhaps now in 10:41:11AM
23 hindsight what sounds like an odd thing, but expressed my 10:41:17AM
24 enthusiasm for a housing estate. I think I used a phrase, 10:41:22AM
25 you know, 'Great, bring people in,' you know, 'this is 10:41:28AM
26 wonderful.' 10:41:32AM
27 Yes?---She became almost immediately quite - she used quite 10:41:34AM
28 extraordinary language about some of the people I hoped to 10:41:43AM
29 become my colleagues, so Labor ministers. She immediately 10:41:49AM

1 started using language that was quite unusual and 10:41:54AM
2 extraordinary about Minister Wynne and about Minister 10:41:59AM
3 Donnellan. 10:42:05AM
4 What was she saying about that?---She just was, you know, using 10:42:05AM
5 language that was just - I can't think of the words, but, 10:42:09AM
6 you know, it was quite disparaging. It was an unusual 10:42:13AM
7 conversation for that type of event. It was an event that 10:42:17AM
8 was more suited to local Labor Party supporters and it was 10:42:23AM
9 more of a social event and she was immediately quite 10:42:31AM
10 forceful and saying things about the ministers that 10:42:36AM
11 I didn't quite understand and I couldn't understand any 10:42:41AM
12 context for because it was this unusual way that she had. 10:42:44AM
13 Was her gripe that they hadn't been of assistance in respect of 10:42:51AM
14 planning issues, something of that nature? What was 10:42:59AM
15 it?---I would call them broader brush, broader brush 10:43:03AM
16 insults about, you know, that 'Things aren't going the way 10:43:11AM
17 that the community wants them to go.' You know, 'These 10:43:14AM
18 people aren't doing' - but it was quite - I mean, you 10:43:19AM
19 know - - - 10:43:23AM
20 (Indistinct)?---The unusual nature of the conversation. 10:43:24AM
21 Yes?---I left the conversation as quickly as I could because 10:43:27AM
22 I was a little bit surprised and I just needed to put that 10:43:32AM
23 in context because initially it was brought to my 10:43:36AM
24 attention as a candidate through the campaign team that 10:43:41AM
25 there was a request for me to meet with Mr Walker and 10:43:46AM
26 Ms Schutz, and having met her at that event in April 10:43:49AM
27 I initially expressed reservation about wanting to be 10:43:56AM
28 briefed by her. Mr Perera had offered to - there was 10:44:00AM
29 another meeting going ahead on the same day that I did 10:44:08AM

1 want to attend with some local faith leaders and I had 10:44:11AM
2 agreed to attend that meeting, which was unrelated to any 10:44:17AM
3 of the matters here - - - 10:44:21AM
4 Yes?---And Mr Argiriou had then arranged for the meeting with 10:44:23AM
5 Mr Walker and Ms Schutz to happen immediately following 10:44:33AM
6 the meeting with the faith leaders that I had wanted to 10:44:38AM
7 attend. 10:44:42AM
8 Yes?---So I walked into that meeting with Ms Schutz and 10:44:42AM
9 Mr Walker feeling a level of unease and a bit annoyed. 10:44:46AM
10 Yes. And what happened? Who was at the meeting?---Mr Perera. 10:44:52AM
11 Yes?---Ms Schutz, Mr Walker and Jamie Trotter, who was working 10:44:59AM
12 for Mr Perera at the time. 10:45:06AM
13 Yes?---And again I would say - so Mr Walker perhaps was trying 10:45:10AM
14 to explain the importance of that intersection in terms of 10:45:18AM
15 its safety. 10:45:26AM
16 Yes?---And Ms Schutz became quite surprisingly aggressive quite 10:45:27AM
17 early in the meeting. Again it was an unusual - I would 10:45:38AM
18 have to say I hadn't experienced anything like her 10:45:41AM
19 approach before. She highlighted the issues around the 10:45:46AM
20 safety of the intersection and I did agree with her that 10:45:53AM
21 there were issues with safety. She perhaps pressed 10:45:56AM
22 Mr Perera that this was - he had been in government and 10:45:59AM
23 hadn't done anything about it, and then she said that if 10:46:02AM
24 there was an accident at that intersection and I had 10:46:10AM
25 failed to do anything about this as a candidate, and she 10:46:16AM
26 was much more focused on me than she was on Mr Perera, 10:46:21AM
27 that I would have blood on my hands and that she would 10:46:25AM
28 make sure that everyone knew that I had not taken action. 10:46:30AM
29 So it was not a warm nor pleasant meeting. In fact it was 10:46:36AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

quite fractious.

I mean, what role did she take by comparison with Mr Walker?

Was she the main proponent or was he the main proponent or did they share it?--I can't recall how they shared the time, but it seemed to me to be fairly equal, except that obviously her approach was much more - much more surprising.

COMMISSIONER: Ms Richards, you said that initially someone within your campaign had suggested or requested that you meet with Ms Schutz. Who was that?---So Mr Argiriou had approached Jamie Trotter, who was on my campaign, and asked him to arrange for me to attend the meeting with Ms Schutz and Mr Walker. As I said, I initially - perhaps I didn't decline, but I perhaps expressed reservation based on that experience I'd had with Ms Schutz at the south-east fundraiser. But I think I said I didn't have time. I perhaps didn't express as clearly as I wish I had the reason why. I just said that it wasn't - it didn't suit me. But when I agreed to another meeting with these faith leaders it was put to me that the meeting with Ms Schutz and Mr Walker was timed to happen straight after and so there was really - perhaps put to me that there was very little choice but for me to attend that meeting.

Yes. You said earlier to Mr Tovey that in your early meetings with Mr Woodman or Ms Schutz you didn't necessarily appreciate that he was a developer. At what point of time did it become apparent to you that Mr Woodman - firstly that Ms Schutz was acting on behalf of Mr Woodman in these discussions?---I'm not sure when it became apparent to me,

10:46:42AM
10:46:45AM
10:46:50AM
10:46:54AM
10:46:59AM
10:47:03AM
10:47:10AM
10:47:17AM
10:47:21AM
10:47:26AM
10:47:34AM
10:47:39AM
10:47:44AM
10:47:49AM
10:47:52AM
10:47:57AM
10:48:03AM
10:48:08AM
10:48:11AM
10:48:15AM
10:48:20AM
10:48:25AM
10:48:30AM
10:48:33AM
10:48:41AM
10:48:48AM
10:48:51AM
10:48:57AM
10:49:02AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

but it may not even have been apparent at that meeting in
May. So I think it took quite a long time for me to be
aware that they were all working - for whom they were
working. In fact, to be frank, I didn't understand the
difference between Mr Woodman and Watsons and I think
about that time it began to be apparent to me, but I'm not
sure that Mr Woodman and Ms Schutz were working together.
But I can't give an absolute time, but I think it was a
creeping revelation.

Yes, and you understood then that Mr Woodman was a developer
when that - or when did you first become aware of
that?---I think probably all around the same time. So if
I think about those events around meeting him at the Greek
fundraiser, at the Greek Tavern fundraiser, then meeting
him at the Seaford Hotel five days later, and then meeting
Ms Schutz, I think around that time it started to become
apparent to me. But to be clear, Commissioner, I didn't
think much about him. I didn't - he didn't enter into my
mind much because as a candidate I was much more focused
or entirely focused, actually, on doing the direct voter
contact that I was compelled to undertake and that those
matters were not something that I spent a lot of time
thinking about.

So around this time there was a creeping realisation that
Mr Woodman must have had some financial interest in some
of these matters that were in issue at the
council?---I think it must have been around or certainly
the beginning - before June, so certainly in that first
stage. It was also being raised with me - the issue was

10:49:07AM
10:49:11AM
10:49:16AM
10:49:22AM
10:49:26AM
10:49:31AM
10:49:37AM
10:49:45AM
10:49:50AM
10:49:52AM
10:49:57AM
10:50:04AM
10:50:07AM
10:50:13AM
10:50:18AM
10:50:22AM
10:50:26AM
10:50:30AM
10:50:38AM
10:50:44AM
10:50:51AM
10:50:55AM
10:51:01AM
10:51:05AM
10:51:12AM
10:51:16AM
10:51:24AM
10:51:26AM
10:51:29AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

being raised with me by Councillor Ablett at every opportunity he had, and so it was becoming apparent to me that this was something that was important to some people and that Mr Woodman was involved in that, but I don't think there was one moment of revelation. I think it was much more - much more of a slow realisation.

Yes?---But I can't - I can't be clear when that was.

Yes, Mr Tovey.

MR TOVEY: You mentioned Councillor Ablett. I was going to shortly take you to some records, notes made by Ray Walker of what has been referred to as the Cranbourne West rezoning action group, which at that stage included Mr Ablett, who was then mayor, as I understand it, even though he was conflicted in respect of this. Nevertheless, those notes would indicate that it was being suggested that Ablett should be telling you that if you didn't sign off on the rezoning, they, that is the council, or it's not clear whether it was the council or whether it was SCWRAG, would maintain a campaign against Labor. But, on the other hand, if you assisted they would assist with your campaign. Are you able to give us any further light in respect of that? Having mentioned approaches from Councillor Ablett, when were those approaches, how were they put, what were they about?---Mr Ablett is not somebody I knew before the beginning of 2018 when I became preselected and subsequently moved into the area. But I did come across him from time to time, particularly at sports functions. So, the local football club would have lunches and he

10:51:35AM
10:51:38AM
10:51:42AM
10:51:47AM
10:51:50AM
10:51:55AM
10:52:01AM
10:52:08AM
10:52:10AM
10:52:14AM
10:52:22AM
10:52:28AM
10:52:38AM
10:52:44AM
10:52:48AM
10:52:54AM
10:53:00AM
10:53:06AM
10:53:11AM
10:53:18AM
10:53:22AM
10:53:27AM
10:53:33AM
10:53:37AM
10:53:45AM
10:53:49AM
10:53:53AM
10:54:01AM
10:54:05AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

would often approach me. He called me on - I had a campaign telephone. He called me quite often. I didn't return many of his calls. And he put to me that this was something that was electorally very important. I can't think of - sorry, I can't think of - my relationship with Mr Ablett was not, you know, particularly close. He is from the other political team.

Yes?---He had been a Liberal candidate. I knew historically had been a Liberal candidate. So, you know, I'm not by inclination seeking him out for his opinion on things, to be again frank. So he, rather than raised the issue as such, he was inclined to say I ought return Mr Walker's phone calls and I ought meet Mr Walker. So he wasn't putting it in quite those sorts of terms, you know, 'We will support - I will support you if you support this project that's important to me.' He had a couple of projects, an equestrian project as well he was often raising with me when we found ourselves standing next to each other, but his main early discussions with me were just asking me to return Mr Walker's calls because he felt I wasn't being responsive to Mr Walker.

We know Mr Walker was only ever concerned about two issues and that SCWRAG was only ever interested in two issues. They were, firstly, the Cranbourne West rezoning and the H3 intersection. Which, if any, of those did Mr Ablett discuss with you?---I can't recall which of those. Like I said, he was much more insistent that I return Mr Walker's calls, but I can't recall which of those two issues had the most importance in his discussions with me.

10:54:08AM
10:54:16AM
10:54:21AM
10:54:28AM
10:54:34AM
10:54:38AM
10:54:43AM
10:54:46AM
10:54:53AM
10:54:59AM
10:55:04AM
10:55:12AM
10:55:18AM
10:55:22AM
10:55:29AM
10:55:32AM
10:55:35AM
10:55:40AM
10:55:44AM
10:55:51AM
10:55:56AM
10:56:00AM
10:56:07AM
10:56:13AM
10:56:19AM
10:56:26AM
10:56:32AM
10:56:41AM
10:56:43AM

1 I think he probably recognised that I might have a degree 10:56:50AM
2 of suspicion about any issues that he brought because of 10:56:57AM
3 our political differences or perhaps not (indistinct) 10:57:02AM
4 - - - 10:57:02AM
5 Yes?---Because he wasn't somebody I knew, but he was much more 10:57:08AM
6 interested in asking me to return Ray Walker's - he used 10:57:11AM
7 to call him 'Rocket Ray', you know, 'Could you please 10:57:18AM
8 return Rocket Ray's phone calls,' because by then I was 10:57:22AM
9 getting quite frequent calls from Mr Walker and so rather 10:57:26AM
10 than raise the issues themselves I think he was much more 10:57:30AM
11 inclined to channel me through Mr Walker. 10:57:34AM
12 Yes. 10:57:39AM
13 COMMISSIONER: Ms Richards, you said that Mr Ablett said to you 10:57:40AM
14 that the - I'm not sure if it was the H3 issue or the 10:57:49AM
15 rezoning - was electorally very important?---Yes. 10:57:53AM
16 Is that electorally very important to him or to you?---To me. 10:57:57AM
17 How did you take that, given that you wouldn't expect someone 10:58:07AM
18 from the opposing political party to be interested in 10:58:10AM
19 advancing your electoral prospects?---So, Commissioner, 10:58:15AM
20 I took it with some suspicion because of what I just 10:58:20AM
21 indicated. But, more importantly, I can't express enough 10:58:24AM
22 how important it was that I spent time doing direct voter 10:58:33AM
23 contact in the estate that was the one that Mr Walker and 10:58:37AM
24 Councillor Ablett both said were where the people lived 10:58:45AM
25 who would feel aggrieved if there was an industrial estate 10:58:48AM
26 nearby, and if after two full days in that estate and not 10:58:52AM
27 one person raised this issue with me as important, then 10:58:59AM
28 I questioned Mr Ablett's political insight. I didn't have 10:59:06AM
29 necessarily - I didn't have any suspicions about anything 10:59:16AM

1 nefarious. I just thought he had poor insight. I did 10:59:18AM
2 though - actually, I should be clear. That was the issue 10:59:24AM
3 as it related to the land, but the issue as it relates to 10:59:28AM
4 the intersection was different. That was something that 10:59:32AM
5 I did think was important because it was something that 10:59:35AM
6 people were raising with me when asked an open question. 10:59:40AM
7 So, in making voter contact we do it by telephone or on 10:59:46AM
8 the door, doorknocking, and when I asked people what was 10:59:50AM
9 important, people were identifying the intersection as 10:59:55AM
10 being something that was important to them because they 10:59:57AM
11 saw it as a safety issue. But nobody - nobody, apart from 11:00:00AM
12 Mr Walker - was raising an issue with the land. 11:00:07AM
13 I'm sorry, I don't know if you gave us a date. When do you 11:00:13AM
14 think that two-day doorknock was?---It was around May or 11:00:16AM
15 June, I think. I was wanting to test these ideas that 11:00:24AM
16 were being put to me that this was something that would 11:00:36AM
17 have the potential to be very important, it's a very 11:00:39AM
18 marginal seat, and that it would be something that might 11:00:45AM
19 tip people to vote Liberal. 11:00:48AM
20 So it appears then, Ms Richards, that by mid-2018 we have the 11:00:56AM
21 intersection of two important factors. One is your 11:01:04AM
22 recognition that there didn't seem to be the community 11:01:12AM
23 support which some people were beating the drum about and, 11:01:15AM
24 second, your realisation that Mr Woodman and his group 11:01:21AM
25 obviously had some financial interests which depended upon 11:01:25AM
26 certain planning decisions being made that would favour 11:01:31AM
27 them. Did you put the two things together?---I don't know 11:01:36AM
28 that I did until later. I again don't - I certainly 11:01:39AM
29 hadn't associated Mr Walker with Mr Woodman in a way that 11:01:46AM

1 I think has become clear once that article in The Age 11:01:53AM
2 appeared. I don't think I had a direct association. 11:01:56AM
3 I didn't think much about Mr Woodman because he wasn't 11:02:02AM
4 somebody who was important to me and, apart from meeting 11:02:09AM
5 him those two times, he wasn't somebody that entered into 11:02:19AM
6 my mind very often, if at all. I found Mr Walker entered 11:02:22AM
7 into my mind because he was making contact with me, and 11:02:30AM
8 Mr Ablett, but I didn't put all of them together in a way 11:02:34AM
9 that I now understand that they were linked. 11:02:40AM
10 Yes, Mr Tovey. 11:02:46AM
11 MR TOVEY: Moving again to a note which was made on 23 June of 11:02:48AM
12 2018, that's the note wherein Ray Walker recorded a 11:02:54AM
13 proposal that 'they', that is I assume SCWRAG, should tell 11:03:04AM
14 you that if you didn't sign off on the rezoning they'd 11:03:11AM
15 mount a campaign against Labor, but if you took the 11:03:16AM
16 opposite view they'd assist with your campaign. Did any 11:03:20AM
17 of your communications with Mr Walker go so far as to 11:03:25AM
18 suggest that?---I can't recall it being put as expressly 11:03:30AM
19 as that. 11:03:36AM
20 Yes?---I was incredibly busy trying to undertake a really high 11:03:37AM
21 number of direct voter contact. I have no recollection of 11:03:48AM
22 him putting his view in those type of terms. It wouldn't 11:03:53AM
23 surprise me, but it's not something that I can recall. 11:04:01AM
24 That indeed was a strategy being put by Mr Ablett. No doubt 11:04:07AM
25 that would surprise you in view of the fact that you'd 11:04:13AM
26 expect that you wouldn't have a Liberal proposing a 11:04:16AM
27 strategy to support your campaign?---That's right. 11:04:21AM
28 I again reiterate that I perhaps took Councillor Ablett's 11:04:27AM
29 advice with a grain of salt. 11:04:32AM

1 Right. 11:04:34AM

2 COMMISSIONER: I'm sorry, Ms Richards, this wasn't advice. 11:04:37AM

3 This was really a request that you do something?---Sorry, 11:04:40AM

4 yes. 11:04:43AM

5 And I just wonder why it never occurred to you that if it 11:04:45AM

6 wasn't the community interest that was being pursued and 11:04:49AM

7 yet a request like this was coming from Mr Ablett, that it 11:04:56AM

8 didn't at least cross your mind that there might be some 11:05:00AM

9 other explanation?---I again probably go back to the fact 11:05:03AM

10 that I was very, very busy doing the work of trying to win 11:05:15AM

11 an election and I didn't put a lot of thought into 11:05:21AM

12 Councillor Ablett's activities. I found them to be - it 11:05:30AM

13 just was not something that I was exercised by. I'm a 11:05:37AM

14 mother of lots of children and I was campaigning and 11:05:43AM

15 Councillor Ablett wasn't somebody who I thought much about 11:05:45AM

16 and I didn't spend - I don't recall thinking that he was 11:05:52AM

17 behaving in a way that might have ulterior motives. 11:05:59AM

18 I thought simply that he was odd. 11:06:03AM

19 Yes, Mr Tovey. 11:06:08AM

20 MR TOVEY: Then in July of 2018 there are a series of 11:06:13AM

21 communications indicating that Woodman has bought a couple 11:06:20AM

22 of tickets and one of the documents refers to, given your 11:06:28AM

23 significance, that is Pauline Richards' significance in 11:06:40AM

24 the scheme of things, to a lunch or a fundraiser which he 11:06:45AM

25 ultimately couldn't attend and was attended by Phil 11:06:51AM

26 Staindl and Tom Kenessey from Leightons. Now, do you 11:06:56AM

27 recall that lunch?---Yes. 11:07:05AM

28 What was the nature of the function?---Slatters, the law firm, 11:07:08AM

29 had organised a boardroom lunch and it was to support some 11:07:16AM

1 female candidates in the area and I was unaware that 11:07:21AM
2 Mr Woodman had purchased the tickets. I was only aware 11:07:28AM
3 that - I was introduced at the lunch to Mr Kenessey and 11:07:31AM
4 I obviously already knew Mr Staindl. 11:07:36AM
5 When you speak about a boardroom lunch, was that organised 11:07:41AM
6 through Progressive Business or was it something which 11:07:47AM
7 Slaters were doing off their own bat?---I understand 11:07:50AM
8 Slaters were doing it off their own bat, but I am making 11:07:53AM
9 that assumption with - just to reinforce that I was not 11:07:57AM
10 involved in any of the fundraising activities. My role 11:08:04AM
11 was simply to turn up. But I understand it to have been 11:08:08AM
12 something that was organised by Slaters. 11:08:14AM
13 Can you tell us how it was set up, that is the lunch 11:08:17AM
14 itself?---Yes. So it was a large boardroom in the part of 11:08:25AM
15 Melbourne near the market, I think, and we had a meal 11:08:34AM
16 together. I think that there was other - maybe 12 people 11:08:44AM
17 around the table, maybe more, and we had a meal and a 11:08:49AM
18 discussion, so it was probably potentially my only 11:08:54AM
19 experience of a boardroom lunch. 11:09:00AM
20 Yes. And when you were there you spoke to Phil Staindl and Tom 11:09:01AM
21 Kenessey, did you?---Yes, I sat next to them. Mr Kenessey 11:09:13AM
22 was on my left and Mr Staindl was on my right. 11:09:18AM
23 And what was their interest?---So I was - Mr Kenessey only 11:09:23AM
24 spoke about his family, so we only had social 11:09:27AM
25 conversations. I can't remember talking to Mr Staindl 11:09:30AM
26 much at all, but I don't recall him discussing any 11:09:34AM
27 matters - in fact I was unaware at the time that he 11:09:40AM
28 was - I was unaware that Leightons were the holders of the 11:09:45AM
29 land. I just knew him to be a man who was sitting next to 11:09:49AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

me at a lunch and I was unaware how that came about, but
that I was to be there.
And what about Phil Staindl? Did you know he was working for
John Woodman as a lobbyist?---I think I did know that,
yes. I understood Mr Staindl to be working - sorry.
(Indistinct) tell you it must have been apparent - made
apparent to you on the day that it was Watsons or Woodman
who was responsible for the purchase of the two chairs at
the lunch?---I can't recall if it was made apparent to me
or when it was made apparent to me. I saw Mr Staindl as
the person who had coordinated that element, but I didn't
do any of that - I didn't have anything to do with that,
from my recollection, but I can't recall clearly how that
came about. I may have sent an invitation to Mr Staindl.
But the usual practice would have been for somebody in the
campaign team to distribute an invitation to people to an
event like that.
How much were the tickets?---I can't recall, but I recall -
I can't recall, but they were expensive. Some tickets
were I think in the order of up to \$1,000, some were \$150.
We just had to fill a table.
Were you the guest of honour?---No, I wasn't.
Who else was there from political circles?---The Minister for
Health was there, the then Minister for Health, and Sonya
Kilkenny was there. So it was organised by Slaters and
I think it was in support of the Carrum campaign and the
Cranbourne campaign.
Yes?---And I assume there was another candidate, but I can't
place in my mind who that was.

11:09:53AM
11:09:58AM
11:10:00AM
11:10:04AM
11:10:07AM
11:10:13AM
11:10:18AM
11:10:24AM
11:10:30AM
11:10:39AM
11:10:44AM
11:10:49AM
11:10:54AM
11:10:58AM
11:11:06AM
11:11:08AM
11:11:13AM
11:11:15AM
11:11:20AM
11:11:23AM
11:11:35AM
11:11:36AM
11:11:39AM
11:11:44AM
11:11:50AM
11:11:56AM
11:12:01AM
11:12:02AM
11:12:10AM

1 Now, following that, Mr Kenessey contacted you telling you that 11:12:16AM
2 he was going to be in touch about a further fundraiser or 11:12:27AM
3 I think about a function that you and he had discussed. 11:12:33AM
4 What was that about?---I can't recall that. 11:12:37AM
5 Can you look at 4672, please. If you just scroll down, please. 11:12:43AM
6 Do you see that excerpt? Is that WhatsApp? Yes, so 11:13:19AM
7 that's a WhatsApp communication?---I think it's Messenger. 11:13:27AM
8 I don't think I had WhatsApp. 11:13:32AM
9 Okay. 'Hi Pauline, great to chat with you at lunch today. 11:13:34AM
10 We'll be in touch shortly regarding the function we 11:13:40AM
11 discussed.' What was that function?---I can't recall. 11:13:43AM
12 I assume he offered, based on that text, that he must have 11:13:51AM
13 offered to organise a boardroom lunch. 11:13:55AM
14 You see, it would appear that there had been a discussion about 11:13:58AM
15 a further fundraiser being provided by him or Leightons. 11:14:04AM
16 You say you have no recollection about that?---No, 11:14:11AM
17 I don't, but I accept that he may well have, yes. 11:14:15AM
18 I accept that he has. 11:14:17AM
19 He wouldn't have the - sorry. The thing is it occurs to one 11:14:18AM
20 that as a matter of common sense he wouldn't be talking to 11:14:31AM
21 you about organising a further function unless there has 11:14:33AM
22 been some discussion with you about what his role was. 11:14:40AM
23 You would accept that as a common sense proposition. 11:14:49AM
24 Having seen that, do you think it was perhaps the fact 11:14:54AM
25 that he or Phil Staindl had made some reference to 11:14:56AM
26 Leightons' interest in the rezoning?---I still maintain 11:15:01AM
27 that I was unclear of the role that Leightons, Woodman, 11:15:07AM
28 Watsons and Staindl had as they related to each other on 11:15:13AM
29 that rezoning or land generally. I had been given 11:15:17AM

1 instructions to stay away from issues of planning and so 11:15:24AM
2 I accept that he has made an offer. I was aware he worked 11:15:28AM
3 for Leightons, but I was unaware of the relationship 11:15:34AM
4 between - I had no clarity in my mind of the relationship 11:15:39AM
5 between Leightons, Watsons, Woodman and Staindl. They 11:15:43AM
6 were - it was unclear to me. 11:15:50AM
7 Could we go back to 4671, please? I tender that page, 4672, 11:15:58AM
8 Mr Commissioner. 11:16:07AM
9 COMMISSIONER: Yes. That will be exhibit 310. 11:16:09AM
10 #EXHIBIT 310 - WhatsApp message, page 4672. 11:16:12AM
11 COMMISSIONER: Ms Richards, so by this point of time we've got 11:16:22AM
12 communications coming to you from Schutz, from Woodman, 11:16:24AM
13 from Kenessey, from Staindl and, if I followed your 11:16:29AM
14 position correctly, you hadn't yet pieced together that 11:16:40AM
15 the particular interest that they were showing in you 11:16:48AM
16 might have suggested that behind this all was some 11:16:52AM
17 financial interest that they stood to gain?---I don't 11:16:56AM
18 think it was clear to me that that was their strategy or 11:17:01AM
19 their intention. I feel naive to think of it, but I had 11:17:10AM
20 an idea that they shared values with the campaign and they 11:17:18AM
21 were interested in the re-election of the Labor 11:17:25AM
22 government, but I didn't see what they were doing as 11:17:31AM
23 something that was furthering their interests in those 11:17:35AM
24 terms. 11:17:44AM
25 Yes. So you've told us you knew that Mr Staindl was a 11:17:45AM
26 lobbyist?---Yes. 11:17:52AM
27 And he was representing Woodman's interests?---I understood 11:17:53AM
28 Mr Staindl to be a lobbyist and representing many 11:17:58AM
29 interests, and I understood him to be representing 11:18:01AM

1 Mr Woodman's interests. 11:18:03AM
2 Yes?---But I didn't see him as being only representing 11:18:06AM
3 Mr Woodman's interests. I thought he represented many 11:18:12AM
4 people's interests. 11:18:16AM
5 Yes. Did you know that Mr Kenessey was a lobbyist?---No. 11:18:17AM
6 And so you didn't seek to enquire as to what interest of 11:18:23AM
7 Mr Woodman's Mr Staindl was pursuing?---No. 11:18:29AM
8 I'm just wondering if we look ahead, Ms Richards, to the end of 11:18:36AM
9 this investigation and a report and recommendations that 11:18:43AM
10 might be made to government about what seems to me to be 11:18:49AM
11 some badly needed reforms, one of them is in the area of 11:18:54AM
12 lobbying. And, as you said, your focus here was on the 11:18:59AM
13 campaign and winning the election. Do you think if there 11:19:07AM
14 was a law which required someone in your position, once 11:19:11AM
15 they were approached by a lobbyist, to keep some record of 11:19:16AM
16 those contacts perhaps to inform themselves as to the 11:19:21AM
17 interests that the person lobbying you represented, do you 11:19:29AM
18 think if there was a law that required that, that your 11:19:33AM
19 level of ignorance or uncertainty about their interests 11:19:38AM
20 might have been different?---Yes. 11:19:43AM
21 Yes. Yes, Mr Tovey. 11:19:46AM
22 MR TOVEY: Can we have up on the screen that last document, 11:19:58AM
23 4671. So this is some six days after the communication 11:20:03AM
24 from Mr Kenessey to you and you got back to him 11:20:16AM
25 indicating, 'Jamie Trotter is my campaign director.' So 11:20:23AM
26 what I'm suggesting to you is from all that it's tolerably 11:20:28AM
27 clear that he has offered to put together a function or to 11:20:32AM
28 assist in having put together a function which is going to 11:20:38AM
29 provide some campaign funding and you've put him in touch 11:20:42AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

with your campaign director so he could do that. Would you agree that that was the case?---I accept that. I can't recall it, but I accept it.

And so once again you've had an offer of campaign funding or a fundraiser from Mr Woodman early on you've told us about, the Seaford function. Then you've had this from Mr Kenessey. What did you think that was about at the time?---I again imagined that they supported the values and aspirations of the government and were seeking to support a marginal campaign and that I imagined that they were supporting Cranbourne and potentially other campaigns as well, but I didn't involve myself in the fundraising of the campaign any more than I had to. As I said, there was an SECC, which is a body that's established to manage campaign donations and it's kept separate from the candidate, and I was updated once a month as part of a meeting on the campaign plan and whether there was enough resources to acquit the campaign plan, but I was instructed and encouraged to only focus on direct voter contact and the details of the management of the day-to-day running of the campaign ought stay away from me so that I could fulfil what was quite onerous targets of direct voter contact to win a very marginal seat.

COMMISSIONER: Ms Richards, you said earlier that you were actually given instructions to stay away from planning?---Yes.

Is that part of the campaign advice to you, is it?---Early in 2018, and I can't remember when, Mr Argiriou approached me

11:20:47AM
11:20:49AM
11:20:53AM
11:20:58AM
11:21:08AM
11:21:11AM
11:21:17AM
11:21:23AM
11:21:36AM
11:21:42AM
11:21:49AM
11:21:53AM
11:22:00AM
11:22:06AM
11:22:10AM
11:22:14AM
11:22:22AM
11:22:31AM
11:22:36AM
11:22:43AM
11:22:48AM
11:22:50AM
11:22:57AM
11:23:03AM
11:23:04AM
11:23:07AM
11:23:11AM
11:23:12AM
11:23:23AM

1 to speak to me about a planning issue and asked me to 11:23:33AM
2 organise a briefing from the minister's office. 11:23:39AM
3 I received a telephone call early in 2018 from somebody 11:23:44AM
4 from the minister's office, Minister for Planning's 11:23:51AM
5 office, and he said to me that I ought as a candidate not 11:23:55AM
6 be involved in any aspects that relate to planning, that 11:24:01AM
7 I ought stay away from planning as an issue. 11:24:05AM
8 Can you remember who that was?---I can't remember the name of 11:24:11AM
9 the adviser, but it was an unusual and very short phone 11:24:16AM
10 call. 11:24:20AM
11 Yes. And that followed some request or suggestion by 11:24:21AM
12 Mr Argiriou that you do otherwise?---Yes, that's right. 11:24:26AM
13 Is that part of your earlier, you indicated, reasons for 11:24:31AM
14 wanting to limit your dealings with him?---Yes. 11:24:38AM
15 Had he - - -?---No, my dealings with Mr Argiriou? 11:24:42AM
16 Yes?---That wasn't the primary reason I wanted to limit my 11:24:48AM
17 dealings with Mr Argiriou. 11:24:55AM
18 Yes. You said it had something to do with his approach to 11:24:57AM
19 community interests. Without descending into detail, what 11:25:02AM
20 was the difference between you?---It was the way he 11:25:07AM
21 approached his discussion about women. 11:25:15AM
22 Okay. All right. Yes, Mr Tovey. 11:25:19AM
23 MR TOVEY: Was Mr Herrington the person from the minister's 11:25:25AM
24 office who contacted you?---I don't recall. I don't know 11:25:30AM
25 that name, no, so I don't recall. But that's not a name 11:25:33AM
26 that's familiar to me. 11:25:38AM
27 Yes. Apropos of your - - - 11:25:40AM
28 COMMISSIONER: And what about Mr Keogh?---I don't - I don't 11:25:45AM
29 know Mr Keogh either. It was a very short telephone call. 11:25:52AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

I was asked to pull over to the side of the road to listen to a very short and explicit instruction. It was a very forceful and explicit instruction to stay away from planning matters as a candidate; that I ought not distract myself with planning matters.

Just so that I'm absolutely clear about this, so we're now talking about - Mr Tovey's focusing on July 2018, these WhatsApps. Is it your position that up until then you had never heard anything from Ms Schutz, Mr Woodman, Mr Kenessey, Mr Staindl that indicated what particular planning issues they had any interest in?---I think what I'm trying to communicate was that I tried to avoid any discussions about any planning related matters. So I used a phrase that it was not my part of the ship, was the phrase that I used, that as a candidate when they would try - when anyone would try to raise something, I would deflect that. I was conscious of going against the instruction I just explained to you which had happened earlier, some time around perhaps April, I'm not sure when it was, and so when people tried to raise matters related to planning I was mindful of that explicit instruction and tried and tried as much as possible to deflect the discussion by saying it was something I didn't understand and it was something that was not my role as a candidate, and I often referred people back to Mr Perera.

Did you have a recollection then that any of the persons I just mentioned had tried to raise planning issues with you?---I think that they did. So I certainly think Ms Schutz did, and Mr Walker did, although I don't think

11:25:57AM
11:26:01AM
11:26:09AM
11:26:13AM
11:26:21AM
11:26:25AM
11:26:31AM
11:26:37AM
11:26:47AM
11:26:49AM
11:26:55AM
11:27:02AM
11:27:05AM
11:27:10AM
11:27:18AM
11:27:23AM
11:27:26AM
11:27:34AM
11:27:38AM
11:27:42AM
11:27:48AM
11:27:53AM
11:27:59AM
11:28:03AM
11:28:09AM
11:28:15AM
11:28:20AM
11:28:25AM
11:28:32AM

1 he used the language of planning matters. 11:28:39AM

2 Yes?---I think he used language around, you know, communities 11:28:42AM

3 being concerned, rather than, you know, zoning or that 11:28:48AM

4 type of more technical language. But I tried as much as 11:28:52AM

5 possible to limit those conversations and to deflect them 11:28:58AM

6 because I was conscious of having had that earlier 11:29:04AM

7 instruction and not wanting to displease. 11:29:08AM

8 What about Mr Kenessey and Mr Staindl? Here are two persons 11:29:15AM

9 who are being paid to pursue a particular objective on 11:29:22AM

10 behalf of their clients. Are you able to say that up 11:29:28AM

11 until July of 18 that neither of them had given you the 11:29:37AM

12 slightest indication of what planning issues their clients 11:29:40AM

13 were interested in?---So, I can't recall discussing 11:29:43AM

14 planning issues with Mr Kenessey. I may have, but I can't 11:29:48AM

15 recall it. 11:29:51AM

16 Yes?---I recall the conversation I had with him as being at a 11:29:53AM

17 much more social and superficial level. I have a memory, 11:30:00AM

18 but I can't place what it is based on, of Mr Staindl 11:30:09AM

19 saying that there were issues with planning that were 11:30:15AM

20 important, and certainly Mr Argiriou was raising this as 11:30:20AM

21 an issue of importance, and it was raised with me in about 11:30:23AM

22 June at about the same time by Ms Graley. 11:30:31AM

23 Okay. Don't let me put words in your mouth. Have I followed 11:30:34AM

24 that what you're essentially saying is that when people 11:30:42AM

25 did that you would deliberately - you would switch off, 11:30:45AM

26 you wouldn't engage in those discussions; is that - - 11:30:48AM

27 -?---I used that turn of phrase frequently, which was 11:30:52AM

28 'This isn't my part of the ship', I know it sounds like an 11:30:58AM

29 odd vernacular, and that this is not something that 11:31:06AM

1 I understood and that it ought be raised with Mr Perera 11:31:10AM
2 because Mr Perera is in fact the member of parliament. 11:31:12AM
3 Yes?---And I was trying to make a distinction between myself as 11:31:15AM
4 a candidate and my role as a candidate and that Mr Perera 11:31:19AM
5 was the sitting member of parliament. 11:31:25AM
6 Yes, thank you. Are you about to move on to something else, 11:31:28AM
7 Mr Tovey? 11:31:32AM
8 MR TOVEY: I just wanted to put one thing, in fairness to the 11:31:33AM
9 witness. 11:31:37AM
10 COMMISSIONER: Yes. 11:31:37AM
11 MR TOVEY: Insofar as you indicate that you would bat away 11:31:38AM
12 where you could reference to planning issues, I think it's 11:31:44AM
13 fair to say that there is a note on 28 July 2018 made by 11:31:50AM
14 Mr Walker where he has tried to raise the H3 and C219 11:31:57AM
15 planning issues with you and you've said, look, you don't 11:32:05AM
16 know anything about those, and to go and see Jamie at Jude 11:32:09AM
17 Perera's office. Is that consistent with the approach 11:32:14AM
18 that you've been describing? This is as of July 11:32:18AM
19 2018?---Yes. So Mr Walker was quite persistent. In fact, 11:32:25AM
20 you know, a bit annoying in the way that he was constantly 11:32:39AM
21 trying to speak to me and I just tried as much as I could 11:32:44AM
22 to deflect him. 11:32:48AM
23 All right. It was the case nevertheless, though, that Walker 11:32:50AM
24 and others continued to approach you to try and make you 11:32:55AM
25 accept that the rezoning and the intersection were 11:33:04AM
26 political hot potatoes and that you and your party needed 11:33:07AM
27 to have a position before the election or otherwise it 11:33:14AM
28 would operate adversely to you?---Yes. 11:33:18AM
29 We'll pursue that further after the break. 11:33:24AM

1 COMMISSIONER: All right. We'll break now, Ms Richards. Have 11:33:27AM
2 a refresh and you're welcome to talk to your counsel 11:33:32AM
3 during the break and discuss anything you want to. We'll 11:33:36AM
4 resume at 11.45. 11:33:40AM
5 (Short adjournment.) 11:33:45AM
6 COMMISSIONER: Are we ready to proceed? 11:47:50AM
7 MR TOVEY: Yes, Mr Commissioner. 11:47:52AM
8 COMMISSIONER: Mr Tovey, the last of the WhatsApp messages 11:47:55AM
9 dated 25 July 18 will be exhibit 311. 11:47:58AM
10 MR TOVEY: Thank you, sir. 11:48:05AM
11 #EXHIBIT 311 - WhatsApp message dated 25/07/18. 11:48:06AM
12 MR TOVEY: So we're moving now into the lead-up to the 11:48:09AM
13 election. Did you know somebody by the name of Sepal 11:48:13AM
14 Kumar Patel?---Yes. 11:48:20AM
15 And was he somebody who was doing the canvassing with 11:48:24AM
16 you?---Yes. 11:48:29AM
17 What role did he have in your electoral organisation, if 11:48:29AM
18 any?---He was a volunteer. 11:48:38AM
19 Were you aware of any association he had with SCWRAG?---Yes. 11:48:44AM
20 And what was your awareness as to his role in SCWRAG?---He was 11:48:48AM
21 a member, I think. He had - yes, he was a member. 11:48:59AM
22 Did you know whether he was on the organising committee or in 11:49:09AM
23 any way involved in - - -?---He may have been, yes. He 11:49:12AM
24 may have been, actually, yes. 11:49:17AM
25 Did he raise with you any issues that were issues being 11:49:18AM
26 ventilated by SCWRAG?---Yes, he raised the issue of the 11:49:26AM
27 industrial land being alongside and the intersection. He 11:49:32AM
28 was much more interested in the intersection, from memory. 11:49:37AM
29 So those were matters he openly promoted with you?---Yes. 11:49:40AM

1 On 27 August 2018 Mr Walker has noted that he's going to call 11:49:47AM
2 you to see where you sit in respect of the intersection 11:50:05AM
3 matter and Mr Ablett indicates that he's spoken to both 11:50:08AM
4 candidates, I assume that's both Liberal and Labor 11:50:17AM
5 candidates, and both are on board with wanting the road 11:50:21AM
6 fixed. Does that accord with your recollection?---I have 11:50:25AM
7 no recollection of the date, but it would accord with me 11:50:28AM
8 that I would support the fixing of that intersection, yes. 11:50:31AM
9 All right. So certainly by some time in August of 2018 your 11:50:34AM
10 position was that you favoured the intersection being 11:50:44AM
11 built?---Yes. Perhaps before that. 11:50:46AM
12 And that was your public position?---I don't think it was 11:50:49AM
13 public, perhaps, because I don't think we had made a 11:50:53AM
14 commitment as a government. I wasn't in government, I was 11:50:56AM
15 a candidate. But I would have certainly said to Sepal 11:51:03AM
16 that I could see the problem with the intersection and 11:51:12AM
17 I would have said to him that I supported it. But I don't 11:51:15AM
18 think I would have gone into the public domain and said 11:51:19AM
19 something in a public forum. 11:51:23AM
20 It's very apparent from all we've heard and from documents that 11:51:26AM
21 we've obtained that there was a huge effort being made to 11:51:36AM
22 turn the rezoning into a significant political issue in 11:51:39AM
23 the area leading up to the 2018 election, and indeed 11:51:44AM
24 Mr Perera has despaired of the fact that it's something 11:51:54AM
25 that he, even though he knew it was being generated by 11:52:03AM
26 Woodmans, politically couldn't avoid. Is that pressure 11:52:07AM
27 and the way in which that issue ran something of which you 11:52:14AM
28 were aware during those last few months?---I may have been 11:52:17AM
29 aware, but it was a lower order issue. I had still 11:52:23AM

1 maintained that it was not something - sorry, can we just 11:52:26AM
2 separate the planning issue from the intersection issue? 11:52:31AM
3 Yes?---I still maintained that the planning issue was not 11:52:34AM
4 something that had a ground swell of community support or 11:52:37AM
5 interest in. 11:52:45AM
6 Now, you're aware no doubt of the evidence that has been 11:52:46AM
7 generated relating to what Mr Woodman and Mr Staindl were 11:52:51AM
8 saying in respect of your position on the rezoning issue 11:52:58AM
9 and the degree to which they intended to rely on 11:53:04AM
10 you?---Yes. 11:53:07AM
11 I'll take you to that eventually, but I just wanted to 11:53:08AM
12 determine whether you were or weren't aware. 11:53:12AM
13 COMMISSIONER: Could I just ask you, Ms Richards, you mentioned 11:53:15AM
14 earlier that one of the persons you spoke to during this 11:53:18AM
15 period was Ms Graley?---Yes. 11:53:22AM
16 Did you discuss with her the rezoning issue?---She raised it as 11:53:25AM
17 an issue she thought was important politically. She said 11:53:30AM
18 she thought that it was an important issue. 11:53:37AM
19 Yes. And did she say why?---She thought that there were people 11:53:40AM
20 who would determine their vote based on whether the land 11:53:45AM
21 was set aside for industrial use or residential use. 11:53:51AM
22 Was she recommending to you that you should make that a policy 11:53:57AM
23 position for your campaign?---I don't see it as perhaps as 11:54:03AM
24 strong as that, perhaps. It was just raised with me maybe 11:54:09AM
25 once or twice. She wasn't somebody I saw very often. She 11:54:15AM
26 wasn't somebody I was particularly close to. I remember 11:54:19AM
27 her raising it with me. 11:54:22AM
28 What was she wanting you to do?---Perhaps - so this was in the 11:54:23AM
29 latter part of winter that she - I don't know that she had 11:54:29AM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

a particular thing. I can't recall she had a particular thing that she asked. She just raised it with me as an issue I ought be aware of.

And did you respond to her in relation to her view that that's what the community wanted?---I on reflection probably thanked her for her advice. I may have been agreeable to her as a sitting member of parliament and somebody who had seniority, but it wasn't a long conversation.

So you mean - is that a short way of saying you didn't tell her what view you had formed about the claim that that's what the community wanted?---I don't recall disagreeing with her or saying to her that I had been doorknocking and had not found it to be an issue.

Yes?---I don't recall explicitly disagreeing with her at that - during that conversation.

Yes, Mr Tovey.

MR TOVEY: On 4 September and 5 September there are documents relating to, first of all, discussions between John Woodman and Phil Staindl about donating \$10,000 to your campaign and then on 5 September transferring \$10,000 to the Cranbourne ALP SEC for your campaign, Mr Staindl having provided the banking records. Now, you are now aware, I assume from what you've told me about your preparation, that that donation was made?---Yes.

What are you able to say you recall about the circumstances in which that donation was made?---That Mr Staindl had said that there was going to be a donation made to the Cranbourne SECC and I thanked him. I don't recall much more than that.

11:54:35AM
11:54:37AM
11:54:41AM
11:54:42AM
11:54:52AM
11:54:57AM
11:55:02AM
11:55:07AM
11:55:11AM
11:55:15AM
11:55:19AM
11:55:24AM
11:55:27AM
11:55:29AM
11:55:35AM
11:55:38AM
11:55:43AM
11:55:51AM
11:55:58AM
11:56:08AM
11:56:14AM
11:56:25AM
11:56:32AM
11:56:36AM
11:56:46AM
11:56:49AM
11:56:57AM
11:57:01AM
11:57:07AM

1 He told you who it was going to be made by?---I think I was 11:57:09AM
2 aware by that stage that it was from Mr Woodman. 11:57:12AM
3 Yes. And, other than that, was that used as an opportunity to 11:57:15AM
4 discuss any issue with you?---I can't recall it being used 11:57:22AM
5 as an opportunity to discuss any issue with me, but it's 11:57:27AM
6 possible. 11:57:30AM
7 All right. So in any event you're aware that Woodman has 11:57:30AM
8 contributed \$10,000 as of 5 September?---I can't remember 11:57:37AM
9 when I became aware, but, yes, I was aware that there was 11:57:43AM
10 a contribution to the Cranbourne SECC. 11:57:48AM
11 COMMISSIONER: And how substantial was that donation in the 11:57:52AM
12 scheme of things?---At the very beginning of 2018 when 11:57:55AM
13 I was first starting to campaign, the Electrical Trades 11:58:05AM
14 Union had made a commitment to a substantial campaign 11:58:10AM
15 donation to the Cranbourne SECC of \$50,000, and I had 11:58:18AM
16 received two further commitments of contributions from two 11:58:24AM
17 other SECCs - sorry, from Dandenong SECC. I think by that 11:58:31AM
18 time I was aware that that was \$30,000. So, at the very 11:58:38AM
19 beginning of the campaign I was aware that the campaign, 11:58:44AM
20 the SECC, conscious that as a candidate these matters are 11:58:52AM
21 kept separate from me, but I was aware that everything 11:58:56AM
22 that was required to be acquitted as part of the campaign 11:59:00AM
23 plan could easily be acquitted with the earlier quite 11:59:06AM
24 substantial commitment from the Electrical Trades Union 11:59:12AM
25 and the Dandenong SECC. There were several other 11:59:15AM
26 contributions that were quite small in number - sorry, 11:59:19AM
27 frequent but small, and there had been a couple of other 11:59:26AM
28 events. So, the Cranbourne SECC was able to fulfil all of 11:59:30AM
29 the requirements of the campaign plan regardless of any 11:59:36AM

1 further contributions. 11:59:40AM

2 Was Mr Woodman's donation the largest donation by a single 11:59:45AM

3 individual donor?---Yes, I think so. 11:59:51AM

4 Why is it that you as the candidate need to keep separate from 11:59:57AM

5 yourself the contributions made to your campaign fund? 12:00:08PM

6 There was no other candidate standing for Cranbourne to 12:00:16PM

7 whom the funds related, was there?---No. It was just 12:00:21PM

8 considered good practice for those matters to be kept 12:00:25PM

9 separate from me, apart from a monthly meeting when the 12:00:30PM

10 campaign plan was discussed and a budget for the campaign 12:00:35PM

11 was discussed. But I wasn't encouraged to be involved in 12:00:39PM

12 those matters because it was a very marginal seat and 12:00:44PM

13 I was encouraged to only focus on matters related to 12:00:49PM

14 direct voter contact and that those other matters as a 12:00:54PM

15 matter of good practice ought be kept separate from me as 12:00:58PM

16 a candidate. 12:01:05PM

17 You mean the fundraising task?---Yes. 12:01:05PM

18 But you would need to know what donations were made to your 12:01:09PM

19 campaign fund because you had certain statutory 12:01:18PM

20 obligations that you'd later on have to meet in relation 12:01:21PM

21 to the receipt of funds, wouldn't you?---I'm not a 12:01:25PM

22 signatory to the SECC, so my oversight involved writing - 12:01:28PM

23 gave me a list of people I ought thank who had attended 12:01:36PM

24 events, volunteered or contributed to the campaign. But 12:01:39PM

25 as somebody who wasn't a signatory to the SECC, it was 12:01:44PM

26 kept separate to me and it wasn't considered to be 12:01:49PM

27 something that I ought involve myself in. 12:01:54PM

28 So were you familiar with the legislation that pertained at 12:02:00PM

29 that time in relation to campaign donations?---I was 12:02:04PM

1 familiar with some elements of it, but perhaps naive to 12:02:08PM
2 some. I understood that a return needed to be completed. 12:02:14PM
3 I understood that it needed to be completed and signed by 12:02:20PM
4 the signatories to the SECC. 12:02:25PM
5 But not by you?---That's not my understanding. 12:02:27PM
6 So your understanding of using a campaign fund such as this was 12:02:30PM
7 you were relieved of the obligation to have to make a 12:02:38PM
8 personal declaration in relation to campaign funds that 12:02:40PM
9 you received that met or exceeded the threshold?---My 12:02:45PM
10 understanding was that that was the role of the SECC. 12:02:51PM
11 Is it your understanding that that was the view taken across 12:02:57PM
12 both political parties at that time, that if there was a 12:03:01PM
13 campaign fund managing the donations of individual 12:03:04PM
14 candidates, that that relieved the candidate of the 12:03:09PM
15 obligation to make declarations?---I'm not aware. 12:03:12PM
16 Do you know whether it was the case for anyone other than in 12:03:17PM
17 your particular electorate?---I can comment on when I was 12:03:22PM
18 a candidate in Forest Hill. 12:03:26PM
19 Yes?---That again the fundraising elements, the budget 12:03:29PM
20 elements, the acquitting of expenses was something that 12:03:36PM
21 was undertaken by somebody who wasn't the candidate. 12:03:39PM
22 Right. Thank you. Yes, Mr Tovey. 12:03:41PM
23 MR TOVEY: Thank you. In early September of 2018 council 12:03:48PM
24 passed quite controversial resolutions in respect of the 12:04:01PM
25 intersection. Were you aware as a local candidate as to 12:04:05PM
26 the fact that that was going on?---I was vaguely aware 12:04:12PM
27 that it was going on. It wasn't something that was at the 12:04:16PM
28 top of my mind, no. 12:04:19PM
29 Did you have any contact or interaction with Councillor 12:04:20PM

1 Aziz?---I met him once a long time ago at an event and he 12:04:27PM
2 made I think very early in - I'm not sure when it was - 12:04:33PM
3 maybe 2018 we sat next to each other for 10 minutes. 12:04:38PM
4 I have never, apart from that, had any contact from 12:04:42PM
5 Mr Aziz. 12:04:44PM
6 And did you have any communication with him in respect of 12:04:45PM
7 planning issues during that period of time? Sorry, during 12:04:49PM
8 that meeting?---No. 12:04:52PM
9 All right. So, in any event, one of the things that council 12:04:54PM
10 resolved on 4 September of 2018 was they write to you 12:05:00PM
11 outlining their safety concerns and seeking confirmation 12:05:08PM
12 that the intersection is a 'top election priority'. Did 12:05:16PM
13 you in fact receive such a letter?---I can't recall 12:05:23PM
14 receiving the letter. It was at a very busy time. 12:05:31PM
15 Now, at the same time SCWRAG was prompting the council to send 12:05:36PM
16 that letter. Do you have any recollection of council or 12:05:42PM
17 councillors other than Mr Ablett communicating with you in 12:05:51PM
18 respect of your attitude to the H3 intersection?---The 12:05:57PM
19 intersection? Not that I can recall. 12:06:02PM
20 Is it consistent with your recollection, nevertheless, that you 12:06:11PM
21 were continuing to get representations from SCWRAG seeking 12:06:18PM
22 to have you commit to support to the H3 intersection and 12:06:25PM
23 the rezoning?---It's consistent with my recollection that 12:06:30PM
24 the intersection was something of high priority for the 12:06:36PM
25 broad community. I can recall SCWRAG continuing to 12:06:40PM
26 contact me about the zoning issue. 12:06:46PM
27 Now, I'd just like you to listen, if you would, to a tape 12:06:51PM
28 recorded conversation between Mr Woodman and Mr Staindl on 12:06:56PM
29 9 October. That's tab 243, Mr Commissioner, which is 12:07:02PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

exhibit 240.

(Audio recording played to the Commission.)

MR TOVEY: Could we just stop it there, thank you. Now, that's a conversation that you're familiar with, is it?---Pardon? Is that a conversation that you've had addressed in preparation?---No.

All right?---What date is this?

This is 9 October 2018; all right? So what is being conveyed there, if we go over to line 39, Philip Staindl says, 'Okay. Um, I just spoke to Judith about an hour ago. She was with Pauline and I asked her about Cranbourne West. She said it should be in the next couple of days, and' - it should be I think 'an announcement there.' Mr Woodman then says 'okay.' Just keep that in mind. And just to give this context, she goes on to ask about - it would seem that he relates that Judith Graley has gone on to ask about whether there's a property owner along Thompsons Road that could get a billboard up for you. So what's being said there is there was a conversation which Judith says was in your presence between her and Phil Staindl where there's discussion about Cranbourne West, about whether there's going to be an announcement and something that you might particularly recall if you were there, and that was a billboard being put up for you. Do you recall that conversation?---I recall not the detail of the conversation, but I recall Judith Graley discussing with me the need for me to have some presence with signs. We usually call them garden signs. And she was discussing with me some places where we can get the signs. I don't

12:07:07PM
12:07:56PM
12:13:19PM
12:13:26PM
12:13:31PM
12:13:36PM
12:13:37PM
12:13:42PM
12:13:56PM
12:14:14PM
12:14:19PM
12:14:26PM
12:14:34PM
12:14:38PM
12:14:43PM
12:14:54PM
12:15:00PM
12:15:06PM
12:15:13PM
12:15:20PM
12:15:24PM
12:15:29PM
12:15:34PM
12:15:36PM
12:15:40PM
12:15:44PM
12:15:50PM
12:15:58PM
12:16:01PM

1 recall Mr Staindl being part of that discussion, but I do 12:16:06PM
2 have a recollection of a discussion with Ms Graley about 12:16:11PM
3 garden boards. 12:16:16PM
4 Did she get on the phone in your presence - - -?---I can't 12:16:17PM
5 recall. 12:16:22PM
6 And chase up the site?---I can't recall. It is possible, 12:16:22PM
7 though. But I can't recall exactly her getting on the 12:16:26PM
8 phone in my presence. 12:16:29PM
9 Did she tell you that she was talking to Mr Woodman or 12:16:30PM
10 Mr Staindl about Mr Woodman providing a site?---I can 12:16:36PM
11 recall her saying that she was going to try to scout some 12:16:42PM
12 good sites for me to have some garden boards, and that's 12:16:46PM
13 all I can recall from that conversation. 12:16:50PM
14 Do you know whether she was successful?---I now know that she 12:16:53PM
15 was successful, but I only know that in context of my 12:16:58PM
16 preparation to come here today. 12:17:02PM
17 And you know that in fact Mr Woodman paid, according to his 12:17:05PM
18 evidence, \$3,000 for those signs?---Yes, I learned that in 12:17:09PM
19 preparation for coming here today. 12:17:15PM
20 And is your position you didn't know at the time that those 12:17:18PM
21 signs were going up or you didn't know who was providing 12:17:27PM
22 them or - - -?---There was a lot of discussion about 12:17:30PM
23 garden boards. Labor Party members become very interested 12:17:33PM
24 in who has garden boards and where they are and I was 12:17:39PM
25 aware that people were saying I should have some more. 12:17:45PM
26 But my position is that I was a very busy candidate and if 12:17:50PM
27 it was raised with me it's something that I don't recall. 12:17:54PM
28 Would you see the signs once they had been put up?---I didn't 12:18:03PM
29 see the signs. I have been shown a photo of the signs. 12:18:09PM

1 And were they just the normal garden boards or were they more 12:18:14PM
2 substantial signs than that?---The normal garden boards 12:18:21PM
3 are quite small (indistinct). These were more like real 12:18:25PM
4 estate boards like you see out the front of somebody's 12:18:29PM
5 house when they're selling their house. 12:18:32PM
6 And what was your understanding as to where they'd come from 12:18:35PM
7 and how they happened to be there?---I had asked my 12:18:37PM
8 campaign team to 'kick the can' was the phrase I used, on 12:18:48PM
9 providing artwork for those signs, because by then in 12:18:55PM
10 October, as time was going on, I was starting to feel 12:19:02PM
11 uncomfortable about the idea of there being signs on that 12:19:05PM
12 land. 12:19:12PM
13 Why was that?---I had been asked to be - keep signs away from 12:19:14PM
14 Mr Woodman's land. 12:19:27PM
15 And so by October you knew that your signs had gone up on 12:19:29PM
16 Woodman's land?---I knew recently. I had been sent an 12:19:33PM
17 email but I hadn't read the email until recently or 12:19:40PM
18 I couldn't recall in the busyness of the campaign having 12:19:46PM
19 seen that the signs in fact went up. 12:19:49PM
20 And what's the email that you're referring to?---An email where 12:19:53PM
21 Mr Staindl sent a photo of the signs, dated I think quite 12:19:57PM
22 late in November, in fact, which showed I think only a few 12:20:05PM
23 days before the election a photograph of the signs on the 12:20:11PM
24 land. 12:20:14PM
25 But you said you began to feel uncomfortable some time in 12:20:17PM
26 October?---Yes. 12:20:21PM
27 What was it that made you feel uncomfortable?---By then I'd had 12:20:22PM
28 that coffee with Mr Staindl and Mr Woodman late in 12:20:33PM
29 October. I felt that they were perhaps calling me or 12:20:42PM

1 contacting me more often than I felt comfortable with, 12:20:48PM
2 bearing in mind I hadn't thought much about them and 12:20:54PM
3 Mr Staindl was starting to perhaps sound a little bit more 12:21:00PM
4 pressing, and I was starting to feel uncomfortable about 12:21:05PM
5 the way he was contacting me frequently to discuss - he 12:21:11PM
6 started wanting to discuss the issues related to that 12:21:18PM
7 land, less the intersection. 12:21:23PM
8 Can we just take this a step at a time. 12:21:28PM
9 COMMISSIONER: Sorry, when you say 'that land', you mean the 12:21:32PM
10 C219 rezoning?---The land at Cranbourne West. 12:21:35PM
11 Yes. 12:21:39PM
12 MR TOVEY: You said in October you became uncomfortable about 12:21:42PM
13 the signs being on Woodman's land?---Yes. 12:21:46PM
14 How was it that you had become aware in October that the signs 12:21:48PM
15 were on land occupied or associated with 12:21:54PM
16 Woodman?---I understood that the signs didn't go up until 12:22:00PM
17 much later than October and into November. 12:22:02PM
18 Yes?---And I had asked the campaign team to delay putting the 12:22:07PM
19 signs up or providing the artwork, because the campaign 12:22:15PM
20 team was expected to provide the authorised artwork for 12:22:21PM
21 the garden board signs, and I asked them to delay 12:22:27PM
22 providing that artwork so as not to offend Mr Staindl 12:22:34PM
23 because I started to feel uncomfortable about what felt to 12:22:40PM
24 me like more frequent contact. 12:22:45PM
25 COMMISSIONER: I'm sorry, that's not an answer to Counsel 12:22:48PM
26 Assisting's questions, Ms Richards?---Sorry. 12:22:52PM
27 Which is what is it you learned that made you feel 12:22:55PM
28 uncomfortable? 12:22:59PM
29 MR TOVEY: In October?---It was brought to my attention that 12:23:04PM

1 Mr Woodman was putting pressure on - I'm having 12:23:09PM
2 trouble - could you repeat the question, please? 12:23:19PM
3 COMMISSIONER: Mr Tovey? 12:23:23PM
4 MR TOVEY: What was it in October? What was making you feel 12:23:24PM
5 uncomfortable about the signs?---My husband had asked me 12:23:29PM
6 to not have any signs on Mr Woodman's land. 12:23:34PM
7 Yes. And so this must have been a conversation, just looking 12:23:39PM
8 at your face, which would have arisen from the fact that 12:23:48PM
9 your husband was uncomfortable about any association with 12:23:53PM
10 Mr Woodman, was he?---I don't know if it was quite 'any 12:23:56PM
11 association'; he just felt uncomfortable about there being 12:24:01PM
12 signs, my signs, on his land. 12:24:04PM
13 And how had you become aware that it was his land?---I'm not 12:24:08PM
14 sure. 12:24:14PM
15 Had Judith Graley told you that?---She may have, or it may have 12:24:16PM
16 been Mr Staindl. I'm not sure. I actually don't know. 12:24:24PM
17 In any event, was it the situation then as of some time in 12:24:28PM
18 October you were beginning to feel that you were being 12:24:36PM
19 subjected to uncomfortable pressure from the Woodman camp, 12:24:42PM
20 including Mr Staindl?---Yes. 12:24:51PM
21 And was that added to by Ms Graley, who was also advocating for 12:24:56PM
22 you to understand what she said was the political 12:25:05PM
23 importance of the C219 rezoning issue?---I didn't see 12:25:10PM
24 Ms Graley as putting particular pressure on me. 12:25:18PM
25 Immediately following that conversation - and that was 12:25:26PM
26 exhibit 240, Mr Commissioner. 12:25:40PM
27 COMMISSIONER: Yes. 12:25:43PM
28 MR TOVEY: There was a further conversation between John 12:25:46PM
29 Woodman and Phil Staindl about the land, and there was 12:25:49PM

1 also discussion about a problem that they needed to talk 12:26:04PM
2 to you about relating to a drainage issue. Do you recall 12:26:09PM
3 any drainage issue or any issue relating to Melbourne 12:26:18PM
4 Water arising in conversation at any time with Mr Staindl 12:26:25PM
5 or Mr Woodman?---No. 12:26:30PM
6 Look, I'm not positively suggesting that it did because 12:26:33PM
7 Mr Staindl's recollection was that he sorted it out 12:26:37PM
8 without needing to refer to you, but you don't have any 12:26:42PM
9 recollection about such a thing?---No. 12:26:45PM
10 Then in and around 9 October there are further communications 12:26:48PM
11 between Mr Woodman's office and Phil Staindl about 12:27:07PM
12 arranging a lunch with you and the construction of 12:27:13PM
13 the signage. This is against the background of 12:27:24PM
14 discussions about making further donations to your 12:27:26PM
15 campaign. Were you aware, first of all, of arrangements 12:27:33PM
16 being made for a lunch with you in October of 2018?---I am 12:27:43PM
17 aware that Mr Staindl had suggested another boardroom 12:27:52PM
18 lunch as a fundraiser, but I can't recall when. 12:27:55PM
19 What were the circumstances of that?---I can't recall the 12:28:02PM
20 circumstances. He had come up with an idea that we would 12:28:06PM
21 have a boardroom - that the campaign would hold a 12:28:10PM
22 boardroom lunch and that there would be some people 12:28:16PM
23 invited to the boardroom lunch. 12:28:19PM
24 And who was going to put on the boardroom lunch?---I assumed it 12:28:23PM
25 was Mr Staindl and his associates. 12:28:28PM
26 And was Mr Woodman in any way associated with this 12:28:30PM
27 proposal?---I expected that he was going to be one of the 12:28:38PM
28 guests, a paying guest. 12:28:40PM
29 And are you able to put - even though you can't put precise 12:28:43PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

dates on it, when was it? Was it late in the
campaign?---Yes, I recall it being quite late. As
I indicated earlier, the campaign was well resourced.
I was much more concerned with trying to meet the
requirements for direct voter contact, and I recall him
calling a couple of times, me taking a little while to
call him back, but trying to push the arrangements on to
somebody else.

You ended up meeting him, as you are no doubt aware - -

-?---Yes.

At the Sofitel on 23 October?---Yes.

How long before 23 October was it that you had these number of
calls from Phil Staindl about putting on a lunch for
you?---I can't recall. I can't recall.

Are we talking a period of a month or two or are we talking
about six months before then?---A month or two, I expect.

COMMISSIONER: So if I follow correctly, Ms Richards, you
eventually agreed to this luncheon notwithstanding by this
stage you had the discomfort you described about
Mr Staindl and Mr Woodman's approach to these
issues?---I recall feeling more comfortable about the idea
of the lunch and that my - what I saw as a boardroom
lunch. I am not sure, but I recall that being a little
bit earlier, but that my discomfort in the - perhaps the
sound of their voices as they were calling me more
frequently was later in October.

So you didn't have any discomfort with Mr Staindl or Mr Woodman
at this point?---Earlier in October I don't recall feeling
that level of discomfort, but I'm not sure.

12:28:49PM
12:28:56PM
12:29:02PM
12:29:08PM
12:29:12PM
12:29:16PM
12:29:21PM
12:29:25PM
12:29:26PM
12:29:31PM
12:29:31PM
12:29:36PM
12:29:43PM
12:29:48PM
12:29:52PM
12:30:02PM
12:30:10PM
12:30:18PM
12:30:21PM
12:30:24PM
12:30:28PM
12:30:30PM
12:30:36PM
12:30:40PM
12:30:50PM
12:30:54PM
12:30:56PM
12:31:00PM
12:31:04PM

1 I just want to be clear. Are you saying that you went to this 12:31:07PM
2 particular boardroom meeting - - -?---It didn't happen. 12:31:12PM
3 I'm sorry, the proposal was not at a time when you were 12:31:16PM
4 experiencing discomfort with Mr Staindl?---I don't think 12:31:22PM
5 so. 12:31:25PM
6 Yes. 12:31:26PM
7 MR TOVEY: However, the discomfort that you've described must 12:31:32PM
8 have been, I suggest, discomfort that you had been feeling 12:31:42PM
9 at some stage before you met at the Sofitel?---Yes. 12:31:48PM
10 On 23 October?---Yes, that's right. 12:31:52PM
11 All right. So what was it that, although you felt discomfort, 12:31:55PM
12 your husband felt discomfort, you felt you were being put 12:32:04PM
13 under pressure, what was it that led you to accept the 12:32:10PM
14 invitation to meet Woodman personally with Staindl on 12:32:16PM
15 23 October at the Sofitel?---I've reflected on this a lot. 12:32:23PM
16 I saw the invitation as being from Mr Staindl and I was 12:32:32PM
17 going to be in the city anyway. I didn't see it as a 12:32:37PM
18 meeting so much as a cup of coffee, and Mr Staindl had 12:32:40PM
19 invited me. I had a tendency to meet with lots and lots 12:32:44PM
20 of people, and in the context of me already being in the 12:32:50PM
21 city I decided to go ahead with the meeting despite my 12:32:54PM
22 discomfort. 12:33:02PM
23 COMMISSIONER: I just think we need to be - can we just be 12:33:05PM
24 clear about this, Ms Richards?---Yes. 12:33:07PM
25 By this stage there were no longer any doubts in your mind, 12:33:09PM
26 I take it, that Mr Staindl, the lobbyist, was pursuing 12:33:15PM
27 Mr Woodman's interest in particular planning issues and in 12:33:22PM
28 particular in the land in the Cranbourne West rezoning 12:33:26PM
29 issue?---I don't know that it was crystal clear to me that 12:33:30PM

1 he was pursuing Mr Woodman's interests. I perhaps naively 12:33:35PM
2 saw him as an intermediary and somebody who was inviting 12:33:41PM
3 me for a coffee with an awareness that I would probably 12:33:48PM
4 come because I had known Mr Staindl for a long time, but 12:33:55PM
5 I didn't see Mr Woodman as being employed or directly a 12:33:58PM
6 part of that issue. 12:34:05PM
7 Mr Staindl, you mean?---Mr Staindl, sorry. 12:34:10PM
8 Yes. I'm struggling to put some things together then, 12:34:13PM
9 Ms Richards. You say you're under pressure, you're being 12:34:19PM
10 put under pressure by Mr Staindl. You by this point of 12:34:23PM
11 time have an understanding about some of the planning 12:34:30PM
12 issues which Mr Woodman has an interest in?---Yes. 12:34:33PM
13 You must have known that Mr Staindl, as the lobbyist, was doing 12:34:38PM
14 what he was doing on behalf of a client?---I understood 12:34:45PM
15 that he was working for Mr Woodman. But I also 12:34:54PM
16 understood or thought that he was an intermediary and, as 12:35:02PM
17 such, had some type of role that was something close to 12:35:05PM
18 independence when it came to these matters. I suppose 12:35:15PM
19 Mr Staindl was somebody I had trusted. 12:35:21PM
20 But did he do something thereafter that caused you to distrust 12:35:29PM
21 him?---After the coffee. 12:35:34PM
22 I see?---At the coffee. At the coffee. 12:35:35PM
23 All right. We might come back to this, let Mr Tovey proceed. 12:35:35PM
24 MR TOVEY: Just while I have you there, what was it that he did 12:35:50PM
25 after the coffee that made you distrust him?---Sorry, at 12:35:52PM
26 the coffee - - - 12:35:55PM
27 Sorry, it was at the coffee? Well, we'll get there?---Yes. 12:35:58PM
28 Perhaps 'distrust' is a little bit strong. 12:36:02PM
29 You see, I want you to go - I want to go through with you a 12:36:06PM

1 number of extracts from a conversation between Woodman and 12:36:12PM
2 Staindl on 18 October leading up to the meeting with you 12:36:18PM
3 which - I want to you listen carefully to these because 12:36:28PM
4 they explain - these conversations explain the agenda they 12:36:31PM
5 intended to raise with you. So I want you to be aware of 12:36:38PM
6 this because it makes sense that if they're discussing 12:36:43PM
7 what the agenda is going to be that's what was raised. So 12:36:48PM
8 I want you to pay particular attention. So, 12:36:51PM
9 Mr Commissioner, exhibit 58, as I understand it, is tabs 12:36:57PM
10 17A, 18A, 19A and - sorry, tabs 17, 18, 19 and 20, which 12:37:04PM
11 are clips A, B, C and D of a conversation which took place 12:37:14PM
12 between Mr Woodman and Mr Staindl on 18 October of 2018. 12:37:23PM
13 (Audio recording played to the Commission.) 12:38:22PM
14 MS BLAIR: Sorry, Commissioner, can we just confirm what date 12:42:31PM
15 that conversation took place? 12:42:33PM
16 COMMISSIONER: Yes, certainly. Mr Tovey? 12:42:35PM
17 MR TOVEY: That's 18 October 2018. These are all part of the 12:42:38PM
18 same conversation. 12:42:45PM
19 (Audio recordings played to the Commission.) 12:43:58PM
20 MR TOVEY: All right. So in the course of that conversation on 12:47:59PM
21 the 18th they, as you will have heard, are proposing, if 12:48:05PM
22 I can use quotes, to 'up the ante' by \$20,000 in what is 12:48:15PM
23 upping the contribution being made to your campaign; you 12:48:25PM
24 understand that's what's being spoken about there?---Yes. 12:48:30PM
25 They do that at two points, having discussed the fact that it 12:48:36PM
26 won't go to your campaign but some of it will be hived off 12:48:47PM
27 to another campaign?---Yes. 12:48:52PM
28 All right. And it ends up on the note that Staindl's going to 12:48:56PM
29 come to you - sorry, is going to contact you to find out 12:49:05PM

1 where you want the money to go?---Yes. 12:49:12PM

2 All right. Now, first of all, this is some five days before 12:49:14PM

3 you actually meet at the Sofitel?---Yes. 12:49:29PM

4 There is a state of knowledge by both Woodman and Staindl five 12:49:32PM

5 days before they meet you that a donation of \$20,000 is 12:49:46PM

6 going to be broken up with not all of it going to 12:49:53PM

7 you?---Yes. 12:49:58PM

8 Is that something that they discussed with you?---Mr Staindl 12:49:58PM

9 called me to say that there had been an additional 12:50:03PM

10 allocation of money to the Cranbourne campaign. 12:50:06PM

11 Yes, when was that?---I can't recall, but it was around that 12:50:09PM

12 time. 12:50:13PM

13 Yes, and did you indicate that you were well resourced?---Yes. 12:50:15PM

14 And did he say, 'Well, look, we want to make the contribution. 12:50:21PM

15 So if the party can tell us where they'd like to us put 12:50:26PM

16 some of the money we're happy to do that'?---So that 12:50:29PM

17 earlier discomfort I spoke about - - - 12:50:32PM

18 Yes?---When he telephoned me to say that there was going to be 12:50:35PM

19 an additional contribution I said to him and I said to the 12:50:38PM

20 campaign team that I wanted some of that contribution to 12:50:46PM

21 go elsewhere. 12:50:49PM

22 That cured your discomfort because not only is he contributing 12:50:52PM

23 any extra to your campaign but he is contributing money to 12:51:00PM

24 the party generally, isn't he?---He said that the money 12:51:04PM

25 was allocated to the Cranbourne campaign, and I said that 12:51:08PM

26 I was well resourced and didn't need - the Cranbourne 12:51:12PM

27 campaign didn't need any additional resources. 12:51:19PM

28 So how long before - this was about the 18th. So it was about 12:51:22PM

29 the 18th, about five days before the meeting - - -?---It 12:51:29PM

1 was around that time that he called me to say that there 12:51:32PM
2 was an additional allocation and that I suggested - in my 12:51:34PM
3 memory I suggested that it be allocated to another 12:51:38PM
4 campaign. He suggested one of the campaigns and 12:51:45PM
5 I suggested the other one, from my memory of the 12:51:49PM
6 conversation. 12:51:53PM
7 COMMISSIONER: I'm sorry, I'm just trying to understand. 12:51:55PM
8 Allocating the funds in part to you and in part to other 12:51:58PM
9 campaigns, how would that address your 12:52:03PM
10 discomfort?---I felt that it was - it was important that 12:52:07PM
11 other people be - I felt I was sending a message that 12:52:16PM
12 I was not interested in the campaign receiving such a 12:52:21PM
13 large amount and that I felt I wanted him to understand 12:52:26PM
14 that it ought go somewhere else. 12:52:29PM
15 Yes, but how did that address your discomfort?---It seemed a 12:52:31PM
16 large amount of money and that if I broke it up that it 12:52:37PM
17 would go to the Cranbourne campaign and somewhere else, 12:52:41PM
18 that that diminished my discomfort. 12:52:43PM
19 But, I'm sorry, your discomfort arose as a result of your 12:52:47PM
20 knowledge of things which preceded the payment of this 12:52:51PM
21 amount?---It was around the pressure of - or not the 12:52:55PM
22 pressure, the constant conversations. But I had thought 12:52:59PM
23 to myself that if some of the money went to another 12:53:06PM
24 campaign, because Mr Staindl said the money had already 12:53:09PM
25 been allocated, that that would mean I was in part 12:53:11PM
26 rejecting to the Cranbourne campaign an additional 12:53:17PM
27 allocation, and it was a request I made to the campaign 12:53:22PM
28 team that I asked the campaign team if they could arrange 12:53:26PM
29 for one of the donations to go somewhere else. 12:53:32PM

1 You refer to the constant pressure - - -?---Discomfort. 12:53:36PM

2 But what was the pressure? What was it you were being 12:53:43PM

3 pressured to do?---I think he was telephoning me. I think 12:53:49PM

4 it was just pressure to speak to him all the time and 12:53:52PM

5 to - - - 12:53:55PM

6 About what, Ms Richards?---I assumed by then he was talking to 12:53:56PM

7 me about the planning issue, the intersection. It was 12:54:00PM

8 more about the frequency of the telephone calls rather 12:54:08PM

9 than the substance, I think in my mind. But he was 12:54:11PM

10 expecting contact in return. 12:54:16PM

11 Yes. So you're talking about C219 and the intersection 12:54:19PM

12 issue?---Yes. 12:54:29PM

13 And so by saying to him, 'We'll spread the money over a number 12:54:30PM

14 of people's campaigns,' what, that's a message to him that 12:54:35PM

15 you're not going to submit to that pressure?---That 12:54:40PM

16 I wanted him to take the pressure off and that I wouldn't 12:54:44PM

17 submit. 12:54:47PM

18 Yes, all right. Yes, Mr Tovey. 12:54:48PM

19 MR TOVEY: So we have the situation where you're feeling 12:54:52PM

20 pressure. They offer you \$20,000, which you agree to 12:54:55PM

21 accept, and then you agree to have a meeting?---So I - - - 12:55:06PM

22 Sorry, can I just ask you the question. Surely in those 12:55:15PM

23 circumstances you must have thought that all this is going 12:55:19PM

24 to have the appearance - discomfort followed by more 12:55:25PM

25 money, followed by a meeting, it's going to have the 12:55:30PM

26 appearance of them thinking they're buying you 12:55:34PM

27 off?---I can't comment on what they were thinking. I was 12:55:42PM

28 agreed to the meeting in my mind because Mr Staindl 12:55:50PM

29 invited me and I was agreeing to meet with anyone who 12:55:55PM

1 wanted to meet with me. I separated in my mind anything 12:55:58PM
2 that was a donation to the Cranbourne campaign from my 12:56:04PM
3 agreement to meet for a coffee with Mr Staindl. 12:56:09PM
4 It's difficult to understand, is it not, that degree of 12:56:14PM
5 artificiality? You get offered \$20,000 and at the same 12:56:18PM
6 time you're being asked to have a meeting, and you do have 12:56:24PM
7 a meeting with a pitch to you of their ideas. Surely at 12:56:28PM
8 the time the - I mean, you obviously are a very 12:56:33PM
9 intelligent woman. The possibility of that connection 12:56:39PM
10 could not have escaped you?---I thought that I ought meet 12:56:45PM
11 with Mr Staindl because he invited me to meet with him. 12:56:51PM
12 I didn't arrange that meeting in exchange for any 12:56:54PM
13 donation. I arranged that meeting because - no, I agreed 12:57:00PM
14 to his invitation to a coffee, but I assumed that the 12:57:04PM
15 donation was being made to the Cranbourne campaign because 12:57:11PM
16 they wanted the Cranbourne campaign to be successful for a 12:57:16PM
17 Labor government. I didn't see the donation as being 12:57:19PM
18 connected to the coffee. 12:57:25PM
19 That meeting took place in the context of a developer who was 12:57:28PM
20 pressuring you - - -?---Yes. 12:57:31PM
21 Offering in advance of the meeting \$20,000. That's untenable, 12:57:33PM
22 isn't it, that you went to that meeting not knowing that 12:57:41PM
23 it had a very bad look to it?---I would have met in my 12:57:44PM
24 mind with Mr Staindl regardless of whether he was making 12:57:50PM
25 any contribution to the Cranbourne campaign or not. That 12:57:54PM
26 was not the reason that I met with Mr Staindl. 12:57:59PM
27 That's not an answer to my question, with respect. What I'm 12:58:01PM
28 putting to you is that looking at the three factors I've 12:58:05PM
29 identified it's untenable that you went to that meeting 12:58:08PM

1 not knowing that it was a very bad look?---I wish I hadn't 12:58:13PM
2 gone to that meeting, but I went to that meeting because 12:58:17PM
3 Mr Staindl asked me for a coffee. I didn't see that as 12:58:21PM
4 being - - - 12:58:24PM
5 I suggest to you that given what you've already told us your 12:58:27PM
6 degree of discomfort must have been acute by that 12:58:33PM
7 stage?---I don't know if it was acute, but I felt I had 12:58:36PM
8 agreed to a meeting and that I ought go ahead with a 12:58:40PM
9 coffee. 12:58:43PM
10 And what about by the end of the meeting? Would I be right in 12:58:43PM
11 concluding that the degree of discomfort had 12:58:48PM
12 skyrocketed?---Yes. 12:58:52PM
13 Well, what happened at the meeting?---I had been to a union 12:58:53PM
14 rally. The rally was called 'Change the rules', and 12:59:05PM
15 I agreed to meet for a coffee at the conclusion of 12:59:12PM
16 the rally, as the rally finished in Flinders Street. 12:59:17PM
17 I walked to the Sofitel and I may have texted to say I was 12:59:22PM
18 going to be late or that there was some - that being at 12:59:29PM
19 the rally I said to Mr Staindl that I would be coming 12:59:33PM
20 up - you know, I couldn't find the place or I was walking 12:59:38PM
21 fast or something of that order to make what I saw as an 12:59:41PM
22 arrangement for a coffee. As we sat down for the coffee 12:59:47PM
23 I indicated that I had been at the rally and was thirsty, 12:59:55PM
24 and Mr Woodman asked about the rally and I explained the 01:00:01PM
25 premise of the union rally, and he expressed a 01:00:10PM
26 disagreement with the objectives of the rally. It was a 01:00:17PM
27 slightly fractious exchange that Mr Staindl attempted to 01:00:28PM
28 mediate, as Mr Woodman expressed his disagreement with the 01:00:35PM
29 objectives. As the meeting went on - it was only a 01:00:46PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

coffee, Mr Staindl tried to mediate by presenting a view that I think he used the phrase that Mr Woodman had a paternalistic view of his role in Cranbourne and his concern for the Cranbourne community. I responded that we should be grateful for his benevolence. I perhaps was being sarcastic, but I'm not sure that Mr Woodman picked up on that sarcasm. Mr Staindl tried to change the topic and did so successfully. They brought up the topic of the land. Mr Woodman presented a letter to me that he wanted me to pass on. Twice I declined the letter, using the phrase that I had been using, which was that it was not my part of the ship, that this was not something I ought do, that the letter needed to go to Mr Perera. I twice declined it. But I think on the third time, I don't know what happened to the letter, but I wanted that meeting to end and so I may have taken the letter but never submitted it.

And that letter was to go - was from whom to whom?---I didn't read the letter, but I understood that it was from the community action group asking for there to be a change to the zone.

Mr Staindl and Mr Woodman have both given evidence that at that meeting you made a commitment to support the way forward they were proposing in respect of the rezoning issue. Do you disagree with that?---I have no recollection of agreeing with them. I do have a tendency sometimes to sound agreeable and to smile agreeably, but I have no recollection of making a commitment to them that I would take on their issue.

01:00:53PM
01:00:58PM
01:01:05PM
01:01:10PM
01:01:15PM
01:01:20PM
01:01:25PM
01:01:31PM
01:01:37PM
01:01:41PM
01:01:47PM
01:01:50PM
01:01:54PM
01:01:59PM
01:02:03PM
01:02:06PM
01:02:11PM
01:02:14PM
01:02:20PM
01:02:24PM
01:02:30PM
01:02:32PM
01:02:41PM
01:02:47PM
01:02:52PM
01:02:55PM
01:02:58PM
01:03:04PM
01:03:08PM

1 But then it was later that day, wasn't it, immediately after 01:03:10PM
2 the meeting that they contacted you in respect of payment 01:03:13PM
3 details of the \$20,000?---I can't remember. 01:03:18PM
4 Where did those details come from?---The Cranbourne SEC - SECC 01:03:24PM
5 bank account? 01:03:34PM
6 Yes?---I'm not sure. 01:03:34PM
7 You see, I'd suggest to you again it's very apparent they have 01:03:38PM
8 got an agenda, they offer you 20,000, you have a meeting, 01:03:48PM
9 after the meeting they arrange to pay you, they get 01:03:57PM
10 payment details from you - - -?---I don't recall providing 01:04:07PM
11 payment details. 01:04:10PM
12 I'll take you to it. In any event, after the meeting - it was 01:04:10PM
13 after the meeting that the money was paid, wasn't it?---So 01:04:14PM
14 the Cranbourne SECC is managed by - and I don't have 01:04:17PM
15 access to that, but I understand a payment was made by 01:04:21PM
16 that organisation. I don't know the date. And 01:04:26PM
17 I understood it to be \$10,000 to the Cranbourne campaign 01:04:31PM
18 and \$10,000 to other campaigns. 01:04:35PM
19 But you went to that meeting knowing that it was seen by them 01:04:41PM
20 to be an audition in the course of which you would be 01:04:44PM
21 required to make a commitment in order to justify the 01:04:50PM
22 payments at the time. 01:04:54PM
23 COMMISSIONER: Just a moment. Ms Blair, yes? 01:04:57PM
24 MS BLAIR: Sorry, Commissioner, I don't think the witness can 01:05:01PM
25 speak as to what their view was or what the views of 01:05:03PM
26 Mr Staindl and Mr Woodman were. 01:05:07PM
27 MR TOVEY: It was the witness's understanding that I was asking 01:05:11PM
28 about, her knowledge, her belief as she went to it?---That 01:05:14PM
29 was not my - - - 01:05:18PM

1 COMMISSIONER: Perhaps you might rephrase the question again, 01:05:19PM
2 Mr Tovey. 01:05:21PM
3 MR TOVEY: Yes. You went to that meeting knowing that the 01:05:22PM
4 actual payment of the \$20,000 was likely to be dependent 01:05:29PM
5 on how you responded in respect of the rezoning issue and 01:05:34PM
6 the H3 issue?---No, that's not my understanding. 01:05:41PM
7 COMMISSIONER: But, Ms Richards, what's concerning me is if 01:05:46PM
8 I've understood your account correctly you concede that 01:05:49PM
9 you might well have left them with the impression that you 01:05:58PM
10 were agreeable to what they were proposing rather than to 01:06:03PM
11 tell them that you wouldn't allow yourself to be a conduit 01:06:08PM
12 for their objectives?---I told them I wasn't willing to be 01:06:13PM
13 taking - take their letter to the minister because it was 01:06:18PM
14 not my role. The words that I used I thought and my 01:06:21PM
15 demeanour I thought was giving an indication of my 01:06:27PM
16 unhappiness with their approach, and I certainly thought 01:06:33PM
17 that Mr Staindl was aware of that by some of the comments 01:06:38PM
18 he made. 01:06:41PM
19 I'm sorry, you left me with the wrong impression. I thought 01:06:43PM
20 you were indicating you might have left them - because 01:06:47PM
21 that's often your approach that you don't want to be 01:06:51PM
22 confrontational, that you left them with the impression 01:06:54PM
23 that you were agreeable. That's not correct?---I took the 01:06:58PM
24 letter, I think, or I certainly wanted the meeting to end 01:07:02PM
25 and they may have, but I can't - I can't speak for what 01:07:08PM
26 their impression was. It was not the impression that 01:07:13PM
27 I had. 01:07:17PM
28 Mr Tovey, I see the time. 01:07:18PM
29 MR TOVEY: I know, Mr Commissioner, I raised the prospect of a 01:07:23PM

1 longer than usual lunch. 01:07:26PM

2 COMMISSIONER: Yes. 01:07:27PM

3 MR TOVEY: Could I take another position? 01:07:29PM

4 COMMISSIONER: Yes. 01:07:31PM

5 MR TOVEY: And in fact resume at quarter to? 01:07:32PM

6 COMMISSIONER: Yes. We'll adjourn until 1.45. Have a break, 01:07:35PM

7 Ms Richards, and by all means speak to your counsel. 01:07:39PM

8 <(THE WITNESS WITHDREW) 01:07:45PM

9 LUNCHEON ADJOURNMENT 01:07:46PM

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

1 UPON RESUMING AT 1.49 PM: 01:49:51PM
2 <PAULINE LOUISE RICHARDS, recalled: 01:49:51PM
3 COMMISSIONER: Are you ready to proceed, Ms Richards?---Yes. 01:49:51PM
4 Yes, Mr Tovey. 01:49:55PM
5 MS BLAIR: Commissioner, perhaps before we start. 01:49:57PM
6 COMMISSIONER: Yes. 01:50:00PM
7 MS BLAIR: Just in relation to - could we step back just 01:50:00PM
8 briefly to the meeting that occurred, the coffee that 01:50:04PM
9 occurred between Ms Richards, Mr Staindl and Mr Woodman. 01:50:06PM
10 I understand Ms Richards - could I just ask a couple of 01:50:12PM
11 questions or one question really in particular in relation 01:50:16PM
12 to that, Commissioner? 01:50:18PM
13 COMMISSIONER: Yes, please. 01:50:20PM
14 MS BLAIR: Perhaps before we move off the topic. 01:50:21PM
15 COMMISSIONER: Yes. 01:50:24PM
16 <EXAMINED BY MS BLAIR: 01:50:24PM
17 Just in relation to exactly what you said, Ms Richards, to 01:50:25PM
18 Mr Staindl and Mr Woodman when the issue of the planning 01:50:29PM
19 was raised, you've said previously that you said a couple 01:50:34PM
20 of things to them. But perhaps just for clarity for the 01:50:40PM
21 Commissioner you can just repeat again exactly what you 01:50:43PM
22 said that perhaps - you can repeat exactly what you said 01:50:45PM
23 to them and the situation as it occurred in relation to 01:50:50PM
24 the letter?---So as they presented the letter to me 01:50:54PM
25 I twice pushed with my hand away and said, 'This is not my 01:51:01PM
26 part of the ship.' They presented the letter to me a 01:51:07PM
27 second time, and a second time I pushed the letter away 01:51:11PM
28 and said exactly the same thing again, 'That this is not 01:51:15PM
29 my part of the ship, that this is a matter that ought go 01:51:20PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

via Mr Perera because as a candidate this was not something for me.' So I twice rejected the letter and used that phrase.

And can you recall whether you took the letter in the end or not?---I have no recollection of taking the letter.

If you did take the letter, which you can't recall whether or not you did, do you have any recollection of - do you have any recollection of what happened after the meeting in terms of that if you did take it, although you say you don't recall?---I don't recall what happened to the letter, but I did not do anything with the letter. It's not something I have. It's not something I could find even immediately after. I assumed I hadn't taken it. But I certainly told them that it was not my role and I used the phrase that 'it's not my part of the ship' to present that view.

Thank you, Commissioner, that was - - -

COMMISSIONER: Yes, thank you, Ms Blair. Could I just enquire, Ms Richards, you listened to the taped conversation between Mr Staindl and Mr Woodman in which they discussed the agenda of things that they wanted to pursue, some of them it appears being things they intended to raise with you. Are you able to make any comment about the extent to which they raised those matters with you?---Mr Staindl was attempting to provide what he saw as a briefing of the issues around the zoning of the land, and I again as I had in other situations deflected and pushed away or deflected my role as it related to planning.

So is it clear then from your response to them that they would

01:51:25PM
01:51:28PM
01:51:34PM
01:51:38PM
01:51:40PM
01:51:45PM
01:51:49PM
01:51:53PM
01:51:56PM
01:51:59PM
01:52:02PM
01:52:07PM
01:52:10PM
01:52:15PM
01:52:19PM
01:52:22PM
01:52:24PM
01:52:27PM
01:52:32PM
01:52:35PM
01:52:42PM
01:52:46PM
01:52:49PM
01:52:54PM
01:53:00PM
01:53:04PM
01:53:11PM
01:53:17PM
01:53:30PM

1 have left the meeting, you say, under no mistaken 01:53:35PM
2 impression that you were not going to lend yourself to 01:53:39PM
3 advancing either Mr Woodman's interests or pursuing the 01:53:43PM
4 course that Mr Staindl was raising with you?---I certainly 01:53:51PM
5 thought Mr Staindl was clear that I was unhappy with the 01:53:55PM
6 meeting and the tone of the meeting. So in my mind 01:54:03PM
7 Mr Staindl ought to have been very clear that I was not 01:54:09PM
8 going to pursue it. I can't speak for what they thought 01:54:14PM
9 afterwards or why they did. But I was clear to them in 01:54:20PM
10 using my hand to push back that I was saying to them that 01:54:25PM
11 this was not something I was going to take forward. 01:54:30PM
12 So in some contexts the concept of a quid pro quo is often 01:54:34PM
13 raised?---Yes. 01:54:46PM
14 'I'll do this for you if you do this for me'?---Yes. 01:54:47PM
15 You understand the concept?---Yes, I do. 01:54:51PM
16 And can I assume, Ms Richards, you recognised this was a 01:54:53PM
17 critical conversation you were having and that it was 01:55:01PM
18 really important that neither Mr Staindl or Mr Woodman be 01:55:07PM
19 left with any mistaken impression that in exchange for the 01:55:13PM
20 donation which Mr Woodman was intending to provide that 01:55:18PM
21 there was going to be no pro, no response by you that 01:55:23PM
22 would be offered in exchange for it? Did you recognise 01:55:29PM
23 the importance of making that clear?---I thought in my 01:55:33PM
24 behaviour that I was recognising the importance of making 01:55:38PM
25 that clear. 01:55:42PM
26 Yes. Yes, Mr Tovey. 01:55:43PM
27 <EXAMINED BY MR TOVEY, continued: 01:55:43PM
28 Thank you. For how long did the meeting go?---I recall it as 01:56:40PM
29 coffee lengthed. So my initial impression was 15 to 01:56:49PM

1 20 minutes. 01:56:54PM

2 Were you aware before me telling you right now that this 01:56:59PM

3 meeting was photographed and observed?---No. 01:57:03PM

4 Look, in fact the meeting I'd suggest to you was of an hour and 01:57:07PM

5 a quarter?---Really? 01:57:15PM

6 Yes. It's not a mistake that you could have made (indistinct), 01:57:17PM

7 is it? 01:57:28PM

8 COMMISSIONER: Sorry, Mr Tovey, the last bit of that was a bit 01:57:30PM

9 obscure. 01:57:33PM

10 MR TOVEY: Sorry. What I'm suggesting to you is that there is 01:57:34PM

11 a significant difference between 15 minutes and an hour 01:57:40PM

12 and a quarter and it's not something which you could be 01:57:42PM

13 mistaken about. Now, would you agree with that?---I'm 01:57:45PM

14 very surprised to find it was so long. 01:57:50PM

15 Part of that meeting was overheard by surveillance officers who 01:58:03PM

16 were in the vicinity and what I want to suggest to you is 01:58:07PM

17 that in the course of that meeting there was discussion 01:58:16PM

18 about the industrial land review being conducted by the 01:58:24PM

19 minister; do you recall that?---Yes. 01:58:33PM

20 And in fact this meeting had taken place only a few days after 01:58:36PM

21 the minister had announced a deferment of this decision in 01:58:43PM

22 respect of the C219 rezoning; isn't that right?---I don't 01:58:50PM

23 recall that, but I accept it. 01:58:57PM

24 You have to verbalise, so we otherwise don't get it on the 01:59:00PM

25 transcript. What was being put to you at this meeting was 01:59:06PM

26 indeed what we've heard on a number of tapes - you 01:59:13PM

27 mightn't have heard them - where Woodman and others are 01:59:19PM

28 discussing that their plan going forward is that the 01:59:24PM

29 industrial land review should not be conducted by 01:59:35PM

1 bureaucrats who are against them, but they would agitate 01:59:39PM
2 to have it before an independent panel where they would be 01:59:45PM
3 able to make submissions, and I'd suggest that that 01:59:52PM
4 proposal was something discussed extensively during this 01:59:54PM
5 meeting with you?---M-hmm. 02:00:01PM
6 Would you agree with that?---I accept it. 02:00:03PM
7 I would suggest to you that during the meeting Woodman was at 02:00:05PM
8 pains to explain to you his position in respect of Halls 02:00:20PM
9 Road and the intersection, talking about a number of 02:00:29PM
10 accidents that had occurred there and the road safety 02:00:32PM
11 issues which applied; would you agree with 02:00:39PM
12 that?---I accept it. 02:00:42PM
13 Yes. And indeed you spoke to him about an aged care facility 02:00:43PM
14 which was planned near the intersection; is that something 02:00:50PM
15 you recall?---I'm aware that there's an aged care facility 02:00:54PM
16 there, so I may have acknowledged the aged care facility 02:00:59PM
17 was there. 02:01:02PM
18 He spoke to you about the fact that he had put up signs for you 02:01:03PM
19 and indeed he commented that the signs were enormous and 02:01:10PM
20 illegal, but it wouldn't matter three weeks out from the 02:01:13PM
21 election; would you agree that that was amongst the 02:01:18PM
22 topics?---I don't recall that part. 02:01:24PM
23 I'd suggest to you he also spoke to you about issues he had 02:01:27PM
24 with Melbourne Water and VicRoads and him needing to get a 02:01:32PM
25 message sent to the right department; do you agree with 02:01:37PM
26 that?---I don't recall that part. 02:01:42PM
27 Would you deny that those were matters that were 02:01:44PM
28 discussed?---I don't deny it. I can't recall that that 02:01:50PM
29 was part of the discussion, but I'll accept it. 02:01:53PM

1 Close to the end he invited you to come along with him to the 02:01:57PM
2 Casey Demons, I assume that's a football team, which he 02:02:11PM
3 told you was sponsored by Wolfdene, which is one of the 02:02:14PM
4 companies with which he was associated. Is that something 02:02:18PM
5 which occurred?---No. I didn't accompany him to the Casey 02:02:21PM
6 Demons. 02:02:28PM
7 No, but did he give you that invitation?---I accept that he may 02:02:28PM
8 have suggested that I go to see the Casey Demons with him. 02:02:33PM
9 All right. Having heard all that, do you now accept that you 02:02:36PM
10 were subject to a quite extensive briefing by Mr Woodman 02:02:46PM
11 as to what his ambitions were in respect of a number of 02:02:51PM
12 planning processes, but in particular the rezoning and the 02:02:56PM
13 intersection?---Yes. 02:03:00PM
14 And I'd suggest to you that the noises you made were, to put it 02:03:02PM
15 reasonably neutrally, at least encouraging that he would 02:03:14PM
16 have your support; would you agree with that?---I remember 02:03:18PM
17 being smiling, but I don't recall being encouraging. 02:03:21PM
18 But let's face it, you as a politician did not want to look a 02:03:27PM
19 gift horse in the mouth, did you? You didn't want to 02:03:34PM
20 (indistinct)?---I was in the middle of a campaign in which 02:03:39PM
21 I was spending up to eight hours or more smiling at 02:03:41PM
22 people, trying to - as I was doorknocking, and I think it 02:03:49PM
23 became my inclination to smile and nod agreeably at all 02:03:55PM
24 people as part of the natural way of encouraging people to 02:03:59PM
25 vote for me. 02:04:06PM
26 Did you come out of that meeting thinking that he might have 02:04:10PM
27 anticipated that he could rely on you to make 02:04:15PM
28 representations to the minister's office in respect of 02:04:20PM
29 matters where he had an interest?---My recollection was 02:04:24PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

that I was trying to make it clear that that was not my
role. So, I came out of that meeting thinking that
Mr Staindl at least - I was unsure what Mr Woodman thought
- but Mr Staindl at least was clear that that was not
something I was going to do.

Well, look, two hours later there was recorded a conversation
which makes it tolerably clear what Mr Woodman thought.
Are you familiar with a conversation that he had with
Mr Kenessey having left that meeting?---Yes.

Yes?---From last year at the time of the initial hearings.

All right. So everyone knows what we're talking about, could
we have played, please, exhibit 59, which is tab 165.

(Audio recording played to the Commission.)

MR TOVEY: So that's the end of that excerpt. Now, to say that
was an enthusiastic view would be an understatement as to
the way Mr Woodman anticipated that you would be
supporting him. That would be a fair assessment of that
conversation?---I assess that conversation as being them
presenting a situation that I don't recall, which is that
I was using phrases like 'All the way Jose' and I was all
the way with them.

I don't think they said - he said, 'She's going to go all the
way Jose.' He didn't give that to you. Now, making
allowance for the fact that there might have been some
flattery in the way in which Mr Woodman was reporting to
his client, Mr Kenessey, nevertheless looking at the
factual matters that he refers to there, he says there was
a conversation where you said you lived in Lyndhurst; is
that accurate?---I don't now live in Lyndhurst, but I did

02:04:28PM
02:04:33PM
02:04:38PM
02:04:43PM
02:04:47PM
02:04:49PM
02:04:55PM
02:05:02PM
02:05:07PM
02:05:12PM
02:05:19PM
02:05:26PM
02:06:22PM
02:09:21PM
02:09:28PM
02:09:33PM
02:09:39PM
02:09:46PM
02:09:52PM
02:09:56PM
02:10:01PM
02:10:04PM
02:10:07PM
02:10:14PM
02:10:21PM
02:10:23PM
02:10:29PM
02:10:40PM
02:10:45PM

1 at the time, yes. 02:10:49PM

2 You did at the time. So that would have taken place?---Yes. 02:10:49PM

3 He said you took the letter. You're not sure whether you took 02:10:52PM

4 it or not, but having seen that would you agree that you 02:10:57PM

5 must have?---I think I said earlier that I can't recall 02:10:59PM

6 taking the letter, but I accepted that I probably did. 02:11:02PM

7 Yes. And then he said he told you, 'We need to be able to 02:11:05PM

8 write to the community and tell them - be able to write to 02:11:14PM

9 the community and say, "Look, we are the Labor - you know, 02:11:22PM

10 the Labor Party is going to do the right thing.'" That 02:11:26PM

11 was his agenda. In fact, going to the meeting one of the 02:11:26PM

12 things he wanted was to see whether before the election he 02:11:30PM

13 could get an undertaking from the party itself to support 02:11:33PM

14 his new position in respect of the rezoning, which was 02:11:39PM

15 what he interestingly referred to as the transparency 02:11:45PM

16 option where the matter was going to be put before Panels 02:11:49PM

17 Victoria. Now, I'd suggest to you it's apparent that that 02:11:53PM

18 must have been spoken about between you?---The 02:11:57PM

19 panels - - - 02:12:02PM

20 The panels - - -?---That was part of my - my memory is that was 02:12:03PM

21 part of Mr Staindl's briefing. 02:12:08PM

22 Yes, but it wasn't just the panels. It was the fact that he 02:12:11PM

23 was wanting to get the Labor Party to take that position 02:12:14PM

24 at a time before the election if possible. Is that 02:12:20PM

25 something which you agree with?---It's not something 02:12:26PM

26 I recall, but it's something I accept. 02:12:29PM

27 So he says, 'Her and Staindl have gone off to get that prior to 02:12:35PM

28 caretaker mode starting, what, next Tuesday or Wednesday 02:12:39PM

29 or something.' You can't recall what the mechanics of 02:12:46PM

1 Yes. And then there was reference to discussion about putting 02:15:07PM
2 up a sign on the property. I've already pointed you to 02:15:15PM
3 that from the observations of those who were able to hear 02:15:19PM
4 some of this conversation. Then he ultimately says he's 02:15:23PM
5 going to be 'all the way Jose', but that's his assessment; 02:15:31PM
6 it's not the words that you were supposed to have said. 02:15:36PM
7 Nevertheless, this gets back to something I was putting to 02:15:41PM
8 you before, and that is from everything that we've seen 02:15:44PM
9 and what you've now agreed, here you are, you have the 02:15:46PM
10 juxtaposition of an offer of \$20,000, a meeting where you, 02:15:50PM
11 to use a neutral word, at least intimate support for his 02:16:03PM
12 positions on two planning issues. At that same meeting 02:16:13PM
13 you're thanking him for his generous offer of 20,000. 02:16:16PM
14 After the meeting, authorisation is given to pay over the 02:16:20PM
15 20,000. Surely you would agree, in retrospect, that the 02:16:27PM
16 look of all that is very, very bad?---In hindsight 02:16:36PM
17 I wished I hadn't attended the meeting. 02:16:41PM
18 Yes?---In hindsight I wished I had not agreed to meet with him 02:16:44PM
19 and I wish I had been clearer in my intention not to make 02:16:55PM
20 representations on his behalf. And in hindsight I accept 02:17:02PM
21 that I wish I had been clearer in perhaps flattening his 02:17:07PM
22 expectations of me. But, yes, I accept that. 02:17:18PM
23 So the net result is, with your knowledge of the lobbyist's 02:17:23PM
24 code of conduct, insofar as you were being lobbied to, 02:17:39PM
25 there was no requirement on you to - and you were being 02:17:43PM
26 lobbied to by somebody who had a commercial interest in 02:17:48PM
27 the operation of government, there was no reporting 02:17:53PM
28 system, there was no training given to you in how to 02:17:58PM
29 report on or respond to these situations; is that the 02:18:05PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

case?---Yes.

Other than a stern warning, a cryptic warning from the minister's office not to engage with Woodman in respect of these matters?---Not to engage in planning, not to be distracted by planning issues.

Yes.

COMMISSIONER: But, Ms Richards, the regime which needs to be in place, I think you would readily agree, does not need to be confined to planning issues; it can apply to any government decision in which a third party has a financial interest and the need to ensure that lobbyists or members of parliament who perform what might be said to be a role akin to a lobbyist have certain obligations that need to be recorded so that at least there's some transparency and accountability when such interaction occurs?---Yes, I agree, Commissioner, and I would also add that I saw Mr Staindl as having a more independent role than I now understand him to have.

Well, I'll come back to that in a moment. But, Mr Tovey, please correct me if my impression is wrong, but my recollection of Mr Staindl's evidence was that he said of this particular meeting that he described Mr Woodman's view of Ms Richards as being 'very supportive' is my recollection of what Mr Staindl said was Mr Woodman's view, and my recollection is that Mr Staindl said he thought that was a fair assessment of the meeting.

MR TOVEY: Yes, and that was also the evidence given by Woodman.

COMMISSIONER: Yes.

02:18:09PM
02:18:12PM
02:18:18PM
02:18:21PM
02:18:27PM
02:18:29PM
02:18:32PM
02:18:39PM
02:18:46PM
02:18:53PM
02:18:57PM
02:19:04PM
02:19:10PM
02:19:15PM
02:19:20PM
02:19:26PM
02:19:31PM
02:19:38PM
02:19:43PM
02:19:46PM
02:19:50PM
02:19:55PM
02:20:03PM
02:20:11PM
02:20:17PM
02:20:20PM
02:20:25PM
02:20:31PM
02:20:31PM

1 WITNESS: But my experience of the meeting was more fractious 02:20:35PM
2 than their memory. 02:20:39PM
3 COMMISSIONER: I understand that. I'm just pointing out, 02:20:41PM
4 Ms Richards, that Mr Staindl has given much the same 02:20:44PM
5 account as Mr Woodman, that he came away from that meeting 02:20:47PM
6 thinking that you were very supportive of Mr Woodman's 02:20:52PM
7 proposals. I mean, Mr Staindl, and perhaps for that 02:21:00PM
8 matter Mr Woodman, have been working in a quasi-political 02:21:04PM
9 environment for a long time. Do you think that they could 02:21:09PM
10 be so mistaken about the impression that you left them 02:21:14PM
11 with?---I wish that I had been perhaps less agreeable 02:21:17PM
12 appearing than I was. But I can't comment on their 02:21:25PM
13 impressions. 02:21:32PM
14 No, but again please correct me if you don't agree, but I take 02:21:37PM
15 it from what you've said that you could have left them 02:21:45PM
16 with that impression?---I have, on reflection, an 02:21:48PM
17 inclination to be agreeable and smiling and I must 02:21:54PM
18 have - I could have left them with that impression. 02:21:58PM
19 Yes?---But less than I had anticipated. 02:22:00PM
20 Yes. Mr Tovey. 02:22:03PM
21 MR TOVEY: Thank you. Following that meeting there were 02:22:11PM
22 discussions between Woodman and Staindl, which I don't 02:22:13PM
23 need to replay to you, whereby by 29 October they're 02:22:24PM
24 talking about if anybody can get this across the line you 02:22:31PM
25 can; on 31 October they talk about their expectation that 02:22:34PM
26 you'll be 'sitting in front of the minister'. I think the 02:22:43PM
27 expectation was that you would be going to the minister's 02:22:50PM
28 office. These were matters which were raised by them. 02:22:53PM
29 The fact that you might pursue their agenda in the 02:22:59PM

1 minister's office, I'd suggest to you from something you 02:23:09PM
2 say later on, was clearly a matter which was raised during 02:23:11PM
3 your conversation on 23 October?---Pardon? Could you 02:23:15PM
4 repeat that? 02:23:20PM
5 I'd suggest to you that - I'll take you soon to another 02:23:21PM
6 conversation where you were recorded - but I'd suggest you 02:23:26PM
7 came away from the meeting on 23 October understanding 02:23:33PM
8 that Woodman and Staindl had some expectation that you 02:23:36PM
9 would in some way try and progress Woodman's agenda with 02:23:44PM
10 the minister's office; would you agree with 02:23:51PM
11 that?---I accept that's their impression. 02:23:55PM
12 Would you accept that that's something that was raised in the 02:23:58PM
13 course of that meeting?---I can't recall it being raised. 02:24:02PM
14 On 8 November there was a letter from SCWRAG, it's quite a 02:24:12PM
15 detailed letter and I'm not sure, you might remember it, 02:24:20PM
16 but this was a letter from allegedly Ray Walker, probably 02:24:25PM
17 from Megan Schutz, wanting you to accept that you 02:24:32PM
18 supported the 'transparency' policy which is the Panels 02:24:44PM
19 Victoria policy. Do you have any recollection of that 02:24:54PM
20 letter coming to you ?---That was I think three weeks 02:24:56PM
21 before the election. 02:24:59PM
22 Yes, this is 8 November?---The election is the 24th. 02:24:59PM
23 The election was the 24th, yes?---24 November. By that stage 02:25:03PM
24 pre-poll had opened a couple of weeks, maybe three weeks 02:25:10PM
25 before the election, possibly two, but certainly by that 02:25:13PM
26 stage I had an absolute requirement to knock on 100 doors 02:25:17PM
27 or make 100 phone calls, mostly 100 doors a day. With 02:25:22PM
28 (indistinct) children, I have no recollection of anything 02:25:23PM
29 at all from the month of November. 02:25:25PM

1 All right. And getting back to something that you raised, on 02:25:29PM
2 13 November of 2018 it would seem that there was 02:25:36PM
3 confirmation given to erect the signs. All right. That 02:25:41PM
4 was in accordance with your recollection only some 10 days 02:25:49PM
5 before the election?---So, in accordance with my 02:25:53PM
6 recollection was that I had asked the campaign team to not 02:25:57PM
7 go ahead with providing the artwork so that the signs 02:26:00PM
8 couldn't go up. So I only discovered that the signs had 02:26:04PM
9 gone up more recently. 02:26:08PM

10 COMMISSIONER: I'm sorry, Ms Schutz, when you say 'more 02:26:13PM
11 recently', you mean after the signs had gone up you 02:26:16PM
12 discovered that they had, contrary to your wishes, gone 02:26:20PM
13 up?---In fact it was only in preparing to come to see you 02:26:23PM
14 that I found an email in which there was the photos of the 02:26:27PM
15 signs. I didn't recall at the time and certainly November 02:26:30PM
16 is a haze to me. I didn't recall being aware that the 02:26:35PM
17 signs had gone up at the time and it was only in preparing 02:26:41PM
18 to come here that I saw an email that had the photos of 02:26:45PM
19 the garden boards. 02:26:49PM

20 So who was it on the campaign committee, Ms Richards, that you 02:26:51PM
21 told you don't want the signs going up?---I recall asking 02:26:58PM
22 the campaign manager. He doesn't recall that, though - 02:27:05PM
23 I've checked with him since - asking him that the artwork 02:27:08PM
24 that he - I used the phrase again to 'kick the can' on 02:27:11PM
25 providing the artwork so that there was a delay so as not 02:27:17PM
26 to insult Mr Staindl and that the delay would mean that 02:27:21PM
27 the signs didn't go up because the time was so close to 02:27:23PM
28 the election that they would have no value anyway. 02:27:27PM
29 I'm sorry, you say you raised that with him, what, since it 02:27:33PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

became public in these hearings?---Yes.
And he has no recollection of you asking him to do
that?---That's right.
But you're still confident about your recollection, are you,
that you - - -?---Well, I'm quite confident that I - I'm
confident I didn't want the signs. I'm quite confident
I asked him to 'kick the can'. But November is a blur.
November 2018 is blur to me, so I am, you know, wonder and
second-guess myself.
I think you would agree with me that a number of things have
occurred which, with the benefit of hindsight, shouldn't
have occurred and you wouldn't do those things again. But
what we need to strive for - - -?---Absolutely.
What we need to strive for is a regime that doesn't leave it to
individual members of parliament's judgment as to whether
they should or shouldn't do these things. We need to have
a regime which is both transparent and creates a level of
accountability so that the prospect of things like this
occurring is seriously diminished. Do you
agree?---Commissioner, I agree. But I would also posit
that as a candidate as well, the demands on a candidate
that normally continue with life would mean that it's not
just members of parliament, that it's actually a very busy
time and that it's difficult for candidates to navigate
systems, especially, as I think I keep on saying, because
of my lack of clarity about Mr Staindl's role, so it's not
just members of parliament.
Yes. Well, I wasn't meaning to suggest, Ms Richards, that
that's the only area where there needs to be reform. But

02:27:37PM
02:27:40PM
02:27:44PM
02:27:45PM
02:27:49PM
02:27:54PM
02:27:57PM
02:28:04PM
02:28:13PM
02:28:15PM
02:28:19PM
02:28:24PM
02:28:27PM
02:28:30PM
02:28:35PM
02:28:40PM
02:28:43PM
02:28:47PM
02:28:53PM
02:28:57PM
02:29:01PM
02:29:09PM
02:29:13PM
02:29:18PM
02:29:28PM
02:29:33PM
02:29:38PM
02:29:40PM
02:29:44PM

1 I'm only dealing with this in your context at 02:29:48PM
2 present?---And I'm trying to be helpful. 02:29:52PM
3 Yes?---I'm reflecting that I wouldn't want to have anyone 02:29:55PM
4 endure the uncertainty that I did. 02:30:01PM
5 No. Mr Staindl played both a role in relation to fundraising 02:30:03PM
6 for the party as well as his role as a lobbyist, and the 02:30:12PM
7 duality of his functions of itself was a factor which 02:30:20PM
8 simply increased the risk of conduct occurring which 02:30:25PM
9 should not have occurred. Do you agree with 02:30:29PM
10 that?---I agree. I am perhaps ill-equipped to be as 02:30:39PM
11 certain as you are, but I can comment or perhaps provide 02:30:45PM
12 insight that as a candidate with the demands on voter 02:30:49PM
13 contact and the separation from fundraising which appeared 02:30:56PM
14 to me to be providing me with a level of certainty, that 02:31:00PM
15 it's a difficult path to navigate. 02:31:09PM
16 Yes. Yes, Mr Tovey. 02:31:12PM
17 MR TOVEY: Just before I forget, could the witness please be 02:31:15PM
18 shown page 3936 of the court book. Could we scroll down, 02:31:18PM
19 please? Thank you. Just scroll up to the word 'John'. 02:32:05PM
20 Keep on going, thank you. That's it. That's the 02:32:29PM
21 afternoon of your meeting and that's Phil Staindl emailing 02:32:32PM
22 John Woodman indicating, 'Further to the discussions with 02:32:41PM
23 Pauline earlier today, the amounts for the three campaigns 02:32:51PM
24 listed below are as follows.' Did you in the course of 02:32:54PM
25 the meeting give those instructions?---The conversation 02:32:58PM
26 I had about the donations to the two other campaigns in my 02:33:04PM
27 memory were had on the telephone. 02:33:09PM
28 Right. In any event, however they were made, those 02:33:13PM
29 discussions, he refers to them having occurred 'earlier 02:33:22PM

1 today', that is some time after the meeting; would you 02:33:24PM
2 agree with that?---I accept that that's the same day as 02:33:28PM
3 the meeting, but I recall them being on the telephone. 02:33:32PM
4 But were they after the meeting?---I can't recall. 02:33:36PM
5 COMMISSIONER: I'm sorry, Mr Tovey, is that an exhibit? 02:33:54PM
6 MR TOVEY: It's not an exhibit. No, I tender that. 02:33:57PM
7 COMMISSIONER: Very good. That will be exhibit 312. 02:34:00PM
8 #EXHIBIT 312 - Page 3936 of the court book. 02:34:06PM
9 MR TOVEY: I just want to take you back to something that the 02:34:08PM
10 Commissioner raised with you, and that is the sign 02:34:10PM
11 boards?---Yes. 02:34:19PM
12 So you have Mr Woodman, who at least your husband feels very 02:34:19PM
13 uncomfortable about; would you agree with that?---Yes. 02:34:31PM
14 And your husband's view, I take it, was that it was 02:34:36PM
15 inappropriate that you should be putting up signs on 02:34:42PM
16 property owned by and being paid for by a property 02:34:47PM
17 developer who has an interest in what's going on in the 02:34:51PM
18 election?---Yes. 02:34:53PM
19 All right. I mean, it would seem from what you say you must 02:34:54PM
20 have been significantly uncomfortable about all that; is 02:35:03PM
21 that fair enough?---Yes. 02:35:13PM
22 But nevertheless you have the situation where Mr Woodman is a 02:35:14PM
23 major donor, a major Labor supporter, and you're caught 02:35:21PM
24 between a rock and a hard place, aren't you, because you 02:35:28PM
25 can't just say to him the obvious, and that is, 'I don't 02:35:31PM
26 like the idea of a property developer putting signs on my 02:35:34PM
27 land when there are development issues which are going to 02:35:39PM
28 be ventilated during the election.' You can't say that to 02:35:44PM
29 him, can you?---I was less conscious or worried about 02:35:48PM

1 offending Mr Woodman than I was about offending 02:35:52PM
2 Mr Staindl. 02:35:58PM
3 Yes. And, what, you felt some sense of obligation, did 02:36:02PM
4 you?---I felt that I had known Mr Staindl a long time and 02:36:10PM
5 that it was he that I would offend. I had no - that was 02:36:17PM
6 my concern. 02:36:22PM
7 I just ask you to listen to tab 91, which again talks about 02:36:36PM
8 access to the minister, but it's only part of a number of 02:36:42PM
9 discussions. But can we go to tab 91, please? This is on 02:36:50PM
10 17 January 2019. 02:36:56PM
11 COMMISSIONER: Is this an exhibit, Mr Tovey? 02:37:04PM
12 MR TOVEY: It's not, as I understand it, Mr Commissioner. 02:37:06PM
13 (Audio recording played to the Commission.) 02:37:27PM
14 MR TOVEY: So, again you have discussion between Woodman and 02:40:24PM
15 Kenessey about the independent panel and the way in which 02:40:28PM
16 their present position might be pitched to the minister. 02:40:35PM
17 I'm only playing that to you to indicate that this is an 02:40:42PM
18 ongoing theme in the background. But in the course of 02:40:45PM
19 that I just noticed that Woodman says, 'I don't 02:40:50PM
20 particularly want to brief her, because in Judith briefing 02:40:56PM
21 her saying, "Look, he gave me an undertaking that this was 02:40:59PM
22 going to happen,"' it would appear that he was 02:41:04PM
23 anticipating that Judith would be briefing, that is Judith 02:41:13PM
24 Graley, would be briefing you to give you some of the 02:41:21PM
25 ammunition to take before the minister or to take before 02:41:24PM
26 Mr Keogh, who was the minister's chief of staff. Was that 02:41:28PM
27 the case, that Judith Graley was briefing you in any way 02:41:35PM
28 in respect of issues which might go before the 02:41:41PM
29 minister?---Was this after the election? 02:41:46PM

1 Yes, this is well after the election. This is January?---No. 02:41:49PM
2 No. 02:41:52PM
3 All right. In any event - - -?---I don't think I've seen 02:41:57PM
4 Judith since 2018. 02:42:01PM
5 MS BLAIR: Sorry, can we just confirm exactly when that date 02:42:09PM
6 was? I must have missed it, I'm sorry. 02:42:11PM
7 MR TOVEY: It was 17 January 2019. 02:42:14PM
8 MS BLAIR: Thank you. 02:42:18PM
9 MR TOVEY: So I tender that, Mr Commissioner, tab 91. 02:42:23PM
10 COMMISSIONER: That will be 313. 02:42:34PM
11 #EXHIBIT 313 - Audio Recording of conversation between 02:42:36PM
12 Mr Woodman and Mr Kenessey on 17/01/19, tab 91. 02:36:56PM
13 MR TOVEY: And then I want to take you finally to 5045, which 02:42:38PM
14 is an email from Phil Staindl to John Woodman on 10 April 02:42:50PM
15 2019. Before we go to that, there are a few things that 02:42:55PM
16 have happened that you would have been aware of. I just 02:43:19PM
17 want to make sure that you were. I've raised with you the 02:43:22PM
18 fact that on or just before 18 October the minister 02:43:28PM
19 announced deferring his decision in respect of 02:43:35PM
20 the rezoning. Does that accord with your 02:43:39PM
21 recollection?---I can't remember the date, but I remember 02:43:44PM
22 him making the decision, yes 02:43:46PM
23 All right. Now, there was also an issue at this stage of 02:43:47PM
24 Mr Woodman and Ms Schutz becoming personae non grata 02:43:56PM
25 insofar as, first of all, there had been two newspaper 02:44:07PM
26 articles suggesting that Mr Woodman's association with the 02:44:10PM
27 Casey Council was inappropriate or corrupt; you're 02:44:16PM
28 familiar with those obviously?---Yes. 02:44:19PM
29 And you wanted, and I'd suggest to you the whole party wanted - 02:44:22PM

1 after those articles wanted to maintain as arm's length a 02:44:33PM
2 position as you possibly could in respect of 02:44:37PM
3 Mr Woodman?---Yes. 02:44:41PM
4 Secondly, there was another issue arising from the fact that 02:44:41PM
5 Megan Schutz had made something of a meal of it at a 02:44:51PM
6 function where the planning minister was, by challenging 02:45:01PM
7 him and suggesting that his decisions had been 02:45:04PM
8 inappropriate in respect of C219 because he hadn't just 02:45:10PM
9 endorsed what the panel had said. That's perhaps being 02:45:15PM
10 very kind as to what his reaction was. But in any event 02:45:19PM
11 was that something that you were aware of?---Yes. 02:45:24PM
12 So politically, as you understood it, by some time in early 02:45:28PM
13 2019 Mr Woodman's access to political influence was, so 02:45:39PM
14 far as the Labor Party was concerned, well and truly over 02:45:52PM
15 and done with; is that a fair assessment?---Yes. 02:45:57PM
16 But nevertheless even then did you feel some sense of 02:46:03PM
17 obligation to him arising from the fact that he had given 02:46:10PM
18 you the support he had?---Not to Mr Woodman. 02:46:15PM
19 What about Mr Staindl?---Well, I continued to see Mr Staindl as 02:46:21PM
20 different because I saw Mr Staindl as being somebody who 02:46:29PM
21 was representing a broad range of organisations and issues 02:46:35PM
22 across Victoria. So I had perhaps a view of Mr Staindl 02:46:40PM
23 which was different to my view of Mr Woodman. I thought 02:46:46PM
24 more - less negatively perhaps is a better choice of 02:46:53PM
25 words. 02:46:59PM
26 Please look at 5045. If you go down to the third 02:46:59PM
27 paragraph?---I can see it. 02:47:24PM
28 'I caught up with Pauline Richards recently for a cuppa. She 02:47:25PM
29 is eternally grateful for the enormous support you 02:47:30PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

provided through her campaign and feels awful about what happened with the Cranbourne West matter. She feels that she cannot even raise it with the minister's office given the publicity (and I hastened to add that we are not seeking her to raise it), but she still felt really bad on your behalf. Anyway, she asked that her best wishes be conveyed to you and that she is happy to catch up for a cuppa at a mutually convenient time in the future.' Now, is Mr Staindl being untruthful there in the way in which he's conveyed to Mr Woodman your sentiments?---I don't accept those sentiments. I had a coffee with Mr Staindl in March 2019. I have only the vaguest recollection of that coffee, but I would not imagine that I would be passing on that sort of warmth. I may have wished Mr Staindl well, but I would not have been making that type of - wishing those types of wishes on Mr Woodman, I wouldn't have thought.

Mr Staindl has told us that he doesn't mislead his clients and generally we've seen a lot of his communications which don't indicate that he was inclined towards hyperbole. So when he says, 'She's eternally grateful for your enormous support', even if that is an overstatement, it's hardly likely, is it, that you would not have said something to him about telling John Woodman, look, you hadn't forgotten. You were still grateful for his support through the campaign?---I can't imagine that I would be saying I'm eternally grateful to John Woodman. I may have said to Mr Staindl that I was grateful to him for his support, but I wouldn't imagine that I would be wishing

02:47:34PM
02:47:37PM
02:47:41PM
02:47:45PM
02:47:51PM
02:47:55PM
02:48:02PM
02:48:06PM
02:48:17PM
02:48:21PM
02:48:26PM
02:48:30PM
02:48:37PM
02:48:42PM
02:48:48PM
02:48:52PM
02:48:59PM
02:49:01PM
02:49:08PM
02:49:13PM
02:49:23PM
02:49:29PM
02:49:34PM
02:49:37PM
02:49:44PM
02:49:46PM
02:49:48PM
02:49:52PM
02:49:55PM

1 Mr Woodman any good wishes. 02:49:58PM

2 I mean, it's very specific there when he says - - -?---It is 02:50:03PM

3 very specific. 02:50:06PM

4 'She feels that she cannot even raise it with the minister's 02:50:07PM

5 office given the publicity.' Now, that's an indication of 02:50:14PM

6 two things. First of all, that you and he had spoken 02:50:19PM

7 about your inability to broach Woodman subjects with the 02:50:24PM

8 minister's office; would you agree that may have 02:50:29PM

9 occurred?---I had very earlier in 2018, as I indicated, 02:50:33PM

10 been told to stay away. I can't imagine that I would have 02:50:39PM

11 said to Mr Staindl, 'I can't raise this with the 02:50:42PM

12 minister's office.' 02:50:46PM

13 COMMISSIONER: But Ms Richards - - -?---I may have said I'm 02:50:49PM

14 not willing to, but I find this to be a very unusual 02:50:52PM

15 phrasing. I am perhaps, as I've indicated before, 02:50:59PM

16 historically been more agreeable than I wish I was, but to 02:51:06PM

17 use that phrasing would surprise me. 02:51:10PM

18 Ms Richards, it's clear from your testimony that despite having 02:51:14PM

19 been told in the most emphatic terms by someone from 02:51:20PM

20 the minister's office early during the period prior to the 02:51:25PM

21 elections that you should stay away from planning, you 02:51:28PM

22 didn't?---I saw myself as not making representations as 02:51:32PM

23 fulfilling that request. 02:51:37PM

24 All right. So then the minister's office's direction wouldn't 02:51:41PM

25 have stopped you from telling Mr Staindl how you felt 02:51:45PM

26 about Mr Woodman?---I didn't feel positively towards 02:51:49PM

27 Mr Woodman, so that's why I'm surprised that I would use 02:51:54PM

28 that phrase. 02:51:57PM

29 What had Mr Woodman done that you say would have prevented you 02:51:58PM

1 from saying you felt sorry about the fact that - you felt 02:52:05PM
2 really bad on your behalf given his enormous support for 02:52:16PM
3 the campaign?---I can't imagine what Mr Staindl - what it 02:52:19PM
4 was that led Mr Staindl to use that type of phrasing. 02:52:27PM
5 But can I suggest to you that we're talking about something 02:52:32PM
6 that's fundamental to the human condition?---Yes. 02:52:36PM
7 And you're not the only politician that has after the event 02:52:40PM
8 apologised or expressed some level of regret that a 02:52:46PM
9 particular issue couldn't be further pursued given the 02:52:51PM
10 support which a third party has given the government. 02:52:56PM
11 It's part of the human condition, isn't it, to have a 02:53:02PM
12 level of gratitude or a feeling of indebtedness when 02:53:05PM
13 someone does something for you?---My feeling of 02:53:09PM
14 indebtedness or maybe gratitude was to Mr Staindl for what 02:53:13PM
15 I saw as years of Labor Party value support rather than to 02:53:18PM
16 Mr Woodman. I accept it's part of the human condition and 02:53:24PM
17 perhaps an overuse of what my mother might call good 02:53:34PM
18 manners to be thankful to somebody, but I don't recall 02:53:41PM
19 feeling at all thankful to Mr Woodman. 02:53:47PM
20 Yes?---But I do recall feeling a little bit sorry for 02:53:52PM
21 Mr Staindl. 02:53:57PM
22 As it turns out, I think one or both of the other campaigns 02:53:58PM
23 that Mr Woodman contributed to as a result of you 02:54:07PM
24 splitting that \$20,000 donation, were one or both of those 02:54:11PM
25 other candidates successful?---Yes. 02:54:17PM
26 I'm struggling to understand why you don't think that you would 02:54:27PM
27 have expressed any feeling of regret at the fact that 02:54:32PM
28 Mr Woodman had made these donations but nothing had come 02:54:40PM
29 of it?---I think I indicated earlier that I had received - 02:54:44PM

1 the campaign, the Cranbourne campaign, had received 02:54:53PM
2 contributions that meant I was able to - the Cranbourne 02:54:57PM
3 campaign was able to fulfil the campaign plan. I felt 02:55:02PM
4 sorry for Mr Staindl, but I don't remember feeling empathy 02:55:08PM
5 for Mr Woodman. 02:55:19PM
6 All right. Yes, Mr Tovey. 02:55:20PM
7 MR TOVEY: If I might just return to that particular line 02:55:25PM
8 there, he says, 'She feels she can't even raise it with 02:55:28PM
9 the minister's office.' So what he is saying there is 02:55:33PM
10 that you're apologising because you can't prosecute 02:55:36PM
11 Woodman's agenda with the minister's office. And you say 02:55:38PM
12 you didn't apologise for that or anything else?---I can't 02:55:46PM
13 imagine that I would be apologising to Mr Staindl for not 02:55:51PM
14 being able to raise that issue with the minister's office. 02:55:56PM
15 Well, you would only apologise, would you not - - -?---I felt 02:56:01PM
16 bad for him - - - 02:56:05PM
17 COMMISSIONER: Mr Tovey, let Ms Richards finish, 02:56:06PM
18 please?---Sorry. As I've said, I felt a sense of empathy 02:56:09PM
19 and a sense of sympathy for Mr Staindl, but I didn't feel 02:56:14PM
20 that for Mr Woodman. 02:56:21PM
21 MR TOVEY: The reason I'm raising it, Ms Richards, is because 02:56:27PM
22 if in fact you were at that stage apologising for not 02:56:32PM
23 having been able to prosecute Mr Woodman's requirements 02:56:37PM
24 with the minister's office, it would indicate, would it 02:56:42PM
25 not, a degree of enthusiasm towards his proposals on 02:56:47PM
26 23 October which was greater than that that you've given 02:56:53PM
27 evidence about?---And I would maintain that I was 02:56:58PM
28 intrinsically unenthusiastic about Mr Woodman's proposal, 02:57:02PM
29 despite what may have been my more agreeable demeanour 02:57:09PM

1 than I now wish I had demonstrated; that I personally and 02:57:14PM
2 intrinsically didn't support his proposal. 02:57:21PM
3 Mr Commissioner, I have no further questions. However, I've 02:57:27PM
4 been asked to take some instructions in respect of 02:57:31PM
5 something which I'm not sure about at this stage. Could 02:57:36PM
6 we be given five minutes? 02:57:39PM
7 COMMISSIONER: Yes, of course. Perhaps we'll give it 10. 02:57:41PM
8 Ms Blair, you can have an opportunity to confer with your 02:57:45PM
9 client and see if there are any other matters that you 02:57:48PM
10 want to raise with her. 02:57:50PM
11 MS BLAIR: Thank you, Commissioner. 02:57:52PM
12 (Short adjournment.) 02:58:01PM
13 COMMISSIONER: Are we ready to proceed, Ms Blair? 03:17:27PM
14 MS BLAIR: Commissioner, I just have a couple of points. If 03:17:34PM
15 now is an appropriate time, I do just have a couple of 03:17:44PM
16 points to clarify before Ms Richards is finished with 03:17:48PM
17 Mr Tovey. 03:17:55PM
18 COMMISSIONER: Perhaps you'll just wait until Mr Tovey has 03:17:55PM
19 indicated he has completed whatever he wants to examine 03:17:58PM
20 on. Yes, Mr Tovey. 03:18:03PM
21 MR TOVEY: When you spoke earlier about contributions were 03:18:05PM
22 made, you indicated that some contributions earlier in 03:18:09PM
23 2018 were directed to your SEC from Dandenong. How does 03:18:14PM
24 that work?---So, the Dandenong SECC make transfers, 03:18:27PM
25 I assume, in fact because I'm not somebody who accesses 03:18:38PM
26 the account, but other SECCs, I think they're called 03:18:42PM
27 constituent units but I'm not 100 per cent sure of the 03:18:49PM
28 language, that have money that they've raised as part of 03:18:52PM
29 their campaigning is sometimes allocated to other 03:18:55PM

1 campaigns that are marginal. 03:19:00PM
2 And who determines that?---I don't know. 03:19:02PM
3 So far as you're concerned, have you had situations where 03:19:08PM
4 people have done mailouts for you or brochure deliveries 03:19:19PM
5 for you free of charge?---No. 03:19:23PM
6 Well - - -?---I mean, volunteers distribute cards that we have 03:19:28PM
7 printed at the printer. 03:19:37PM
8 Yes. So those sorts of services which involve distribution of 03:19:39PM
9 pamphlets, do people provide them as a - or have you come 03:19:47PM
10 across circumstances in which they have been provided by a 03:19:53PM
11 person or by an entity by way of a donation?---No. Not in 03:19:56PM
12 my experience. 03:20:01PM
13 And what about signs like the Woodman signs? Was that unique 03:20:02PM
14 in your experience?---That was the only time that I was 03:20:08PM
15 aware of that happening. It was unique in my experience. 03:20:11PM
16 And was that accounted for in any way in any return?---I'm not 03:20:14PM
17 sure if it's accounted for because - no, I don't know the 03:20:18PM
18 answer to that. 03:20:22PM
19 Did you report it to anybody?---I only became aware of it very 03:20:22PM
20 recently. 03:20:27PM
21 Yes?---But I am unaware of what the requirement would be. But 03:20:30PM
22 it's not something I had ever experienced before. 03:20:36PM
23 When you received the signs, it would appear from what you did 03:20:39PM
24 once Mr Woodman, for instance, offered you or confirmed 03:20:46PM
25 the 20,000 at the meeting on 23 October, that you were 03:20:50PM
26 given information by somebody as to what electorates to 03:20:56PM
27 distribute the money that you couldn't use to. Do you 03:21:02PM
28 know where that information came from?---That was my idea 03:21:08PM
29 or it was an idea that came between Mr Staindl and I. So, 03:21:11PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

when he said that there was an additional \$20,000
available for the Cranbourne campaign and I saw myself as
declining 10,000, that's the way I saw it, Mr Staindl said
that the \$10,000 had been allocated to the Labor Party and
he knew the candidate for Ferntree Gully, who I don't know
- - -

Yes?---And he asked my opinion about the money going to the
candidate for Ferntree Gully and I suggested that the
candidate for Ringwood had just recently been preselected
and was a person I regarded highly, and so my memory is
that it was a telephone call between Mr Staindl and I that
came up with this - he came up with the proposition that
it would go to a couple of accounts and I suggested
Ringwood and he suggested Ferntree Gully.

And then once that money goes into the state electoral campaign
committee bank account, do you as the candidate have any
function by way of making a review of funds that have been
expended?---No. The campaign team would meet and I was at
the meeting and they would go through the campaign plan.
But there's no function I'm aware of for a candidate,
except that I was asked to write 'thank you' cards and
there was a list of people I ought write a 'thank you'
card to, but I was unaware of why I was writing a 'thank
you' card, whether it was because that person had donated
to the campaign or had volunteered or had done something
else; for example, distributed material.

Does anybody within the campaign have any oversight as to
whether campaigns are made in a way which complies with
legislation as to donation limits?---I'm not sure if it's

03:21:18PM
03:21:22PM
03:21:26PM
03:21:32PM
03:21:39PM
03:21:44PM
03:21:44PM
03:21:50PM
03:21:53PM
03:21:57PM
03:22:06PM
03:22:11PM
03:22:14PM
03:22:18PM
03:22:21PM
03:22:30PM
03:22:36PM
03:22:41PM
03:22:51PM
03:22:56PM
03:23:01PM
03:23:06PM
03:23:11PM
03:23:14PM
03:23:19PM
03:23:22PM
03:23:24PM
03:23:30PM
03:23:37PM

1 a particular role or that it's a task that's set up, but 03:23:43PM
2 I'm a bit unclear. There's been a change of legislation 03:23:51PM
3 since the election. 03:23:56PM
4 Certainly since then, but I'm talking about back then?---Yes. 03:23:59PM
5 Back then, did campaign committees report individually to the 03:24:02PM
6 Victorian Electoral Commission?---I don't know. 03:24:16PM
7 Or did parties simply report in bulk? How was it done? You 03:24:18PM
8 have no idea?---I have no idea. 03:24:26PM
9 Look, one of the matters which I'll raise with you and we've 03:24:29PM
10 raised with others in your position is that there is no, 03:24:33PM
11 as we understand it, protocol or legislation relating to 03:24:38PM
12 conflicts of interest involving persons who are members of 03:24:47PM
13 parliament. Is that understanding a correct one?---We 03:24:54PM
14 have a - we call it a form - - - 03:25:05PM
15 COMMISSIONER: Mr Tovey, just to be clear, you're speaking 03:25:07PM
16 about at the time of Ms Richards' election. 03:25:11PM
17 MR TOVEY: Yes?---Oh, okay. Not that I'm aware of, but it's a 03:25:14PM
18 bit of a blur. 03:25:23PM
19 And what about now? Is there any protocol in respect of 03:25:24PM
20 conflicts of interest and, if so, what are they?---There's 03:25:28PM
21 a document that we submit, I think it's quarterly, which 03:25:34PM
22 goes through memberships. It's quite a detailed document. 03:25:41PM
23 Properties that are owned, gifts that are received and 03:25:46PM
24 also acquires, organisations that our partners or other 03:25:53PM
25 family members are involved in which may give rise to a 03:25:56PM
26 conflict of interest. But I'm a little bit at sea here 03:26:00PM
27 and conscious of speaking about something I have only a 03:26:04PM
28 fairly superficial understanding of. 03:26:10PM
29 Is there any process of which you're aware which addresses 03:26:12PM

1 conflicts of interest arising from you representing the 03:26:19PM
2 view of people who have contributed to your campaign or 03:26:22PM
3 with whom you have familial or financial 03:26:27PM
4 relationships?---I'm not sure, Mr Tovey. 03:26:33PM
5 The point that has been made to others is that if councillors 03:26:38PM
6 find themselves in a conflict of interest situation 03:26:42PM
7 insofar as they have acted for a person who has a 03:26:48PM
8 financial interest in some council business, they are 03:26:51PM
9 required, if they get a donation of anything in excess of 03:26:56PM
10 \$500, to declare that association as a conflict of 03:27:00PM
11 interest. If councillors are required to do it, can you 03:27:05PM
12 see any reason why members of parliament shouldn't also be 03:27:11PM
13 required to do it?---It's quite late in the afternoon and 03:27:14PM
14 I'm trying to think of - I'm trying to be as cogent as 03:27:21PM
15 I can. The members of parliament have what appears to me 03:27:25PM
16 to be a process that is in the public domain that does 03:27:33PM
17 require us to, as I said before, complete and update a 03:27:40PM
18 form. Donation law has changed quite significantly, 03:27:46PM
19 I mean really substantially, since the 2018 election and 03:27:51PM
20 donations are now capped and so I'm not sure how any 03:27:57PM
21 potential legislation, assuming you're considering 03:28:04PM
22 recommendations that may form potential change, I'm not 03:28:09PM
23 sure how they would interact with other legislation. I'm 03:28:14PM
24 way out of my field of expertise. 03:28:16PM
25 As a general proposition, would you concede that it's 03:28:23PM
26 appropriate that people who are citizens in Victoria 03:28:31PM
27 should be confident that there is no financial link 03:28:36PM
28 between politicians and persons on whose behalf they are 03:28:38PM
29 advocating?---Yes, I do. 03:28:44PM

1 Yes, thank you. No further questions. Before we finally 03:28:47PM
2 conclude, Mr Commissioner, can I tender court book 5045, 03:29:00PM
3 which is the communication between - - - 03:29:07PM
4 COMMISSIONER: Yes, that will be 314. 10 April 19, email 03:29:12PM
5 between Mr Staindl and Mr Woodman. 03:29:16PM
6 #EXHIBIT 314 - Email between Mr Staindl and Mr Woodman dated 03:29:20PM
7 10/04/19. 03:29:20PM
8 COMMISSIONER: Yes, Ms Blair? 03:29:21PM
9 MS BLAIR: Commissioner, if I could, I just have a couple of 03:29:23PM
10 questions for Ms Richards. 03:29:26PM
11 COMMISSIONER: Yes. 03:29:28PM
12 <EXAMINED BY MS BLAIR: 03:29:29PM
13 MS BLAIR: Ms Richards, how long does the period of a campaign 03:29:29PM
14 go for? So when you're campaigning for a seat, what's the 03:29:32PM
15 period of time that that campaign goes for?---It usually 03:29:38PM
16 starts, or in my case it started around February 2018 and 03:29:40PM
17 goes through until November 2018. 03:29:43PM
18 And how many people do you estimate during the period of that 03:29:46PM
19 campaign that you would have had a coffee with?---Many, 03:29:51PM
20 many hundreds. 03:29:57PM
21 And did you have a policy of picking and choosing who you had 03:29:57PM
22 coffee with during that time? Were you selective?---No, 03:30:01PM
23 I was not selective at all. 03:30:05PM
24 So you had coffee with anyone whoever?---I had coffee with, in 03:30:10PM
25 my estimation, anyone who asked, including with people 03:30:14PM
26 whose views I was in conflict with. 03:30:19PM
27 Can you just tell the Commissioner did you ever make any 03:30:30PM
28 representations to the Minister for Planning on behalf of 03:30:34PM
29 Mr Woodman or his interests?---No. 03:30:36PM

1 Thank you. Commissioner, that's all the questions that I have. 03:30:39PM

2 COMMISSIONER: Yes, thank you. Just in relation to conflict of 03:30:43PM

3 interest, did you get any briefing or assistance from 03:30:52PM

4 members of your party or the campaign, those assisting you 03:30:57PM

5 in the conduct of your campaign, about how a conflict of 03:31:03PM

6 interest might arise in your capacity either as a 03:31:09PM

7 candidate or once you were elected?---I can't recall any 03:31:12PM

8 formal training or advice, not that I am conscious of. 03:31:23PM

9 However, as I just said, there is a process of updating 03:31:34PM

10 and reviewing our, you know, current, as I said before, 03:31:40PM

11 property, you know, family interests that might give rise 03:31:45PM

12 to a conflict or actually I think more just a broad update 03:31:48PM

13 on, you know, any situation with, you know, any property 03:31:55PM

14 we own or anything else, memberships, even if they don't 03:31:58PM

15 give rise, but just might be - just a more blanket 03:32:02PM

16 requirement that we update and keep the register updated 03:32:07PM

17 on all memberships and things of that matter. 03:32:10PM

18 So may I take it from your evidence that at no time during the 03:32:12PM

19 period you've been examined about did you say to 03:32:27PM

20 Mr Staindl or to Mr Woodman or to Ms Schutz, 'I can't 03:32:30PM

21 engage with you on any issue in which you have an interest 03:32:36PM

22 because you have contributed to my campaign or are 03:32:44PM

23 proposing to contribute to my campaign'?---No, I never 03:32:49PM

24 used that phrase, nor any like it. 03:32:53PM

25 Well, I'm not so much interested in the precise language - - 03:32:57PM

26 -?---No, yes, I accept - - - 03:33:01PM

27 You didn't convey such an idea to them?---No. 03:33:02PM

28 And is that because you didn't appreciate that if they did 03:33:05PM

29 contribute to your campaign, that that would of necessity 03:33:16PM

1 preclude you from advancing a matter which they had a 03:33:19PM
2 financial interest in?---Could you repeat that, please? 03:33:22PM
3 Is the reason you didn't say that because you didn't appreciate 03:33:25PM
4 at the time that the fact that they contributed to your 03:33:30PM
5 electoral campaign would not preclude you, if you wanted 03:33:36PM
6 to, from pursuing a matter in which they had a financial 03:33:40PM
7 interest?---I didn't say it because I didn't think it was 03:33:47PM
8 necessary because I never anticipated that I was putting 03:34:00PM
9 myself in a position where I was going to advocate their 03:34:02PM
10 interests, and I didn't see that their contribution to the 03:34:07PM
11 campaign was a contribution to me. Does that answer - - - 03:34:13PM
12 Yes. You didn't see that you were going to do anything to 03:34:20PM
13 further their interests?---That's right. 03:34:22PM
14 But, as I follow your evidence, on one view you didn't make 03:34:30PM
15 clear to them that you would not do so?---Yes. I accept 03:34:36PM
16 that. 03:34:41PM
17 Yes. Thank you. Is there anything arising out of that, 03:34:42PM
18 Ms Blair? Very good. Mr Tovey, is there any reason why 03:34:50PM
19 Ms Richards can't be released from her summons? 03:34:53PM
20 MR TOVEY: No, Commissioner. 03:34:57PM
21 COMMISSIONER: Very good. So, I'll discharge you from your 03:34:57PM
22 summons and I thank you for your attendance at this 03:35:01PM
23 virtual hearing today, Ms Richards. If you have a desire 03:35:04PM
24 to view the video of your evidence or to read a transcript 03:35:11PM
25 of your evidence, you need only indicate to the Commission 03:35:14PM
26 and they'll make provision for you to be able to do so. 03:35:21PM
27 Are there any questions that arise out of today's hearing 03:35:27PM
28 that you have or would like to raise?---No. 03:35:30PM
29 Very good. I'll terminate the proceedings. I thank you for 03:35:48PM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

your attendance, Ms Richards. Thank you, Ms Blair. We
resume at 10 am tomorrow morning, Mr Tovey?

MR TOVEY: One o'clock, Commissioner.

COMMISSIONER: Very good. Adjourn the hearing then until 1 pm
tomorrow. Thank you.

<(THE WITNESS WITHDREW)

ADJOURNED UNTIL TUESDAY, 1 DECEMBER 2020 AT 1.00 PM

03:35:51PM
03:35:51PM
03:35:56PM
03:35:58PM
03:36:02PM
03:36:05PM
03:36:08PM