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INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

MELBOURNE

MONDAY, 7 DECEMBER 2020

(41st 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, 7 December 2020. I'm the IBAC 10:09:55AM
2 Commissioner. I'm conducting this examination in 10:10:00AM
3 accordance with Part 6 of the IBAC Act 2011. Ms Amber 10:10:05AM
4 Harris will be Counsel Assisting and I authorise her to 10:10:12AM
5 examine Ms Sullivan. Ms Sullivan, this is an 10:10:16AM
6 inquisitorial process which means that the Commission is 10:10:21AM
7 not bound by the rules of evidence, but in general I will 10:10:24AM
8 adhere to the rules of evidence and conduct proceedings as 10:10:29AM
9 they would be in a court of law. 10:10:32AM
10 The examination is video recorded and is open to 10:10:36AM
11 the public. Ms Harris will ask you questions and I may 10:10:39AM
12 also ask you questions as well. Following those 10:10:44AM
13 questions, you will have an opportunity through your legal 10:10:49AM
14 representatives to add anything additional that you wish 10:10:51AM
15 to that's arisen during the course of your evidence. 10:10:55AM
16 The examination is being conducted by audiovisual 10:11:02AM
17 link pursuant to Division 3 of Part 3 of the COVID-19 10:11:07AM
18 Omnibus Regulations 2020. If at any stage you have 10:11:14AM
19 difficulty hearing any question or if you have difficulty 10:11:18AM
20 understanding a question, please just indicate straight 10:11:21AM
21 away and we'll have the question repeated, or if it's an 10:11:25AM
22 audio difficulty we might have to adjourn until we can 10:11:29AM
23 address the audio problem. 10:11:32AM
24 Mr Feldman, I understand you and Ms Prestia seek 10:11:35AM
25 to appear as Ms Sullivan's legal representatives; is that 10:11:42AM
26 correct? 10:11:45AM
27 MR FELDMAN: Yes, Commissioner. 10:11:49AM
28 COMMISSIONER: And I presume you have your masks on because 10:11:50AM
29 you're sitting close to each other; is that the position? 10:11:54AM

1 MR FELDMAN: Yes, Commissioner. 10:11:57AM

2 COMMISSIONER: Very good. Mr Feldman, if at any stage during 10:11:59AM

3 the examination you feel that Ms Sullivan could add 10:12:01AM

4 something to what's already been covered on the point 10:12:05AM

5 that's being questioned about, you should feel free to 10:12:08AM

6 intervene at that point rather than wait until the end of 10:12:13AM

7 the examination to have her return to some matter that was 10:12:17AM

8 explored at an earlier point of time; do you follow? 10:12:22AM

9 MR FELDMAN: Yes, thank you, Commissioner. 10:12:27AM

10 COMMISSIONER: Mr Kain, I understand you also wish to appear as 10:12:30AM

11 Ms Sullivan's support person? Yes. Okay, you're not on 10:12:34AM

12 audio. I see. Ms Sullivan, if for some reason at any 10:12:42AM

13 point during your examination you wish to consult with 10:12:49AM

14 either Mr Feldman or Mr Kain, who I will give leave to be 10:12:53AM

15 present during the examination, just indicate that you 10:12:59AM

16 would like an opportunity to speak to your lawyers or to 10:13:03AM

17 Mr Kain and I'll give you an opportunity to do so. Do you 10:13:05AM

18 follow? 10:13:09AM

19 MS SULLIVAN: Yes, Commissioner. Thank you. 10:13:10AM

20 COMMISSIONER: Before I ask you to take an oath or affirmation 10:13:15AM

21 I should just outline to you the matters about which you 10:13:18AM

22 may be questioned: Your knowledge of the political 10:13:22AM

23 donation practices of John Woodman and his business 10:13:26AM

24 associates, agents or consultants and how planning matters 10:13:30AM

25 of interest to Mr Woodman and his business associates were 10:13:36AM

26 advanced with elected officials at local and State 10:13:39AM

27 Government level; your knowledge of the use of lobbyists, 10:13:43AM

28 political donations and fundraising to assist Mr Woodman 10:13:47AM

29 and his business associates, agents or consultants to gain 10:13:52AM

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access to public officers involved in planning and
property development decision making at local and State
Government level; your knowledge of the use of donations
to party-political fundraising entities such as Enterprise
Victoria to circumvent donation declaration laws and how
the existing controls are able to be manipulated or are
open to abuse; your knowledge of matters the subject of
the scope and purpose described in the attached further
information and information and directions for public
examination in Operation Sandon, in particular as they
apply to planning or property development activities
within Victoria that involve John Woodman, his family, his
associated 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 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.

<AMY SULLIVAN, sworn:

COMMISSIONER: Thank you, Ms Sullivan. At the time that you
were served with the summons for this hearing,
Ms Sullivan, were you also provided with a document
entitled 'Statement of rights and obligations'?---I was,
Commissioner.

And has Mr Feldman or Ms Prestia or any other lawyer explained

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that document to you?---They have.

And do you understand the contents of the document or do you

wish me to inform you as to any aspect of your rights and

obligations or have anything further explained?---No,

I understand the contents of the document. Thank you.

So, just by way of summary then, your obligation is to answer

questions that 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 imprisonment. Importantly, if

you answer questions truthfully, then those answers are

not admissible and cannot be used against you in any

court, the primary exception being of course if you gave a

false answer then that could be used against you on a

perjury charge.

Now, a word of caution which I give every witness

in both private or public examinations. Counsel Assisting

may ask you what we call open-ended questions, that is a

question which doesn't suggest the answer. But you

shouldn't assume because it's an open-ended question that

counsel doesn't already have information in her possession

which provides the answer. So don't be misled by the form

of the question. Your task, Ms Sullivan, is to answer the

questions accurately and truthfully; do you follow?---Yes.

Very good. Yes, Mr Harris.

<EXAMINED BY MS HARRIS:

Are you Amy Sullivan?---Yes, I am.

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10:19:01AM

1 And do you attend before the Commission today in response to a 10:19:06AM
2 summons served on your lawyer?---Yes, I do. 10:19:10AM
3 Commissioner, I tender the bundle of documents. 10:19:13AM
4 COMMISSIONER: That was served on - - - 10:19:19AM
5 MS HARRIS: On Ms Sullivan's legal representatives. 10:19:23AM
6 COMMISSIONER: Very good. Exhibit 344. 10:19:26AM
7 #EXHIBIT 344 - Bundle of documents served on Ms Sullivan's 10:19:28AM
8 legal representatives. 10:19:29AM
9 MS HARRIS: Ms Sullivan, you're currently employed with 10:19:32AM
10 Enterprise Victoria; is that right?---No, that's not 10:19:36AM
11 correct. I finished with Enterprise Victoria in 10:19:39AM
12 mid-October. 10:19:41AM
13 Was that this year?---This year, 2020. 10:19:42AM
14 What role did you hold with Enterprise Victoria?---From July 10:19:45AM
15 last year I was employed permanent full-time, on a 10:19:52AM
16 permanent full-time basis as executive director. I've 10:19:58AM
17 been with Enterprise Victoria largely on and off for the 10:20:01AM
18 last 10 years. I was acting in the role from January last 10:20:07AM
19 year to July, formally in the role from July until 10:20:10AM
20 October. 10:20:16AM
21 When you say 'on and off over the last 10 years', can you 10:20:18AM
22 explain what you mean by that?---Sure. I joined in 2010 10:20:22AM
23 on my return from the UK to assist the events platform, 10:20:25AM
24 and over that tenure I concentrated on developing a 10:20:31AM
25 regional program of events and working on sort of growing 10:20:39AM
26 the number of members and supporters to Enterprise 10:20:43AM
27 Victoria. So, varied roles. 10:20:49AM
28 I take it then that over that period of time it wasn't always 10:20:53AM
29 in the executive director role. Could you indicate what 10:20:56AM

1 other roles you held there?---Developing the regional 10:20:58AM
2 program and assisting with events and looking for new 10:21:02AM
3 business. 10:21:06AM
4 Did you have a title?---I consulted through my consultancy. 10:21:07AM
5 I had a business called Astonish Consulting, so for the 10:21:15AM
6 main part I was employed as a consultant. 10:21:16AM
7 In your time as executive director, what did your role 10:21:19AM
8 involve?---My role was principally to fundraise and to 10:21:25AM
9 fundraise for campaign activity, and so to do that we 10:21:32AM
10 presented a robust calendar of events on a 12-month basis, 10:21:37AM
11 an annual calendar of events, whereby members were engaged 10:21:42AM
12 with State and Federal Liberal politicians at a number of 10:21:47AM
13 events ranging from a boardroom event to an annual dinner 10:21:53AM
14 with larger numbers. 10:21:57AM
15 I'll take you through that in more detail in due 10:21:59AM
16 course?---Sure. 10:22:02AM
17 But could you explain what the role of Enterprise Victoria 10:22:03AM
18 is?---So Enterprise Victoria is a brand which represents 10:22:07AM
19 the fundraising and events platform for the Liberal Party. 10:22:12AM
20 So really it's to engage members, donors, corporates, 10:22:17AM
21 individuals with Liberal politicians and effectively to 10:22:22AM
22 fund campaigns. 10:22:28AM
23 COMMISSIONER: Is that at both a State and Federal level?---We 10:22:32AM
24 engage State and Federal members of parliament. 10:22:36AM
25 Enterprise Victoria, all contributions to Enterprise 10:22:43AM
26 Victoria are by default directed to the Federal campaign 10:22:48AM
27 fund, unless otherwise specified by the donor, and 10:22:50AM
28 therefore is subject to the AEC disclosure framework. 10:22:54AM
29 Could I just ask - you say you finished in October 2020?---Yes. 10:22:57AM

1 And are you presently employed?---I am. 10:23:02AM
2 And where is that?---I've relocated to South Australia, 10:23:06AM
3 currently residing in Adelaide, which is my home town. 10:23:11AM
4 Yes, but what's your present employment?---With the South 10:23:15AM
5 Australian Liberal Party. 10:23:19AM
6 In any particular role, Ms Sullivan?---Director of fundraising. 10:23:21AM
7 In a different organisation, though, to Enterprise, is 10:23:27AM
8 it?---For the South Australian secretariat. 10:23:34AM
9 So it's a similar role, is it, to the role you previously had 10:23:36AM
10 but now in South Australia?---Yes. 10:23:39AM
11 Thank you. Yes, Ms Harris. 10:23:42AM
12 MS HARRIS: And you indicated that Enterprise Victoria connects 10:23:45AM
13 people both at Federal and State level. Is there a 10:23:51AM
14 Federal or Commonwealth equivalent to Enterprise 10:23:55AM
15 Victoria?---Yes. 10:23:59AM
16 And what organisation is that?---That's called the Australian 10:24:00AM
17 Business Network. 10:24:05AM
18 Were there or are there rules or protocols governing how 10:24:14AM
19 Enterprise Victoria operate?---Well, it is absolutely 10:24:17AM
20 subject to the AEC disclosure framework. 10:24:21AM
21 When you say that, do you mean donations or fundraising 10:24:24AM
22 funds?---Yes. 10:24:29AM
23 Does that mean that it doesn't hold a State campaign 10:24:30AM
24 account?---All contributions to Enterprise Victoria are by 10:24:36AM
25 default directed to the Federal campaign fund. 10:24:40AM
26 Why is that?---Because that's the way it's been structured. 10:24:43AM
27 COMMISSIONER: When you use the expression 'by default', that's 10:24:50AM
28 normally an expression which is utilised where there's 10:24:55AM
29 some other regime in place, but if that regime doesn't 10:24:59AM

1 apply then by default something else happens. Is there 10:25:03AM
2 some other regime in place?---In 2018 there were State 10:25:07AM
3 donation reforms introduced. Thus the structure of 10:25:15AM
4 Enterprise Victoria works at the Federal level. 10:25:21AM
5 So there's only - now, since those reforms, there's only one 10:25:26AM
6 process for making donations and that's through the 10:25:32AM
7 Federal scheme; is that the position?---I can only speak 10:25:36AM
8 for Enterprise Victoria and so all donations or 10:25:41AM
9 contributions made to Enterprise Victoria are subject to 10:25:46AM
10 AEC disclosures. 10:25:49AM
11 Yes. Why do you qualify that by saying 'I can only speak for 10:25:51AM
12 Enterprise Victoria'? Is it your understanding that the 10:25:59AM
13 campaign funding bodies for the Liberal Party in other 10:26:06AM
14 states don't necessarily follow the same arrangement?---My 10:26:10AM
15 understanding is I guess confined to the Enterprise 10:26:17AM
16 Victoria framework, so - - - 10:26:22AM
17 Do you have an understanding now about South Australia?---Yes, 10:26:27AM
18 I do. Sorry, could you just repeat the question, please, 10:26:39AM
19 Commissioner, sorry? 10:26:43AM
20 Yes. I just wondered why you qualified your answer by saying, 10:26:44AM
21 'I can only speak for Enterprise Victoria'?---I guess in 10:26:49AM
22 the context of this discussion, members or donors to 10:26:56AM
23 Enterprise Victoria, contributions are by default directed 10:27:04AM
24 to the Federal campaign fund. There are also State 10:27:07AM
25 disclosure framework - there are State disclosure 10:27:10AM
26 frameworks in place from state to state, but contributions 10:27:14AM
27 to Enterprise Victoria are subject to the AEC disclosure 10:27:19AM
28 framework. 10:27:23AM
29 Is that the same in South Australia; namely, by default the 10:27:23AM

1 Federal body?--I'm still getting my head around - I'm 10:27:28AM
2 only very, very new in the role here, so I understand that 10:27:38AM
3 to be the case. 10:27:40AM
4 Yes, all right. Thank you. 10:27:41AM
5 MS HARRIS: Has it always been the case that contributions to 10:27:43AM
6 Enterprise Victoria have gone through the Commonwealth 10:27:45AM
7 fund?---It has been in place since November 2018. 10:27:49AM
8 And what was the position before then?---The position before 10:27:56AM
9 then was prior to the State donation reforms, so subject 10:28:00AM
10 to the State - - - 10:28:05AM
11 Yes, but what was the position where the funds went before that 10:28:09AM
12 time?---They went into - from memory they went into a 10:28:11AM
13 general campaign fund. 10:28:17AM
14 At State level?---At the Victorian division. 10:28:18AM
15 So that would have been a State campaign account; is that 10:28:24AM
16 right?---A campaign account held in Melbourne. It was the 10:28:28AM
17 discretion of the state director to allocate funds 10:28:35AM
18 accordingly to campaign activity. 10:28:37AM
19 And just getting back then to my question, are there or were 10:28:44AM
20 there protocols or rules or code of conduct that governed 10:28:49AM
21 how Enterprise Victoria operated?---Well, we certainly ran 10:28:53AM
22 a very robust calendar of events that would range from 10:29:00AM
23 anything from a boardroom event with, you know, minimum 12 10:29:06AM
24 to maximum 24 people around a table, to larger events like 10:29:10AM
25 annual events and gala dinners and anything in between. 10:29:17AM
26 And were those events or functions governed by any protocols or 10:29:21AM
27 rules?---Well, they were always attended by a chairman of 10:29:25AM
28 Enterprise Victoria or a state president or a host. We 10:29:32AM
29 certainly run checks and balances on an internal level as 10:29:41AM

1 to donors and members in terms of checking for any phone 10:29:46AM
2 donations or anything like that, but - - - 10:29:53AM
3 I'll just stop you there. Was that due to any internal 10:29:57AM
4 policies that you had or rules? You seem to not be 10:30:00AM
5 grappling with the question as to whether there were any 10:30:06AM
6 protocols or rules governing the conduct of Enterprise 10:30:09AM
7 Victoria either to do with membership or 10:30:12AM
8 fundraising?---There wasn't a formal document that 10:30:16AM
9 outlined a charter to my knowledge or my recollection. 10:30:21AM
10 So there was an informal arrangement, was there?---There was a 10:30:28AM
11 framework that we ran the events on that worked in terms 10:30:35AM
12 of connecting our members with politicians in a formal 10:30:38AM
13 setting. 10:30:44AM
14 Who designed that framework?---Well, it was just developed over 10:30:45AM
15 the years. 10:30:49AM
16 Were you part of that design?---No. 10:30:49AM
17 So is it right then to say that there's sort of the networking 10:30:53AM
18 arm and then the fundraising arm; is that a fair way to 10:30:57AM
19 categorise the operation of the organisation?---The 10:31:01AM
20 networking arm and the fundraising arm are by default 10:31:08AM
21 Enterprise Victoria so they delivered - Enterprise 10:31:11AM
22 Victoria, the entity, delivered the events and the 10:31:14AM
23 business community, the individuals, invested in a 10:31:17AM
24 membership to attend those events. 10:31:19AM
25 All right. In terms of the membership, were there memberships 10:31:21AM
26 at different levels?---Yes. 10:31:26AM
27 And did that mean different cost for different type of 10:31:28AM
28 membership?---Yes. 10:31:33AM
29 Can you explain what the different levels were?---Certainly 10:31:34AM

1 can. So, an individual member could join for \$2,500 a 10:31:39AM
2 year. 10:31:47AM
3 Yes?---The entry level for the corporate program at the moment 10:31:52AM
4 is I believe from memory \$14,000 a year. The next level - 10:31:56AM
5 so that's the Connect package. The next level Enterprise 10:32:03AM
6 package is 30,000 a year, and the next level is a 10:32:06AM
7 Leadership package at 60,000 a year. 10:32:09AM
8 And other than membership, what does that fee entitle the 10:32:13AM
9 person or corporation to?---It entitles them to attend a 10:32:19AM
10 range of events over a 12 month period. 10:32:25AM
11 COMMISSIONER: Is that still the regime since the 2018 10:32:32AM
12 legislative reforms?---Yes. 10:32:39AM
13 MS HARRIS: And do those membership fees essentially form a 10:32:46AM
14 donation to the Liberal Party?---They fund campaign 10:32:50AM
15 initiatives. 10:32:55AM
16 COMMISSIONER: Can you just give me a rough indication, 10:32:59AM
17 Ms Sullivan, how many memberships would there be in that 10:33:03AM
18 Leadership category of \$60,000 per annum?---Look, from 10:33:07AM
19 memory it's not - it's not anywhere near our largest 10:33:12AM
20 membership category. 10:33:18AM
21 No, no, but I'm just interested how many entities actually fund 10:33:19AM
22 at that level, approximately?---Five to 10. 10:33:23AM
23 Right. And what's the largest category?---Leadership. Sorry, 10:33:31AM
24 in terms of volume? 10:33:37AM
25 Yes?---The Connect level, from memory. 10:33:38AM
26 That's the lowest category?---Yes. 10:33:41AM
27 Thank you. 10:33:48AM
28 MS HARRIS: And the membership fees, would they be paid into 10:33:49AM
29 the Federal campaign account?---An Enterprise Victoria 10:33:53AM

1 bank account at the State secretariat which is, yes, a 10:34:00AM
2 Federal campaign account. 10:34:07AM
3 Did the level of membership determine the access that that 10:34:09AM
4 member had to guests or Liberal Party politicians?---The 10:34:16AM
5 level of membership determined the number of events that a 10:34:23AM
6 member could attend in a 12 month period. 10:34:28AM
7 Could you outline then what type of functions and events 10:34:37AM
8 Enterprise Victoria would hold and how frequently?---So in 10:34:44AM
9 an average 12 month - there's been nothing average about 10:34:50AM
10 2020. So in an average 12 month calendar of events there 10:34:55AM
11 might be anywhere between 40 and 50 physical events 10:34:59AM
12 delivered over a year, and they would range from a 10:35:02AM
13 calendar launch to a boardroom event to an annual dinner 10:35:08AM
14 to - there's a range of different events that we ran or 10:35:18AM
15 offered. 10:35:22AM
16 COMMISSIONER: That membership structure, Ms Sullivan, to your 10:35:23AM
17 knowledge does that apply to other states, to the 10:35:26AM
18 fundraising bodies in other states as well?---It does, 10:35:32AM
19 Commissioner. 10:35:35AM
20 So it's a consistent arrangement - - -?---It is. 10:35:35AM
21 Across the states?---It is. It is, Commissioner. 10:35:38AM
22 Thank you. 10:35:42AM
23 MS HARRIS: With those events did the member have to pay a cost 10:35:43AM
24 for attendance on top of their membership or was it 10:35:48AM
25 included in their membership?---Included in the 10:35:50AM
26 membership. 10:35:53AM
27 So there was no additional cost?---There was no additional 10:35:53AM
28 cost. Some events we ran outside the package inclusions. 10:36:00AM
29 So there might have been, you know, the odd additional 10:36:05AM

1 cost to attend a one-off event. 10:36:07AM

2 Did those events provide members with the opportunity to meet 10:36:12AM

3 with or speak with members of parliament, either at State 10:36:17AM

4 or Federal level?---Yes. They were designed for the 10:36:23AM

5 membership to engage with Liberal politicians and assist 10:36:28AM

6 in shaping good policy and enter into discussion 10:36:35AM

7 about - and with fellow industry peers as well. 10:36:39AM

8 Was there a requirement by the Liberal Party that senior 10:36:43AM

9 members of parliament attend those functions, or an 10:36:48AM

10 expectation?---There was a good depth and breadth and 10:36:51AM

11 range to the events calendar and so that spanned from 10:36:57AM

12 Federal - senior Federal and State members. 10:37:02AM

13 Does that mean there was also a significant number of senior 10:37:07AM

14 members, Liberal members of parliament, that would attend 10:37:12AM

15 those functions?---Yes. 10:37:16AM

16 Would they attend with staff?---Yes. 10:37:17AM

17 Were there rules around interacting with those members of 10:37:21AM

18 parliament or their staff?---Well, the rules would be that 10:37:27AM

19 the events would always have a minimum number of people in 10:37:35AM

20 the room. The minister would always bring an adviser or 10:37:38AM

21 chief of staff and it was a formally hosted event. So, 10:37:43AM

22 yes. 10:37:50AM

23 COMMISSIONER: I'm sorry, Ms Sullivan, do you have some 10:37:53AM

24 documents in front of you from which you're 10:37:55AM

25 reading?---I just have a couple of bits of paper. Is 10:37:58AM

26 that - - - 10:38:02AM

27 They're some notes of yours, are they?---Yes. 10:38:03AM

28 I see. Yes. 10:38:05AM

29 MS HARRIS: Was it a situation where attendees or members would 10:38:07AM

1 need to nominate who they wanted to meet with or 10:38:12AM
2 see?---No, no, we designed the calendar and offered the 10:38:17AM
3 calendar to our members. 10:38:21AM
4 Would the members of parliament be informed in advance of who 10:38:24AM
5 was attending the events that they were attending?---They 10:38:29AM
6 would receive a run sheet and a guest list in advance of 10:38:35AM
7 the event. 10:38:39AM
8 Did any members or guests have to provide topics or a list of 10:38:40AM
9 matters that they wanted to discuss?---From time to time 10:38:44AM
10 they were invited to pre-submit questions or issues for 10:38:48AM
11 discussion, but that wasn't rule of thumb. 10:38:53AM
12 What type of events would that be required for?---It was never 10:38:55AM
13 required, but it's sometimes offered at particularly 10:38:59AM
14 boardroom events where it was focused discussion around 10:39:05AM
15 the table. 10:39:08AM
16 COMMISSIONER: So the membership rules themselves did not 10:39:09AM
17 stipulate any limitations on what a member could do when 10:39:16AM
18 attending these functions?---Not formally. 10:39:22AM
19 Informally?---Or informally. 10:39:28AM
20 Yes. 10:39:33AM
21 MS HARRIS: Did any members of parliament have rules around the 10:39:36AM
22 way they wanted to interact with members?---No, other than 10:39:39AM
23 it was a given that ministers would bring a chief of staff 10:39:48AM
24 or a staff member with them and there would always be a 10:39:53AM
25 supervised environment whereby there would be more than, 10:39:59AM
26 you know, more than one member, corporate supporter with a 10:40:02AM
27 minister in the room at all times. So we made sure that 10:40:07AM
28 the discussion was a group discussion around the table and 10:40:10AM
29 followed a set format and run sheet. 10:40:13AM

1 Were those topics or discussion topics pre-determined? Did the 10:40:17AM
2 guests know they were coming, for example, to listen to a 10:40:22AM
3 topic on a particular matter?---No. They were general 10:40:25AM
4 discussions, updates on portfolios. 10:40:29AM
5 And were guests allowed to ask questions of a specific 10:40:32AM
6 nature?---Well, every guest was given the opportunity to 10:40:37AM
7 introduce themselves at the table and table a point of 10:40:41AM
8 discussion, if they had one, at these boardroom events. 10:40:45AM
9 So it wasn't a situation where, for example, they could ask 10:40:49AM
10 general questions of a minister or a member of parliament 10:40:52AM
11 but not questions about a specific project, for 10:40:56AM
12 example?---Yes, I mean they could ask, but it was up to 10:41:01AM
13 the minister to address whatever issues and discussions 10:41:03AM
14 were raised in a group environment. 10:41:08AM
15 COMMISSIONER: Have you, Ms Sullivan, been following the public 10:41:13AM
16 proceedings in this investigation?---At arm's length, 10:41:16AM
17 Commissioner. 10:41:21AM
18 Yes. So you will have heard the evidence from a number of 10:41:22AM
19 sources that suggested that at Labor fundraising 10:41:30AM
20 activities there was, it was said, a protocol in place 10:41:38AM
21 that persons attending these functions could not raise a 10:41:48AM
22 specific issue with the minister in which the member had 10:41:55AM
23 an interest, save I think there were some special 10:42:01AM
24 functions that were identified where that was allowed to 10:42:08AM
25 occur. You had no such limitation in place at your 10:42:10AM
26 functions?---Not to my knowledge, Commissioner. 10:42:16AM
27 MS HARRIS: So there were no topics that were off limits; is 10:42:26AM
28 that the situation?---Not formally, no. But people were 10:42:30AM
29 able to raise issues and points of discussion at their 10:42:38AM

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discretion.

COMMISSIONER: So it was left to the minister to determine whether or not and how he or she would respond to a particular question that they were asked?---Yes.

MS HARRIS: Outside of the structured event, was there an opportunity for guests to speak informally with members of parliament?---You mean the boardroom events?
Or at any event?---Any events. Well, at annual dinners, for example, or cocktail events there were, you know, always a large volume of people in the room and networking opportunities either side of potentially a sit down dinner.

And in terms of a boardroom event, would the relevant minister or member of parliament remain after that event for people to discuss things with them?---No.

To the best of your knowledge, did Enterprise Victoria keep records of who attended each event?---Yes.

Were records kept about what questions were asked or what topics were discussed?---No.

From your observation what transparency existed around the interactions between the member of parliament and the people attending, whatever type of function or event it was?---When you say 'what transparency', sorry, can you please just explain what - - -

How would it become clear or could it ever be clear what types of questions were being asked or what topics were being discussed with the relevant member of parliament?

COMMISSIONER: I'm not sure what you mean either, Ms Harris.

Do you mean were the questions clear or did it become

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1 apparent that there were some forms of questions that were 10:44:48AM
2 off limits? 10:44:51AM

3 MS HARRIS: Or either. Just whether or not there was any type 10:44:53AM
4 of record kept of the topics that were discussed with the 10:44:55AM
5 relevant member of parliament or the questions that were 10:45:00AM
6 asked of that person. 10:45:02AM

7 COMMISSIONER: Was there any record kept of the questions or 10:45:06AM
8 the types of questions?---No. 10:45:09AM

9 MS HARRIS: What was your role in the networking aspect in 10:45:13AM
10 terms of the functions?---So, as executive director, I, 10:45:19AM
11 acting in the role from January last year and formally in 10:45:29AM
12 the role from July last year, organised the events and 10:45:32AM
13 collated the attendance of the events and delivered the 10:45:37AM
14 events. 10:45:41AM

15 When you say 'delivered the events', what do you mean by 10:45:42AM
16 that?---Managed. Organised, managed and delivered the 10:45:46AM
17 events. 10:45:49AM

18 Did you liaise with the staff of the members of 10:45:50AM
19 parliament?---With run sheets and guest lists. 10:45:59AM

20 COMMISSIONER: Sorry, it just occurs to me, was there a 10:46:03AM
21 minister either at a Federal or State level designated as 10:46:09AM
22 the minister that would have primary interaction with your 10:46:13AM
23 organisation for the purpose of these fundraising 10:46:18AM
24 activities?---Was a minister identified, sorry? 10:46:22AM

25 Was there some particular minister at a State or a Federal 10:46:28AM
26 level that was designated as the minister that would 10:46:32AM
27 interact with your organisation for the purpose of 10:46:36AM
28 arranging these sorts of functions?---Well, we had a very 10:46:39AM
29 wide-ranging calendar of events that covered a lot of 10:46:45AM

1 senior Federal and State ministers or shadow ministers and 10:46:48AM
2 MPs over 12 months, so not one particular minister. 10:46:55AM
3 So it would vary according to the type of events and the 10:46:59AM
4 subjects which might be explored at that event?---Correct. 10:47:02AM
5 We might run four to six events a month on a rolling 10:47:05AM
6 basis. 10:47:09AM
7 I see. Thank you. 10:47:09AM
8 MS HARRIS: Would you put together the agendas for those 10:47:12AM
9 events? Was that part of your role?---Well, there was a 10:47:15AM
10 very set framework from which we worked. 10:47:18AM
11 In terms of, say, for example, at a boardroom function, would 10:47:24AM
12 it be Enterprise Victoria that decided the topic for 10:47:30AM
13 discussion or would it be the relevant member of 10:47:34AM
14 parliament?---It would be a general discussion pertaining 10:47:36AM
15 to the portfolios that that minister holds. 10:47:41AM
16 And did that minister, for example, have input into what they 10:47:44AM
17 wanted to cover in terms of that conversation or was that 10:47:49AM
18 largely directed by Enterprise Victoria?---Yes, it was 10:47:54AM
19 again just a representation covering the portfolios and 10:47:58AM
20 update on the portfolios and the general political 10:48:01AM
21 landscape. 10:48:05AM
22 I see. Was it part of your role to - if a member wanted to 10:48:06AM
23 meet with a member of the Liberal Party, either at State 10:48:15AM
24 or Federal level, was it part of your role to help 10:48:19AM
25 facilitate that meeting?---By and large, no. Members 10:48:22AM
26 would be able to do that on their own accord by coming 10:48:29AM
27 along to functions, but on occasion certainly, you know, 10:48:33AM
28 upon request I would be able to facilitate an 10:48:37AM
29 introduction. 10:48:42AM

1 And that introduction, would that be at one of your - I should 10:48:43AM
2 say one of the Enterprise Victoria events or would that 10:48:48AM
3 potentially be outside an Enterprise Victoria 10:48:51AM
4 event?---Usually an Enterprise Victoria event. 10:48:57AM
5 Was there ever a situation where you facilitated a meeting 10:48:59AM
6 between a member of Enterprise Victoria and a member of 10:49:05AM
7 parliament that you can recall?---Not that I can recall. 10:49:11AM
8 Do you recall being asked to do that by any member?---I recall 10:49:15AM
9 being asked to facilitate a discussion, probably more 10:49:21AM
10 recently given the COVID environment. 10:49:26AM
11 Yes. Who asked you to do that?---It was relating to a COVID 10:49:30AM
12 issue. 10:49:39AM
13 I see?---That's just one that I recall. 10:49:39AM
14 All right. In terms of the - you outlined the different levels 10:49:45AM
15 of membership and there's obviously a significant 10:49:51AM
16 difference in cost. What would a more expensive 10:49:55AM
17 membership get that member that a less expensive 10:50:01AM
18 membership would not?---More seats at more events. 10:50:05AM
19 I see. So if it was an event where there were tables, they 10:50:09AM
20 might get two or three tables, where an individual might 10:50:14AM
21 get a seat; is that the situation?---Correct. 10:50:17AM
22 Was it your experience that members expected greater access to 10:50:24AM
23 members of parliament the higher the level of membership 10:50:31AM
24 they had?---Well, they got more inclusions to their 10:50:34AM
25 membership, so they were able to attend or send more 10:50:43AM
26 guests to more events. 10:50:46AM
27 Did it also provide them with the opportunity to meet with 10:50:52AM
28 members of parliament that other levels of membership 10:50:55AM
29 might not have provided?---No. 10:50:58AM

1 So it was all equal in terms of access?---Engagement. 10:51:01AM

2 COMMISSIONER: The situation you've just been describing, that 10:51:10AM

3 existed prior to the 2018 legislative reforms and it's 10:51:15AM

4 continued since then; is that so?---That's right, 10:51:22AM

5 Commissioner. It was formed in 2012. 10:51:24AM

6 So in that sense nothing's changed as a result of the 2018 10:51:28AM

7 reforms?---No. 10:51:34AM

8 MS HARRIS: But in terms of the actual fundraising role that 10:51:41AM

9 Enterprise Victoria plays, can you describe that 10:51:45AM

10 role?---Enterprise Victoria is the events and fundraising 10:51:54AM

11 platform for the Liberal Party Victoria's division, and it 10:51:59AM

12 exists to raise funds to fund campaigns. It raises funds 10:52:05AM

13 to fund the Federal campaign, election campaign efforts, 10:52:13AM

14 by delivering a wide-ranging number of networking events 10:52:18AM

15 for businesses and individuals to engage with senior 10:52:23AM

16 Liberal politicians. 10:52:26AM

17 Does it raise funds for the State electoral campaigns 10:52:27AM

18 also?---No. 10:52:33AM

19 So it's simply for the Federal election?---Yes. 10:52:33AM

20 Has that always been the case or only since November 10:52:36AM

21 2018?---Since November 2018. 10:52:41AM

22 What was the position before November 2018?---It raised funds 10:52:43AM

23 for whatever elections were coming up. 10:52:48AM

24 Including State?---Yes. 10:52:54AM

25 COMMISSIONER: We haven't had a State election since those 10:53:01AM

26 reforms were introduced; is that so?---I believe the next 10:53:05AM

27 election in Victoria is 2022. 10:53:08AM

28 Yes. So where are you expecting the funding to come from for 10:53:11AM

29 the next State election?---I'm not privy to that, having 10:53:16AM

1 left the business. 10:53:23AM

2 You have no idea?---I don't know. 10:53:25AM

3 You're quite sure about that, Ms Sullivan?---Yes, that is the 10:53:28AM

4 responsibility of the finance director and the state 10:53:37AM

5 director to determine. But certainly the changes in the 10:53:39AM

6 state donation law reform means that there's funds that 10:53:41AM

7 come from the VEC to all parties. 10:53:46AM

8 I'm sorry, you mentioned two persons there, the finance and the 10:53:52AM

9 state directors. Of what organisation are they the 10:53:55AM

10 directors?---Of the secretariat, Victorian secretariat. 10:54:01AM

11 To the Liberal Party?---Yes. 10:54:08AM

12 They're not part of your organisation?---They are employed by 10:54:11AM

13 the Liberal Party of Victoria. 10:54:19AM

14 Yes. So the next question. You raised funds. Presumably 10:54:21AM

15 those funds go into an account and then the state finance 10:54:30AM

16 and state director would have knowledge of what funds were 10:54:36AM

17 raised and it would be then for them to allocate how those 10:54:41AM

18 funds were disbursed?---Yes. 10:54:46AM

19 Yes, Ms Harris. 10:54:49AM

20 MS HARRIS: Is it your understanding, Ms Sullivan, that 10:54:51AM

21 Enterprise Victoria was an or is an associated entity 10:54:55AM

22 under the Electoral Act?---Yes. It's certainly a brand. 10:54:59AM

23 I think it is technically an associated entity. 10:55:07AM

24 Prior to the 2018 changes, what measures were put in place to 10:55:15AM

25 ensure the separation between the Commonwealth funds and 10:55:24AM

26 the State funds?---I can't answer that. I don't know. 10:55:28AM

27 Was there anything put in place, do you know?---I don't know. 10:55:35AM

28 COMMISSIONER: I'm sorry, how many accounts were there into 10:55:40AM

29 which the membership contributions went?---Well, I think 10:55:43AM

1 there was one central fund. 10:55:51AM

2 Yes. And then how were those funds - and I take it as the CEO 10:55:54AM

3 of the organisation part of your responsibility was to 10:55:59AM

4 keep control of that fund?---No, I was responsible for 10:56:04AM

5 raising the funds, and I don't know. 10:56:08AM

6 I'm sorry, who was in control of the fund?---The finance 10:56:13AM

7 director. 10:56:19AM

8 So you were not a signatory to that account?---No. 10:56:21AM

9 So you simply - you facilitated money going into the account 10:56:25AM

10 and that's where your responsibility ended?---Correct. 10:56:29AM

11 I see. Yes. 10:56:34AM

12 MS HARRIS: And who is the finance director?---Ian Anderson. 10:56:36AM

13 How long has he held that position?---I can't be sure. 10:56:42AM

14 Was he there when you started as the executive 10:56:48AM

15 director?---Formally, yes. From January last year, yes. 10:56:53AM

16 Other than membership funds, was there any other way Enterprise 10:56:58AM

17 Victoria raised funds?---No, just through membership and 10:57:05AM

18 delivering events. 10:57:12AM

19 COMMISSIONER: So does that mean - I just want to make sure 10:57:17AM

20 I've got a complete picture?---M-hmm. 10:57:20AM

21 Does that mean if Mr X wanted to make a donation to the Liberal 10:57:23AM

22 Party, the way that it was suggested that be done was 10:57:28AM

23 through your organisation, through a membership; is that 10:57:32AM

24 the process?---Yes, so if they contributed to Enterprise 10:57:41AM

25 Victoria they could engage in the networking platform. 10:57:45AM

26 Were there other mechanisms available to Mr X to contribute if 10:57:48AM

27 Mr X didn't want to become a member?---Mr X could simply 10:57:52AM

28 make a donation. 10:57:58AM

29 To the Liberal Party?---To the Liberal Party. 10:58:00AM

1 And where would that money go?---I can't answer that. I was 10:58:03AM
2 only privy to Enterprise Victoria funds coming in. 10:58:11AM
3 All right. Thank you. 10:58:14AM
4 MS HARRIS: You indicated earlier that there were some events 10:58:18AM
5 that sat outside the membership and that people, if they 10:58:21AM
6 wanted to attend, had to pay for. Were those events open 10:58:24AM
7 to non-members?---Yes. 10:58:28AM
8 And if they paid for those events, to attend those events, 10:58:31AM
9 where did those funds go?---All again into the Enterprise 10:58:36AM
10 Victoria account. 10:58:43AM
11 Was it the financial director that was in charge of the State 10:58:50AM
12 campaign account when there was one?---Yes. 10:58:56AM
13 COMMISSIONER: I'm sorry, when did the 2018 reforms come into 10:59:08AM
14 play, Ms Sullivan? Can you give us an approximate 10:59:12AM
15 date?---November from memory, Commissioner. 10:59:15AM
16 Last year?---2018. 10:59:17AM
17 And since then, for the purpose of memberships to Enterprise 10:59:31AM
18 Victoria, was there any attempt to distinguish between 10:59:35AM
19 memberships for the purpose of State or Federal 10:59:39AM
20 campaigns?---No, memberships remained the same, but funds 10:59:45AM
21 into Enterprise Victoria are directed to the Federal 10:59:49AM
22 campaign fund. 10:59:53AM
23 Yes. So if Mr X said, 'I'm happy to be a member at the 10:59:55AM
24 leadership level and here's my \$60,000, but I want it to 11:00:03AM
25 go to the State campaign,' it would still have to go into 11:00:08AM
26 the Federal fund, would it?---It would go into the Federal 11:00:15AM
27 fund and then a portion of that could be allocated up to 11:00:19AM
28 the disclosure level in place from a State perspective, 11:00:23AM
29 which I believe is \$1,000 a year. 11:00:27AM

1 So would you tell Mr X, 'There's not much point in you donating 11:00:33AM
2 \$60,000 if you only want it to go to a State 11:00:37AM
3 campaign'?---Well, if Mr X asked me that question, I would 11:00:44AM
4 certainly be very clear with him. 11:00:46AM
5 MS HARRIS: In answer to the Commissioner's question you just 11:00:55AM
6 said that funds into Enterprise Victoria were directed to 11:00:57AM
7 the Federal campaign fund. I thought your answer before 11:01:01AM
8 was that the only funds coming in were membership funds. 11:01:05AM
9 Have I misunderstood that?---So, I think I said membership 11:01:09AM
10 and event delivery, so events that I would deliver within 11:01:14AM
11 12 months membership gave you an opportunity to engage in 11:01:19AM
12 a number of events. Some of those events were not 11:01:25AM
13 included in the membership. 11:01:28AM
14 I see. So membership would go into the Enterprise Victoria 11:01:28AM
15 fund, and payments for above and beyond those memberships 11:01:32AM
16 to attend functions or events would go into the 11:01:37AM
17 Commonwealth fund; is that right?---No, the Enterprise 11:01:41AM
18 Victoria fund was by default the Federal campaign fund. 11:01:48AM
19 It was moneys directed to the Federal campaign fund. 11:01:51AM
20 They're the same account. 11:01:56AM
21 COMMISSIONER: I'm sorry, I should have clarified, and who is 11:01:59AM
22 the designated person who then has to reallocate funds out 11:02:02AM
23 of the Federal fund to a State campaign?---That's done by 11:02:08AM
24 the head of finance. 11:02:16AM
25 That's the finance director?---Yes. 11:02:18AM
26 So in the case of the example I mentioned of Mr X, then the 11:02:21AM
27 finance director would have to allocate the \$1,000 out of 11:02:26AM
28 Mr X's membership donation to a State 11:02:30AM
29 campaign?---I believe that to be the case. There may be a 11:02:36AM

1 separate State - I can't answer this with surety because 11:02:42AM
2 I'm not involved - I wasn't involved at that level, but 11:02:46AM
3 there may have been a separate bank account that was set 11:02:49AM
4 up to receive the State funds as well. So I can't answer 11:02:52AM
5 that with surety. 11:02:56AM
6 If the law is going to be given effect to, that would be 11:02:58AM
7 inevitable, would it not, that there would have to be a 11:03:04AM
8 separate bank account created?---Yes, and I believe that 11:03:07AM
9 to be the case. 11:03:10AM
10 MS HARRIS: But you're not sure if there's a State campaign 11:03:12AM
11 account; is that the situation?---I believe that there is. 11:03:14AM
12 I believe that to be the case. But, again, I don't work 11:03:17AM
13 there anymore so I can't be sure. 11:03:19AM
14 Did you play any role in terms of compliance obligations that 11:03:24AM
15 related to donations?---Well, I would certainly discuss 11:03:30AM
16 with donors about - well, point them to the AEC disclosure 11:03:37AM
17 and State disclosure framework, and on all of our 11:03:44AM
18 collateral it stipulates that all contributions made to 11:03:52AM
19 Enterprise Victoria are directed to the Federal campaign 11:03:54AM
20 fund. 11:03:57AM
21 Is that the case also on your website? When I say 'your 11:04:04AM
22 website', I should say Enterprise Victoria 11:04:08AM
23 website?---I can't recall. I don't know. 11:04:11AM
24 All right. When the laws changed in November 2018, did you 11:04:13AM
25 become aware then and have an understanding of the 11:04:25AM
26 donation caps and disclosure thresholds?---I was aware of 11:04:27AM
27 those. 11:04:32AM
28 And did you provide any advice to members about those 11:04:33AM
29 disclosure thresholds and caps?---Yes. 11:04:37AM

1 Did you have any documentation that set that out for 11:04:43AM
2 people?---Yes. 11:04:47AM
3 Who prepared that documentation?---The finance director. 11:04:48AM
4 All right. Was there any type of education or training - 11:04:52AM
5 training is the wrong word - but sent out to members when 11:05:04AM
6 the laws changed about how it might affect them or their 11:05:07AM
7 membership?---Members were sent the one pager summarising 11:05:11AM
8 the changes. 11:05:17AM
9 Right. And essentially what did that tell them?---I can't 11:05:18AM
10 recall, having not reviewed that document for, I can't 11:05:24AM
11 tell you how long, and I don't work there anymore, so 11:05:30AM
12 I don't know. 11:05:33AM
13 Did you consider that the change in laws had much of an impact 11:05:36AM
14 for Enterprise Victoria?---They have not. 11:05:41AM
15 Why is that?---Because we've continued to deliver a robust 11:05:49AM
16 program of events to keep our members engaged. 11:05:57AM
17 Did you become aware of any vulnerabilities or loopholes in the 11:06:02AM
18 legislation relating to donations?---No. 11:06:08AM
19 Is that something that anybody discussed with you?---No. 11:06:11AM
20 Are you aware of whether or not Enterprise Victoria sought any 11:06:22AM
21 advice or clarification around the impact of the 11:06:26AM
22 changes?---I believe they did. 11:06:30AM
23 Where was that advice sought from?---I think there was legal 11:06:31AM
24 advice sought. Again, I wasn't primarily involved in that 11:06:36AM
25 process. 11:06:43AM
26 Was that legal advice provided by internal lawyers or was that 11:06:45AM
27 an external - - -?---I don't know. 11:06:50AM
28 Did Enterprise Victoria have internal lawyers?---No. 11:06:53AM
29 Enterprise Victoria didn't, no. 11:06:59AM

1 Did you have dealings with John Woodman?---He attended events 11:07:01AM
2 over the years. Did I have personal dealings with him? 11:07:17AM
3 Not regular. I saw him at events over the years. 11:07:24AM
4 I couldn't tell you which ones. 11:07:28AM
5 All right. You were familiar with who he was, 11:07:30AM
6 obviously?---Yes. 11:07:35AM
7 Did you assist him at any stage with his membership?---No, not 11:07:37AM
8 that I recall. 11:07:42AM
9 Do you recall - sorry, did I interrupt you then?---Sorry, 11:07:45AM
10 I should clarify that. Not John personally. 11:07:50AM
11 Was there somebody from his office that you assisted, was 11:07:54AM
12 there?---Yes. 11:07:58AM
13 Who was that?---Lorraine Wreford. 11:07:59AM
14 What role did you understand Ms Wreford to be playing for 11:08:03AM
15 Mr Woodman?---I believe she was a - she worked for him. 11:08:08AM
16 In what capacity?---I beg your pardon? 11:08:14AM
17 In what capacity?---A representative. I don't know in what 11:08:17AM
18 particular capacity, but she represented his business. 11:08:22AM
19 Did you understand her to be a lobbyist?---I don't know that 11:08:25AM
20 technically, but - I don't know. 11:08:29AM
21 Okay. And how did you interact with Ms Wreford in relation to 11:08:33AM
22 Mr Woodman's membership?---Ms Wreford contacted me early 11:08:39AM
23 2019 to say that they would like to make a donation, and 11:08:47AM
24 so I liaised with her on that and she attended a number of 11:08:59AM
25 events throughout last year. 11:09:02AM
26 COMMISSIONER: Was that by way of a membership?---Yes. 11:09:05AM
27 What membership was that?---Well, we would also customise 11:09:08AM
28 memberships if it fell somewhere between a 30 and a 11:09:17AM
29 60,000, for example. So by default that was a Leadership 11:09:21AM

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package.

So that was for what period, Ms Sullivan?---Effective I think March 2019 until October the same year.

So Mr Woodman took out a leadership membership for that period?---He by default received a leadership membership.

Yes, and I'm sorry, it wasn't clear from your answer. Did he contribute the full \$60,000 or a portion of it?---He contributed an amount of \$50,000 initially.

And then?---And then as of September a further two payments of 10,000.

So in total 70,000?---Yes.

Is that unusual for someone to donate more than the maximum leadership amount?---Well, that's not for me to speculate whether it's unusual or not. It's a decision driven by individual donors' businesses.

I certainly don't want you to speculate. I'm just asking from your knowledge was it unusual for people to donate more than 60,000 in a year?---Unusual. Not unheard of.

Yes, all right. Thank you.

MS HARRIS: And why was it structured in that way that Mr Woodman paid initially \$50,000 and then two payments of 10,000?---That was at their request.

At Ms Wreford's request, was it?---Yes.

And do you understand why she was making that request?---No. She didn't express that to you?---No, she didn't.

COMMISSIONER: And were there any conditions attached to it?---No.

So in Mr Woodman's case he had not designated any interest in any portion of it being utilised for a State rather than a

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11:11:49AM

1 Federal campaign?---No. 11:11:53AM

2 MS HARRIS: Did you have any conversations yourself with 11:11:59AM

3 Mr Woodman about his membership?---No. 11:12:01AM

4 Had he been a member prior to Ms Wreford making contact with 11:12:05AM

5 you?---I can't recall. I wasn't privy to that information 11:12:12AM

6 in previous years, so I can't answer that. 11:12:19AM

7 Would you expect that he had been a member given he had 11:12:21AM

8 attended functions and you'd seen him there?---He may have 11:12:25AM

9 attended as a pay as you go, not a member. I don't know. 11:12:29AM

10 I see. But you're not aware of, prior to March or thereabouts 11:12:34AM

11 when you discussed Mr Woodman's membership with 11:12:40AM

12 Ms Wreford, you're not aware of Mr Woodman having a prior 11:12:44AM

13 membership with Enterprise Victoria?---Not aware. 11:12:46AM

14 Did you have any discussions with him around how the funds get 11:12:55AM

15 paid into a Federal account as opposed to a State 11:13:01AM

16 account?---No. 11:13:07AM

17 COMMISSIONER: I'm sorry, I've gathered from your earlier 11:13:10AM

18 evidence that apart from perhaps meeting him at a function 11:13:12AM

19 you had not had any personal relationship or conversations 11:13:19AM

20 with him external to those functions?---No, not that 11:13:23AM

21 I recall. I worked with a mental health charity and 11:13:30AM

22 Mr Woodman's company provided an auction item for that 11:13:40AM

23 charity for a fundraising event, but I liaised with 11:13:45AM

24 Ms Wreford on that, so I don't have any direct dealings 11:13:51AM

25 with Mr Woodman. 11:13:55AM

26 MS HARRIS: Did you have any conversations with Mr Woodman 11:13:58AM

27 around organising a meeting with him and any senior 11:14:00AM

28 members of the State Liberal Party?---No. 11:14:06AM

29 Commissioner, I note the time. Would that be an appropriate 11:14:17AM

1 time for the morning break? 11:14:20AM

2 COMMISSIONER: Yes, certainly. We'll have a 10-minute break 11:14:22AM

3 now, Ms Sullivan. You're free to speak with your lawyers 11:14:24AM

4 or with your support person, Mr Kain?---Thank you. 11:14:27AM

5 (Short adjournment.) 11:14:32AM

6 COMMISSIONER: I'm sorry for the delay. Yes, Ms Harris. 11:36:29AM

7 MS HARRIS: Ms Sullivan, you're on mute, I think, 11:36:32AM

8 sorry?---Sorry. 11:36:35AM

9 That's all right. Just before the break you indicated that you 11:36:36AM

10 spoke to Ms Wreford about Mr Woodman's membership in 2019, 11:36:40AM

11 that there was a \$50,000 payment and then two \$10,000 11:36:48AM

12 payments for his membership. Are you aware of whether or 11:36:53AM

13 not that \$50,000 payment was paid in a lump sum or broken 11:36:56AM

14 up over smaller amounts?---That was paid in five lots of 11:37:01AM

15 10,000 to five different entities provided by Lorraine 11:37:05AM

16 Wreford. 11:37:10AM

17 And what was the purpose of that?---That's not for us to 11:37:11AM

18 second-guess in any way the motives of how people engage 11:37:19AM

19 with us. That's up to them how they - it might be sort 11:37:22AM

20 of, you know, various businesses at a macro/microeconomic 11:37:25AM

21 level. There could be any reason. 11:37:31AM

22 Did she have any conversation with you about it?---No. 11:37:33AM

23 And as I understand your evidence you've not had a conversation 11:37:35AM

24 with Mr Woodman about either membership or splitting up 11:37:39AM

25 membership across - membership payments across 11:37:44AM

26 entities?---No, I don't recall having a conversation 11:37:47AM

27 directly with Mr Woodman. 11:37:50AM

28 In terms of this practice of invoice splitting, had you seen 11:37:51AM

29 that before?---Well, again I'll just go back to the point 11:37:58AM

1 about it's up to members, donors, how they wish to split 11:38:04AM
2 payments and - - - 11:38:09AM
3 My question is had you seen it before?---Yes. 11:38:12AM
4 Was it a regular occurrence?---Not uncommon. 11:38:14AM
5 Did you understand it to be to avoid donation - disclosure 11:38:20AM
6 thresholds?---No. 11:38:27AM
7 Or to ensure that the membership didn't have to be disclosed at 11:38:29AM
8 Federal level?---No. 11:38:38AM
9 That's not something that ever occurred to you?---Not something 11:38:43AM
10 that has occurred to me, nor been discussed in any way. 11:38:48AM
11 That's again up to the business or the individual how they 11:38:52AM
12 wish to administer their membership. 11:38:54AM
13 Does breaking up a membership payment like that change any 11:39:00AM
14 obligations Enterprise Victoria might have in terms of 11:39:05AM
15 reporting?---No. No changes to that. Just on an ongoing 11:39:11AM
16 basis Enterprise Victoria is subject to the AEC disclosure 11:39:18AM
17 framework, which I think at this moment is 14,300 donation 11:39:22AM
18 threshold. 11:39:29AM
19 You told us from the outset that by default funds go into 11:39:29AM
20 the - funds coming into Enterprise Victoria go into the 11:39:34AM
21 Commonwealth account. When you say 'by default', what do 11:39:38AM
22 you mean?---Just that funds to Enterprise Victoria are 11:39:42AM
23 directed to the Federal campaign fund unless otherwise 11:39:48AM
24 specified by the donor. 11:39:51AM
25 And as I understand your evidence, that has been since the 11:39:52AM
26 changes to the electoral laws in November 2018?---That's 11:39:56AM
27 my understanding. 11:40:00AM
28 And who decided that that would be the approach taken?---Well, 11:40:02AM
29 those decisions are - the finance director and the finance 11:40:09AM

1 team, the state director, operate under the AEC disclosure 11:40:14AM
2 and VEC disclosure, so those decisions are made at that 11:40:19AM
3 level. 11:40:22AM
4 And that, as I understand your evidence, it was Mr Anderson at 11:40:23AM
5 the relevant time?---As finance director. 11:40:28AM
6 Right. And was it Mr Anderson that provided that directive to 11:40:31AM
7 Enterprise Victoria, that this was the practice that was 11:40:37AM
8 going to be adopted?---I can't be sure who provided that 11:40:40AM
9 directive. 11:40:46AM
10 Was any explanation given as to why the process would 11:40:47AM
11 change?---Again, I can't recall. I can't be sure. 11:40:53AM
12 COMMISSIONER: Ms Sullivan, I think you said you ceased working 11:41:00AM
13 with Enterprise Victoria in October. That's October this 11:41:04AM
14 year?---That's right, Commissioner. 11:41:08AM
15 What date in October?---What, sorry? 11:41:11AM
16 What date in October?---I think my last day was 16 October. 11:41:14AM
17 All right. So you've only been out of that organisation for a 11:41:19AM
18 month and a half?---Yes. 11:41:23AM
19 So can we assume that you've still got a very good memory of 11:41:25AM
20 how you were operating as an organisation up until 11:41:32AM
21 then?---My memory's not very good in a general sense, but 11:41:37AM
22 I certainly can recall certain things and will certainly 11:41:45AM
23 try to do that on request. 11:41:49AM
24 MS HARRIS: Mr Leigh gave evidence that there were two 11:42:00AM
25 different enterprise clubs within the Liberal 11:42:02AM
26 Party: Enterprise Victoria and the Enterprise Club. Is 11:42:06AM
27 that correct? Is that your understanding?---I don't know. 11:42:09AM
28 I have heard of another Enterprise entity, but I don't 11:42:12AM
29 know who it is or what that is. I've had no dealings with 11:42:16AM

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them.

Is it your understanding that they operate then as separate entities?---Well, certainly, because I don't have any knowledge really around that other one.

All right. And the conversation you had with Ms Wreford around Mr Woodman's donation or membership, did you understand that to be conditional upon anything at all?---Absolutely not.

Not conditional upon him meeting with anyone?---Absolutely not.

Or having access to anyone in particular?---Absolutely not.

And from what I understand from your evidence, you've never had such a conversation with Mr Woodman?---No.

That is, you've not had a conversation with him about his membership being conditional upon a meeting - him meeting with anyone in the Liberal Party?---That is correct.

Or being subject to any other condition?---That's correct.

Pardon me for a moment. Commissioner, could we play the call behind tab 99, please. Ms Sullivan, if you look at the screen next to you there should be a transcript that comes up.

(Audio recording played to the Commission.)

MS HARRIS: Ms Sullivan, that's you engaging with Mr Woodman in a manner that you told us earlier you hadn't done in terms of discussing membership. You'd agree with that, wouldn't you?---Yes, it is, and I have totally not recalled that conversation until now. That is me.

And in terms of the aspect of the transcript that's on the screen, you recall that earlier in the conversation you offered to arrange for Mr Woodman to meet with Michael

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1 O'Brien?---Along with the State president, yes. 11:52:57AM

2 Yes, that was your offer to Mr Woodman, wasn't it?---Yes. 11:53:02AM

3 And then what we can see here at line 170, Mr Woodman indicates 11:53:09AM

4 that, 'You arrange a meeting with Michael and Robert and 11:53:15AM

5 I'll be there and we can' - and you interrupt and say 11:53:21AM

6 'Absolutely' - and he says 'We can finalise the deal'. 11:53:25AM

7 That certainly suggests that his finalisation of any 11:53:28AM

8 membership was dependent on the meeting that he was due to 11:53:31AM

9 have with Michael and Robert; isn't that right?---It reads 11:53:37AM

10 that way. I can absolutely with clarity guarantee that a 11:53:42AM

11 meeting never took place. 11:53:46AM

12 But certainly that comment suggests that the payment was 11:53:48AM

13 dependent on that meeting?---It reads that way. 11:53:53AM

14 COMMISSIONER: What do you mean by that, Ms Sullivan, that 'it 11:54:04AM

15 reads that way'? Is there something in how it reads that 11:54:07AM

16 isn't an accurate reflection of your state of 11:54:12AM

17 mind?---I genuinely can't recall the conversation. But 11:54:18AM

18 looking at it, it looks like an attempt to renew a 11:54:21AM

19 membership. It looks as an attempt to get people in a 11:54:28AM

20 room to discuss the election just gone and then learnings 11:54:36AM

21 from that for an election coming up, as opposed to 11:54:39AM

22 anything else. 11:54:43AM

23 I think I'm right in saying, am I not, from what you've already 11:54:44AM

24 told us, that part of the benefit that comes from anyone 11:54:49AM

25 purchasing any of these memberships with Enterprise 11:55:00AM

26 Victoria is that it gives them the opportunity to liaise 11:55:04AM

27 with and get access to ministers at a senior 11:55:10AM

28 level?---Largely through events that we run. 11:55:17AM

29 Yes. We can safely say, can we not, that one of 11:55:20AM

1 the motivations for people therefore making donations is 11:55:33AM
2 to get that - I use the word 'privileged' access to people 11:55:38AM
3 that are decision makers?---To engage with members of 11:55:44AM
4 parliament. 11:55:52AM
5 Yes. And this is an example of that, is it not, in the case of 11:55:53AM
6 Mr Woodman being able to engage at the most senior level 11:56:00AM
7 with members of the Liberal Party?---I think from an 11:56:05AM
8 administrative perspective with the State president 11:56:10AM
9 proposed to be present at that and looking at learnings 11:56:13AM
10 from the State election which had just gone as we neared 11:56:17AM
11 the Federal election, to see if there were any learnings 11:56:21AM
12 from Mr Woodman. 11:56:24AM
13 Yes. I understand what your function was, was to try and raise 11:56:27AM
14 funds, and Mr Woodman was a good source of - potential 11:56:33AM
15 source of funds; correct?---Potential, yes, correct. 11:56:38AM
16 But is it not clear from what he was saying to you that his 11:56:43AM
17 objective, if he was to meet with these people, was to get 11:56:50AM
18 some support from them for things that he needed - - 11:56:56AM
19 -?---I probably - sorry, I don't think I was totally 11:57:01AM
20 cognisant of that fact as opposed to re-engaging him as a 11:57:04AM
21 member. 11:57:10AM
22 I understand what your purpose was, but there are only two of 11:57:11AM
23 you in this conversation. Is it not clear from what 11:57:15AM
24 Mr Woodman said that he had his purpose in wanting to have 11:57:19AM
25 such a meeting, and he made that clear to you, didn't 11:57:24AM
26 he?---Well, yes. 11:57:27AM
27 MS HARRIS: If we go back up to page 5, please. He indicates 11:57:31AM
28 to you at line 103, after talking about membership, 'A lot 11:57:45AM
29 depends - I've got a few things that I need to talk to 11:57:57AM

1 Michael about and I need their support.' And you say 11:58:00AM
2 'Yes'. And he says, 'At State level and depending on how 11:58:03AM
3 those conversations go,' and you say 'Right' and he says, 11:58:07AM
4 'You know, yeah, I'm - I'm' - so it's quite clear that it 11:58:10AM
5 depends - that Mr Woodman is expressing to you that it 11:58:14AM
6 depends on how his conversation goes with Mr O'Brien as to 11:58:19AM
7 what his level of support might be. That's right, isn't 11:58:23AM
8 it?---Well, yeah, at the time I was probably just on to 11:58:29AM
9 the next thing, so I wasn't really on the page with that. 11:58:34AM
10 COMMISSIONER: So, look, just so there's no misunderstanding 11:58:38AM
11 here, Ms Sullivan, I'm not in the least bit 11:58:41AM
12 interested - you've told us no such meeting took place and 11:58:45AM
13 I'm not in the least bit interested specifically in what 11:58:48AM
14 Mr Woodman had in mind and obviously nor were you. But 11:58:53AM
15 can we not put to rest once and for all the notion that 11:58:58AM
16 people don't make substantial donations in the expectation 11:59:04AM
17 that they will get support in return from the party or 11:59:10AM
18 from ministers when there's a need? Doesn't this 11:59:15AM
19 conversation disclose precisely what the objective of a 11:59:19AM
20 major donor is?---I think this particular example does. 11:59:24AM
21 I don't think it's a common practice. 11:59:32AM
22 You think this is the exception to the rule, do you?---I do. 11:59:33AM
23 Is that your honest answer?---Yes. It's not a regular 11:59:37AM
24 practice. 11:59:45AM
25 So you have an arrangement whereby your members can go to 11:59:47AM
26 functions, there are no rules or qualifications whatsoever 11:59:52AM
27 in terms of what they can raise with a minister, and you 11:59:57AM
28 think a conversation such as this you're having where a 12:00:02PM
29 donor or a potential donor tells you, 'I'll make 12:00:06PM

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donations, but I'm looking for things in support in
exchange for that,' you say that's the exception to the
rule?---It's not something that I have had exposure to on
anywhere near a regular basis.

But, as you say, you weren't even focused on his answers. You
were focused on your objective which was trying to solicit
a donation?---To secure a membership.

Yes. All right. Yes, Ms Harris.

MS HARRIS: And it was in fact your suggestion or your offer to
arrange a meeting between the parties, wasn't it?---Yes.
Again, I don't recall this conversation but looking at
this transcript, yes, I absolutely did that from the angle
or the point of view of, 'We've just finished a State
election, we'd like your feedback as we head into a
Federal election, any learnings.'

COMMISSIONER: I'm sorry, Ms Harris. The money that you then
have described that Mr Woodman donated, 50,000 and then
two amounts of 10,000, does that occur before or after
this conversation?---After, I think.

After. Is that at all significant, that it followed the form
of this conversation?---Well, I think it was about the
time of his renewal. So it just probably followed the
renewal date, standard renewal date.

MS HARRIS: At page 2 at line 37 you ask him, 'Would there be
any value in - in me organising a meeting with you and
Michael O'Brien and Robert Clark in their new positions as
State president and opposition leader? Would that be of
value to you in the next few weeks or are you all right?'
So that's not you asking for feedback for the party, is

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1 it?---That's what I would have meant. It's what I meant. 12:02:17PM
2 No, in that section you've not asked for feedback, have 12:02:22PM
3 you?---No, I haven't. 12:02:25PM
4 And in fact you've asked Mr Woodman if there would be any value 12:02:27PM
5 to him in that meeting. That's right, isn't it?---Yes. 12:02:31PM
6 And what did you have in mind? What value could that have been 12:02:39PM
7 for Mr Woodman?---I don't recall. 12:02:43PM
8 If we could go to page 4, Mr Woodman indicates at line 75 that 12:02:55PM
9 he wasn't sure whether his membership was at Federal or 12:03:12PM
10 State level where it's landed, and you explain to him from 12:03:18PM
11 line 78 onwards that there's a document that will explain 12:03:22PM
12 the 'zero impact that the State donor laws or reform has 12:03:27PM
13 on Enterprise Victoria because all contributions 12:03:32PM
14 automatically by default go into the Federal fund which 12:03:36PM
15 allows us a little loophole and it's totally above board.' 12:03:40PM
16 I asked you earlier if you were aware of any loophole or 12:03:46PM
17 vulnerabilities in the legislation and you told me 'no', 12:03:49PM
18 didn't you?---I did. 12:03:53PM
19 It's apparent from this conversation you were aware of a 12:03:54PM
20 loophole, weren't you, certainly in February 2019 when 12:03:57PM
21 this conversation took place?---Well, I use the 12:04:00PM
22 terminology, but I also used 'in line with the VEC and the 12:04:06PM
23 AEC', so - - - 12:04:11PM
24 What's the loophole you're referring to?---The disclosure 12:04:12PM
25 amounts. 12:04:20PM
26 What do you mean by that?---The AEC disclosure level's 12:04:20PM
27 currently 14,300. We are obliged to report anything - 12:04:26PM
28 contributions by individuals over that amount. 12:04:33PM
29 So what was it about the new legislation or the new reforms 12:04:38PM

1 that provided a loophole?---Just that the contributions 12:04:43PM
2 are subject to the Federal AEC disclosure guidelines. 12:04:49PM
3 So is what you're referring to there the fact that the new 12:04:58PM
4 legislation had brought in State disclosure thresholds 12:05:02PM
5 much lower than the Federal disclosure thresholds, and 12:05:08PM
6 that by running funds through the Federal campaign the 12:05:12PM
7 higher threshold would apply to donations to Enterprise 12:05:15PM
8 Victoria; is that what you're referring to?---Yes. 12:05:20PM
9 And that by bypassing the State campaign fund you wouldn't have 12:05:24PM
10 to comply with the lower disclosure thresholds. That's 12:05:32PM
11 correct too, isn't it?---Restructuring Enterprise Victoria 12:05:35PM
12 meant that we were subject to the AEC disclosure. 12:05:39PM
13 COMMISSIONER: Of how much, Ms Sullivan?---Well, the caps on 12:05:44PM
14 the VEC I think are capped at \$1,000 per year. 12:05:51PM
15 What's the Fed, the AEC?---14,300 currently. 12:05:55PM
16 So let's take Mr Woodman's donation of \$70,000 and let us 12:06:00PM
17 assume that you wanted to pass as much of that as you 12:06:07PM
18 could to a future Victorian campaign, how would you do 12:06:13PM
19 that allowing for the loophole?---That's again an area for 12:06:21PM
20 the finance director. I don't know. I don't have 12:06:29PM
21 visibility on that. But there would not be - - - 12:06:32PM
22 You told Mr Woodman your advice to him as a potential donor was 12:06:36PM
23 that the State donor laws or reforms for Enterprise 12:06:43PM
24 Victoria had absolute zero impact. Presumably you were 12:06:50PM
25 not giving that advice off the top of your head. 12:06:56PM
26 Presumably that was a conclusion which those senior to you 12:07:00PM
27 in the party had concluded was open as a loophole in the 12:07:05PM
28 legislation, that the donor laws had zero impact as far as 12:07:09PM
29 contributions to a Victorian campaign. That's the advice 12:07:16PM

1 you'd received, is it not?---So just to be clear, the 12:07:19PM
2 funds received by Enterprise Victoria fund Federal 12:07:24PM
3 election campaign activity, not State election campaign 12:07:28PM
4 activity. Therefore, zero impact to Enterprise Victoria 12:07:31PM
5 as an entity. 12:07:36PM
6 But was that the advice that you had, that the State donor laws 12:07:38PM
7 had absolute zero impact on Enterprise Victoria? Don't 12:07:45PM
8 worry now about reading the transcript. I'm just asking 12:07:54PM
9 you in your last year as the CEO of Enterprise Victoria 12:07:59PM
10 what was the advice you had from those above you as to the 12:08:05PM
11 consequence of the new State donor laws?---The Liberal 12:08:11PM
12 Party remains subject to AEC and VEC disclosure laws, but 12:08:19PM
13 due to the restructure or the reform, all funds to 12:08:25PM
14 Enterprise Victoria would be funding Federal campaign 12:08:31PM
15 activities, not State campaign activity. 12:08:34PM
16 You had no advice from your - is that your evidence, that you 12:08:40PM
17 had no advice from persons senior to you or managing the 12:08:44PM
18 finances of the party as to what effect donations would 12:08:49PM
19 have on a State campaign?---The advice was, due to the 12:08:56PM
20 donation reform, that the funds received via Enterprise 12:09:04PM
21 Victoria would be subject to AEC disclosure and VEC 12:09:09PM
22 disclosure if a donor requested money go to the State 12:09:15PM
23 campaign. So that framework and that disclosure framework 12:09:18PM
24 was still needed to be adhered to by the finance director 12:09:23PM
25 and the finance team. However, funds into Enterprise 12:09:27PM
26 Victoria fund Federal campaign activity. 12:09:32PM
27 So what's the loophole?---Just that if somebody decided to 12:09:34PM
28 split the lump sum into different entities, they wouldn't 12:09:44PM
29 be disclosed. 12:09:52PM

1 What do you mean by that?---So if \$50,000 was split across five 12:09:53PM
2 invoices, each individual invoice would be less than the 12:09:58PM
3 disclosure amount. 12:10:03PM
4 And to whom could that go for the purposes of a State 12:10:05PM
5 campaign?---It is irrelevant because it funds Federal 12:10:12PM
6 campaign activity. So there's no impact on the State 12:10:17PM
7 campaign. 12:10:20PM
8 No, no, you're not suggesting, are you, that from the time of 12:10:20PM
9 this State donor law reform that your organisation and the 12:10:24PM
10 Liberal Party had abandoned the prospect of providing any 12:10:32PM
11 campaign funds for a State campaign? You're not 12:10:37PM
12 suggesting that, are you?---No. 12:10:41PM
13 So how were you going to do that?---That's again a matter for 12:10:43PM
14 the finance director and the finance team, to administer 12:10:47PM
15 funds. My role was to bring the funds into the party. 12:10:51PM
16 Do you mean to say that as the CEO of this organisation you had 12:10:55PM
17 had no feedback as to how the party was intending to fund 12:11:01PM
18 a State campaign once these new laws - - -?---My role as 12:11:05PM
19 executive director of Enterprise Victoria was primarily to 12:11:13PM
20 raise funds and provide a calendar of events for people to 12:11:17PM
21 attend, and those funds are now funding Federal campaign 12:11:21PM
22 activity and not State campaign activity. 12:11:27PM
23 Is that what you were saying to all of your potential members, 12:11:32PM
24 'Please continue to donate, but understand that none of 12:11:37PM
25 the money you donate can go to a State campaign'? Was 12:11:41PM
26 that the message that you've been giving since 12:11:46PM
27 2018?---That's the framework of Enterprise Victoria. 12:11:52PM
28 No, I'm not asking about frameworks. I'm asking about the 12:11:55PM
29 message you were giving potential members from 2018. Was 12:11:58PM

1 it - - - ?---Yes. 12:12:03PM

2 If they contribute - if they acquire a membership, that none of 12:12:04PM

3 it will go to a State campaign?---We would point them to 12:12:08PM

4 the AEC and the VEC disclosures. So up to a certain level 12:12:13PM

5 if they wanted a certain level of their funds within the 12:12:18PM

6 VEC disclosure guidelines to fund State campaigns we could 12:12:22PM

7 facilitate that. Again those decisions and that movement 12:12:26PM

8 of that money was in the hands of the finance director and 12:12:29PM

9 the State director. 12:12:33PM

10 So what then is the loophole you're talking about with 12:12:34PM

11 Mr Woodman? You knew Mr Woodman's interested in what the 12:12:37PM

12 State Government can do in relation to his commercial 12:12:40PM

13 interests; you understood that, didn't you?---Well, 12:12:43PM

14 I wasn't cognisant of that. I was obviously focused on 12:12:47PM

15 ensuring that we renewed a membership, and I wasn't 12:12:50PM

16 cognisant of that being in any way part of any form of 12:12:55PM

17 commitment. 12:13:02PM

18 But, Ms Sullivan, you didn't suggest to Mr Woodman that he 12:13:02PM

19 should meet the Prime Minister or the Treasurer of the 12:13:09PM

20 Federal body. You were suggesting to Mr Woodman, and this 12:13:15PM

21 was at your volition, he didn't suggest it - you were 12:13:19PM

22 suggesting he meet with State politicians. Doesn't that 12:13:23PM

23 tell us you understood that Mr Woodman's commercial 12:13:27PM

24 interests lay in the State arena?---I don't believe that 12:13:31PM

25 to be the case. You know, Mr O'Brien and Mr Clark had 12:13:37PM

26 just started in their new positions and it was an 12:13:43PM

27 opportunity for them - for me to connect the membership 12:13:45PM

28 base with them in their new roles. And we had just come 12:13:49PM

29 out of a State election. So it was about getting some 12:13:54PM

1 insight as to how that went and any learnings that 12:13:57PM
2 Mr Woodman may have as we headed towards the Federal 12:14:00PM
3 election. From my point of view it was a sales approach 12:14:03PM
4 and - - - 12:14:08PM
5 Yes. So, to be clear then, notwithstanding the language that 12:14:11PM
6 you used, you had not been told that there was any 12:14:17PM
7 loophole that could be used to get around the State donor 12:14:21PM
8 laws; is that your evidence?---By way of structuring the 12:14:28PM
9 funds incoming to Enterprise Victoria we were subject to 12:14:35PM
10 the AEC disclosure threshold. 12:14:40PM
11 Yes, I know you were. I'm asking whether you had been told 12:14:43PM
12 that there was any loophole that you could take advantage 12:14:49PM
13 of?---I can't recall. I can't recall why I would have 12:14:52PM
14 used the word 'loophole' or where I, you know, potentially 12:14:55PM
15 heard it. I can't answer that with authority. 12:15:01PM
16 I'm not sure what you mean by 'with authority'?---Well, with 12:15:07PM
17 any surety; I can't recall. 12:15:11PM
18 You mean you don't remember at any stage thinking that there 12:15:13PM
19 was any loophole to get around the State donor 12:15:16PM
20 laws?---Because Enterprise Victoria was subject to the AEC 12:15:22PM
21 disclosure. That's just how it's structured - how it was 12:15:26PM
22 restructured. 12:15:31PM
23 All right. Yes, Mr Harris. 12:15:31PM
24 MS HARRIS: The framework that you keep referring to or the 12:15:34PM
25 restructure in terms of funds going into the Commonwealth 12:15:38PM
26 account, that occurred post the November 2018 reforms, 12:15:41PM
27 didn't it?---Yes. 12:15:46PM
28 And it occurred in response to those reforms; that's right, 12:15:48PM
29 isn't it?---Yes. 12:15:53PM

1 So where you say at line 78 that 'it has zero impact' that's 12:15:55PM
2 because you've bypassed the State requirements; that's the 12:16:01PM
3 loophole, isn't it?---Well, it's just a restructure - - - 12:16:07PM
4 Correct. You've bypassed it by restructuring how Enterprise 12:16:12PM
5 Victoria deal with funds; that's correct, isn't it?---All 12:16:17PM
6 funds are quarantined for Federal campaign activity. 12:16:21PM
7 That's not an answer to my question?---Please repeat the 12:16:24PM
8 question, sorry? 12:16:30PM
9 My question is that it has zero impact because you've bypassed 12:16:30PM
10 the State requirements and that's the loophole that you're 12:16:36PM
11 referring to; that's correct, isn't it?---It's just the 12:16:41PM
12 difference in the framework, and the funds are subject to 12:16:58PM
13 different disclosure requirements at a Federal level. 12:17:03PM
14 Yes, and the disclosure requirements at a Federal level and by 12:17:08PM
15 putting funds in the Federal campaign, you're bypassing 12:17:14PM
16 any requirements to disclose at a State level, aren't 12:17:17PM
17 you?---Enterprise Victoria was still subject to disclosed 12:17:21PM
18 donations made to the State campaign up to the State 12:17:25PM
19 threshold. So absolutely - - - 12:17:28PM
20 But that's only if the funds go into the State campaign fund, 12:17:32PM
21 isn't it?---That's if they are requested by the donor to 12:17:35PM
22 do so. By default they go into the Federal campaign fund. 12:17:37PM
23 Yes. So by default you say they go into the Federal campaign 12:17:41PM
24 fund, but that default position was only adopted after the 12:17:45PM
25 2018 reforms?---It was. 12:17:49PM
26 And the reason that the reforms have zero impact is because 12:17:51PM
27 you're now dealing with those funds at a Commonwealth 12:17:57PM
28 level?---At a Federal level. 12:18:00PM
29 Yes. So you would agree with me?---I agree with that. 12:18:02PM

1 You refer at line 86 to 'the process being legalised'. What did 12:18:06PM
2 you mean by that?---I think we referred to that earlier. 12:18:18PM
3 I'm sure it was legalised; it was looked at by legal 12:18:25PM
4 counsel. 12:18:32PM
5 And you say 'it's signed off by the State director'?---Yes. 12:18:33PM
6 So the document that you refer Mr Woodman to, was that a 12:18:40PM
7 document produced by the State director?---I can't recall 12:18:46PM
8 who produced it. It was authorised by the State director, 12:18:50PM
9 from memory. I don't have it. 12:18:55PM
10 COMMISSIONER: You can understand, Ms Sullivan, from the 12:19:02PM
11 Commission's perspective the concern that here we have in 12:19:05PM
12 the clearest terms Mr Woodman expressing his objective 12:19:14PM
13 which is, 'I need support in relation to my interests,' 12:19:22PM
14 and then thereafter donating is it now \$70,000 by way of 12:19:30PM
15 campaign contribution; he must surely have thought that a 12:19:34PM
16 significant portion of those funds would ultimately find 12:19:40PM
17 its way to a State campaign if he's going to get that 12:19:44PM
18 support; do you agree?---I didn't have that conversation. 12:19:49PM
19 I didn't have that understanding of his intention at all. 12:19:54PM
20 But, if I understand you correctly, there's no way more than a 12:19:59PM
21 very small portion of that \$70,000 - if there's no 12:20:04PM
22 loophole, there would be no way more than a very small 12:20:09PM
23 portion of that could ever come back to a State campaign; 12:20:13PM
24 is that your position?---Correct. 12:20:17PM
25 MS HARRIS: So then if you go to page 5 I don't understand the 12:20:23PM
26 answer you just gave the Commissioner. When we look at 12:20:26PM
27 the top you say, 'That's right. That's entirely up to you 12:20:33PM
28 and that's a discussion that I'd be happy to have with you 12:20:35PM
29 when convenient. I'll give you a bit of time to think 12:20:39PM

1 about it and if you want to', he says 'yeah', you say, 12:20:42PM
2 'Come back to me with', 'yeah,' 'where you're at in terms 12:20:46PM
3 of helping the Victorian division between now' and then he 12:20:49PM
4 interrupts you. So, given you've been very clear in your 12:20:52PM
5 evidence to the Commissioner that the funding goes into 12:20:59PM
6 the Commonwealth fund, how is it then that you're talking 12:21:01PM
7 about, at this line, how it is Mr Woodman can help the 12:21:05PM
8 Victorian division?---So the Victorian division is 12:21:12PM
9 responsible for campaigning Victorian seats at a Federal 12:21:16PM
10 level and a Federal election. So the funds coming into 12:21:19PM
11 Enterprise Victoria fund Federal election campaign 12:21:26PM
12 activity in Victoria for the Victorian division. 12:21:29PM
13 And then how does it then funnel back into the Victorian 12:21:33PM
14 fund?---It doesn't as far as I'm aware. And again that's 12:21:41PM
15 not my jurisdiction. That's done at the Federal - the 12:21:44PM
16 finance director at his discretion. 12:21:50PM
17 COMMISSIONER: Mr Woodman goes on to say, 'I've got a few 12:21:52PM
18 things I need to talk to Michael about, I need their 12:21:55PM
19 support at a State level, at a State level, and depending 12:21:58PM
20 on how these conversations go I'm always happy to 12:22:04PM
21 contribute.' Did you not understand that Mr Woodman was 12:22:08PM
22 looking at how the State Government ultimately would be 12:22:16PM
23 funded in the hope that he might get some of the support 12:22:21PM
24 that he needs?---All I can say is that the framework, the 12:22:28PM
25 changes in the restructure of Enterprise Victoria to fund 12:22:34PM
26 Federal election campaign activity in Victoria, that money 12:22:38PM
27 is absolutely quarantined for Federal campaign activity, 12:22:42PM
28 and whether Mr Woodman thought that or not, whether 12:22:46PM
29 I didn't pick that up in the conversation or not, the 12:22:49PM

1 Federal - I had been very specific up the top in saying 12:22:53PM
2 'all funds are directed through the Federal campaign 12:22:57PM
3 activity unless otherwise specified'. So we would be 12:23:01PM
4 adhering to AEC and VEC guidelines regardless of 12:23:05PM
5 Mr Woodman's intentions, whatever they were. 12:23:11PM
6 All right. 12:23:16PM
7 MS HARRIS: Why was it that you were contacting Mr Woodman 12:23:22PM
8 about his membership?---Because it probably was coming up 12:23:25PM
9 for renewal, I can only imagine. 12:23:29PM
10 But why you?---Why me? 12:23:32PM
11 Yes?---That would have been my role as executive director. 12:23:35PM
12 COMMISSIONER: I think there's a reference, is there not, 12:23:43PM
13 Ms Harris, to Ms Sullivan saying that the renewal had 12:23:46PM
14 fallen due in January. 12:23:51PM
15 MS HARRIS: Yes, that's right. Did it have anything to do with 12:23:54PM
16 the fact that you knew Mr Woodman to be a significant 12:23:56PM
17 contributor to Enterprise Victoria?---I had certainly been 12:24:00PM
18 aware of him being at events over, you know, the 12:24:06PM
19 past - since I've been there and well beyond, well before. 12:24:11PM
20 But was your involvement in his membership or communications 12:24:14PM
21 about his membership anything to do with the fact that he 12:24:17PM
22 was a significant contributor as opposed to a person with 12:24:20PM
23 a lower level membership?---A person with, sorry that last 12:24:25PM
24 bit? 12:24:29PM
25 Lower level membership?---It wouldn't have mattered. I would 12:24:29PM
26 have spoken to whomever was coming up for renewal. 12:24:35PM
27 All right. I tender that conversation, Commissioner. 12:24:38PM
28 COMMISSIONER: Yes, that will be exhibit 345, conversation 12:24:42PM
29 between Ms Sullivan and Mr Woodman, February 2019. 12:24:49PM

1 #EXHIBIT 345 - Conversation between Ms Sullivan and Mr Woodman, 12:24:55PM
2 February 2019; tab 99. 12:24:53PM
3 MS HARRIS: Ms Sullivan, how many members at the time that you 12:24:56PM
4 left did Enterprise Victoria have?---A hundred and 12:25:00PM
5 something; 140 give or take. 12:25:08PM
6 Did the membership numbers change after the introduction of the 12:25:13PM
7 state laws in November 2018?---No, they maintained. 12:25:25PM
8 Did you have any interaction with Geoff Leigh?---No. 12:25:33PM
9 Are you aware of what his role was or what his involvement was 12:25:38PM
10 with Enterprise Victoria?---No. 12:25:42PM
11 Do you know whether he introduced clients to Enterprise 12:25:47PM
12 Victoria?---No, I don't recall. 12:25:53PM
13 Did you have any direct contact with him in your time with 12:26:02PM
14 Enterprise Victoria?---I may have. I dealt with a lot of 12:26:04PM
15 people over a long period of time, but I don't recall. 12:26:08PM
16 To the best of your knowledge did he have any formal role with 12:26:14PM
17 the organisation?---Not that I am aware of. 12:26:18PM
18 The functions that we were talking about earlier, did any 12:26:24PM
19 function provide the opportunity for one-on-one meetings 12:26:29PM
20 with members of parliament either at State or Federal 12:26:32PM
21 level?---No. One function was what we called the business 12:26:36PM
22 observers program and that was a series of meetings 12:26:42PM
23 whereby corporates could meet with members always with a 12:26:45PM
24 chief of staff or an adviser in attendance. 12:26:50PM
25 We've heard evidence that the Minister for Planning would only 12:26:56PM
26 meet with people if a probity auditor was present. Have 12:27:03PM
27 you become aware of that evidence at any stage?---No, I'm 12:27:09PM
28 not aware of that. 12:27:14PM
29 Are you aware of any members from the Liberal Party having a 12:27:15PM

1 similar rule in relation to probity auditors?---No. 12:27:20PM
2 During functions that are offered tables or tables for purchase 12:27:29PM
3 could guests nominate which member of parliament either at 12:27:36PM
4 State or Federal level was on their table?---Requests 12:27:40PM
5 I think would be welcome and considered. I didn't run any 12:27:46PM
6 major events in the last 12 months, and certainly not this 12:27:52PM
7 year with COVID. But my recollection is in previous years 12:27:56PM
8 requests might be considered. 12:28:08PM
9 And what would you base those considerations on?---Just 12:28:09PM
10 grouping industry peers and well-suited individuals in 12:28:14PM
11 just a very general seating plan. 12:28:21PM
12 Not membership level?---Well, membership level - so the 12:28:24PM
13 leadership package would get preferential seating in terms 12:28:29PM
14 of a head table or - that's a very standard application. 12:28:34PM
15 So when you say 'a head table', is that somebody with a very 12:28:41PM
16 senior member of the Liberal Party on the table?---I guess 12:28:45PM
17 the most senior person in the room. Just standard 12:28:48PM
18 application to that event management. 12:28:54PM
19 Just pardon me for a moment. 12:29:04PM
20 COMMISSIONER: While you're waiting, Ms Sullivan, in South 12:29:17PM
21 Australia are there similar donor restrictions for State 12:29:22PM
22 elections?---Each state has different guidelines and 12:29:28PM
23 disclosure requirements. 12:29:34PM
24 What are the limitations in South Australia?---They are 5,000, 12:29:37PM
25 just over \$5,000. 12:29:43PM
26 Per donor for a State election?---Correct. 12:29:47PM
27 And presumably there have been discussions about how a State 12:29:50PM
28 campaign can be adequately funded given those 12:29:58PM
29 limitations?---Not with me. I'm very new to the role. 12:30:04PM

1 All right. Yes, Ms Harris. 12:30:13PM

2 MS HARRIS: Ms Sullivan, in your role did you engage or deal 12:30:15PM

3 directly with lobbyists?---From time to time I knew a few. 12:30:20PM

4 I'd barely remember their names if you ask me. But we 12:30:28PM

5 dealt with a lot of people. 12:30:31PM

6 And would they attend functions or events put on by Enterprise 12:30:32PM

7 Victoria?---If they were members. 12:30:39PM

8 What if their clients were members?---Would the lobbyists 12:30:42PM

9 attend if their clients were members? 12:30:49PM

10 Could they attend as a guest or in place of their client?---Not 12:30:50PM

11 as far as I - no, not a hard and fast rule, but usually 12:30:56PM

12 members - our members can use their membership how they 12:31:01PM

13 wish. So it's - memberships are transferable. 12:31:04PM

14 So that means instead of the member attending a guest can 12:31:09PM

15 attend on their behalf; is that right?---Correct. 12:31:12PM

16 Were there any rules around lobbyists engaging with members of 12:31:15PM

17 parliament?---Nothing specifically to do with Enterprise 12:31:19PM

18 Victoria. We didn't have a particular ruling around that. 12:31:26PM

19 All right. Did you engage with any lobbyists you knew to be 12:31:29PM

20 working for John Woodman?---Lorraine Wreford I guess is 12:31:35PM

21 one. 12:31:39PM

22 And when you engaged with her did you understand her to be 12:31:41PM

23 working as a lobbyist for Mr Woodman?---Well, I understood 12:31:44PM

24 her to be a representative of Mr Woodman at a number of 12:31:47PM

25 events and represent him at events. 12:31:51PM

26 Did you understand that to be different to a 12:31:53PM

27 lobbyist?---I don't think I drew a distinction. 12:31:58PM

28 Was it your understanding she was certainly performing the 12:32:02PM

29 function and role of a lobbyist?---As a representative of 12:32:05PM

1 Woodman's business. 12:32:09PM

2 In that telephone call that we had played Mr Woodman refers to 12:32:11PM

3 some negative publicity and the fact that he hadn't been 12:32:17PM

4 attending events because of that publicity. Were you 12:32:21PM

5 aware of the negative publicity surrounding 12:32:25PM

6 Mr Woodman?---No. 12:32:29PM

7 I take it then that it didn't have any impact on whether or not 12:32:31PM

8 he could attend functions or have access to Enterprise 12:32:36PM

9 Victoria events?---No. 12:32:42PM

10 Just pardon me for a moment, please. I don't have any other 12:32:46PM

11 questions for the witness, Commissioner. 12:32:50PM

12 COMMISSIONER: Mr Feldman, do you have any matters that you or 12:32:54PM

13 Ms Prestia would like to explore with Ms Sullivan? 12:32:58PM

14 MR FELDMAN: No, Commissioner. 12:33:03PM

15 COMMISSIONER: Very good. Ms Sullivan, is there anything 12:33:06PM

16 additional that you would like to add to any of 12:33:09PM

17 the matters that have been covered?---No, Commissioner. 12:33:12PM

18 I don't think so. Thank you for the offer. 12:33:18PM

19 Very good. Ms Harris, is there any reason why Ms Sullivan 12:33:23PM

20 could not be released from the summons now? 12:33:27PM

21 MS HARRIS: No, Commissioner. 12:33:30PM

22 COMMISSIONER: Very good. So I'll discharge you from the 12:33:31PM

23 summons, Ms Sullivan. Should you wish to review your 12:33:34PM

24 evidence or to view a video of your evidence you need only 12:33:39PM

25 indicate to the Commission and arrangements will be made 12:33:44PM

26 to enable you to do so. I thank you for your attendance 12:33:47PM

27 today and I discharge you from any further attendance. 12:33:54PM

28 WITNESS: Thank you, Commissioner. Thank you, counsel. 12:34:01PM

29 COMMISSIONER: Ms Harris, when are we resuming? 12:34:04PM

1 MS HARRIS: Two o'clock with Ms Morales, Commissioner.

12:34:07PM

2 COMMISSIONER: Very good. Thank you.

12:34:11PM

3 WITNESS: Thank you.

12:34:13PM

4 <(THE WITNESS WITHDREW)

12:34:13PM

5 LUNCHEON ADJOURNMENT

12:34:15PM

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