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Moir Deeming issues John Pesutto with third concerns notice

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[Moir Deeming](#) says [John Pesutto](#) has “sadly rejected his chance” to get out of a [defamation battle](#) “quickly and cheaply”, and should prepare to see her in court, as she issues the Victorian Liberal leader with a third and final defamation concerns notice.

The notice accuses [Mr Pesutto](#) of defaming the expelled Liberal MP in a press conference two days after a March [“Let Women Speak” rally](#) which was gatecrashed by neo-Nazis.

It gives Mr Pesutto seven days to make amends — including through the payment of damages and costs and the publication of an apology — or Mrs Deeming will initiate Federal Court proceedings.

Mrs Deeming has told The Australian she will delay filing the case in the Federal Court until after the [Warranty by-election](#) — due to be held on August 26.

Mrs Deeming’s [first concerns notice](#), issued as the Victorian parliamentary Liberal Party prepared to vote 19-11 to expel her in mid May, sought a public exoneration

from what her lawyers argue was Mr Pesutto's portrayal of her as a "Nazi sympathiser".

A [second notice](#), issued later in May, alleged that Mr Pesutto had accused Mrs Deeming of [being a "Nazi sympathiser and Nazi associate"](#), and used that as a basis to ["threaten and bully" her out of the state party room](#).

"When John rejected my second concerns notice, it was his one chance to get out of this quickly and cheaply," Mrs Deeming told The Australian on Friday.

"I only demanded an apology, exoneration and costs, and removed the requirement to pay me damages. It was his one chance. As soon as he rejected that, he left me with no option but to go to court.

"My lawyers have had to issue three different concerns notices because there was so much defamatory material, everywhere, all over the media, and it's taken weeks to compile it all.

"John can still agree to mediation during that seven day window, but after that we're done, and we're going to court because I need to clear my name for my children," she said.

It is still not clear [who will pay Mr Pesutto's legal bills](#), which could amount to more than \$1 million.

The dispute between Mrs Deeming and Mr Pesutto dates back to the expelled MP's appearance at the "Let Women Speak" rally, which was organised by [UK gender critical women's rights activist Kelly-Jay Keen's](#) group Standing for Women UK, to protest against what Mrs Deeming and Ms Keen see as the [infringement of transgender self-identification laws upon the rights of women and children](#).

[Transgender rights activists](#) held a counter-protest, and a third group, of masked men dressed in black, taunted the transgender protesters and [performed the Nazi salute on the steps of state parliament](#).

Mr Pesutto [initially attempted to expel Mrs Deeming in March](#), but was forced to resort to suspending her for nine months amid a lack of support from colleagues.

In seeking to make the case against Mrs Deeming, Mr Pesutto circulated a [15-page dossier of social media screenshots and media reports](#) — mostly relating to [Ms Keen](#) — accusing the MP of “organising, promoting and participating in a rally with speakers and other organisers who themselves have been publicly associated with far right-wing extremist groups including neo-Nazi activists.”

A [letter sent to Mrs Deeming by Mr Pesutto’s lawyers last month](#) indicates the Liberal leader stands by this dossier and his original expulsion motion and media statements, which will be key to his “truth” defence.

Mrs Deeming said she believed she had struck a deal with Mr Pesutto and the Liberal Party room at the March meeting at which she was suspended, which would have seen Mr Pesutto publicly exonerate her.

“I offered to sit on that crossbench as an innocent woman for nine months to save his leadership, and the one condition was that he would clear my name,” she said.

“I honoured the deal and he did not, and then he supported a motion to expel me, which had no specific accusations. To this day, nobody has ever answered the question as to exactly what I did to deserve expulsion.”

The latest concerns notice notes that Mr Pesutto “has not made an offer of amends and has not offered to take any steps to resolve the complaints.”

“It appears unlikely, therefore, that he will do otherwise in relation to this third concerns notice,” states Mrs Deeming’s [expert defamation lawyer Patrick George](#), who is briefing [prominent defamation barrister Sue Chrysanthou](#).

“He has repeatedly published statements about Mrs Deeming, from 19 March 2023 onwards, which have caused irreparable damage to her reputation, given the public reaction to and the republication and dissemination of those statements in mainstream media, social media and elsewhere.

“Mr Pesutto’s campaign was calculated to damage Mrs Deeming’s reputation as widely and as quickly as possible in order to achieve his objective of expelling her from the parliamentary Liberal Party.”

The latest concerns notice states that in a press conference held on March 20, Mr Pesutto made a range of extremely damaging imputations, including that Mrs Deeming “knowingly associated with people who share a platform with neo-Nazis who peddle hate and division and attack people for who they are,” and that she “had so conducted herself in staying at a rally attended by neo-Nazis and then celebrating with the key speakers of the rally who had neo-Nazi sympathies after ugly scenes had occurred on the steps of Parliament so as to warrant her immediate expulsion from the parliamentary Liberal Party.”

“Mr Pesutto’s statements of and concerning Mrs Deeming, as published and republished from 19 March 2023 onwards, held Mrs Deeming up to public hatred, contempt and ridicule and caused her extreme distress, embarrassment, humiliation and upset,” Mrs Deeming’s lawyers argue.

The third concerns notice reintroduces a claim for aggravated damages for harm allegedly suffered by Mr Pesutto’s conduct which was left out of the second concerns notice in an attempt at conciliation.

Mrs Deeming’s lawyers note that the “actual impact” of Mr Pesutto’s words will be the “subject of evidence” in court, but refer to Liberal MP Nick McGowan’s comments during the March 27 party room meeting at which Mrs Deeming was suspended to illustrate the impression they argue the comments made.

At the time, Mr McGowan warned his colleagues: “If the motion is successful today you are actually labelling someone a Nazi. Maira is going to have to live with that. It’s like calling someone a murderer, a rapist or a paedophile. Substance is key because there is not a penalty that is worse than this.”

Mrs Deeming similarly told the March 27 meeting: “Your decision today — whether you like it or not — will be linked in the minds of the public, to the specific accusations and imputations in that dossier.”

“I want to remind you all that being accused of Nazism in any degree — by the Liberal Party parliamentary team of Victoria — is going to have heinous consequences for my life, the lives of my husband and our four children. It will have negative consequences for anybody associated with me, like my brother, my parents, and my friends,” Mrs Deeming said at the time.

Asked on Friday about the impact on her family of Mr Pesutto's treatment of her, Mrs Deeming said ongoing effect on her four children, aged five to 15.

The concerns notice details an episode in March when a trespasser entered the Deemings' backyard.

"It's been absolutely terrible. It's really impacted my husband's health and my children," she said.

"The oldest two are old enough to read the news. They've learned about World War Two, and they're so offended by what's been being said about their mother.

"They're constantly anxious about cars that they don't know being parked on our street, and worried that if they don't get an invitation or they're not included in something then it's because of this."

The third concerns notice details impacts on Mrs Deeming's reputation which her lawyers argue stem from Mr Pesutto's comments, such Mrs Deeming being referred to in an online Liberal Party forum as the "Eva Braun of the western suburbs", in reference to Adolf Hitler's wife.

Despite the protracted public battle with Mr Pesutto, Mrs Deeming, who remains a proud member of the wider Liberal Party, said she was still hopeful that the Liberal Party could resolve the issue and emerge stronger.

"I do think that it's unfair that some people expect me, an innocent woman, to take the punishment and clean up the mess and bear the burdens of the terrible mistakes that a man, a leader, John Pesutto, is responsible for," she said.

Mrs Deeming has continued to attend Liberal Party events and fundraisers throughout her dispute with Mr Pesutto, and is due to appear at a western suburbs Liberal cocktail dinner on July 29 as a guest of honour alongside Sky News anchor Peta Credlin, senators Sarah Henderson, Claire Chandler, Jacinta Nampijinpa Price and Alex Antic, and former Liberal candidate and Indigenous leader Warren Mundine.

She said she would “never dream” of accepting, let alone asking for Liberal members to fund her defamation case and would be raising funds privately.

“I believe in personal responsibility, and I will be personally dealing with Mr Pesutto’s behaviour. I’m sure that our members agree with me that party funds should be solely dedicated to official Liberal Party administration and campaigning,” Mrs Deeming said.

“Please be assured that every dollar of the money I will raise for my case will be done privately, completely separately from the Liberal Party, to whom I remain loyal.

Mr Pesutto’s office has been contacted for comment.

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