

## NOTICE OF FILING

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A handwritten signature in blue ink that reads 'Sia Lagos'.

Registrar

### Important Information

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Form 59  
Rule 29.02(1)

### Affidavit of Raewyn Louise Clark

VID 1023 of 2023

Federal Court of Australia  
District Registry: Victoria  
Division: General

**MOIRA DEEMING**

Applicant

**JOHN PESUTTO**

Respondent

Affidavit of: **Raewyn Louise Clark**

Address: [REDACTED]

Occupation: Consultant

Date: 21 July 2024

I, Raewyn Louise Clark, of [REDACTED], say on oath:

**Introduction**

1. I have been a member of the Liberal Party since 2020. I live within the Victorian state electoral district of Sandringham and am a member of the Liberal Party's Sandringham Branch. Brad Rowswell MP is the Liberal Member of Parliament for Sandringham. Since I became a member of the Liberal Party in 2020, I have interacted regularly with many members of the Liberal Party within the Sandringham Branch and also the Black Rock Branch.
2. Although I am a member of the Liberal Party, I also know and interact with many people of other political persuasions, including many on the left of politics. These include, for example, people in my or my husband's friendship groups, people we interact with socially, people I know from work, parents of my children, people from my church, and other people

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within the community with whom I interact and mix (including people with whom I interact online).

**Exhibit 'RC-1'**

- 3. Exhibited to this affidavit is a bundle of documents marked 'Exhibit RC-1'.

**Awareness of Moira Deeming MP**

- 4. Prior to the 'Let Women Speak' rally on 18 March 2023 (**LWS Rally**), I had heard of and was a supporter of Moira Deeming MP. I had heard of her before she was elected to Parliament in November 2022 and was happy when she won her seat and became the Liberal Member for Western Metropolitan Region. I knew that Moira was a mother and a former teacher and that she had experience on a Melbourne area Council standing up for women and girls.

[Redacted]

- 5. [Redacted]

**Moira's reputation prior to the LWS Rally**

- 6. Prior to the LWS Rally, in the circles in which I mixed, as set out above, my observation and perception was that Moira had a reputation as being courageous, eloquent and passionate. She had a reputation as being a conviction politician. She had a reputation as a person willing to speak out about issues which others were too scared to speak about. She had a reputation as being a new politician who had real world experience, as a mum and as a teacher. She had a reputation as giving a voice to those without a voice, or too scared to use it.

 

7. I understand that Mr Pesutto alleges in these proceedings that, prior to the LWS Rally, Moira's 'views on social and political issues (most notably, abortion and transgender related issues) were notorious, controversial and regarded as hateful by some'. In response to this allegation:

(a) I do not know what Moira's views on abortion are. I do not recall anyone I know, within the Liberal Party or outside of it, ever speaking about Moira's views on abortion.

(b) As far as I was aware, within the circles in which I mixed, Moira's views prior to 18 March 2023 were not regarded as 'hateful'. I do not recall anyone I know, within the Liberal Party or outside of it, ever having described any of her views as 'hateful' or similar. If that had occurred, I would recall it.

(c) I do not know what Mr Pesutto means by 'notorious'. Within the circles in which I mixed, Moira was known prior to 18 March 2023 as being someone with strong views about sex-based rights. I do not agree that those views were 'notorious' if that is meant in a negative or pejorative sense. My perception is that her views on sex-based rights were widely supported within the circles in which I mixed. Moreover, my experience prior to the LWS Rally was that I kept being surprised by how widely held traditional views regarding biological sex were when I discussed them with people for the first time. My experience was that most people I spoke with were quite confused about the meaning of gender identity, preferred pronouns, and the de-emphasis of biological sex.

8. I also understand that Mr Pesutto makes the following allegation in these proceedings about Moira's reputation prior to the LWS Rally:

*In my opinion, based on my experience as Leader of the Party (which caused me to mix with and meet a variety of people, including politicians and members of the broader community), while it was clear some people loved Mrs Deeming and shared her views on those issues (in my view, a minority), on the whole, in the circles in which I moved including the more mainstream parts of the community I was trying to attract to support the Party (in my view, the vast majority), Mrs Deeming had a bad reputation, particularly for giving succour to hateful and/or extreme social or political views. I know of no other person with such a bad reputation who has been allowed into the Party.*

In response to this allegation:

(a) My perception and observation prior to the LWS Rally was that, within the circles in which I mixed, Moira did not have a bad reputation and she did not have a reputation 'for giving succour to hateful and/or extreme social or political views'. Although I do

not know which of Moira's views he is describing as 'hateful and/or extreme', I had never heard anyone describe her views as 'hateful' or 'extreme' or similar.

- (b) In relation to Moira's views on sex-based rights, my impression is that those views are mainstream and widely supported.

### The LWS Rally

9. I cannot recall precisely how I heard of the LWS Rally. I think I heard about it online. I thought it would be an opportunity to gather with like-minded people and be heard. Even though I did not intend to and did not speak, I felt that my presence would lend support to the women's voices who would speak.
10. I attended the LWS Rally on 18 March 2023, with my husband and daughter.
11. At pages 2 to 7 of Exhibit RC-1 is a copy of some photographs I took at the LWS Rally and at pages 8 and 9 are two photos of me at the LWS Rally.
12. I recall seeing Moira. She walked in with Kellie Jay-Keen. Moira was standing very close to me, just to the left of the stage. She was close to the stage at all times that I saw her, including as seen in the photographs at pages 4 and 5 of Exhibit RC-1. I recall hearing Moira speak, although I cannot now recall what she said. I recall at one stage a protestor rushed the stage and was spraying pink and blue paint. I tried to use the sign I had to stop photos being taken of her. I recall Moira being in the midst of that and her helping to get the protestors away from the area.
13. I listened to several women give speeches. I thought they were wonderful. There was a woman who was a nurse and spoke about the difficulty of her patients who are migrants who struggle with English. She spoke about them knowing the word woman but not knowing the word cervix and how language such as "people with a cervix" creates difficulties for her patients. I remember one speaker gave a speech that was quite funny as she'd written it like a fairy tale as a "once upon a time".
14. Overall, I found it to be a really uplifting and wonderful occasion. It was a sunny, perfect day. It was encouraging to see so many people sharing their view that sex matters, that women are women, men are men, and you can't change sex. Often in the public discourse one feels silenced for having these views and it was encouraging to see so many others, normal people, women and men, of all ages who shared the same views. My daughter was amazed by the different political persuasions and viewpoints on display. There was a woman in a Greens t-shirt. There was a woman with a sign on behalf of left wing women. There was a man in a Donald Trump hat. There was a rainbow flag. There were people with religious messages on their shirt. And all these people had come together despite

their different views to express a shared concern for the importance of women's sex-based rights.

15. I recall there were several different groups of people in the vicinity of Parliament:
- (a) There were those there for the LWS Rally (**the LWS group**).
  - (b) There was a group protesting against the LWS Rally (**pro trans protesters**). I was most concerned about this group. This is where the police line was, as seen in the photograph at page 5 of Exhibit RC-1. Many of the pro trans protesters were jeering and yelling at the LWS group. They were yelling obscenities and the messages on their signs included profanity.
  - (c) There was a group of socialists, with red flags.
  - (d) There was a group of 'Freedom protesters'. I spoke to one of the Freedom protesters and she said they were there every week.
  - (e) There was also a group of men in black (who I will refer to as '**the Men**').
16. In relation to the Men, I didn't know who they were at the time. I hadn't seen them arrive. I was a bit confused by them. I recall seeing them near the stairs of Parliament to the far left of where the LWS rally was, towards Nicholson Street. I did not see them on the stairs – this would have stood out to me because earlier on I had been asked to leave the stairs by the police. I saw they had a banner that said something about "paedos" and I assumed they were protesting against paedophiles. I did not see them salute. I didn't pay much attention to them. My recollection is that, during the event once Ms Keen arrived, I was generally either facing the LWS group to hear and see the women who were speaking or my back was to the LWS group because I was monitoring the pro trans protesters. I was distracted by the pro trans protesters because they kept getting closer to us and the police didn't seem to be holding them back. Based on my recollection, the Men would not have been prominent and visible to the majority of those who were at the LWS Rally. I didn't see the Men interacting with the LWS group. I didn't see any participants of the LWS Rally taking photos of or with the Men. I also didn't see the Men leaving. It never occurred to me at the time, while I was at the LWS Rally, that the men might be Nazis or Neo-Nazis.

#### **After the LWS Rally**

17. After the LWS Rally, I saw media reports referring to Nazis. I recall seeing that the media was misreporting that Nazis had attended or were associated with the LWS Rally. I recall seeing social media posts by politicians, including Dan Andrews, Adam Bandt and Josh Burns. A copy of those three posts, which I recall seeing at the time, are at pages 10 to 12 of Exhibit RC-1. I did not see any media reporting, or any social media posts, which referred to Moira.

18. The first I heard of any controversy about Moira's attendance at the LWS Rally was when I heard in the evening of 19 March 2023 that Mr Pesutto was proposing to expel her. I had not seen any media reporting, or any social media posts, which referred to Moira being at the LWS Rally until Mr Pesutto's statement was released in the evening of 19 March 2023. I understand that statement is being referred to as the '**Media Release**' in these proceedings. I was shocked when I read the Media Release. My impression at the time was that it was saying that Moira should be expelled from the Liberal Party because she had associations with Nazis, who I understood he was saying was the Men I referred to at paragraph 16 above.
19. At 9.31pm, I emailed my local Member, Mr Rowswell. A copy of this email is at page 13 of Exhibit RC-1.
20. The next day, 20 March 2023, at 9.10am, I sent an email to Linda and Jacques Mellon, the Secretary and President of the Sandringham Liberal Party Branch (**my 9.10am email**). A copy of my 9.10am email is at pages 14 to 17 of Exhibit RC-1 (the attachment to the email is the photograph at page 17). The content of my 9.10am email is consistent with my recollection of my observations at the LWS Rally.
21. I exchanged further emails with Mr and Mrs Mellon at 9.30am and 9.33am, a copy of which is at pages 18 to 21 of Exhibit RC-1.
22. At 10.47am on 20 March 2023, I sent an email to Mr Pesutto. A copy of that email is at pages 22 to 25 of Exhibit RC-1. Amongst other things, in that email:
- (a) I said: 'Our rally was hijacked by intruders'; and
  - (b) I forwarded to Mr Pesutto the content of my 9.10am email, including:
    - i. that 'the Neo Nazi intruders were nothing to do with us';
    - ii. 'We were a group of very peaceful, mostly middle aged women in sun hats, listening to other women speak about the impact of sex based rights being destroyed'; and
    - iii. 'We were in no way associated with [the] Neo Nazis. These guys hijacked our right to hear women speak. They turned up and we are being blamed and shamed'.
23. My 9.10am email, the content of which I forwarded to Mr Pesutto, included the following:
- To our left up Spring Street (towards Nicholson Street) there was a party with red flags - the socialists - and a group in black tshirts, black shorts and black masks. They later unfurled a signed saying something about "paedos" - and then the police*

*marched them along Spring street in the buffer zone between the women's group and the trans activists across the street and they saluted the trans activists.*

*This happened very quickly and I didn't even see it as I was watching the women speaking.*

24. To clarify this, some of this extract was based on what I had seen at the LWS Rally and some it was based on what I had subsequently seen in footage. I had seen the socialists and I had seen the group in black t-shirts, black shorts and black masks (i.e. the Men). I had also seen the Men holding a sign which said something about 'paedos' (as set out at paragraph [16] above). But to the best of my recollection I did not actually see the Men 'unfurl' their sign and only saw this subsequently in footage. And I did not see the police marching the Men along Spring Street in the buffer zone between the LWS group and the pro trans protesters. I only saw this later when I watched videos of the LWS Rally. When I said in my email that it 'happened very quickly and I didn't even see it as I was watching the women speaking', I was referring to the police marching the Men along Spring Street in the buffer zone between the LWS group and the pro trans protesters.
25. My 9.10am email, the content of which I had forwarded to Mr Pesutto, also included hyperlinks to the following videos of the LWS Rally:
- (a) A video posted by Rukshan Fernando – accessible at URL: <https://www.youtube.com/watch?v=YPEBatfcaok> (which I said was 'an overview of what happened from an independent observer viewpoint');
  - (b) Another 'full length' video posted by Mr Fernando – accessible at <https://www.facebook.com/therealrukshan/videos/229529329488872/?app=fbl>;
  - (c) A video posted by Ms Keen – accessible at URL: <https://www.youtube.com/watch?v=9o47VZvDgAA>; and
  - (d) A video posted by 'Stone the Crone' – accessible at URL <https://www.youtube.com/watch?v=xDCd5xBnRFY>.
26. Since the Media Release, I have seen a lot of media about Moira. Much of it repeated what Mr Pesutto said, to the effect that Moira has associations with Nazis. I have also seen a lot of vile, abusive messages about her on Twitter, including messages which call her a Nazi or Nazi sympathiser. I had never seen any messages like this about Moira prior to the Media Release.



Sworn by the deponent  
at Melbourne  
in Victoria  
on 21 July 2024  
Before me:

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)  
)  
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Signature of deponent

Signature of witness

Claire Louise Toner

Name and qualification of witness

Australian Legal Practitioner