

## NOTICE OF FILING

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

Registrar

### Important Information

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## Affidavit

No. VID 1023 of 2023

Federal Court of Australia  
District Registry: Melbourne  
Division: General Division

### MOIRA DEEMING

Applicant

### JOHN PESUTTO

Respondent

Affidavit of: **Georgie Crozier**  
Address: [REDACTED]  
Occupation: State Member for Southern Metropolitan and Leader of the Opposition in the Legislative Council  
Date: 17 July 2024

I, **Georgie Crozier**, State Member for Southern Metropolitan and Leader of the Opposition in the Legislative Council of the Parliament of Victoria, of [REDACTED] in the State of Victoria, make oath and say:

1. I have previously sworn an affidavit in this proceeding on 27 May 2024 (**my First Affidavit**). I adopt the terms defined in my First Affidavit.
2. I understand that between 27 May 2024 and 29 May 2024 a number of affidavits were filed on behalf of the Applicant in this proceeding. I have not received copies, nor read any of those affidavits in full, but have been shown parts of the affidavits sworn by Mrs Deeming on 27 May 2024 (**Deeming Affidavit**) and Kim Wells on 27 May 2024 (**Wells Affidavit**) that relate to me. This affidavit only responds to the parts of those affidavits that directly refer or relate to me, where I have a recollection of those events or something to add. Any failure to address any assertion does not

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Filed on behalf of (name & role of party) John Pesutto, Respondent  
Prepared by (name of person/lawyer) Peter Bartlett  
Law firm (if applicable) MinterEllison  
Tel (03) 8608 2677  
Email [REDACTED]  
**Address for service** MinterEllison, 447 Collins Street, Melbourne VIC 3000  
(include state and postcode)

[Version 3 form approved 02/05/2019]

  
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mean I necessarily agree with that assertion, particularly where I have previously given evidence on that matter.

**Response to the affidavit of Moira Deeming dated 27 May 2024**

3. Paragraph 58 of the Deeming Affidavit relates to the call I had with Moira at about 11:00am on 19 March 2023, which was the subject of paragraph 27 of my First Affidavit. I recall that Moira raised the issue of organising a babysitter for her children, and I responded to the effect that while I sympathised, these were really important issues she needed to talk with the Leadership Team about. I do not believe that I said, as Moira suggests, that she needed to "be there whether [she] liked it or not." I agree that I did not offer for Moira to bring in a support person or other representative, but I did not and do not consider it was necessary for me to do so as I thought we would be able to resolve the issue quickly and the meeting would not go for very long.
4. Paragraphs 59 to 88 of the Deeming Affidavit relate to the meeting between Moira and the Leadership Team on 19 March 2023, which I discussed at paragraphs 32 to 42 (particularly 34 and 35) of my First Affidavit.
5. Moira's evidence concerning this meeting is not an accurate reflection of what I recall occurred. That is because, unlike her affidavit suggests, she did not spend most of the meeting telling us why the Leadership Team's understanding of the facts was wrong. Rather, she spent most of the meeting sitting there defiantly, generally saying nothing or saying she had done nothing wrong, as we tried to work with her to address the issues that would inevitably arise from the Rally, the neo-Nazis attendance and what was publicly available online, like the champagne video and the social media posts. Personally, I found her lack of understanding or contrition for the issues to be remarkable.
6. At paragraph 60 of the Deeming Affidavit, Moira alleges that John said that "he and the Leadership Team were of the view that [Moira] would be better suited to be an Independent." My recollection of that part of the discussion is different. In particular, that was not how the meeting started or a central focus of the meeting. Rather at some point during the meeting, after Moira had remained defiant and refused to do what the Leadership Team was asking her to do to protect the Party, someone from the Leadership Team posed a question to Moira to the effect of: do you think you'd be better off as an Independent given that you want to advocate for these issues? I felt it was a genuine question which Moira should have considered, given she did not seem to want to be part of the broader Liberal team. In my opinion, Moira seemed far more concerned about what Posie Parker and Angie Jones and her LWS colleagues thought of her than what the Liberal party Leadership or Liberal party colleagues thought or thought of her.
7. At paragraph 60 of the Deeming Affidavit, Moira says that she told the Leadership Team that she was "elected in no small part" due to her work on sex-based rights. I do not recall Moira saying that during the meeting. Regardless, that sentiment is wrong. That is because, in my experience as a

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politician and leader of the Legislative Council, Members of Parliament that are elected to the Legislative Council on the Liberal Party ticket are generally elected because they are representatives of the Liberal Party, not based on their individual views or campaigns. As I noted at paragraph 14 of my First Affidavit, that was the case with Moira – she was elected to Parliament in 2022 because she was the top of the Liberal Party’s group ticket in a seat that was considered “safe” for the Liberal Party.

8. At paragraph 63 of the Deeming Affidavit, Moira says that the Leadership Team "continued to attack my advocacy for sex-based rights and child safeguarding..." That is false. During that meeting no one attacked her for her views about sex-based rights. In my view, Moira is taking things out of context and conflating different issues. The Leadership Team were asking Moira to condemn the presence of the Nazis at the Rally and were concerned that the video of her sipping champagne after the Rally, in which it was speculated that the Nazis may have been police, made the whole thing look dreadful. The perception of the Party and my colleagues was going to be damaged unless she clearly distanced herself from any association with neo-Nazis. What we were asking of her had nothing to do with her views on sex-based rights (noting I am on the public record as sharing some similar concerns as Moira regarding some sex-based rights issues, and would not have agreed to her being attacked, expelled or disciplined for holding those views).
9. In response to paragraph 65 of the Deeming Affidavit, I do not recall anyone saying that Moira had an attitude problem. I do recall that I said to Moira, words to the effect, I'm so disappointed that we are here and said, "Moira, we've tried to help you". That was my view at the time. I do not recall Moira pushing back or saying "that wasn't true" in response. As noted above, Moira did not disagree with much during the meeting – she was defiant but largely silent during most of the meeting.
10. At paragraph 66 of the Deeming Affidavit, Moira says that it began to dawn on her that we were trying to blame her for the men who turned up at the Rally. I cannot speak to Moira’s state of mind, but insofar as she is suggesting that was our view, that is not correct; nor is it how I perceived what the rest of the Leadership Team were suggesting. We did ask her to put out a clear statement condemning the Nazi presence at the Rally, but we did not blame her for their presence.
11. In response to paragraph 70 of the Deeming Affidavit, it is correct that after Moira denied having any knowledge of the material Rod was reading to her, I said words to the effect of, Moira it's all over the internet, I said this because it did not seem credible to me at the time that Moira was not aware of Ms Keen’s public associations and notoriety, given the material Rod had showed us, and how quickly he and others had found it. In my view, given Moira was a co-organiser of the Rally she must have had some idea of who she was dealing with prior to the Rally. In response to the suggestion that Rod turned the laptop away from Moira and refused to show her the materials, that is not correct. My recollection is that Rod had pages of paper print outs of the social media posts and was showing Moira the posts as he spoke to them. I recall Rod kept saying that the Labor party

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would have found this material already. I completely reject the idea that Rod refused to show Moira his laptop or the materials – I would recall if that had occurred.

12. In response to paragraph 71 of the Deeming Affidavit, I do not think Moira said words to the effect that she doubted the material she was shown was true. I otherwise do not recall if Moira said the matters alleged in that paragraph.
13. In response to paragraph 72 of the Deeming Affidavit, I do not recall if Moira said this. In relation to the assertion we were pressing Moira to denounce Ms Keen as a Nazi, we were more focussed on asking her why Ms Keen would have posted content using Nazi symbols and analogies and asking her whether in light of the information out in the public domain, she could understand what our concern was about links the public might draw between those materials and the Party.
14. In response to paragraphs 73 and 74 of the Deeming Affidavit, I do not recall Moira saying those things. In any event, in my view, Moira’s tweet on the Saturday did not condemn the Nazis but rather Victoria Police. Further, I do not agree that she had got Ms Keen to do anything to assist after the Rally – on the contrary, we kept emphasising to Moira that part of the issue was the video of her toasting champagne after the Rally being on social media. That video made it seem like she was celebrating the success of the Rally, despite the presence of the Nazis.
15. In response to paragraphs 77 and 78 of the Deeming Affidavit, I agree that Moira kept saying “I’ve done nothing wrong” and “it’s not my fault”. I cannot recall precisely who, but members of the Leadership Team repeatedly said words to the effect of, you’re out there sipping champagne with these women who have done these viral posts, how can you support that? Moira remained defiant, saying she had done nothing wrong. As Moira says, we ended up going in circles. Our view, which was expressed to her various times and in various ways, was that regardless of what she believed, if she did not put out a statement, the public perception would be that she supported the other organisers’ conduct and that she was not concerned about the neo-Nazi’s attendance at the Rally.
16. In response to paragraph 79 of the Deeming Affidavit, I do not recall Moira saying this and do not agree that this was the effect of any of the statements made by the LWS organisers, particularly in their video after the Rally.
17. In response to paragraph 83 of the Deeming Affidavit, it is wrong to suggest that we did not ask Moira to condemn the Nazis. That was the whole point of the meeting. From my perspective, if Moira had done that the day before as David had asked her to (rather than participating in the champagne video, which in our view did more harm than good), these issues would not have arisen – or at the least, would not have been as big an issue. I found Moira’s conduct strange and infuriating. I agree that Moira was given the option to resign, but that in the absence of the requested condemnation, there would be a motion to expel her from the Parliamentary Liberal Party.

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- 18. In response to paragraphs 84 and 85 of the Deeming Affidavit, I agree (as I said in paragraph 40 of my First Affidavit) that I escorted Moira out of the building and said words to the effect, "I'm so sorry, Moira, I have tried to help you". However, I disagree with Moira's interpretation of why I said that. In particular, I reject any suggestion that I was doing the dirty work of others and privately begging for forgiveness. What I was actually referring to was my disappointment that it had come to this, and the previous meeting and conversations I had had with Moira, which are referred to in paragraphs 17 to 22 of my First Affidavit. To be clear, I fully supported the decision of the Leadership Team and could not believe that Moira had left us with no alternative but to act in this way.
- 19. In response to paragraph 87 of the Deeming Affidavit, I reject this characterisation of the meeting. Moira was not ambushed, attacked or bullied.

**Response to the affidavit of Kim Wells dated 27 May 2024**

- 20. In response to paragraph 27 of the Wells Affidavit, while I cannot speak to John's state of mind, in so far as Kim does and he says "Pesutto realised he was going to lose", I note that my perception was different. My perception of what happened based on my own response to the meeting and what John said to me at the time and shortly thereafter, is that when Moira addressed the Party Room she said she had been sexually assaulted, we were all shocked; and this is what prompted John to adjourn the meeting and consider other options.
- 21. In response to paragraph 31 of the Wells Affidavit, I was not directly involved in this discussion or any oral agreement, and accordingly deny that I 'orally agreed to the compromise' alleged. However, to my knowledge, it is incorrect to suggest there was ever a promise of 'full exoneration'. This was not what anyone said to me or the Party Room at or around that time. My understanding based on what was said to me at the time, and common political sense, was that all that was agreed was there would be a 9-month suspension of Moira from the Parliamentary Liberal Party and John's office would help Moira prepare a statement. The first I heard of Moira's view that she was entitled to a full exoneration – which does not make any sense to me – was much later on, I don't recall precisely when, but my recollection is that it was approximately a few weeks later.

Sworn by the deponent  
 at Melbourne  
 in Victoria  
 on 17 July 2024  
 Before me: Tess McGuire

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Signature of deponent



Signature of witness  
 of 477 Collins Street, Melbourne, Victoria



Georgie Crozier .....



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An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)

This affidavit was affirmed and witnessed remotely using an electronic copy of the affidavit in accordance with the *Oaths and Affirmations Act 2018* (Vic)



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