

NOTICE OF FILING

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Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



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

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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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: 27 May 2024

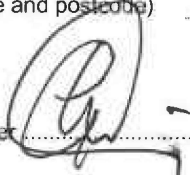
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3	Annexure "GC-2" being a copy of a text message exchange between Georgie Crozier and Moira Deeming on 23 March 2023	51	19

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 (include state and postcode) MinterEllison, 447 Collins Street, Melbourne VIC 3000

[Version 3 form approved 02/05/2019]

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Document number	Details	Paragraph	Page
4	Annexure "GC-3" being a copy of an email from Moira Deeming to the Parliamentary Liberal Party received 2:51pm on Sunday, 26 March 2023	53	22
5	Annexure "GC-4" being a copy of an email from Moira Deeming to the Parliamentary Liberal Party received 6:29am on Monday, 27 March 2023 and the attached word document	54	27
6	Annexure "GC-5" being a copy of a tweet posted by Moira Deeming on 27 March 2023	63	37
7	Annexure "GC-6" being a copy of an email from James Newbury MP on behalf of Matthew Guy MP, Cindy McLeish MP, Roma Britnell MP and Wayne Farnham MP sent 3:53pm on 6 May 2023 and a copy of the email from John Pesutto received 4:10pm on 6 May 2023	69	39

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 am a member of the Parliament of Victoria for the electoral region of Southern Metropolitan in the Legislative Council.
2. I was elected as a member for Southern Metropolitan in 2010. I was appointed Chair of the Family and Community Development Committee in 2011, and subsequently, Parliamentary Secretary for Health in 2013 – a role I held until December 2014.
3. Since that time, I have held a number of roles in the Shadow Ministry, including the following:
 - (a) Shadow Minister for Women: 17 December 2014 - 24 September 2017;
 - (b) Shadow Minister for Prevention of Family Violence: 17 December 2014 - 18 December 2018;
 - (c) Shadow Minister for Families and Children: 17 December 2014 - 18 December 2018;
 - (d) Shadow Minister for Housing: 25 September 2017 - 18 December 2018;
 - (e) Shadow Minister for Ambulance Services since 19 December 2018; and
 - (f) Shadow Minister for Health since 19 December 2018.
4. I have been Leader of the Opposition and the Liberal Party of Australia (Victorian Division) (**Party**) in the Legislative Council of Victoria since December 2022.

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Background to my dealings with Moira Deeming and her prior reputation

5. Prior to March 2022 I did not personally know Moira Deeming (**Moira**) but knew of her in the Party by reputation. At the time, among Party members, Moira had a reputation as someone with controversial views on certain issues, including being an anti-abortionist. Although my views were diametrically opposed to her position on abortion, I respected her right to hold those views. At the time, I was not concerned about her advocating for women's rights but was unaware of any views she had regarding transgender related issues.

6. On or around 26 March 2022, I first began to have dealings with Moira in the context of her campaign to be pre-selected for the federal electoral division of Gorton.

7. The Party's Administrative Committee, of which I was a member, was tasked with voting on which of the two candidates, Moira or John Fletcher, were to be pre-selected to campaign for the electoral division of Gorton.

8. Moira performed exceptionally well and won the majority of the vote. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

9. It was then agreed by the Administrative Committee that Mr Fletcher be endorsed as the Party's candidate for the electoral division of Gorton.

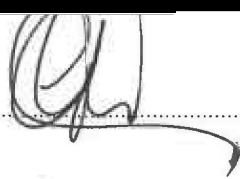
10. [REDACTED]
[REDACTED]
[REDACTED]

11. In May 2023, Bernie Finn was expelled from the Party and the Party was required to choose a new candidate to contest the State election in the electoral region of Western Metropolitan in the Legislative Council of the Parliament of Victoria, which was to be held later that year.

12. On or around 23 July 2022, Moira was endorsed by the Party to contest the election in the electoral region of Western Metropolitan. However, I supported another candidate.

13. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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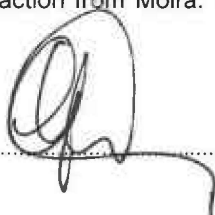


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14. On or around 26 November 2022, the Party lost the Victorian State Election, but Moira was successfully elected as Member for the electoral region of Western Metropolitan in the Legislative Council as the candidate at the top of the Party's group ticket. This seat was considered a safe seat for the Liberal Party.
15. Although I had supported another candidate, I had no issues with Moira winning, and as Leader of the Opposition in the Legislative Council, I wanted all new members, including Moira, to succeed. Accordingly, I welcomed Moira to be a part of the Party's Legislative Council team and told her I wanted her and the team to succeed and be part of a successful political opposition in order to win government in 2026.
16. Moira was elected as Opposition Whip in the Victorian Legislative Council in December 2022 and, as such, was responsible for assisting with organising speaking times for the inaugural speeches of new Opposition members in the Legislative Council. As Leader of the Opposition in the Legislative Council, I was informed of the requests and assisted some members with their requests for allocated times. Moira requested to be the last speaker of the day.
17. On 21 February 2023, a number of inaugural speeches, including Moira's, were to take place. That morning, at around 8:30am, Moira was absent from the regular scheduled meetings of the Victorian Parliamentary Liberal Party (**Party Room**) and members of the Victorian Coalition. Moira had previously requested leave from the Parliament to attend a medical appointment with one of her children. As she had not attended the Party Room meeting, I enquired if everything was okay. During the course of our conversation, she told me she had been out getting her hair done. I was stunned and said to Moira words to the effect, please understand that the expectation is that the Party Room and Parliament is the priority and you can't go off and have your hair done when Parliament is sitting.
18. To explain further, it is convention that you attend a Party Room meeting unless there is a funeral, medical appointment, or emergency, and in such an event the protocol (for Party members in the Legislative Council) is to inform the Party Room Leaders and Secretary if not attending a Party Room meeting and the Leader of the Opposition in the Legislative Council and Opposition Whip in the Legislative Council if not attending Parliament. Members of Parliament are given extensive briefings and inductions when first elected to Parliament. As a new Member of Parliament, I expected Moira would want to attend all sessions, or at the very least communicate with the Party Room Leadership or Party Room Secretary as to her non-attendance. As such, I found her non-attendance of the Party Room meeting for a hair appointment to be remarkable.
19. The discussion about Moira's absence from the Party Room meeting was only between Moira and myself and when I explained the reasoning as to why this was the expectation there was little to no reaction from Moira. I found this alarming and underwhelming, and later informed

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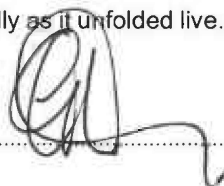
John Pesutto MP (**John**) about Moira's reason for being absent from the Party Room and Victorian Coalition meetings.

20. I listened to Moira's inaugural speech. I recall that it generated a strong response in both the Parliament and in the media, much of it negative. However, I personally thought Moira's speech was fine and congratulated her on it. I was, however, very disappointed that the negative publicity her views generated which prevented us from being able to make political headway the next day following the tabling of the special report by the Independent Broad-based Anti-corruption Commission on improper conduct by a former Victorian Labor Government Minister.
21. On or around 22 or 23 February 2023, John and I met with Moira to discuss the media response to her inaugural speech. We discussed with Moira the attention by the media, and that the negative attention would impact both her success and that of the team. We were also concerned that the media would continue to pursue her given the strong views she held on a number of issues. For that reason, we requested that Moira speak with us or the media team in the Office of the Leader of the Opposition, so we could provide her with support and guidance. I said to Moira, words to the effect that we've got to act as a team, and everyone is here to help you be successful. In my view, Moira did not appear to engage with the offer to help guide her through this and kept saying, "I've done nothing wrong", and words to the effect that the media reporting was nothing new given the media attention she received during her time as a councillor, and that she was not worried about it. Both John and I had not said she had done anything wrong, but I was concerned about Moira's defiance and her apparent unwillingness to take advice from the leadership team or apparent unwillingness to understand the need to work as part of the broader team elected as Liberal Members of Parliament.
22. On or around 24 February 2023, I rang Moira to have a general discussion about the events of the week. We spoke for about an hour, and during that conversation, I again reiterated the importance of working as one and said words to the effect that, we need to work as a team and can't have any surprises; it's okay you have differing views, but as a Party we need to be actually fighting the issues that the community are concerned about, and be unified in that endeavour. I felt it was a good, positive discussion that Moira engaged with.

Saturday, 18 March 2023 – Let Women Speak Rally

23. Prior to 18 March 2023, I was generally aware that Moira was going to attend the "Let Women Speak" rally (the **Rally**). I did not know the details of the Rally, was never going to go myself, and was aware that there was general concern within the broader Party leadership about her comments she had made in relation to sex-based rights. However, I recall thinking it was okay, and that she was just attending a rally.
24. On 18 March 2023, I had a busy schedule and did not see the media coverage and social media of the Rally as it unfolded live. The Liberal Leadership (myself, John, David Southwick MP, and

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Dr Matt Bach MP (**Matt**), collectively, the **Leadership Team**) were going to the Victorian Multicultural Gala Dinner that night. Matt did not ultimately attend. David Southwick MP (**David**) called me to organise the pick-up time to attend the event and asked me if I had heard about what happened that day. Either on the phone or when we met in person, David told me about the Rally, the gist of which was that neo-Nazis had attended the Rally and were present on the steps of the Parliament where they performed the Nazi salute. Moira remained present at the Rally whilst this was going on. David also said words to the effect, we've asked Moira to put out a statement to condemn the actions of the neo-Nazis.

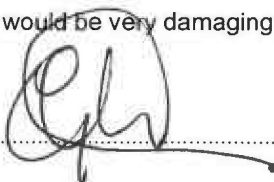
25. At the Victorian Multicultural Gala Dinner on 18 March 2023, the then-Premier, the Hon. Daniel Andrews, gave a speech during which he condemned the neo-Nazis' presence at the Rally. I do not recall him mentioning Moira's attendance but it was clear to me, given his statement on events, that this would become a very significant issue for the community. As Moira had been present, it was not such a significant request of the Leadership Team for Moira to put out a statement condemning what had happened. Given what David had apparently asked her to do that afternoon, I did not understand why she had not already done that.

Sunday, 19 March 2023

Events prior to meeting with Moira

26. On 19 March 2023, I was attending a function in Colac. On my way to Colac, I spoke to John by telephone. We were worried that Moira's attendance at the Rally was getting more and more attention and he asked me to ring Moira.
27. I rang Moira and asked her to come into the office to discuss the Rally. She responded to the effect of what for? I said words to the effect, we just want to speak with you and clear things up. She responded with words to the effect, I've done nothing wrong.
28. Later that afternoon, before the meeting with Moira, from around 5pm, the Leadership Team met with Rodrigo Pintos-Lopez (**Rod**).
29. I recall being told about or shown the video Moira participated in with champagne after the Rally and I was horrified by it. Based on the reaction of others, it was clear they felt the same way.
30. I was also shown the information that had been collated regarding the Rally, and people Moira had associated with at the Rally such as Kellie-Jay Keen and Angie Jones. While I do not recall everything I was shown or what we discussed, I specifically recall being shown pictures from the social media account of Ms Keen of an LGBTQI pride flag with a superimposed swastika on it and of a barbie doll dressed in a Nazi uniform.
31. It was clear to me that Moira's association with Ms Keen and Ms Jones, and her appearance in that video, would be very damaging to the Party and would be used by our political opponents.

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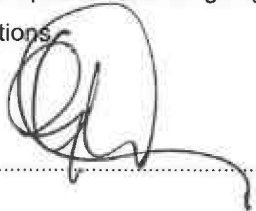


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Leadership Meeting with Moira

32. On the evening of 19 March 2023, between approximately 5-7pm, a meeting took place between the Leadership Team and Moira, which Rod also attended.
33. I collected Moira from the building entrance and took her to the meeting room. At that meeting I recall Moira was shown the material and information that had been collated that would ultimately appear in the Dossier.
34. I recall Moira's demeanour throughout the meeting was defiant and veiled. She did not appear surprised by what she was shown. [REDACTED]
[REDACTED]
35. I recall the Leadership Team requesting Moira issue a statement condemning the presence of neo-Nazis on the steps of Parliament. The discussion was open and supportive, and Moira was invited to speak and respond throughout. To me, we did not ambush or attack her or even set up an "us" versus her scenario – I was sitting next to her. However, her response was ongoing defiance and to the effect that she and the organisers had done nothing wrong. It appeared clear to me that she was not going to budge on her stance. In my view, the meeting should have been over in 5 minutes, but the meeting went for about two hours. I could not understand how she could not understand the gravity of the situation [REDACTED]
[REDACTED]
[REDACTED]
36. The Leadership Team as well as Rod stepped out to discuss what to do next. I do not recall precisely who said what, but the gist of the discussion was to the effect that Moira was not budging from her position and that some form of action from the Leadership Team was required as Moira's conduct and refusal to make a statement was bringing all of us into disrepute.
37. At first, I did not want to over-react and had concerns about moving to expel Moira. However, over the course of the meeting with Moira and the side meeting with the Leadership team, my view changed, and I agreed that expulsion from the Party Room was our only alternative.
38. Personally, I was not concerned with Moira's views regarding 'sex-based rights' – that was just not the issue for me. Part of why I was concerned was the abhorrent material circulating on social media that was discovered about Ms Keen and Ms Jones that later found its way into the Dossier. However, for me, another big part of the reason I agreed to move to expel her was her cumulative defiance – she just never listened to advice – and the fact she just did not seem to care what she was doing to the Leadership Team and to my colleagues. In my view, she was behaving like an activist rather than a Member of Parliament. In my view, she was bringing the Party into disrepute. I was not going to be branded, or let the Party be branded, by her conduct and associations.

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39. When we came back into the room with Moira, I cannot recall who but someone said words to the effect, Moira, we've gone over it, we are concerned about your behaviour [REDACTED]
[REDACTED]
[REDACTED] I do not recall anything further being said in the meeting.
40. At the end of the meeting, I walked Moira out of the building. I said to Moira, words to the effect of, I'm sorry, I've tried to help you. Moira did not respond and left.
41. Following the meeting, the Leadership Team divided up a list of Liberal Members of Parliament to call to inform them what had occurred and the outcome of the meeting with Moira. I called Trung Luu MP.
42. I was generally aware of the content of the Media Release but did not play a role in drafting it or any other communications.

Monday, 20 March 2023

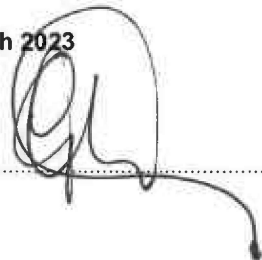
43. On 20 March 2023, I was generally aware of the media appearances John was doing in the morning. I was brought into some discussions regarding what had to happen but was not directly involved in the communications aspect and do not recall those discussions in any detail.
44. I signed the notice of motion to expel Moira from the Party Room but was not involved in the preparation or the dissemination of the notice or material.
45. I saw later that night that the notice of motion to expel Moira and accompanying Dossier had been referenced in an article by *The Age*.
46. At some stage that week, I also saw a "Press Release" tweeted by Moira that Monday afternoon in which she belatedly condemned the Nazis (albeit as part of a longer statement primarily defending herself and the conduct of the other organisers). I remember being frustrated as I thought this could have all been avoided if she had just put out a simple statement earlier.

Tuesday, 21 March 2023

47. On 21 March 2023, there was a regularly scheduled Party Room meeting.
48. I recall that some members expressed concern and anger about the proposed expulsion and two Members of Parliament moved to defer it, wanting the vote to be delayed.
49. I recall that Moira spoke, and while I cannot recall precisely what she said, I recall that she flippantly flicked through the pages of the Dossier, scoffing at and rubbishing the material about Ms Keen and Ms Jones. I was absolutely horrified by her conduct.

Thursday, 23 March 2023

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50. Despite my concerns about Moira's conduct, I was also concerned about her welfare so I contacted the Clerk of the Legislative Council (the **Clerk**) to request they check in on Moira and provide mental health and wellbeing support to her. I followed up with the Clerk in the subsequent months on several occasions to request that someone checked on Moira's wellbeing.
51. On 23 March 2023, I went down to see Moira in her office at Parliament House. She wasn't in her office but a message that I had dropped in was passed on to her. She sent me a text message thanking me for dropping by and for my concern. A copy of the exchange of text messages with Moira is **Annexure GC-2** to this affidavit.

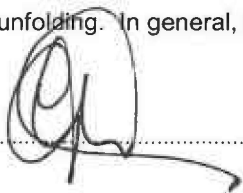
The lead up to the 27 March 2023 Party Room Meeting

52. Throughout the course of the week, Moira and her supporters campaigned strongly against the motion, putting lots of pressure on the Leadership Team to back down and on other Liberal Members of Parliament not to support the motion.
53. At about 2:51pm on Sunday, 26 March 2023, I received an email from Moira to parliamentary colleagues urging them to vote against the motion to expel her from the Party Room. A copy of Moira's email is **Annexure GC-3** to this affidavit.
54. At about 6:29am on Monday, 27 March 2023, in the lead up to the Party Room Meeting, I received another email from Moira that she had sent to all colleagues. Upon receipt of that email, I recall being frustrated and thinking that this could have been resolved if Moira had just put out a simple statement condemning the Nazis and the conduct of the organisers referred to in the Dossier. A copy of Moira's email to parliamentary colleagues, and the attached word document response, is **Annexure GC-4** to this affidavit.
55. The Leadership Team met and discussed Moira's emails. I do not recall that discussion in any detail, but I do recall that our position regarding the motion to expel Moira from the Party Room remained unchanged.

27 March 2023 – Party Room Meeting

56. At 10:00am on 27 March 2023 a Party Room meeting was held (**Party Room Meeting**). At the Party Room Meeting, the movers of the motion addressed the room and explained their reasons for proposing the expulsion of Moira from the Party Room.
57. Moira was given the right of reply. Towards the end of her statement to the Party Room, Moira said words to the effect of (amongst other things) that she had been sexually assaulted (which I inferred to be rape) at an earlier stage in her life. It appeared to me that this statement was designed to elicit a reaction and it did. It caused me to be very concerned and distressed about what was unfolding. In general, the Party Room was alarmed and distressed.

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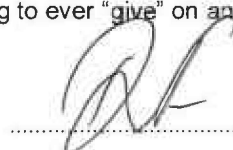

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58. John adjourned the Party Room Meeting.
59. The Leadership Team had a separate discussion, the gist of which was that John could not expel a woman who had just disclosed she had been sexually assaulted, but action still had to be taken. I do not recall the specifics of how it came about, but ultimately a decision was made that a 9-month suspension from the Party Room, instead of expulsion, was to be offered. As part of that compromise, Moira was going to make a statement. My understanding was that the statement needed to come from Moira, but John's media team was going to assist with the process of dissemination.
60. My understanding was that Moira accepted that outcome and the suspension motion was passed.

Events following the Party Room Meeting

61. I was not involved in the negotiations regarding the content of Moira's statement.
62. On 27 March 2023, following the Party Room Meeting, I attended a press conference with the Leadership Team in which John addressed the media regarding the suspension of Moira.
63. Later that day, I recall seeing a tweet posted by Moira, in response to Angie Jones' tweet, saying words to the effect, "Don't worry, I never condemned you". A copy of the tweet is **Annexure GC-5** to this affidavit.
64. I thought Moira's tweet was extraordinary. It showed Moira's ongoing defiance and that she had taken nothing on board about the concerns of the Party Room about the material that was in the public domain regarding Ms Keen (also known as Posie Parker) and Ms Jones.
65. [REDACTED]
66. In around May 2023, it came to my attention that Moira was threatening to sue John for defamation. I approached Moira whilst we were both present in the Legislative Council and we discussed her actions and I asked her not to do this, explaining that she would be back in the Party Room in December if she just abided by the terms of her suspension. I said words to the effect, you don't have to do this. Moira said words to the effect that, I have to do this for my children. This confirmed my view of Moira being unwilling to ever "give" on anything.

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67. I can't recall specifically but when it became public that Moira was going to sue John., I began to have discussions with fellow Liberal Members of Parliament, about Moira's ongoing defiance and attacks on John. I thought it was outrageous that she was threatening to sue the Party Leader.
68. On 6 May 2023, I attended a meeting at John's office with the Leadership Team to discuss a revised motion to expel Moira.
69. That afternoon I became aware of an email sent by James Newbury MP, on behalf of Matthew Guy MP, Cindy McLeish MP, Roma Britnell MP, and Wayne Farnham MP to Renee Heath MP (**Renee**), John, and Moira. The email requested that a Special Meeting be arranged to consider a motion to expel Moira. I was not copied to the original email but John forwarded it to me and other colleagues at 4:10pm on 6 May 2023. A copy of that email chain is attached as **Annexure GC-6** to this affidavit.
70. On 12 May 2023, a Special Meeting of the Party Room was held at which the resolution to expel Moira from the Party Room was successful.
71. In my role, I constantly have discussions with members of the crossbench. From around November 2023 Moira refused to engage with me in person and would only respond via email or text message.

Sworn by the deponent
at Melbourne
in Victoria
on 27 May 2024

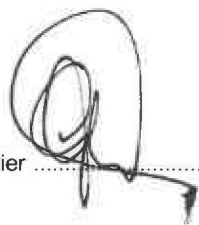
Before me: *Deanna Ficatas*

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Signature of deponent


Signature of witness
of 477 Collins Street, Melbourne

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


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