



## CRIME AND CORRUPTION COMMISSION

### TRANSCRIPT OF INVESTIGATIVE HEARING

10 CONDUCTED AT LEVEL 2, NORTH TOWER, 515 ST PAULS TERRACE,  
FORTITUDE VALLEY WITH RESPECT TO

File No: CO-16-1664

HEARING NO: 17/0001

DAY 1 - TUESDAY 18 APRIL 2017  
(DURATION: 46MINS)

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#### LEGEND

30 PO Presiding Officer – ALAN MACSPORRAN QC  
CA Counsel Assisting – GLEN RICE QC  
HRO Hearing Room Orderly – JESSICA WINTERS  
W Witness – STUART ROBERT MP  
LR Legal Representative – A C BRAITHWAITE, Counsel

- CA I call the next witness, Mr Stuart ROBERT, Liberal member for Fadden.
- PO Mr ROBERT, do you prefer to take an oath or make an affirmation?
- W An oath, thanks, Mr Chairman.
- PO Thank you.
- 10 HRO Please stand and take the Bible in your right hand and repeat after me.  
The evidence.
- W The evidence.
- HRO Which I shall give.
- W Which I shall give.
- HRO In these proceedings.
- 20 W In these proceedings.
- HRO Shall be the truth.
- W Shall be the truth.
- HRO The whole truth.
- W The whole truth.
- 30 HRO And nothing but the truth.
- W And nothing but the truth.
- HRO So help me God.
- W So help me God.
- HRO Please take a seat.
- 40 CA Sir, is your name Stuart ROBERT?
- W Yes, sir.
- CA You're federal Liberal member for the Fadden electorate?
- W The federal member for Fadden, sir, representing the Liberal National Party.
- 50 CA You're appearing here in response to an attendance notice; is that correct?
- W Yes, sir.
- CA Can I show you this notice or a copy of it. Is that a copy of your notice to attend, Mr ROBERT?

- W Yes.
- CA I tender that.
- PO It's exhibit 16.
- CA Mr ROBERT, you've held the seat of Fadden since 2007; correct?
- W Yes, sir.
- 10 CA So that you've successfully contested four elections for that seat?
- W Yes, sir.
- CA You know both of Kristyn BOULTON and Felicity STEVENSON?
- W I do.
- CA How do you know them, sir?
- 20 W They've been employed in my office under the *Members of Parliament Act*, the *MOP(S) Act*, for ostensibly nine and - nine and a half, ten years each.
- CA And both were candidates in the Gold Coast City Council elections held in March 2016?
- W Correct.
- 30 CA Up until the time they were required to leave, they had been working in what capacity in your electorate office?
- W They were electorate officers. That's the designation under the *MOP(S) Act*. So their job is to assist me assist our constituents.
- CA In Ms STEVENSON's case, she was unsuccessful in the council election?
- W Correct.
- 40 CA Did she, after the election was held, return to that employment in your office?
- W That's right. So I took advice from the Special Minister of State, whose job is, amongst other things, to give advice to MPs on these complex arrangements, and they gave very specific advice as to when Ms BOULTON and Ms STEVENSON had to leave the office, around 1st of February, and when they could return if unsuccessful. They took the appropriate leave, all cleared through the office of SMOS, and once Felicity lost the election, she came back under those arrangements.
- 50 CA Did they announce their candidacies together or what was the sequence, can you recall?
- W I can recall. Give or take at the end of October, Margaret GRUMMITT announced she wasn't running again. Kristyn announced early November; let's call it the 7th of November. She campaign launched on

the 29th of November, because I was there, for Division 4.

Division 5 was held by Tracey GILMORE. She announced through the media, give or take the 18th of January, that she wasn't contesting. It turned out, very sadly, that she had breast cancer. So on, give or take, the 18th of January, Stacey SCHINNERL from the Australian Workers Union then put her hand up immediately, and then Felicity would announce at the end of January some time.

10 CA In Ms BOULTON's case, did she have any discussion with you, seeking your advice about whether she should or shouldn't nominate?

W Yes, she did.

CA Prior to her nomination?

W Yes, prior.

20 CA What kind of advice did you give her, do you recall?

W I told her not to get the wobbles. She'd run in 2008. She'd run again in 2012 and got the wobbles and pulled out. I said, "KB, if you're going to do this, this is probably your last shot in the locker. Don't get the wobbles. Be intentional."

CA And in Ms STEVENSON's case, did she seek your counsel as to whether she should nominate also?

30 W She let me know she was thinking about it; it's a good opportunity; she lives that way; would I support her. I said, "Of course." She's a much more seasoned political operator.

CA Did you facilitate donations to those candidates, both of them, for campaign purposes?

W I sought permission for the Liberal National Party to provide dollars to them, yes.

40 CA How much was provided in total in each case?

W Thirty thousand dollars in each case.

CA Did you choose that amount?

50 W I think it might have been a discussion. We certainly had a discussion at the end of January once Stacey SCHINNERL had come out, so that the Australian Workers Union was now going to be running in my area and of course Eddy SARROFF, who'd run for the Labor Party previously. So it was no longer KB and Fel in an election per se. There were some pretty seasoned people now involved. The idea of Labor getting a foothold in my part of the northern Gold Coast wasn't particularly appealing to me, so we had a discussion about if I could seek assistance for funding for them. I probably nominated an amount of about \$25,000, which is probably a fair starting point for them to fight.

CA Well, you just mentioned in your evidence the words "we had

a discussion".

W Yes.

CA I'd like to try to identify the occasion, if we could, and who was present?

10 W It was in my office. It was the end of January. It would have been the week of Australia Day. I was overseas until the middle of January. I came back. The political year kicks off on Australia Day. That's just the general day it does.

So at the end of that week, once Felicity said, "Yes, I'm going to run", which was probably the Wednesday or Thursday of that week, it was then I grabbed both girls in my office and said, "Well, if you're both going to run and you're running against some pretty seasoned Labor outfits, or people aligned that way", without prejudice against them, "you might need some assistance, and I'm going to seek advice on whether the Fadden Forum can do that."

20 CA Both women were there, you say?

W Yes.

CA Were they both still in your employ, I know not directly, but employed in your office at that time?

W Yes. They wouldn't go on leave, I think, until Monday the 1st of Feb, whatever the date Special Minister of State gave us.

30 CA Would it not be correct, then, to say that Ms BOULTON, for instance, had left your employment by about mid-January?

W No. No, I'm - I will go back and check, because leave applications have to be submitted under the *MOP(S) Act*, so I will be able to tell you exactly when that occurred. But to the best of my recollection, I thought it was the 1st of February, unless she'd taken annual leave beforehand. But we can ascertain that for you.

40 CA Did Ms STEVENSON leave the employment in your electorate office subsequent to Ms BOULTON or did they quit at the same time?

W I recall they both went on leave at the same time.

CA And when did they go on leave in relation to this meeting you are speaking about in your electorate office?

W After.

50 CA Some time after?

W Yes.

CA Who initiated the meeting?

W I did.

- CA Why?
- W Because I wanted to let them know that I'd be seeking permission to get some dollars and cents for them.
- CA Did you tell them why you were concerned to do that?
- W Yes, absolutely, because they're fighting the AWU and Eddy SARROFF and they're seasoned political operators.
- 10 CA When did you learn that those candidates would be opposing the women from your office?
- W Eddy announced Christmas Eve, but I wasn't paying much attention. I went on leave to Japan on the 1st of January. But I probably knew Eddy was running before I left in January. I didn't know Tracey GILMORE for Division 5 wasn't going to run until I got back from Japan on the 15th of January.
- 20 CA Who did you think she was supported by?
- W Tracey GILMORE's a lovely lady. She was a sitting councillor, so she had held the seat, if you may, and then she announced mid-January that she was not contesting it for health reasons, and then Stacey SCHINNERL from the AWU put her hand up.
- CA You mentioned Stacey SCHINNERL from the AWU?
- W She's a local AWU organiser, that's right.
- 30 CA Did you consider that she might also be being financially supported; was that part of the consideration on your part?
- W I assumed that if the local AWU organiser was running, Penny TOLAND was now running for the Labor Party, that the union movement would be in there.
- CA Well, given that this was a local election that we're concerned with, none of those candidates were party endorsed; correct?
- 40 W That's correct, yes.
- CA What, then, is the interest in having the Liberal Party support two candidates, being your employees?
- W Because if Eddy and Stacey had won, you'd now have Labor-aligned Eddy in my electorate as a councillor, I'd have the local AWU organiser now as a councillor, and the reality is the Labor Party uses these footholds to then contest other state and federal seats, which would make my job a lot harder.
- 50 CA What was the primary concern? Was it that it would it make your job harder if those two people got elected?
- W Yes.

- CA That was your principal motivation?
- W Yes.
- CA What would you expect a decent campaign for a councillor to cost?
- W Somewhere between \$25,000 and \$50,000, give or take. It depends how much dollars and cents you want to spend on direct-mail and advertising.
- 10 CA I may have asked you, but did you choose the figure of \$30,000 that was eventually paid?
- W I chose the figure of \$25,000. The last \$5,000 came in ostensibly from pleas from KB some time at the end of the campaign.
- CA Then going back to this meeting you had, I think, at the end of January, the 29th, 30th, thereabouts?
- 20 W The 29th - or 28th, 29th, yes.
- CA What did you say about the source of the money that you proposed to facilitate their receiving?
- W I said I would seek permission for it to come from the Fadden Forum.
- CA Did either of them make a response to that?
- 30 W No. The Fadden Forum had been running for a long time. I guess to short-circuit a discussion, if I may, sir, the Fadden Forum isn't an organisation. It doesn't have an ABN. It's not a business. It's simply a name. Actually, the Fadden Forum is the Liberal National Party. All funds are banked in the Liberal National Party. I have no control over them whatsoever. I can't spend a cent. I have to seek permission from the state director of the party to spend a cent.
- CA You say that you mentioned that you would seek permission to spend this Fadden Forum money?
- 40 W For the Fadden Forum to provide some money to them, that's correct.
- CA They didn't indicate to you they didn't know what the Fadden Forum's business was? There was no lack of understanding, is what I'm getting at?
- W No, it would be hard to be in my office for such a long time and not understand how we raise money for the Liberal National Party.
- CA Were both these candidates, however, involved in community work, that is to say, electorate work, rather than fundraising?
- 50 W Yes, they were all involved in electorate work, that's correct.
- CA Is that a fair dichotomy, that they're not involved in fundraising activities for you or the Liberal Party?
- W That's correct.

- CA But they had worked in your office, as you told us, for about nine years or so?
- W Nine years. There's only four staff.
- CA What circumstances occurring in the course of their employment, you being a big part of that environment, would cause them to understand what you were talking about when you mentioned funding from Fadden Forum? Why would they know what you were talking about?
- 10 W Part of being a member of parliament is raising money for re-election. We may not like it, nor appreciate it. No-one really likes doing it, but it's part of the job. So the idea of fundraising is raised from time to time. There's no question about that. There's always discussions, especially around campaigns, where you run campaign budgets and have to raise substantial amounts of money, and we like to help our colleagues in terms of funding their campaigns as well. So it's a discussion that gets a lot of air time in my office.
- 20 CA Would that include, though, electorate officers who are not themselves involved in fundraising?
- W It would, because generally the office breaks bread together once a day or at least has morning tea, and it's not a very large office.
- CA The name would have cropped up in the course of even casual discussions over the years?
- 30 W You'd hardly get by a week without the name being aired.
- CA And the nature of its existence was to raise funds for Liberal Party purposes?
- W For the Liberal National Party, that's correct.
- CA So that we can be clear about that, is the money raised for your re-election or for Liberal National Party purposes generally?
- 40 W For both, and that's made well clear to those that seek to donate, that it's not only for my re-election but also for the re-election of those in the wider Liberal National Party fold.
- CA It raises quite a bit of money - didn't it?
- W Yes, it does.
- CA It still exists?
- 50 W Yes, sir, it does.
- CA It still raises money?
- W Yes, sir, it does.
- CA It raises more than you would need, am I right, for your own re-election

- campaign?
- W That would be correct.
- CA Substantially more?
- W Yes.
- 10 CA And the rest is applied - well, do you draw from funds raised by Fadden Forum for your re-election campaigns?
- W I do.
- CA Does that need the permission of someone in the LNP hierarchy?
- W Yes. I can't spend a cent without the LNP approving it.
- CA But you would get that approval readily, would you not?
- 20 W No. No, I'll spend at times money in the general course of campaigning from week to week, and I would seek reimbursement, and at times the treasurer will say, no, he didn't believe that's appropriate and I can wear it personally.
- CA Is the funding for your re-election not done on a fixed-sum basis or on a reimbursement basis?
- 30 W Probably the best way to look at it is, without being flippant, you don't fatten the pig on market day. So campaigning is something you do all during the years. You may run events or activities as part of the re-election process. Of course the bulk of the funds is spent in the last 33 days, but fundraising and expenditure of funds occurs throughout the course of a three-year period.
- CA Could I just ask you a little bit more about what Fadden Forum is or isn't.
- W Mmm-hmm.
- 40 CA It's not a company?
- W No.
- CA It's not a trust?
- W No.
- CA It's not a registered - or it doesn't have an ABN?
- 50 W No.
- CA Does it have a secretary?
- W No.
- CA A letterhead?

- W It did once, but we never used it, so no. It has a gmail account.
- CA It has stationery?
- W No.
- CA Does it hold functions which people can attend?
- W It does. It holds many functions during the year.
- 10 CA How does-
- W Sorry to interrupt, sir. If I can go back in terms of - you asked if there's any stationery. If I take the broadest definition, there's a membership form that people would fill in to be a member. They would be given a receipt, which is a Liberal National Party receipt, because the funds are actually going to the Liberal National Party. It has a symbol, so if there's an event, there would be a name tag with a little symbol on it. There would be an email header.
- 20 CA You mentioned, I think, a membership application?
- W Yes, sir.
- CA Was that how you described it?
- W Yes.
- CA Does that make it plain that the membership is directed towards fundraising for the LNP?
- 30 W Yes, it does.
- CA Who is such a membership application submitted to?
- W Anyone who wishes to join and become a donor to the Liberal National Party.
- CA That tells us who can apply.
- 40 W Yes.
- CA I was asking you to whom is any such application submitted? Who gets the membership application and deals with it?
- W Oh, who processes the payment?
- CA Well, the application form, firstly.
- 50 W Yes, it would come through. We'll have a bookkeeper that comes in once a fortnight and processes the funds.
- CA To come in to your office?
- W The bookkeeper would generally come in to my office and do a whole range of bits and bobs, one of which is to actually process any

reimbursements from the party.

- CA Is there any other place at which membership applications would, in the ordinary course, be submitted to?
- W There's a PO box that, if they were posted in, they would be posted to a PO box. And if they were faxed through, there would be a fax stream that would go through to a gmail account.
- 10 CA You mentioned a membership application. Is there a fee attaching to the membership application?
- W There is. That's the basis by which we raise funds for the party.
- CA So the funds raised are the membership fees?
- W Yes, unless someone was sponsoring an event.
- 20 CA Does the bookkeeper that you mentioned come to your electorate office fortnightly?
- W Generally, yes.
- CA For duties that include accounting for this kind of money?
- W For accounting for any campaign expenditure that we may have spent in that fortnight.
- 30 CA Well, we're not talking about expenditure at the moment. We're talking about money raised by way of membership application fees.
- W So any invoicing or receipting the bookkeeper would do.
- CA Amongst other things? Were there other accounting tasks for a bookkeeper to do apart from keeping track of these Fadden Forum membership fees?
- 40 W She would look at any campaign expenditure we did to ensure that has been properly rationalised in terms of what we've got, and then I would - because generally if there was a campaign expenditure, I would pay for it and then I would seek reimbursement from the party for it.
- CA We're perhaps at slightly cross-purposes. You, as a federal member, weren't in election mode in January, February, March of 2016, were you?
- W We're always in election mode, sir, can I say.
- CA Or campaigning?
- 50 W Always. I go back to that analogy - it may be flippant, but it's actually a good one - that you don't fatten the pig on market day. If you turn up to an election in three years and seek to be re-elected, you won't be. You need to demonstrate your value to your constituency all the time.
- CA If there's a membership application, does it follow also that there's some record of membership?

- W Yes, there will be.
- CA Who maintains that?
- W Oh, it will be in a database we have.
- CA Who's "we"?
- 10 W Oh, well, I have. I can see it. My bookkeeper can see it.
- CA Maintained in your office?
- W Well, it's a - it's online. It's not a - it's a web-based database.
- CA Are you the person who takes responsibility for its maintenance?
- W Generally, yes.
- 20 CA Does the name Fadden Forum indicate that it relates to the raising of funds within your electorate?
- W Oh, it's a name. We've renamed it The Forum now, taking "Fadden" out of it, because we do so much more fundraising outside of the electorate.
- CA Could I just ask you what fee attaches to a membership application?
- W Generally \$1,000 a month plus GST, but it can vary.
- 30 CA It can vary upwards?
- W Yes.
- CA You mentioned the bookkeeper comes in to process money, applications. Where does the money go to?
- W Into the Liberal National Party's banking system.
- CA Is there a Fadden Forum bank account?
- 40 W If I can explain how the party runs its banking system, that may help, sir. There's one bank account for the entire Liberal National Party in Queensland. The bank allows that account to be segmented. That's the term the bank uses. So The Forum has a segment of that. So if you look at it, the Liberal National Party has one account and multiple segments for each state seat and each federal seat.
- CA Is one of those segments entitled with the name Fadden Forum, do you know?
- 50 W I don't know, but it's known as the Fadden Forum segment account.
- CA There's some means of distinguishing it from other segments in the account?
- W Absolutely. They all have individual numbers and are all recorded

individually within the whole, and then it's all overseen and controlled by the treasurer of the party.

CA You told us, I think, that even though you may be integral to the raising of Fadden Forum money, you don't have the authority to spend it?

10 W I can't spend a cent, and even if I do spend a cent using my own credit card and I'd seek reimbursement, it's up to the treasurer of the party whether that's done. Now, it normally is, because we justify expenditure, but at times it is not.

CA The Forum holds regular functions, am I right?

W Yes, it does.

CA They all have to be organised, don't they?

W Yes, they do.

20 CA Are they organised from within your electorate office?

W I do a lot of it and then get support as needed.

CA Is that logistical and organisational type activity something that either of Kristyn BOULTON or Felicity STEVENSON would have had any involvement with in the course of their employ?

30 W No, no. They may have had some involvement in the early years of the Fadden Forum, but I can't recall that.

CA Would they, as electorate employees, attend any functions held by this Fadden Forum?

W No.

CA Would they receive any membership applications?

W No.

40 CA Process any money, or is that confined to the bookkeeper?

W No, that's the bookkeeper's job.

CA Would it be right to say, then, that the means of their learning about the operation of this was not so much by personal involvement with it but hearing about it in the corridors, so to speak, in your office?

W By osmosis, if you will, sir.

50 CA Or around the water-cooler, that kind of thing?

W Yes.

CA Did you suggest an amount to the person that you need to seek authority from to spend money on their campaigns?

- W Absolutely. I had to call the state director and explain what I wanted to do. The state director then said I had to speak to the federal - the FDC, Federal Divisional Council, the chairman of the FDC, and seek his permission, which I did and explained it again. And then the head of the FDC had to put in writing to the state director what the FDC chairman was happy with.
- CA Is that a he or a she?
- 10 W They're both he, sir.
- CA Did he go along with your suggested proposal?
- W He did.
- CA Both in terms of agreeing to pay money and the amount thereof?
- W Yes.
- 20 CA Was the amount that you sought \$25,000 in each case?
- W Yes, until the end, when I had to go and do the process again for the last \$5,000.
- CA In Kristyn BOULTON's case, is it correct that she actually asked you for another \$5,000?
- W That's correct.
- 30 CA Because she was short and the campaign was about to close, she needed to do a mailout?
- W That's correct.
- CA Do you recall that?
- W Yes, I do.
- 40 CA Did you have to go through the same process in relation to that extra \$5,000?
- W Yes, I did.
- CA Go back to the head of the FDC?
- W Yes, and seek it again and speak to the state director, and the FDC had to write again to the state director and seek permission.
- CA Does all that take long?
- 50 W Yes, it can take many days.
- CA Did it in this case, do you know?
- W Yes. I'm pretty sure the request for that last one was sent on the 3rd of March and it was paid on the 8th of March.

- CA Well, the first payment to Kristyn BOULTON, for example, can I suggest, was made on the 3rd of February, so that if your discussion was held on the 28th or 29th, such communications as were needed to get the approval between the 28th or 29th of January, and payment day was the 3rd of February?
- 10 W If I can recall, I probably would have made the call to the state director that day, who then said, "No, speak to the FDC chair", which I would have done that day, and then we would have arranged an email approval and then wait for the state director's approval or otherwise.
- CA Speaking about Kristyn BOULTON, did you tell her when you had approval that this was a goer?
- W I can't recall.
- CA She would, by then, have left your employment; correct?
- 20 W Yes, she would have. I'm working on her leaving my employment, as in going on leave, on the 1st of February. Subsequent to us checking the leave records - I can't recall.
- CA Well, on this subject of funding through Fadden Forum, as you said you told her and Felicity STEVENSON-
- W Yes.
- 30 CA -what was the next conversation that you had with either of them after the meeting on the 28th or 29th of January concerning this funding arrangement?
- W I didn't speak to them at all during the campaign, like, during the whole campaign. So whatever conversations we had before they left would have been the last ones until such time, I think, KB called asking if I could provide some more dollars and cents to her.
- CA Was there any similar communication with Felicity STEVENSON?
- 40 W I would have told her that we'd provide another \$5,000, probably in the interests of equity more than anything else.
- CA She wasn't, like in Kristyn BOULTON's case, needing and seeking extra money?
- W I didn't think so, but I can't recall that.
- CA At any rate, did you take it on yourself to initiate another \$5,000 payment to her because you were doing the same for Ms BOULTON?
- 50 W It's a bit like buying a toy for one child and not the other one, sir, can I say.
- CA That was your thought process, was it?
- W Yes. They'd worked there for nine years. This is a long time in a small office, through multiple election campaigns, in some pretty difficult areas.

CA At any rate, just to confirm, in terms of discussions, we've spoken now a few times about the meeting on the 28th or the 29th and you told them what was proposed?

W Mmm-hmm.

CA Do I understand you correctly that save for a discussion with Kristyn BOULTON when she asked you for more money, there weren't  
10 any more discussions about funding during the campaign?

W No, I don't believe there were.

CA You've told us how the third payment came about, being the \$5,000 in each case?

W Yes.

CA But the first and second payments were separated by a few days?  
20

W Mmm-hmm.

CA Why was the money not paid in one hit? Is there any reason that-

W I don't know. I don't control that. So once the approval from the state director - he then issues instructions to the finance team within LNP headquarters, and they pay all bills, all expenditure.

CA So the timing and amounts, split as they were, was not something which  
30 was part of your proposal?

W No.

CA Somebody else-

W Yes, I had no control over (a) approval or (b) any payment of funds.

CA And somebody else decided, then, that it would be paid in the amounts that it was at the times that it was?  
40

W I can only assume, sir, that was the case.

CA At any rate, you didn't play a part in the timing or separation of amounts?

W No, no.

CA Now, after the election, you would know, I think, that candidates have to complete a disclosure return. The two candidates, one now successful and one unsuccessful, would have had to do so after the election was completed?  
50

W Yes, noting I've never filled one in.

CA Were you aware that those two candidates had to do so under the *Local Government Electoral Act*?

- W Yes.
- CA Did you have any conversation after the election, which was March, with Kristyn BOULTON about how she should complete her disclosure return in relation to the money that she'd been given?
- W Yes, she asked a range of questions.
- 10 CA When? If you can't give us a date, can you narrow it down?
- W I can give you an exact day if I can refer to an SMS stream.
- CA By all means. What SMS stream are you referring to, Mr ROBERT?
- W Some SMSs, sir, that Kristyn BOULTON sent to me.
- CA To do with this subject that I just asked you about?
- 20 W Yes, yes.
- CA Are they private?
- W They are. You asked a question. I'm happy to answer it, sir. On the 14th of April, KB asked about register of interests for councillor, but it was the wrong form. Then on the same day, she sent me through the proposed - her proposed declaration form going through the various donors, BOULTON, MOLHOEK.
- 30 CA In typed form, do you recall?
- W No. I'm looking at it now. It's handwritten. And it's got Fadden Forum there. She then asked for the Fadden Forum - she asked, "Just need address for Fadden Forum to put in my electoral disclosure. Then I'll type it out, have it ready." She then said, "PO box 792 Biggera Waters, from memory, should do it?" I went, "Yeah, that would do, but I need to run it by the party to ensure you've correctly disclosed everything because I'm not familiar with the forms." So advice was sought from Kristyn to me, and then I was going to seek advice.
- 40 CA Just recap on what advice she sought from you?
- W "Just need address for Fadden Forum to put in my electoral disclosure. PO box 792 Biggera Waters, from memory, should do it", exclamation mark. I said, "Yep, that will do it, and, yes, please send it to me so I can run it by the party to ensure you've disclosed everything."
- CA So did she subsequently send you her disclosure return, in draft?
- 50 W Yes. Yes, on the 5th of May she sent me through a disclosure return, and then I sought advice from the party.
- CA Did you note how the donation was entered on to her draft disclosure return?
- W It says "Fadden Forum".

- CA Did you see that on the draft she provided to you?
- W Yes.
- CA Had you given her any advice about what should go on to her disclosure return?
- W Yes. So I then asked the party as to-
- 10 CA No, sorry, Mr ROBERT, before that. So you received a draft from her, I think you told us?
- W Yes.
- CA Which already had the words "Fadden Forum" inscribed on it-
- W Yes.
- 20 CA -to do with these donations. Prior to receiving that draft with those words included in typescript, I'm asking you did you give her any advice about how this donation should be recorded?
- W No, not prior. But once she'd sent it through to me, I then went and got advice, and I think this was - in defending the LNP here a little, people were unsure what to put down, so the advice was to put the "Fadden Forum", and then I think subsequent legal advice came back saying, actually, no, you've got to list all of the officer-bearers of the party and there's a set way of doing it, and I think that's when Felicity STEVENSON re-did her declaration to properly show that. I think there was a bit of a journey of discovery here.
- 30 CA Did you tell Kristyn BOULTON that "Fadden Forum" was the appropriate form of disclosure?
- W I went back to her to say - when I'd sought advice from the party and the party had said "Fadden Forum", I said, "This is the advice of the party, 'Fadden Forum'."
- 40 CA And she apparently already had a post office box address, because she asked you in an SMS if that was the correct address?
- W That's right, yes. She'd actually given to me, "PO box 792 Biggera Waters, from memory, should do it?" That's what she asked me. And I went, "Yep, but let me seek advice."
- CA You say you did take advice about how this should be disclosed?
- W Yes.
- 50 CA What was the advice you got?
- W Was to put the Fadden Forum.
- CA And that's what you told Ms BOULTON?
- W Yes, yes.

- CA But then later there was some further advice; is that how I understand it?
- W I think later on, when Felicity STEVENSON's legal counsel said, "Hang on, this is not how it should look. You've got to list all the office-bearers", I think that's when it dawned on the party and everyone else involved that that was the method by which it should be done.
- 10 CA Did Kristyn BOULTON, in the course of communications with you, make reference to the entries as they appeared on her bank statement indicating an LNP donation?
- W No.
- CA Did she ask you for any clarification about that?
- W I don't believe so.
- 20 CA Did she mention bank statements and their contents at all?
- W No. I'm just going back to this text stream, sir. So on the Friday, the 6th of May, Kristyn sent me the copies of the bank statements with - highlighting the amounts, and it's got, "FYI Stu, re KB disclosure form, the deposit comes up as 'Liberal National Party central banking' on banking search and 'LNP donation' in description on statement, except for the last one, \$5,000 interestingly comes up as 'LNP Fadden donation' on the statement. Ta. Just FYI. KB."
- 30 CA And she asked you what that meant?
- W No. No, she just sent me those two bank statements with that text at the end.
- CA Was there any apparent purpose in the communication of her sending you the bank statements?
- W "Reference meeting discussion next Tuesday." I was clearly meeting and discussed with her on Tuesday. So that was Friday, the 6th of May.
- 40 CA Mr ROBERT, would you be prepared to make that set of communications available to the Commission?
- W I'd seek advice from legal counsel first, sir.
- CA Could Commission officers take up with you about that after today?
- W I'm more than happy to have a discussion. If I can just make a point - in terms of this entire process, you'll get every assistance from me. I asked for the interview. I provided all the bank statements.
- 50 CA Understood.
- W I've given everything, so I don't think there will be a problem.
- CA You appreciate we're trying to piece together the sequence of communications, and it turns out you have a record of them, at least some

of them.

W I do.

CA Hence the interest. Do you understand?

W That's the beauty of an iPad message. It actually keeps everything.

10 CA To your knowledge, were the payments made by the Liberal National Party to Kristyn BOULTON and Felicity STEVENSON disclosed in the Liberal Party's disclosure return?

20 W Yes. The party is meticulous on these matters, absolutely meticulous. It's one of the reasons why the party runs a central banking system. In the previous Liberal Party, it didn't used to. Each individual divisional council, of which there were 30 federally and 89 states, ran their own banking and disclosure systems. When the two parties merged, it all became one banking system, one set of disclosure, all centrally managed, so no-one could spend a cent without it going through due process at head office.

CA Now, neither Ms BOULTON nor Ms STEVENSON were party endorsed, were they, because that's the nature of local council elections, certainly on the Gold Coast?

W That's correct.

CA So they campaigned as independents; correct?

30 W That's correct.

CA Could I just ask you for your view about whether their independence, declared and promoted independence, is compromised by having received, in both cases, \$30,000 from the Liberal National Party?

W It certainly would have helped if that was more widely known.

40 CA It really couldn't be known by an inscription on the disclosure return of the words "Fadden Forum", could it?

W No, not readily.

CA The average person wouldn't have a clue, would they?

W Correct. Not readily, that's correct.

50 CA So that without attributing any sinister intent to anyone, when the disclosure returns come to be made public, a person could look at the entries and not appreciate that both those campaigns were very substantially funded by the Liberal National Party?

W That is a reasonable statement.

CA Do you think that not only presented some challenges for independents but perhaps also presented some challenge for managing conflicts of interest for those people, not knowing the names behind Fadden Forum

and where the money was actually coming from?

- W That's a reasonable statement and I appreciate where you're coming from. Because the Fadden Forum is a reasonably large fundraising house and it fundraises right across the country, it's not as if a certain small group of people donated to The Forum. It receives wide-ranging amounts, and all appropriately declared and disclosed. So whilst on the surface, yes, that is a reasonable thing to say, in actuality in this case it won't be the case. But I appreciate the intent of the question, sir.
- 10 CA Just take a look at this, if you wouldn't mind, Mr ROBERT. It's past time, but we're nearly finished, so it will be better to finish today rather than come back some other time.
- W I've got plenty of time, sir. Can you refer me to where I'm going on it?
- CA I'll just ask you to look at the document as a whole, if you don't mind. Does that appear to be the Liberal National Party disclosure return?
- 20 W Having never looked at one because the party does it, but reading from the front page, it says "Disclosure Return Registered Political Party", and it says "Liberal National Party of Australia", and the "Angela AWABDY" is the agent and she is the secretary. So that's - having a look at it, it's a fair assumption, sir.
- CA You've not seen it before?
- W No.
- 30 CA You know such a thing exists?
- W Oh, the party is, again, meticulous in terms of its declarations.
- CA With those limitations, I'll tender that disclosure return, Mr Chairman.
- PO Thank you. Exhibit 17.
- CA Just finally, you know Simone HOLZAPFEL?
- 40 W I do.
- CA You know that she runs the business of SHAC Communications and what it does?
- W Yes, sir, I do.
- CA Did you play any part in either Ms BOULTON or Ms STEVENSON making use of that business to assist their campaigns?
- 50 W Can't recall, but if my advice was sought, I would have recommended her highly.
- CA Apart from the matters we've spoken about, did you give any other form of assistance to the campaign of either Ms BOULTON or Ms STEVENSON?

- W No. I wasn't having a particularly good February or March, if you recall, so I didn't have any correspondence with them at all, to the best of my recollection. I'm not even sure I turned up on polling day.
- CA And I think we've exhausted the oral communications that you had from the end of January through to election time?
- W Yes, pretty much nothing.
- 10 CA Yes, okay.
- W If I may, sir, local politics is not my thing. As a general rule, if you play on someone else's turf, they'll play on yours, so I just don't get involved. In this case-
- CA You saw implications for you?
- W Serious implications for me. The union movement - they play hard, and it's without prejudice. All power to them. But they're not an organisation you dismiss lightly. When they seek to run people, they run hard. They put in hundreds of thousands of dollars into the local election campaign. They are a serious force. Now, politics is a battle of ideas. That's what it is and it's what it should be, and we believe our ideas are superior to theirs, again without prejudice, and our job is to present our ideas in the best possible way.
- 20
- CA You didn't want their ideas spreading?
- W No, not at all.
- 30 CA Not on your turf?
- W Not at all. And whilst \$50,000 or \$60,000 to two candidates is a lot of money by community standards, I appreciate it, if the Labor Party gets a foothold, I'll have to spend a lot more money defending our ideas than that.
- CA All right. Thank you, Mr ROBERT.
- 40 PO Thank you, Mr RICE.
- Mr BRAITHWAITE, do you have any questions?
- LR Just one procedural matter. Perhaps if you could issue a direction to provide the SMS communications that are referred to, then that can be provided under compulsion, in inverted commas.
- PO Yes.
- 50 LR And it might just save the issuance of a notice and save a bit of stationery being created.
- PO All right, I will issue that direction. Mr ROBERT has indicated his preparedness to hand it over.
- W Of course.

PO Taking into account your advice, I'm happy to direct that it be provided. So if you can just liaise with Mr RICE about how that can be done physically, we'll get that under way.

LR Certainly. Thank you.

PO No other applications, I assume. No? Thank you.

10 Thank you for your time, Mr ROBERT. You're excused.

W Thank you, sir.

PO I think that brings us to the end of the day, so we will adjourn now and resume at 10 o'clock in the morning.

**THE HEARING ADJOURNED**