



(Your ref)

(Our ref) PG:23RRG0495
(Date) 31 May 2023
(Sent by) By email

Company (Giles)

By Email: [REDACTED]

Mr Peter Bartlett
Minter Ellison
Level 20
Collins Arch
447 Collins Street
Melbourne Victoria 3001

Dear Mr Bartlett,

CONCERNS NOTICE – ON BEHALF OF MRS MOIRA DEEMING, TO MR JOHN PESUTTO

1. As you know, we act for Mrs Moira Deeming.
2. We note that you act for Mr John Pesutto.

The Claim for Defamation

3. This is a 'Concerns Notice' for the purposes of Part 3 of the *Defamation Act* 2005 (VIC) (**Act**) and its counterparts in the other States and Territories issued to Mr Pesutto in respect of his defamatory statements published about Mrs Deeming.
4. Please urgently confirm that the provision of this notice to your firm constitutes "giving" it to Mr Pesutto for the purposes of the Act. We will otherwise endeavour to personally serve him with it in the absence of such confirmation.
5. On and from 19 March 2023, Mr Pesutto, the Opposition Leader in the Victorian State Parliament and Leader of the Victorian Parliamentary Liberal Party, publicly accused Mrs Deeming, a fellow Member of Parliament from the same Party, of being a Nazi sympathiser and Nazi associate, amongst other things, in the media, and on that basis threatened and bullied her with expulsion from the Parliamentary Liberal Party (**Parliamentary Party**).
6. Mr Pesutto's accusations were false and seriously defamatory of Mrs Deeming personally and professionally and have caused serious harm to her reputation. She is entitled to substantial damages as a result.
7. Mrs Deeming is also entitled to aggravated damages based on Mr Pesutto's conduct (set out below) which was lacking in good faith, improper and/or unjustifiable, and significantly increased the harm Mrs Deeming has suffered.

The 'Let Women Speak' Rally

8. As Mr Pesutto already knows (because Mrs Deeming has told him so), Mrs Deeming's account of events as to what occurred at the Rally is as follows (in summary):
 - a. On Saturday 18 March 2023, Mrs Deeming attended the 'Let Women Speak' rally (**Rally**) hosted by 'Standing For Women UK' (**SFW**).
 - b. SFW advocates for the reinstatement of reasonable biological-sex based rights and against the irreversible and harmful medical transitioning practices used on gender non-conforming, autistic and gay minors.



- c. This organisation and its goals are mainstream and global, and are supported by high profile members and leaders of every mainstream political party in the world.
- d. The Rally was attended by Muslims, Christians, Atheists and members of the Greens, Labor, LDP and Liberal Parties.
- e. Mr Pesutto was well aware that Mrs Deeming would be attending the Rally, including because:
 - i. She had announced on International Women's Day (8 March 2023), in Parliament, that she would be attending the event. She invited Natalie Hutchins to join her, because she is the Minister for Women.
 - ii. Prior to 18 March 2023, Mrs Deeming had arranged for Mr Pesutto and other Members of the Parliamentary Party to meet Kellie-Jay Keen, an international speaker at the Rally.
- f. Due to threats of violence from extreme left activists, Mrs Deeming was approached and asked if she could drive Kelly-Jay Keen and her security guards to park in Parliament House car park, for safer passage to and from the Parliament House steps. Mrs Deeming sought and gained permission from Parliament services to do so.
- g. The event was organised by Angela Jones, a left-wing, pro-gay rights Jewish woman, who liaised with Victoria Police to arrange a buffer zone between her event and any counter protestors.
- h. Mrs Deeming and the other attendees were horrified to see masked men all clad in black inside the buffer zone. They thought that they were going to be attacked. However, the police did not seem worried and were talking with them over at the edge of the line.
- i. Later, Mrs Deeming saw the police seemingly usher these men right through the centre of the buffer zone in between the '*Let Women Speak*' event and the counter protestors, which is when the men raised their hands in a Nazi salute.
- j. Our client was horrified, but relieved that the police moved them on.
- k. These masked men had in fact mounted Parliament House steps outside of our client's view on the other end and performed a Nazi salute. Members of the SFW group asked the police to make them leave but were informed that the Police had no powers to move them on.
- l. The '*Let Women Speak*' event saw several women injured by the extreme left counter protestors who infiltrated the event. Mrs Deeming was herself assaulted and injured, along with multiple other women, including one who was taken to hospital after being knocked unconscious. The protestors also became violent with police and punched police horses, forcing the '*Let Women Speak*' event to finish early.
- m. Mrs Deeming condemned the actions of the masked men in black who gate-crashed the '*Let Women Speak*' event and who were later identified as Neo-Nazis. Most of the LWS supporters did not realise who they were until they were being escorted out by Victoria Police, when they did the despicable Nazi salute.
- n. Mrs Deeming rejects the beliefs of National Socialists (Nazis) or Neo-Nazis and finds any allegation that she is connected with such beliefs highly offensive, defamatory and malicious. She has personally experienced first-hand the impact that the Holocaust had on a family member.
- o. None of those organising the event had any involvement with these men, as has been confirmed by Victoria Police, the Australian Jewish Association and all the organisers themselves.

- p. Mrs Deeming was not, and is not, aware of Kellie-Jay Keen, Katherine Deves, or Angie Jones having known links to Nazis or Neo-Nazis or supporting such abhorrent beliefs and is similarly not aware of those persons having actual links to persons with far-right extremist views outside the mainstream of the Liberal Party and society in general, save that Ms Keen and Ms Jones may have some left-wing views that Mrs Deeming and members of the Liberal Party do not share.

Threat to Expel

9. On 19 March 2023, Mrs Deeming was summoned to a meeting with the Leadership Team - Mr Pesutto, Mr David Southwick, Mr Matthew Bach, and Mrs Georgie Crozier (**Leadership Team**). Also in attendance was a member of the Liberal Parliamentary Party office staff.
10. Mr Pesutto is responsible as the Leader of the Parliamentary Party and the Leadership Team for the conduct of others within the Leadership Team by approving, condoning or agreeing with that conduct including any failures to act to prevent such conduct and/or failing to direct that it cease.
11. At the meeting (**19 March Meeting**), Members of the Leadership Team interrogated Mrs Deeming about whether she knew any Nazis. She said she did not. She was asked three times *"Are you sure?"*, to which she replied each time that she was sure. Mr Bach said *"You've associated with Angela Jones who argued in a tweet that transgender people are paedophiles."* Mrs Deeming said she had not seen the tweet being referred to and did not think it was fair that she was expected to interpret it or be held responsible for it. Mrs Deeming pointed out that she herself had never viewed transgender people as paedophiles, and that her long public record on this issue made that clear.
12. Members of the Leadership Team continued to attack her, saying that the speakers at the Rally were associated with Nazism and asking her if she would condemn them. Mrs Deeming said she would not condemn anyone as a Nazi sympathiser without being sure and asked for proof. Mrs Crozier said *"It's all over the internet"*. Mrs Deeming said *"I've done nothing wrong. I shouldn't be held responsible for other people's tweets that I've never seen. I'm not condemning anyone without proof"*.
13. Mr Bach then said in an outraged tone *"You were drinking champagne with Nazi bigots!"* Mrs Deeming denied that was true. He said *"Yes it is"*. She said *"It's not true."* Mr Bach said *"You filmed yourself and put it on the internet!"*. Mrs Deeming then realised that he was talking about three women involved in the Rally, not actual Nazis. Mrs Deeming said *"Katherine Deves was a Liberal Candidate, the other woman is a left wing Jewish woman. I doubt she was a Nazi"*. Mrs Deeming was asked *"When did you meet Kellie Jay-Keen?"* She responded *"The same day. I had not met her before"*. Mrs Deeming offered to repeat her public condemnations of Nazism and bigotry towards transgender people, but refused to condemn the three women or the Let Women Speak tour. Mr Bach said *"Because you have challenged us all on this issue, it shows you can't be rehabilitated"*.
14. Mrs Deeming informed the Leadership that she was very tired and asked them to cut to the chase and tell her what they were going to do to her. She was asked to wait while they left the room. After 30 minutes, they returned. Mr Pesutto said *"Since you won't condemn these women or this rally, we have decided to move a motion to expel you. Or, you can make it easier on us all by resigning"*. Mrs Deeming said *"No thank you"* and left.

Mr Pesutto's Media Statement

15. That evening, Mrs Deeming became aware that Mr Pesutto had issued a Media Statement (**Media Statement**) accusing her of being a Nazi sympathiser and of *"organising, promoting and participating in a rally with speakers and other organisers who themselves have been publicly associated with far right-wing extremist groups including neo-Nazi activists"*. He said that he and the Leadership team were jointly moving a motion to expel her from the Parliamentary Party as a result.
16. The Media Statement was reported widely in the mainstream media and on social media and elsewhere.

Mr Pesutto's ABC Interview

17. At some point before 9.39am on 20 March 2023, Mr Pesutto gave an interview to the ABC disclosing that he proposed to issue a motion to expel Mrs Deeming (**ABC Interview**). The interview resulted in an article with a video being uploaded onto the ABC website entitled "*VIDEO: Victorian Opposition Leader moves to expel MP over anti-trans protest attended by neo-Nazis*".
18. That article can be accessed at the following URL:

https://www.abc.net.au/news/2023-03-20/victorian-opposition-leader-to-expel-mp-over-anti-trans-protest/102118582?utm_campaign=abc_news_web&utm_content=mail&utm_medium=content_shared&utm_source=abc_news_web

Mrs Deeming's Facebook Statement

19. In the afternoon of 20 March 2023, Mrs Deeming issued a statement on Facebook refuting Mr Pesutto's claims. Despite having access to Mrs Deeming's answers during the 19 March Meeting, and the content of her Facebook statement, Mr Pesutto persisted in his malicious campaign of denigration without reference to what Mrs Deeming had told him.

The First Motion to Expel

20. Later, at 5.32pm on 20 March 2023, Mr Pesutto served Mrs Deeming with a notice to call a special meeting of the Parliamentary Party and move a motion to expel her from the Parliamentary Party (**First Motion**). Mr Pesutto sent the First Motion to Mrs Deeming and all Members of the Parliamentary Party. The First Motion included an 'Annexure' which Mr Pesutto dubbed a 'Dossier' purporting to set out the evidence against Mrs Deeming. The First Motion and Dossier are **enclosed** to this notice, as "**Annexure A**".
21. Mr Pesutto further distributed the First Motion and Dossier to the media, including to The Australian and Herald Sun, with the knowledge and intention that the matters of which he and the Leadership team had accused her would seriously damage Mrs Deeming's reputation not only within the Parliamentary Party but also outside in the electorate and the world at large, and hold her up to vilification, contempt, abuse and ridicule, and mislead the public into believing that the expulsion was justified.
22. The conduct of Mr Pesutto in distributing the First Motion including the Dossier to the media are separate acts of publication for which he is liable, including liability for the damage caused by the consequential republications of those documents (or parts thereof) in the media and elsewhere.
23. Mrs Deeming felt extremely distressed by the 19 March interrogation, the false and defamatory accusations being made against her by all four leaders of her Parliamentary Party, the media campaign orchestrated by Mr Pesutto, and the First Motion to expel her, which was an exceptional move for the leadership of any political party to take, and all based on the false and defamatory accusation that she was associated with Nazism.
24. The media and public condemnation of her snowballed with wider condemnation of her from many quarters. Mr Pesutto is now liable for the damage that his improper tortious conduct has caused.
25. In the days following publication of the First Motion, Mr Bach and another Member, Mr David Davis, said in media interviews there would be no compromise on the expulsion motion. A staffer from Mr Southwick's office sat outside Mrs Deeming's office in what she (and others) considered was a transparent attempt to intimidate her but also to record and intimidate any Members who went to visit her in the leadup to the determination of the First Motion. Mrs Deeming understands that the conduct of these persons was at the direction of Mr Pesutto.

27 March Meeting

26. The meeting to consider the First Motion was held on 27 March 2023 (**27 March Meeting**).

27. On the morning of the 27 March Meeting, before it commenced, Mrs Deeming sent Members her detailed response to the First Motion and the Dossier. It comprehensively rejected the accusations made against her and the other speakers at the Rally of being Nazi sympathisers or having associations with Nazism.
28. Mr Pesutto was Chairman of the 27 March Meeting. After a number of Members spoke in Mrs Deeming's support, and then immediately after she spoke in her own defence rejecting the accusations against her, Mr Pesutto called for a short break to the 27 March Meeting.
29. During the break, a discussion took place between Members of the Leadership Team and Mrs Deeming and Members on her behalf seeking to resolve the matter.
30. Mr Pesutto offered to withdraw the First Motion on the basis that Mrs Deeming accept a suspension from the Parliamentary Party for 9 months.
31. In response, Mrs Deeming said that she would only agree to the suspension if Mr Pesutto would publish a joint statement with her in which he exonerated her from the defamatory accusations he and the Leadership Team had published about her, that is, make a full and public retraction of the accusations that had been made about her, and that she would be automatically reinstated at the end of the 9 months (**Compromise Agreement**).
32. She and those acting on her behalf understood and honestly believed that Mr Pesutto agreed at the time to Mrs Deeming's conditions.
33. Mr Pesutto called for the resumption of the 27 March Meeting and announced that he withdrew the First Motion and there was a compromise reached. This was met with applause. Mr Pesutto then listed the terms of the Compromise Agreement to those at the 27 March Meeting and it was approved.
34. The Secretary of the Parliamentary Party, Ms Renee Heath, made a record of Mr Pesutto's statements in which she noted that there was a "*promised compromise*" that Mrs Deeming was to be suspended for 9 months; that Mr Pesutto and Mrs Deeming would issue a "*joint statement*"; and that there would be a "*media statement*" which would "*make it clear that no one was accusing [her] of being a Nazi, or Nazi sympathiser*".

Breach of Compromise Agreement

35. After the 27 March Meeting, Mrs Deeming went to the Secretary's room to wait for Mr Pesutto to meet with her to prepare the joint statement. After some time, Ms Heath texted Mr Pesutto saying that Mrs Deeming was waiting to find out when he was meeting her to make the joint statement. He responded saying he would get his office to get in touch with her to start working on it as he was going to a meeting after doing a media conference.
36. In fact, Mr Pesutto had attended a media conference immediately following the 27 March Meeting. In that media conference, he said that the First Motion was withdrawn because Mrs Deeming had made "*concessions*". He said that he accepted Mrs Deeming's suspension (rather than expulsion) given "*Moira had provided what I had been seeking and recognised why it was important to do that*", and that "*the conduct that I wanted condemned has been condemned*".
37. Mr Pesutto said that Mrs Deeming had provided Members with a memorandum which "*contained a condemnation of the types of conduct that's referred to in the Dossier and which I'd been seeking all along. That was the reason for the notice of motion in the first place. So, having provided that information, it then provided an opportunity that I was able to identify to reach an outcome that would see a consequence attached to not having provided that condemnation at the earliest opportunity but also providing a way back so it's up for Moira to choose how she goes about that. But that information was contained, signed in a memorandum that Moira provided to Party room members, I won't provide that myself to you, but I was satisfied that it contained a condemnation that I had been seeking all along...Now understand what had happened here, I and my colleagues, we had sought from Moira, the concessions that she's provided this morning. We sought that last weekend on that*".

Sunday night. Having received the material this morning from Moira, which contains that condemnation, I was satisfied that she understood why it was important to do that and also accepts why it's important for there to be a serious consequence".

38. Mr Pesutto knew that the statements in the preceding two paragraphs were dishonest and flagrantly misrepresented what had occurred and had been agreed with Mrs Deeming by way of compromise. The submissions made by Mrs Deeming to Members at the 27 March Meeting in fact conveyed the strongest possible denial of the accusations of being a Nazi sympathiser or knowingly being associated with Nazis and rejection of the assertions in the Dossier. Mr Pesutto's conduct in making these knowingly false statements was improper, in bad faith and indefensible. His conduct also amounted to a blatant breach of the Compromise Agreement, a matter which reflects seriously upon Mr Pesutto's integrity and suitability as leader of the Parliamentary Party.
39. Subsequently, Mr Pesutto breached the Compromise Agreement again by not joining with Mrs Deeming in making a joint public statement, as agreed, or retract or withdraw the imputations he had published about her, nor did he apologise to her. Instead, a statement was issued in Mrs Deeming's name alone which arose in the following circumstances at the direction and/or approval of Mr Pesutto:
- a. Late in the afternoon/evening after the 27 March Meeting, Mrs Deeming became aware (unaware of Mr Pesutto's statements at the media conference) that rumours were spreading on social media that she had made 'concessions' and condemned the organisers of the Rally, Angela Jones, and Katherine Deves. In response, she posted twice on Twitter, that this was not correct.
 - b. That same afternoon/evening, a Member of the Leadership Team, Mr Southwick, provided her with what she understood to be a draft of what was proposed as the joint statement exonerating her from the accusations made against her by Mr Pesutto and the Leadership Team. The draft wording included the following: *"I fully regret my attendance and participation in the rally attended by Nazis on the steps of the Victorian Parliament on Saturday 18 March...I...condemn the commentary of Kellie Kay Keen and Angie Jones. I...unreservedly apologise. I accept that my actions have also caused profound hurt to my colleagues, and I apologise to them and fully accept my lengthy suspension..."*
 - c. Mrs Deeming (correctly) rejected this statement as being the exact opposite of the Compromise Agreement, which was unequivocally agreed to be a joint statement with Mr Pesutto which would exonerate her from the accusations against her. Mrs Deeming repeated her claim that the Nazis never 'attended' the Rally. She asked where was the exoneration promised, and where was Mr Pesutto. Mr Southwick said that he was representing the Leadership Team and they had to get her part done first. Mrs. Deeming said she would never sign that draft statement. Mr Southwick said if she did not, they would go back in the Party room for another vote and everyone would be angry at her and she would be expelled. Mrs Deeming understood this to be blackmail and coercion, requiring her to denounce her own political beliefs about sex-based rights in law as bigoted and also as coercion to defame others for what she knew to be false allegations. She was furious about being threatened with expulsion again, over the same false allegations. She told Mr Southwick that having to go back to the Party room was not her problem because this was not what she agreed to. She said she would rather go back in the Party room again and be expelled than ever sign her name to this statement.
 - d. After much discussion and further intimidation and bullying by Mr Southwick on Mr Pesutto's behalf, Mrs Deeming provided her part of the proposed joint statement in accordance with the Compromise Agreement but was not provided with Mr Pesutto's exoneration statement in return. Mr Pesutto did not ever contribute his part on behalf of the Leadership.
 - e. The statement was then unilaterally issued by the Liberal Nationals Media on 27 March 2023 as a statement from Mrs Deeming alone. She did not agree to that publication and has not posted it herself.
40. The conduct summarised above is seriously concerning, particularly by the release of a statement in Mrs Deeming's name without her consent, in order to mislead and deceive the Australian public.

41. Mr Pesutto was interviewed on the ABC 7.30 Report the same evening during which he made further misleading statements having regard to the circumstances described above:

Presenter: 'Moira Deeming has walked back her condemnation of the Rally and its organiser, will you move again to expel her from the Liberal Party?'

Pesutto: 'What I would say if I just take our views back a step I brought this motion last Sunday because I was very concerned that certain types of conduct by people associated with Moira Deeming and the conduct of that rally was totally unacceptable and I wanted a condemnation of that. Now despite the passage of last week, we didn't get from Moira, until very early this morning her specific condemnation of that, followed by what was in essence a very tough and emotional (interrupted).'

Presenter: 'Moira Deeming published a tweet just a couple of hours ago, talking to the organiser of the rally and this is someone with very clear, for our audience, very clear far right associations, many of which you detail in the dossier that you presented to your own party room, she said speaking directly to that person 'don't worry I never condemned you'. So I just want to ask you, that is Moira Deeming walking back her condemnation which is also supported in the statement she made this evening. Will you move to expel her from your party?'

Pesutto: 'If [the party room] sees evidence that there's a difference between what we were assured in written and oral presentations to the party room and what is being posted on social media then yeah, there will be consequences with that. The party will be looking very closely, all of us, who believed what was put to us. If, as I've seen this evening, there are comments on social media that are inconsistent with that ... that is a matter Moira would have to take very seriously because there will be repercussions'.

The Minutes of the 27 March Meeting

42. On 27 March 2023, Mrs Deeming was not provided with the written record of the Compromise Agreement or the resolution passed by Members.
43. On 28 March 2023, she requested the Minutes of the 27 March Meeting from Mr Pesutto. He did not respond. She also requested the Minutes from the Secretary, Ms Heath, on three occasions. Mr Pesutto refused to allow Ms Heath to release them.
44. As a result of Mr Pesutto's false public statements regarding her suspension, Mrs Deeming was ostracised by other Members of the Parliamentary Party and was shut out from Parliamentary Party resources and communications. She was stripped of her position as Whip in the Upper House and suffered loss of income which will be claimed as special damages.
45. Mr Pesutto did not contact Mrs Deeming to address her concerns about the lack of documentation of the Compromise Agreement, his refusal to honour it, his failure to produce the Minutes of the 27 March Meeting, or his false public statements about each of those matters.
46. The Aston byelection for the Federal seat was held days later on 1 April 2023.
47. The Victorian State Parliament was in recess during the Easter period in April.
48. In late April, Mrs Deeming continued to seek affirmation of the conditions of her suspension and clarity as to why Mr Pesutto refused to honour the Compromise Agreement. As Mr Pesutto and the Leadership Team refused to speak with Mrs Deeming about the issue, Mr Kim Wells represented her interests in discussions with the Leadership Team.
49. On 2 May 2023, the Members held a meeting at which Mr Pesutto as Chairman and Leader of the Parliamentary Party disputed the accuracy of Ms Heath's draft Minutes of the 27 March Meeting. He said her notes were too detailed and he rejected them. He (unfairly) criticised her, saying there were three versions of the draft Minutes with no likeness to each other.

50. Mr Pesutto's statement was false. The first two versions of the Minutes were substantially the same and the third had an addendum in respect of one Member who spoke at the 27 March Meeting but whose contribution had not been recorded in the first two versions.
51. After this meeting on 2 May 2023, Ms Heath complained to Members that she felt bullied and disrespected as a result. In her email, she said: *"I once again feel completely stitched up and misrepresented by the leadership with no ability to defend myself. I wasn't even given the space to correct the mistruths about me in today's meeting. I am upset. Very upset. The way I have been treated and the way other conservative women in this party are treated is nothing short of bullying."*
52. Meanwhile, the discussions between Mr Wells and the Leadership Team failed to reach an agreed position on the promised exoneration of Mrs Deeming through a joint statement.
53. In these circumstances, on 4 May 2023, Mrs Deeming complained to the Leadership Team that Mr Pesutto and the Leadership team had not honoured the Compromise Agreement. She said her principal priority since Mr Pesutto and the Leadership Team had made the accusations against her was to have her name cleared 'for the sake of my children'.
54. She said that if by 2pm that day there was not an agreed upon statement that exonerated her from the accusations, she would consider that the Leadership had failed to honour the Compromise Agreement and she would be forced to challenge it officially, demand re-entry to the Party room and instruct her lawyers to commence legal proceedings to resolve the dispute. The reference to 'legal proceedings' in the context plainly meant enforcing the Compromise Agreement.
55. Mr Southwick met with Mrs Deeming and Mr Wells and informed her that he did not recall such an agreement and that the Leadership Team would not be mediating further because of the ultimatum of a deadline.
56. Mr Pesutto responded through the media, being quoted by the ABC:
- "I can say categorically that the exoneration that Moira has sought in the email this morning ... will not be happening. What was in the motion stands. Nothing in the dossier ever accused Moira Deeming of being a Nazi or herself having Nazi sympathies."*
57. The ABC also reported that Senior Liberal MPs had already begun discussing if Mrs Deeming should now be expelled from the Party room over her legal action.

The Second Motion to Expel

58. On Saturday 6 May 2023, Mr James Newbury initiated (by email at 3.53pm) another motion to expel Mrs Deeming in similar terms to the First Motion with a request for a special meeting to be held on Friday 12 May 2023 (**Second Motion**).
59. The reason stated was that Mrs Deeming had *"engaged in conduct in violation of Clause 57 [of the Parliamentary Party Constitution (**the Constitution**)], bringing discredit on the Parliamentary Party"*.
60. In breach of Clause 59 of the Constitution:
- a. The Second Motion was not signed by the Members; and
 - b. More importantly, it did not state or provide any grounds or reasons in support of the alleged 'violation' of Clause 57 and in support of the proposed expulsion. Clause 59 provides that a notice of motion for expulsion shall specify the reasons for the proposed expulsion.
61. Mr Pesutto, as Leader and Chairman, accepted the Second Motion within 20 minutes of receiving it (by email from Mr Newbury at 3.53pm) and distributed it to Members (by email at 4.10pm). Our client understands that Mr Newbury was acting under the direction and/or approval of Mr Pesutto in initiating the Second Motion.

62. Mrs Deeming twice requested that she be informed of the grounds or reasons said to support the Second Motion - in her email of 7 May 2023, she requested “*a copy of the alleged conduct that has apparently brought the Party into disrepute*”; and in her email of 9 May 2023, she requested “*a copy of the exact conduct to which the expulsion motion refers*” (and specifically said she was making the request “*so that I can prepare my defence*”). She was not provided the reasons which were said to support the Second Motion as required by Clause 59. She then refused to attend the meeting because she had no way to defend herself from unspecified allegations and had lost all faith in the Party room process and the integrity of Mr Pesutto and the Leadership.
63. The Second Motion, like the First Motion, was widely publicised by Mr Pesutto and as a result it was reported in the mainstream media and elsewhere (including social media) – for example:
- a. By the ABC – at the following URLs:

<https://www.abc.net.au/news/2023-05-06/moira-deeming-denies-plans-sue-victorian-liberal-party-expulsion/102312462>

<https://www.abc.net.au/news/2023-05-07/victorian-liberal-party-divisions-moira-deeming-john-pesutto/102313978>
 - b. By the Age – at the following URL:

<https://www.theage.com.au/politics/victoria/deeming-backs-down-from-legal-threat-against-pesutto-20230506-p5d68m.html>
 - c. By the AFR – at the following URLs:

<https://www.afr.com/politics/federal/deeming-backtracks-on-threat-to-sue-liberals-20230506-p5d69h>

<https://www.afr.com/politics/moira-deeming-to-face-expulsion-vote-for-second-time-20230508-p5d6la>
 - d. By The Guardian – at the following URL:

<https://www.theguardian.com/australia-news/2023/may/06/moira-deeming-suspended-victorian-liberal-mp-says-she-never-once-considered-suing-party>
64. The flagrant breach of Clause 59 of the Constitution above was ridiculed and dismissed by anonymous Members in the media.
65. Mrs Deeming requested that Mr Pesutto as the Chairman of the meeting require that the Second Motion be withdrawn in the circumstances. He did not do so.
66. Mr Pesutto knew that the Second Motion breached Clause 59 of the Constitution, but as Chairman ignored those contraventions and accepted it and supported it. He refused to answer Mrs Deeming’s emails requesting due process and information, he further refused to state the reasons for the expulsion, when questioned publicly, saying that the reasons had been well publicised already.
67. In the absence of reasons for the proposed expulsion and given Mr Pesutto’s refusal to publicly withdraw his accusations about Mrs Deeming, the Second Motion revived the First Motion with the Dossier and conveyed the same false and defamatory accusations against her as the First Motion.

Expulsion - “You cannot sue your boss and expect to keep your job”

68. On 12 May 2023, the Second Motion to expel Mrs Deeming was approved at a meeting of the Parliamentary Party (**the 12 May Meeting**) despite the obvious and deliberate non-compliance with mandatory requirements of the Constitution.

69. The 12 May Meeting also resolved to remove Ms Heath as Party Secretary, on the basis (of a false claim) that she had not satisfactorily performed her role as Secretary when she recorded the conditions of the Compromise Agreement in her notes.
70. After the 12 May Meeting, Mr Pesutto deliberately misrepresented the reasons for Mrs Deeming's expulsion. He claimed, falsely, that it was based on Mrs Deeming's threat to sue him for defamation in a Concerns Notice. However, the Concerns Notice was served on Mr Pesutto on 11 May 2023 and could not possibly have been the basis for the Second Motion which was issued on 6 May 2023.
71. Moreover, Mr Pesutto told Members at the 12 May Meeting that Mrs Deeming's Concerns Notice had threatened to sue all of the Members individually. This was also false and he must have known it was false. One of the Members asked to see the Concerns Notice to understand the risk to Members. Mr Pesutto refused to table it, presumably because its content would plainly contradict his lie to Members.
72. After the meeting, the Member who initiated the Second Motion, Mr Newbury, stated to the media that *"You cannot sue your boss and expect to keep your job"* and that *"Suing your party and your leader is a gross act of betrayal"*. Our client understands these statements were made at the behest of, or with the approval of, Mr Pesutto.
73. Mrs Deeming considered these comments patronising, paternalistic, and misogynistic. They totally ignored the circumstances described in this correspondence, namely the series of dishonest, unjustified, unlawful and improper acts engaged in by Mr Pesutto.
74. The comments were also embarrassingly ignorant of the law, namely that 'bosses' who threaten and bully employees can expect not only to be sued but to lose their jobs for workplace misconduct. The law protects employees' rights, particularly the rights of women, who have no alternative other than to make a complaint about, or to sue, their boss for workplace misconduct (such as publicly abusing them and defaming them and calling them a Nazi sympathiser). A threat to sue a boss is no longer grounds for dismissal. Retaliation against a person for complaining about the way they have been treated at work is victimisation and amounts to an unlawful adverse action. Notwithstanding that, Mr Pesutto and the Leadership Team retaliated against both Mrs Deeming and Ms Heath for speaking out against having been unfairly treated by them.

United Nations

75. Mrs Deeming has suffered terribly as a result of Mr Pesutto's unlawful defamation of her reputation from 19 March 2023 onwards. She has been extremely humiliated, abused, vilified, and demonised in the public eye.
76. This suffering has drawn the attention and condemnation of an expert at the United Nations.
77. On 22 May 2023, the United Nations Special Rapporteur on violence against women and girls issued a statement expressing concern about the threats and intimidation against women expressing their opinions on sex and sexual orientation.
78. The UN expert said that discrimination on this basis was prohibited in international and regional human rights law. She said *"I am disturbed by the frequent tactic of smear campaigns against women...Branding them "Nazis"...or "extremists"...Of particular concern are the various forms of reprisals...In some cases, women politicians are sanctioned by their political parties, including through the threat of dismissal or actual dismissal"*.
79. The smearing of Mrs Deeming as a Nazi sympathiser, with firstly the threat of expulsion based on this public smear, and then her actual expulsion from the Parliamentary Party she was elected to represent, evidences the most serious harm to her reputation personally and professionally, which is and will be ongoing unless and until she is vindicated.

The Media Statement

80. The Media Statement published by Mr Pesutto on 19 March 2023 (see paragraphs 15-16 above) is the first 'matter in question' for the purposes of s 12A of the Act.
81. The Media Statement was sent by Mr Pesutto by email to Members and was published on Liberal Victoria website. It was also republished in newspapers and online by mainstream media outlets including the ABC, SBS and the Herald Sun and elsewhere. Mrs Deeming relies on the republications as going to damages.
82. Mr Pesutto is responsible for these republications because he intended and expressly or implicitly authorised the repetition of the Media Statement and it was the natural and probable consequence of him distributing the Media Statement.
83. We enclose, as "**Annexure B**", a copy of the Media Statement.
84. It can be accessed at this link: <https://vic.liberal.org.au/media-releases/2023-03-19-pesutto-statement-from-the-leader-of-the-opposition?topic=leader-of-the-liberal-party>.
85. The Media Statement carried the following imputations of and concerning Mrs Deeming (or imputations that do not differ in substance):
- a. *Moir Deeming supports white supremacists and Neo-Nazis.*
 - b. *Moir Deeming holds abhorrent white supremacist and Neo-Nazi views.*
 - c. *Moir Deeming knowingly associates with white supremacists and Neo-Nazis.*
 - d. *Moir Deeming sympathises with white supremacists and Neo-Nazis.*
 - e. *Moir Deeming is a Neo Nazi.*
 - f. *Moir Deeming is a white supremacist.*
 - g. *Moir Deeming is unfit to sit in the Victorian Parliament because she supports white supremacists and Neo-Nazis.*
 - h. *Moir Deeming is unfit to sit in the Victorian Parliament because she holds abhorrent white supremacist and Neo-Nazi views.*
 - i. *Moir Deeming is unfit to sit in the Victorian Parliament because she knowingly associates with white supremacists and Neo-Nazis.*
 - j. *Moir Deeming is unfit to sit in the Victorian Parliament because she sympathises with white supremacists and Neo-Nazis.*
 - k. *Moir Deeming is unfit to sit in the Victorian Parliament because she is a Neo Nazi.*
 - l. *Moir Deeming is unfit to sit in the Victorian Parliament because she is a white supremacist.*
 - m. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she supports white supremacists and Neo-Nazis.*
 - n. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she holds abhorrent white supremacist and Neo-Nazi views.*
 - o. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she knowingly associates with white supremacists and Neo-Nazis.*

- p. *Moira Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she sympathises with white supremacists and Neo-Nazis.*
 - q. *Moira Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she is a Neo-Nazi.*
 - r. *Moira Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she is a white supremacist.*
 - s. *Moira Deeming is unfit to belong to the Liberal Party because she supports white supremacists and Neo-Nazis.*
 - t. *Moira Deeming is unfit to belong to the Liberal Party because she holds abhorrent white supremacist and Neo-Nazi views.*
 - u. *Moira Deeming is unfit to belong to the Liberal Party because she knowingly associates with white supremacists and Neo-Nazis.*
 - v. *Moira Deeming is unfit to belong to the Liberal Party because she sympathises with white supremacists and Neo-Nazis.*
 - w. *Moira Deeming is unfit to belong to the Liberal Party because she is a Neo Nazi.*
 - x. *Moira Deeming is unfit to belong to the Liberal Party because she is a white supremacist.*
86. Each of those imputations is clearly carried by the Media Statement, and each is obviously and seriously defamatory of Mrs Deeming.
87. The Media Statement was false and did not reflect what had actually happened at the 'Let Women Speak' Rally on 18 March 2023 or Mrs Deeming's involvement with it. Mrs Deeming's account of events which she had given, albeit under the intimidation of the Leadership Team, on the same day as the Media Statement, 19 March 2023, was not represented by Mr Pesutto in the Media Statement in any relevant way. Mr Pesutto's conduct in misrepresenting what occurred bespeaks malice on his part for the purposes of any defences he may seek to rely on.

The ABC Interview

88. The ABC Interview (see paragraphs 17-18 above) is the second 'matter in question' for the purposes of s 12A of the Act.
89. The ABC Interview (or parts of it) was republished by the ABC on television and online (**ABC Broadcasts**). Mr Pesutto is responsible for the ABC Broadcasts because he intended and expressly or implicitly authorised them and they were the natural and probable consequence of him giving the ABC Interview.
90. A video of the ABC Interview was republished on the ABC News website (<https://www.abc.net.au/news/>), with the title "Victorian government moves to ban Nazi salute as Liberals move to expel MP Moira Deeming over anti-trans rights rally" (**the ABC Article**).
91. Mr Pesutto is also responsible for the ABC Article, insofar as it republishes the ABC Interview (or parts of it), because he intended and expressly or impliedly authorised the republication of the ABC Interview and because that republication was the natural and probable consequence of him giving the ABC Interview.
92. We enclose:
- a. As "**Annexure C**", a copy of the ABC Article; and
 - b. As "**Annexure D**", a transcript of the video of the ABC Interview republished in the ABC Article.

93. The ABC Article is available at the following link: <http://www.abc.net.au/news/2023-03-19/victorian-liberals-move-to-expel-mp-who-attended-rally/102117788>.
94. We do not otherwise have a copy of the ABC Interview and will obtain the full recording by way of a subpoena issued to the ABC in the proceedings.
95. The ABC Interview, and therefore also the ABC Broadcasts and the ABC Article which republished it, carried the following imputations of and concerning our client (or imputations that do not differ in substance):
- a. *Moir Deeming supports white supremacists and Neo-Nazis.*
 - b. *Moir Deeming holds abhorrent white supremacist and Neo-Nazi views.*
 - c. *Moir Deeming knowingly associates with white supremacists and Neo-Nazis.*
 - d. *Moir Deeming sympathises with white supremacists and Neo-Nazis.*
 - e. *Moir Deeming is a Neo Nazi.*
 - f. *Moir Deeming is a white supremacist.*
 - g. *Moir Deeming is unfit to sit in the Victorian Parliament because she supports white supremacists and Neo-Nazis.*
 - h. *Moir Deeming is unfit to sit in the Victorian Parliament because she holds abhorrent white supremacist and Neo-Nazi views.*
 - i. *Moir Deeming is unfit to sit in the Victorian Parliament because she knowingly associates with white supremacists and Neo-Nazis.*
 - j. *Moir Deeming is unfit to sit in the Victorian Parliament because she sympathises with white supremacists and Neo-Nazis.*
 - k. *Moir Deeming is unfit to sit in the Victorian Parliament because she is a Neo Nazi.*
 - l. *Moir Deeming is unfit to sit in the Victorian Parliament because she is a white supremacist.*
 - m. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she supports white supremacists and Neo-Nazis.*
 - n. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she holds abhorrent white supremacist and Neo-Nazi views.*
 - o. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she knowingly associates with white supremacists and Neo-Nazis.*
 - p. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she sympathises with white supremacists and Neo-Nazis.*
 - q. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she is a Neo-Nazi.*
 - r. *Moir Deeming is unfit to belong to the Victorian Parliamentary Liberal Party because she is a white supremacist.*
 - s. *Moir Deeming is unfit to belong to the Liberal Party because she supports white supremacists and Neo-Nazis.*

- t. *Moira Deeming is unfit to belong to the Liberal Party because she holds abhorrent white supremacist and Neo-Nazi views.*
 - u. *Moira Deeming is unfit to belong to the Liberal Party because she knowingly associates with white supremacists and Neo-Nazis.*
 - v. *Moira Deeming is unfit to belong to the Liberal Party because she sympathises with white supremacists and Neo-Nazis.*
 - w. *Moira Deeming is unfit to belong to the Liberal Party because she is a Neo Nazi.*
 - x. *Moira Deeming is unfit to belong to the Liberal Party because she is a white supremacist.*
96. Each of those imputations is clearly carried by the ABC Interview, and each is obviously and seriously defamatory of Mrs Deeming.
97. The ABC Interview was false and did not reflect what had actually happened at the 'Let Women Speak' Rally on 18 March 2023 or Mrs Deeming's involvement with it. Mrs Deeming's account of events which she had given, albeit under the intimidation of the Leadership Team on 19 March 2023, was not represented by Mr Pesutto in the ABC Interview in any relevant way. Mr Pesutto's conduct in misrepresenting what occurred bespeaks malice on his part for the purposes of any defences he may seek to rely on.

Serious Harm

98. Our client considers that each of the Media Statement and the ABC Interview has already caused serious harm and is likely to cause further serious harm to Mrs Deeming's reputation within the meaning of s 10A of the Act – including because of the following facts and matters:
- a. The extensive and wide spread repetition of the allegations in each publication in the mass media and social media.
 - b. The seriousness of the imputations.
 - c. Prior to the Media Statement and the ABC Interview, Mrs Deeming had a respected reputation within the Victorian Liberal Party, her constituency, and the community, and was proud of the contribution that she and her family had made as a Member of Parliament.
 - d. Since the publication of the Media Statement and the ABC Interview, Mrs Deeming has been subjected to vile abuse and harassment from sections of the public and fears for the safety of her family. This reaction, which has been caused by Mr Pesutto's campaign against Mrs Deeming, reflects the significant damage to her reputation within the broader community.
 - e. The publication of the Media Statement and the ABC Interview caused, and/or exacerbated, a tide of negativity and opprobrium towards Mrs Deeming which culminated in her expulsion from the Parliamentary Party.
 - f. Mr Pesutto's role - as the Leader making allegations about a Member of his own Parliamentary Party - means that many of those to whom the Media Statement and the ABC Interview were published have believed, and were likely to believe, that the defamatory imputations are true. That is the case irrespective of the falsity of the imputations and irrespective of contrary information from Mrs Deeming or other sections of the public and media. This has significantly undermined the way in which Mrs Deeming is seen and regarded not only by constituents and members of the public or the Left or other political persuasions who may actively disagree with Mrs Deeming and her political positions but also by members of the Liberal Party and other persons with centre-right views that would otherwise have supported her. This is particularly the case as Mr Pesutto took the drastic steps toward threatening to expel Mrs Deeming from the Parliamentary Party, a highly unusual step in Australian politics, indeed a step of 'last resort', and then expelling her. The fact that Mrs Deeming has been expelled from the Parliamentary Party will reinforce, in the minds of ordinary reasonable people to whom the

Media Statement and the ABC Interview were published, that the imputations were regarded as true by those who voted to expel Mrs Deeming, that they are true, and that they were the basis for Mrs Deeming's expulsion.

- g. The Media Statement and the ABC Interview (and republications of them) remain available online for download. The media outlets republishing the Media Statement and the ABC Interview have large audiences in Victoria and throughout Australia. Accordingly, the Media Statement and the ABC Interview were indiscriminately published to a very wide audience, and it is to be inferred that many of the recipients would believe the imputations to be true. The incursion by Neo-Nazis at the Rally on 18 March 2023, and Mr Pesutto's steps to have Mrs Deeming removed from the Parliamentary Party as a result, made the Media Statement and the ABC Interview particularly topical as news and has made Mrs Deeming the target of gossip and abuse online and on social media.
- h. The Media Statement and the ABC Interview and Mr Pesutto's false allegations against Mrs Deeming have been widely discussed on a large number of other platforms, including social media, particularly given the political interest and notoriety of the incursion by Neo-Nazis at the Rally on 18 March 2023 and Mr Pesutto's subsequent campaign to expel Mrs Deeming from the Parliamentary Party, meaning that the grapevine effect has increased the harm to Mrs Deeming's reputation.
- i. Given the Media Statement and the ABC Interview remain available online for download, in the absence of a public and sincere retraction and apology from Mr Pesutto, the harm to Mrs Deeming's reputation is likely to continue.

Offer

99. We are instructed to make the following offer in order to resolve the dispute:

- a. Mr Pesutto will agree to never repeat or republish the contents of the Media Statement or the ABC Interview or any of the imputations particularised in this letter (or imputations that do not differ in substance) in any form.
- b. Mr Pesutto will have the statement that was published in Mrs Deeming's name alone (see paragraphs 39-40 above), which does not have the promised exoneration included, deleted from every Liberal Party platform.
- c. Mr Pesutto will provide to Mrs Deeming a signed and dated letter, on his letterhead and personally signed by him, with the following Apology, to be used by Mrs Deeming as she sees fit for the purpose of vindicating her reputation:

Apology to Moira Deeming

On 19 March 2023, I, John Pesutto, issued a media statement and gave an interview to ABC News which were then widely published by television broadcast and online.

My media statement and interview made false and defamatory allegations about Moira Deeming concerning her attendance at the 'Let Women Speak' event on 18 March 2023.

I withdraw those allegations without reservation.

They should never have been made.

I sincerely apologise to Moira Deeming for the harm, hurt and distress which I have caused to her and her family by making the false allegations."

(the "Apology")

- d. Mr Pesutto will publish the Apology for a period of 14 days in a prominent position on his website and all social media accounts/platforms.
 - e. Mr Pesutto will pay Mrs Deeming her reasonable legal costs in pursuing this matter.
100. Finally, in anticipation of legal proceedings, we request that Mr Pesutto retain all communications – from 18 March 2023 to date and ongoing – which are potentially relevant to Mrs Deeming’s claim for defamation and the events referred to in this letter – including (without limitation) all records of communications:
- a. Between Mr Pesutto, and others on his behalf or at his direction, with any journalists or members of the media in respect of the Media Statement and the ABC Interview and media statements following the 27 March Meeting and the 12 May Meeting;
 - b. Between Mr Pesutto, and others on his behalf or at his direction, with Members of the Leadership Team in respect of the First and Second Motions and the Compromise Agreement (as defined above);
 - c. Between Mr Pesutto, and others on his behalf or at his direction, with Renee Heath in respect of the First and Second Motions and the Compromise Agreement (as defined above).

This includes immediately capturing relevant “disappearing” messages that have been exchanged on messaging systems, including WhatsApp and Signal.

101. We note that your client has 28 days to offer to make amends under the Act. However, noting the ongoing harm to our client, and the period of time that has already passed, the offer in this letter is open for **7 days from the date of the letter**.
102. We look forward to your prompt response, noting that we have briefed senior counsel on Mrs Deeming’s behalf to commence the preparation of the pleadings to be filed upon the expiry of the statutory period if a satisfactory resolution cannot be reached between the parties.
103. We also draw your client’s attention to the provisions of the *Civil Dispute Resolution Act 2011* (Cth).

Yours faithfully
COMPANY GILES



Patrick George
(Principal)



John Pesutto MP

Leader of the Opposition
Victorian Liberal Leader

 JohnPesutto.com.au

20 March 2023

Dear Ms Deeming,

1. I write to give you notice of my intention to call a special meeting of the Victorian Parliamentary Party on 27 March 2023 and that — for the reasons in the motion set out herein — I will move a motion, pursuant to clauses 58 to 60 of the *Victorian Parliamentary Liberal Party Constitution*, dated 30 August 2022, that you be expelled from the Victorian Parliamentary Party.

2. The wording of the motion is that:

“Pursuant to the *Victorian Parliamentary Liberal Party Constitution*, dated 30 August 2022, (the **Constitution**), that the Victorian Parliamentary Liberal party expel Ms Moira Deeming from the Parliamentary Party.

Pursuant to clauses 57 and 59 of the Constitution, the reasons for such expulsion being, on the evidence contained in the attached Annexure hereto, that Ms Deeming, on 19 March 2023 and in days preceding that day, conducted activities in a manner likely to bring discredit on the Parliament or the Parliamentary Party, such conduct by:

- (a) on 19 March 2023 and on days prior organising, promoting and attending a rally where Kellie-Jay Keen (also known as Posie Parker), was the principal speaker in circumstances where Ms Keen was known to be publicly associated with far right-wing extremist groups including neo-Nazi activists; and
- (b) on 19 March 2023, meeting with and publishing a video with Kellie-Jay Keen, Katherine Deeves, and Angie Jones and that Angie Jones, on that day posted on Twitter words that, in the mind of any reasonable and lay observer, made association with Nazis including on 4:41pm by posting the words “Nazis and women want to get rid of paedo filth. Why don’t you”, that quote being set out in the Annexure hereto, which Annexure also contains a hyperlink to the video referred to in this reason.”

John Pesutto MP | Leader of the Opposition | Victorian Liberal Leader

 1/157 Spring Street, Melbourne Victoria 3000  03 9651 6701

 leader@opposition.vic.gov.au  JohnPesutto

3. At the meeting on 27 March 2023, you will be given an opportunity to explain your conduct before a vote of the Parliamentary Party.
4. If the motion is passed at that meeting by absolute majority of the Parliamentary Party, pursuant to cl 58 of the Constitution, you will be expelled from the Parliamentary Party.

A stylized, cursive handwritten signature in blue ink, consisting of a large loop followed by a smaller loop and a short vertical stroke.

John Pesutto

A handwritten signature in blue ink, featuring a long horizontal stroke followed by several vertical and diagonal strokes.

David Southwick

A handwritten signature in black ink, written in a cursive style that clearly shows the name 'Georgie Crozier'.

Georgie Crozier

A handwritten signature in black ink, written in a cursive style that clearly shows the name 'Matt Bach'.

Dr Matt Bach

ANNEXURE

A. Promotion of and Participation in the 18 March 2023 “Let Women Speak” Rally

5. On 18 March 2023, Moira Deeming organised, attended and participated in an event held on the steps of Parliament House entitled “*Let Women Speak*”, which was hosted by Kellie-Jay Keen’s (also known as “Posie Parker”’s) organisation called “Standing for Women”. Ms Deeming’s involvement in the rally is documented, including by reference to the following material:



Moira Deeming

5d · 🌐

...

Standing For Women



👍❤️ 178

29 comments · 66 shares

👍 Like

➦ Share

Most relevant ▼



Skye Byrd VI
Make shareable xx

...

Like 5d



Moira Deeming
Skye Byrd VI done x

...

Like 5d



Franco Giambello
And I'm a bloke!

...

Like 5d



Moira Deeming
Franco Giambello you can come & support us 🤔

...

Like 5d



Franco Giambello
Moira Deeming. Overseas at the moment Moira!

...

Like 5d

6. On 18 March 2023, Ms Deeming was photographed and videotaped with Keen, who was the key speaker at the rally, in the secured carpark of Parliament House, and Parliament grounds, which is documented, including by reference to the following material:

See hyperlink: <https://www.youtube.com/watch?v=9o47VZvDgAA&t=754s>



Moira Deeming with activist Kellie-Jay Keen-Minshull. TWITTER







B. Kellie-Jay Keen's Association with Far-Right Extremists

7. In October 2019, Keen appeared in a video interview with Jean-François Gariépy, a far-right YouTuber who advocates for a "white ethno-state" and who has made videos with neo-Nazis Richard B. Spencer and Mark Collett as well as former Ku Klux Klan leader David Duke.¹ The interview with Jean-François Gariépy is documented by the following material:

¹ Parsons, Vic (15 October 2019). ["Gender-critical feminist Posie Parker in video with white nationalist YouTuber – and a lot of Mumsnet users are fine with it"](#). *Pink News*. Retrieved 19 October 2022.



British “gender-critical feminist” Posie Parker (left) and white nationalist French Canadian Jean-Francois Gariépy. (YouTube)

Posie Parker, one of the UK’s most prominent “gender-critical feminists” has appeared in what Mumsnet users are calling a “brave”, “interesting” and “brilliant” video with a French-Canadian white nationalist.

Jean-François Gariépy, 35, is a prominent far-right YouTuber who calls for a “white ethno-state” and has made videos with neo-Nazi Richard Spencer, the white supremacist [who shouted](#) “Hail Trump!” in front of a crowd seen celebrating Trump’s 2016 election win with Nazi salutes.

In [videos](#) attempting to prove white superiority and calling for all-white separatist states and a crackdown on immigration, Gariépy’s guests have [included former Ku Klux Klan leader David Duke and known neo-Nazi Mark Collett](#). During his livestream with Gariépy, Duke made several anti-Semitic comments.

Gariépy’s latest guest was Posie Parker, also known as [Kellie-Jay Keen-Minshull](#) – one of the most prominent voices of the UK’s “gender-critical feminism” (or “[terf](#)”) movement.

Despite his well-known white nationalist views – plus [court documents uncovered](#) by the *Daily Beast* that reveal Gariépy has been accused of “luring and attempting to impregnate a developmentally disabled Hispanic teenager while lawyers contested his U.S. immigration status” – women on UK parenting forum Mumsnet, the [home](#) of much “gender-critical feminist” conversation online, praised Parker for appearing on his YouTube channel.

“‘Far-right’ always gets thrown around as an insult,” one Mumsnet user said. “Where are the left on this issue? Throwing women and children under the bus is where.”

8. In 2019, Keen gave an interview to Soldiers of Christ Online, a far-right network: see Elliards, Xander (4 February 2023). ["Who is Posie Parker? The controversial anti-trans activist heading to Scotland"](#). *The National* (Scotland), see also:



Kay & Posie Parker discuss the trans agenda



Kay SOCO Films
5.92K subscribers

Join

Subscribe

182



Share



Download



Thanks



Clip



3.3K views 2 years ago HYDE PARK

Please LIKE, share, subscribe, REPENT, comment and PRAY

@Kellie.LavKee: Show more

9. In 2019, Keen posted a photograph on the internet with Hans Jørgen Lysglimt Johansen, a Norwegian neo-Nazi who was probed by police after his comments against Jews and denial of the Holocaust:² see Elliards, Xander (4 February 2023). ["Who is Posie Parker? The controversial anti-trans activist heading to Scotland"](#). *The National* (Scotland).



Lilah TheyPG 🌻🌱 @LilahRPGtt · Jan 20

In 2019 Kellie travelled to Norway to speak at a conference alongside Hans Jørgen Lysglimt Johansen a Holocaust denialist whom she took a selfie with afterwards.



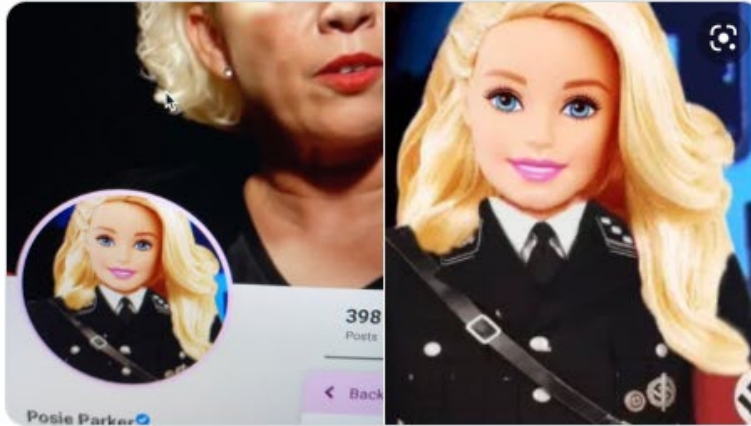
10. Keen was accused of using a Barbie doll wearing a Nazi uniform as her profile picture on the social media site Spinster: see Elliards, Xander (4 February 2023). ["Who is Posie Parker? The controversial anti-trans activist heading to Scotland"](#). *The National* (Scotland). The following image was retrieved from an internet archive:



Alejandra Caraballo
@Esqueer_

...

You know Posie Parker used a barbie doll with a nazi arm patch for a profile pic on spinster, right? She's a white supremacist. Pieing is also a form of political protest that was historically used by LGBTQ activists against Anita Bryant in 1977.



Chloe Cole ★ @ChoooCole · Oct 24, 2022

Trans Activist @Esqueer_ actively encouraging the assault of @StandingforXX at her event in Oregon. It makes me sick to know how violent antifa and these activists are.

I encourage everyone to PEACEFULLY protest whenever possible. Take these issues to the ballot. NO VIOLENCE.



Portland looks like it knows how to rally against TERFs.

We can't allow those who seek to genocide transgender people to go unopposed.



NoBonzo @NoBonzo · 14h

Get ready October 25th to give the TERFs coming to town the welcome they deserve.

[Show this thread](#)



11

2:11 AM · Oct 24, 2022

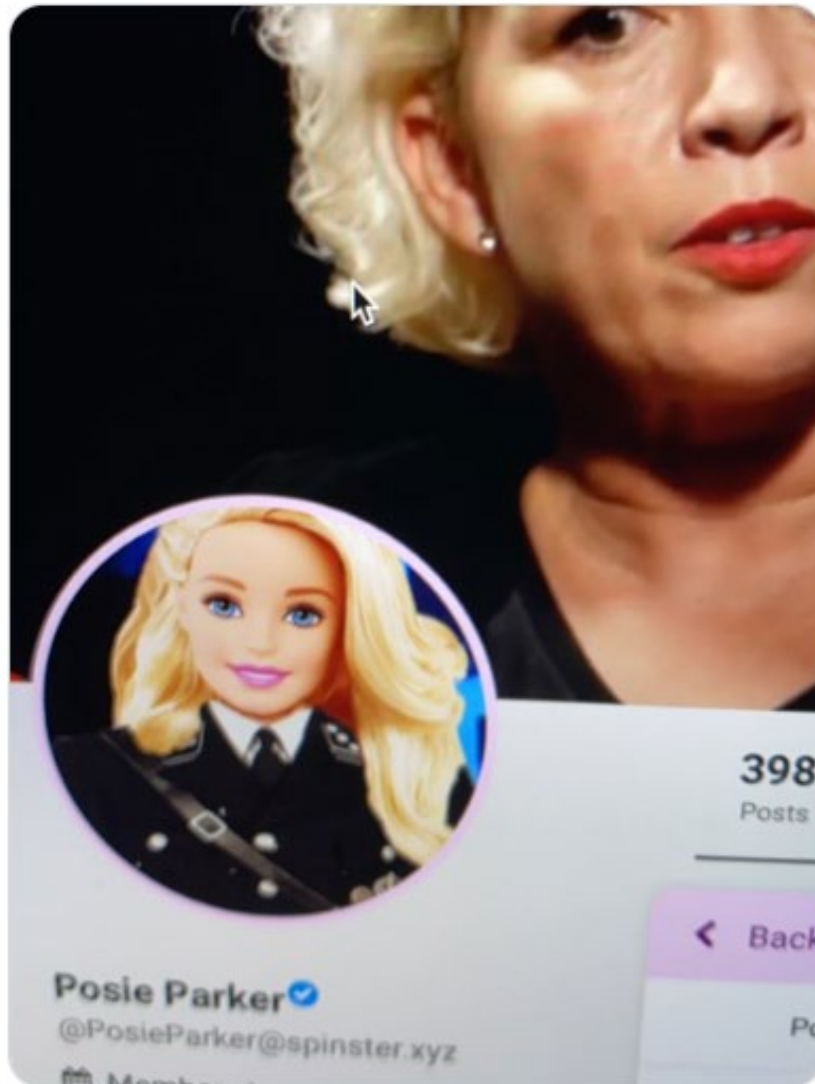




Alejandra Caraballo  @Esqueer_ · Oct 24, 2022

Anti-trans activists: Stop calling us Nazis!

Also anti-trans activists: uses a profile picture with a swastika on it.



11. On 16 January 2023, at an event for Keen's Standing for Women's group in Newcastle, United Kingdom, one of the speakers, Lisa Morgan, quoted Adolf Hitler

as follows "Do you know the big lie? The big lie was first described by Adolf Hitler in Mein Kampf ... The big lie is that trans women are women".³



12. See the following hyperlinks:

[Let Women Speak - Newcastle - 15/01/23 - Lisa Morgan - YouTube](#)

[Let Women Speak - Newcastle - Part 2 #letwomenspeak #letwomenspeaknewcastle - YouTube](#)

13. On 18 March 2023, a group of neo-Nazis, organized by the National Socialist Network, performed the Nazi salute on the steps of Parliament House and displayed a banner which read "DESTROY PAEDO FREAKS".⁴

³ Elliards, Xander (4 February 2023). ["Who is Posie Parker? The controversial anti-trans activist heading to Scotland"](#). *The National* (Scotland).

⁴ Anderson, Anthony (18 March 2023). ["Anti-trans speaker's fans throw Nazi salute amid counter-protest"](#). News.com.au.



Sewell outlined the objectives of the protest on [Telegram](#):

Today in Melbourne, the National Socialist Network acted as a vanguard for a protest against the constant paedophilic agenda being forced upon our children and our people.

Paedophiles deserve destruction, and the only solution to this sickness is White Revolution!

DESTROY PAEDO FREAKS!

14. The following image was retrieved from an internet archive:



C. Meeting, Video and Twitter Posts Following the 18 March 2023 Rally

15. On 18 March 2023, Ms Deeming met with and appeared in a video following the rally, drinking champagne with Kellie-Jay Keen, Katherine Deves and Angie Jones.
16. See the following hyperlink:

<https://www.youtube.com/watch?v=M4lZ5u8uws4>
17. In the video, Ms Deeming and Keen did not roundly condemn the men who made the Nazi salute and dissembled by seeking to question whether those men were organised by the trans-rally participants or were assisted police.
18. At 4.41pm on 18 March 2023, Angie Jones posted to Twitter the words “Nazis and women want to get rid of paedo filth. Why don’t you?.”



Angie Jones

@angijones

Replying to @kwardenclyffe and @LilahRPGtt

Nazis and women want to get rid of paedo filth. Why don't you?

4:41 PM · Mar 18, 2023 · 209.4K Views

2 Retweets 228 Quotes 21 Likes



nicole  @nicolearcher · Mar 18

Replying to @angijones @kwardenclyffe and @LilahRPGtt



2



182



6,698



Angie Jones @angijones · 20h

Replying to @nicolearcher @kwardenclyffe and @LilahRPGtt

Charming. About your level of critical analysis.



12



1



1,812



Annexure B

From: John Pesutto <John.Pesutto@parliament.vic.gov.au>
Sent: Sunday, 19 March 2023 8:36 PM
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Subject: Moira Deeming

Dear colleagues

Yesterday afternoon Victorians witnessed an abomination on the steps of the Victorian Parliament when neo-Nazi protesters engaged in an affront to the values we should all hold dear as Victorians.

The violence, prejudice and hate that these protesters conveyed by their odious actions will never be acceptable in our State. I condemn them and commit to opposing such hate wherever it may exist.

This afternoon I met with Moira Deeming MP who attended yesterday's rally. I discussed her involvement in organising, promoting and participating with speakers and organisers who themselves have been publicly associated with far right-wing extremist groups including neo-Nazi activists.

At our meeting I informed Ms Deeming that I intend to move a motion at the next party room meeting to expel her as a member of the parliamentary Liberal Party as her position is untenable.

This is not an issue about free speech but a member of the parliamentary party associating with people whose views are abhorrent to my values, the values of the Liberal Party and the wider community.

The Liberal Party I joined, and which I am now honoured to lead, must strive to represent all Victorians.

Regardless of religious faith, race, sexual preference and identity, Victorians everywhere should know that the Liberal Party is inclusive and can be a voice for them.

No matter what our background we all share the abiding bond of an essential humanity.

Equality of opportunity, the benefits to each and all of an enterprising culture, the security that comes from the rule of law, the strength which stems from families and communities that can live together in search of happiness while sharing in Victoria's prosperity, must extend to all people who reside in our land.

Tomorrow I will circulate the motion and provide further details regarding the process.

Yours sincerely,
JP

John Pesutto

Member for Hawthorn

Leader of the Opposition | Victorian Liberal Leader

Shadow Minister for Multicultural Affairs

Level 1, 157 Spring Street Melbourne Victoria 3000

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STATEMENT FROM THE LEADER OF THE OPPOSITION

Sunday, 19 March 2023

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At our meeting I informed Ms Deeming that I will move a motion at the next party room meeting to expel her as a member of the parliamentary Liberal Party as her position is untenable.

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John Pesutto

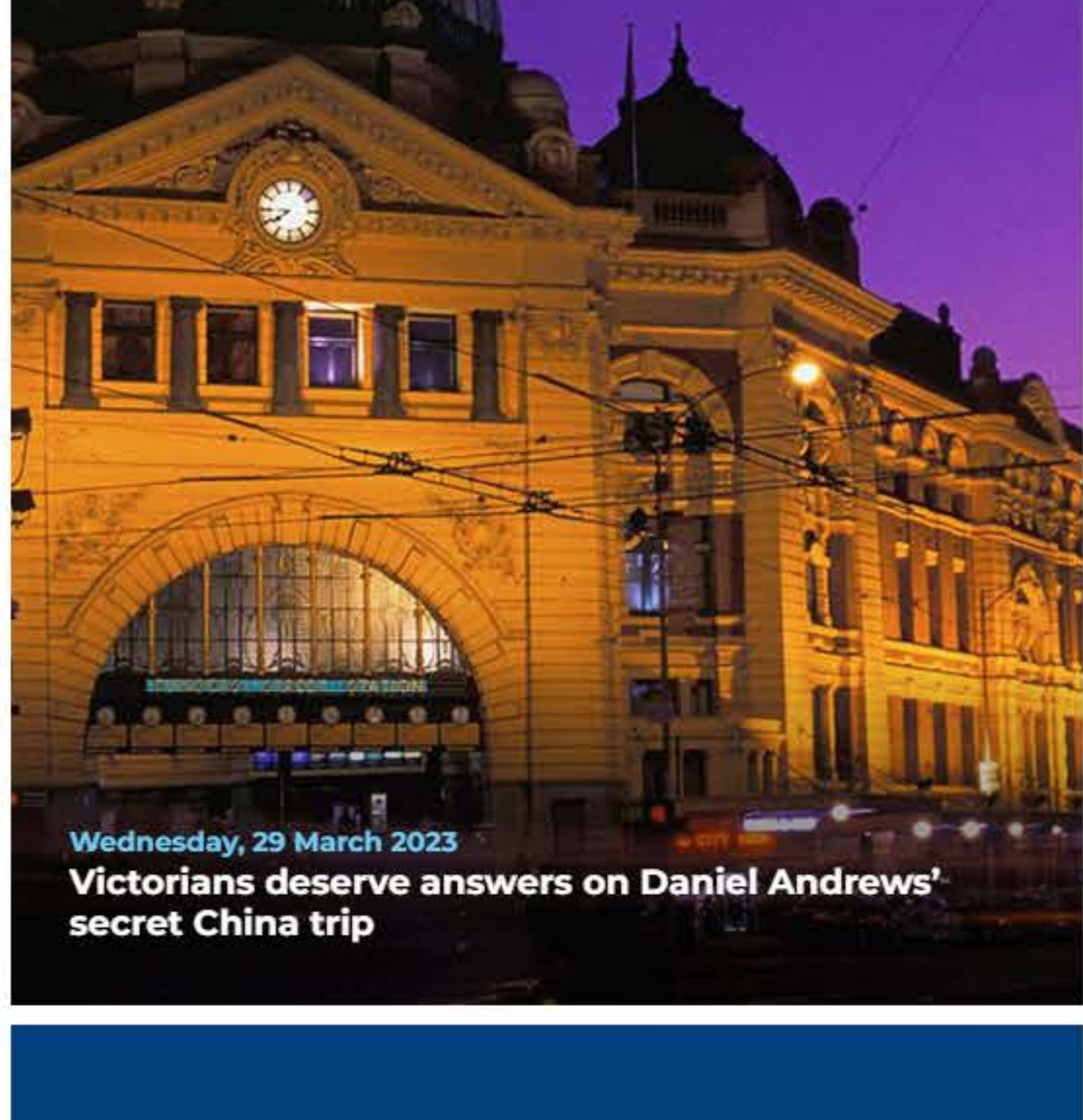
Member for Hawthorn
Leader of the Opposition
Leader of the Liberal Party
Shadow Minister for Multicultural Affairs

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Authorised by S Smith, Liberal Party of Australia (Victorian Division), L12 257 Collins Street, Melbourne VIC 3000

Victorian government moves to ban Nazi salute as Liberals move to expel MP Moira Deeming over anti-trans rights rally

Posted Sun 19 Mar 2023 at 11:16pm, updated Mon 20 Mar 2023 at 12:23pm



John Pesutto is moving to expel Moira Deeming from the party after an anti-trans rights protest attended by neo-Nazis.

Victorian Liberal leader John Pesutto will move to expel an outspoken MP from the party over her involvement in an anti-trans rights rally attended by neo-Nazis.

The development came as the state government confirmed it would move to ban the Nazi salute in response to the weekend's events.

Moira Deeming spoke at the "Let Women Speak" event held by British anti-trans rights activist Kellie-Jay Keen-Minshull outside Victorian parliament on Saturday.

A group of neo-Nazis [joined the anti-trans rights demonstrators and repeatedly performed the Nazi salute](#), sparking violent clashes as police kept counter protesters at bay.

Key points:

- Liberal MP Moira Deeming spoke at an anti-trans rights rally in Melbourne on Saturday, where neo-Nazis performed salutes
- Opposition Leader John Pesutto said he would move a motion to expel Ms Deeming as a Liberal Party member
- Ms Deeming said she was disappointed with Victoria Police for letting masked men into the rally buffer zone

Opposition Leader John Pesutto said he met Ms Deeming on Sunday afternoon and discussed her involvement in the rally.



Moira Deeming (left) pictured with anti-trans rights activist Kellie-Jay Keen-Minshull (right) in Melbourne on Saturday. (YouTube)

Mr Pesutto confirmed he would move a motion at the next party room meeting to expel her as a member of the parliamentary Liberal Party, declaring her position "untenable".

"Moira Deeming not only attended this protest on the steps of parliament, but was actively involved in different ways in the organisation and promotion of this protest at which there were speakers with known links to neo-Nazis," he told ABC News Breakfast.

"I won't have any of it.

"These values that we saw on the steps of parliament were not consistent with the values I and the Liberal Party stand for.

"What I'm doing is a statement that we will not tolerate or ever accept any association with neo-Nazis and white supremacists or anybody who sympathises with them."

Mr Pesutto said his party would support any move by the government to outlaw the Nazi salute.

"We're very open to this. We'll work constructively with the government, as we have in the past, as with the banning of the swastika," he said.

"We support free speech but every sensible and reasonable person must know there are limits on free speech.

"People who engage in actions and gestures which inspire hate and violence will never be acceptable in our state."

Government to consult on salute ban

Attorney-General Jaclyn Symes said this morning that the government would introduce legislation to ban the Nazi salute. The use of the Hakenkreuz, or swastika, is already illegal.

"The behaviour we saw on the weekend was disgraceful and cowardly," she said.

"It's clear this symbol is being used to incite hatred not just towards Jewish people, but our LGBTIQ+ community and other minority groups.

"Victorians have zero tolerance of this behaviour and so do we. That's why we'll expand our nation-leading legislation banning the Nazi Hakenkreuz to include the Nazi salute — because everyone deserves to feel safe, welcome and included in Victoria.

"We'll look at how this can be done carefully, with considered consultation with a variety of groups, and will have more to say on the details of this legislation as we undertake that."



There were clashes between rival protest groups on the steps of Victoria's parliament on Saturday. (AAP: James Ross)

The government's move was welcomed by the Police Association secretary Wayne Gatt, who said officers were "largely under-equipped under legislation" to deal with such displays.

"I read messages over the weekend from my members who were at that demonstration who said to me, 'We were utterly sickened by the behaviour of that group,'" he said.

"To be honest, we felt ashamed that we weren't able to do something more. We wanted to but we can't."

Victorian Premier Daniel Andrews had earlier on Sunday also condemned the actions of those demonstrators.

In a post on social media, Ms Deeming said she was disappointed with Victoria Police for letting masked men into the rally buffer zone, "terrifying women who were just trying to speak about their rights".


"Police managed to stop hordes of [trans rights activists], but somehow could only walk masked men past us [as] they did a horrible Nazi salute," she said on Twitter.




The former teacher and City of Melton councillor was elected to the Victorian parliament last year as a member for Western Metropolitan region, replacing controversial MP Bernie Finn after he was expelled from the party over his abortion views.

She used her inaugural speech last month to call for an inquiry into transition practices and criticised measures to include trans women in female-only change rooms and sports.

ABC/AAP

Annexure D

ABC News Broadcast – 20.03.2023		
No.	Description	Transcript
1.		<p>John Pesutto:</p> <p><i>It was very concerning Michael and the reason I have taken this step is because I believe it is important as Victoria's alternative Premier to set out the values I stand for and the values my party stands for.</i></p> <p><i>The reason I'm bringing this motion, which will go to the party room hopefully next week, is because Moira Deeming not only attended the protest on the steps of parliament but was actively involved in different ways in the organisation and promotion of this protest at which there were speakers who have known links with neo-Nazis and white supremacists, and I won't have any of it.</i></p> <p><i>My party wants to govern because we live in a state where the government is corrupt, incompetent and tired and Victorians will need a new government and I want a government that uh, provide a government that will focus on the needs of Victorians, and these values that we saw displayed on the steps of parliament are not consistent with the values I and the Liberal Party stand for.</i></p>

2.	 	<p>Interviewer:</p> <p><i>How confident are you you'll get the support on Friday within your party room to kick Moira Deeming out.</i></p> <p>John Pesutto:</p> <p><i>Well, I'm not sure it will go there on Friday. We need to observe some notice provisions in the Constitution of the Parliamentary Party, but I am confident because I believe in the Liberal Party, I've been a member of the Liberal Party for 30 years, the values that I possess and the values that the party stands for like free enterprise, free speech, uh the rule of law, uh support for communities and families, all rights we stand for, but we don't stand with Neo-Nazis, we don't stand with white supremacists. And I want to make that clear to all of our viewers that the team I lead will be focused on them and Victorians more generally.</i></p>
3.		<p>Interviewer:</p> <p><i>Would you like to see Moira Deeming kicked out from the broader Liberal Party as well as the Parliamentary wing.</i></p> <p>John Pesutto:</p> <p><i>Well, I'm going to focus, Michael, on the vote of the Parliamentary Party, uh, next week. There will be then a discussion presumably in the broader party. That's not for me to determine, because - I am one member of the, yeah, yeah -</i></p>



Interviewer:

But you, you are the leader of the Victorian Liberal Party, John Pesutto, do you have (inaudible) whether this woman whose views you hold, you find abhorrent, who was at the rally yesterday, abhorrent, kicked out from the Liberal Party you lead.



John Pesutto:

Uh Michael, I think all of our viewers are very reasonable and sensible and will understand that by me moving this motion for the reasons I have outlined, that there are certain unmistakable presumptions that they can draw about what I want to happen in the broader party.

The party I lead is there for all Victorians, we are inclusive, we want to engage with everybody, and I promise everybody watching that the party I lead can be a voice for all of you, for all Victorians.

And what I'm doing is a statement that we will not tolerate or ever accept any association with neo-Nazis and white supremacists or anybody who sympathises with them.

4.



Interviewer:

Didn't the Liberal Party pretty much know, John Pesutto, what it was getting when Moira Deeming was pre-selected. She holds some pretty, as you well know, out-there views. She is against not just vaccine mandates, she's against Covid vaccines full stop.

Ahhh, so wasn't there, shouldn't it have been a bit, a bit of a case of buyer beware for the Liberal Party before they pre-selected Moira Deeming in the first place?



John Pesutto:

Well, look Michael, can I make a broader point, that I think it is important for me to emphasise? I support free speech and there are people who have different views, and what I have always said, on the ABC and everywhere else for that matter, is that debate should always be civil, uh courteous, robust, sure, but the debates must be respectful.

Now, the reason I am taking this step is because Nazis and White Supremacists don't make debates respectful and civil, that's the first thing I would say.

The other thing I would say, Michael, is that whilst I'd like to think I am a man of enormous talent I can't change the past. And I am dealing with things 14 weeks into my leadership to show Victorians that every step that I have taken since becoming leader in December, that I am determined to be the best possible alternative government that Victorians are crying out for. And that's why I am taking this step.

5.



Interviewer:

And finally, John Pesutto, calls now for the Victorian Government to move to ban, outlaw, the Nazi salute. Would the Liberal Party support that, if it were to happen?

John Pesutto:

Yeah, we're very open to this. We'll work with the government very constructively, as we have in the past, as with the banning of the swastika. We'll continue to work constructively.

I want to make it clear, we support free speech but every sensible and reasonable person will know, that there have to be some limits on free speech.

And people who engage in actions and gestures which incite hate and violence will never be acceptable in our state.

