

NOTICE OF FILING

Details of Filing

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File Title: RYAN LUKE MEULEMAN v DANIEL MICHAEL ANDREWS & ANOR
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink, reading "Sia Lagos".

Registrar

Important Information

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

The date of the filing of the document is determined pursuant to the Court's Rules.



Statement of claim

No. of 20

Federal Court of Australia
District Registry: Victoria
Division: General

Ryan Luke Meuleman

Applicant

Daniel Michael Andrews

First Respondent

Catherine Louise Andrews

Second Respondent

THE PARTIES

1. The Applicant, Ryan Luke Meuleman (**Mr Meuleman**) is and was at all material times:
 - a) a resident of Australia; and
 - b) a natural person able to sue.
2. The First Respondent, Daniel Michael Andrews (**Mr Andrews**) is and was at all material times:
 - a) a resident of Australia; and
 - b) a natural person able to be sued.
3. The Second Respondent, Catherine Louise Andrews (**Mrs Andrews**) is and was at all material times:
 - c) a resident of Australia;

Filed on behalf of (name & role of party)	Ryan Luke Meuleman, Applicant		
Prepared by (name of person/lawyer)	Natalija Nikolic, lawyer		
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- a) a natural person able to be sued; and
- b) the wife of Mr Andrews.

BACKGROUND TO THE JOINT MEDIA STATEMENT

- 4. On 7 January 2013, there was a collision between a car, in which Mr and Mrs Andrews and their three children were travelling, and a bicycle ridden by Mr Meuleman, who was 15 years old at the time (**Collision**).
- 5. Mr Meuleman suffered life threatening injuries and ongoing disabilities as a result of the Collision.

Particulars

- i. Mr Meuleman was transported to the Royal Children's Hospital (**RCH**) by air ambulance on 7 January 2013.
 - ii. Mr Meuleman remained in the intensive care unit at the RCH until his discharge on 17 January 2013.
 - iii. Mr Meuleman continues to suffer pain from the injuries he sustained as a result of the Collision.
 - iv. Mr Meuleman continues to suffer from significant symptoms of depression, anxiety and traumatisation.
- 6. On 1 February 2013, Mr Meuleman retained Slater & Gordon Lawyers in relation to a claim against the Transport Accident Commission (**TAC**) in relation to the Collision (**TAC Claim**).
 - 7. In about December 2015, Mr Meuleman and the TAC settled the TAC Claim on the basis of, among other things, a settlement amount being paid to Mr Meuleman.
 - 8. On 22 June 2023, Mr Meuleman commenced proceedings in the Supreme Court of Victoria against his solicitors in the TAC Claim, Slater & Gordon Lawyers, alleging, among other things, that Slater & Gordon Lawyers breached its retainer with and/or duty to act in the best interests of Mr Meuleman, further or alternatively were negligent when carrying out its duties under the retainer, including by failing to properly investigate the Collision, and in its handling of and advice to settle the TAC Claim (**Supreme Court Proceeding**).

Particulars

Mr Meuleman refers to and relies upon the allegations made in his Writ and

Statement of Claim dated 20 June 2023, as amended on 21 February 2025, particularly at paragraphs 3 to 10. A copy of that Writ and Statement of Claim can be provided upon request.

9. In the Supreme Court Proceeding, Mr Meuleman’s lawyers commissioned an expert report by former Victoria Police Assistant Commissioner, Dr Raymond Shuey (**Shuey Report**), which report, among other things:
- a) was critical of Victoria Police’s investigation into and report of the Collision; and
 - b) expressed an opinion that Mr and Mrs Andrews’ version of the Collision was untenable and improbable (**Dr Shuey’s opinion**).

Particulars

A copy of the Shuey Report can be provided upon request.

10. On or around 17 September 2024, the *Herald Sun* published a suite of articles written by Michael Warner, an investigative journalist, concerning the Shuey Report (**Herald Sun Articles**), which included (amongst other things) Mr Meuleman’s name and photograph, and most of the facts matters and circumstances pleaded in paragraphs 4 to 9, and which reported and/or commented on the Shuey Report and on its contents and on Dr Shuey’s opinion.

Particulars

The Herald Sun Articles were published on pages 4 and 5 of the Tuesday 17 September 2024 print edition of the *Herald Sun* newspaper, under the headlines “*Police probe was an overt cover-up*”; “*Dan’s conflicting comments on high-speed crash*”; and “*‘Glaring’ flaws blasted Breaches ‘inexcusable’*”, a copy of which is annexed at **Annexure A** to this statement of claim.

The Herald Sun Articles were also published online via the *Herald Sun* website from 5am on Tuesday 17 September 2024 under the following slightly different headlines:

- A. “*Review concludes police investigation was ‘deeply flawed’, ‘unfounded’ and ‘contrary to the available evidence’*” and “*Review finds ‘inexcusable’ breaches*” both available at URL:
<https://www.heraldsun.com.au/truecrimeaustralia/police-courts-victoria/review-concludes-police-investigation-was-deeply-flawed->

[unfounded-and-contrary-to-the-available-evidence/news-story/3a259620a0dc2e0fb2532f712acafd4f](https://www.heraldsun.com.au/truecrimeaustralia/police-courts-victoria/daniel-andrews-in-various-press-statements-reconstructed-versions-clearly-intended-to-place-fault-on-the-cyclist/news-story/3a259620a0dc2e0fb2532f712acafd4f)

- B. “Daniel Andrews in various press statements reconstructed versions clearly intended to place fault on the cyclist” available at URL <https://www.heraldsun.com.au/truecrimeaustralia/police-courts-victoria/daniel-andrews-in-various-press-statements-reconstructed-versions-clearly-intended-to-place-fault-on-the-cyclist/news-story/2ffb5071c223e71ab914784c32e25b82>

11. Mr Meuleman did not authorise, nor was he complicit in, providing the Shuey Report to Mr Warner, or to the Herald Sun.

12. Mr Meuleman did not authorise, nor was he complicit in, the publication of the Herald Sun Articles.

THE MATTER COMPLAINED OF

13. On and from about 17 September 2024, Mr and Mrs Andrews:

- a) published to the mainstream media; and
- b) participated in and conducted to the publication through the mainstream media,

a joint media statement (**Joint Media Statement**) which contained the following words:

This so-called report was commissioned by lawyers on behalf of their clients [sic] who are seeking money through the courts by suing their former lawyers.

We are not a party to this legal action. We did nothing wrong. This matter has already been comprehensively and independently investigated and closed by Victoria Police and integrity agencies.

We will not dignify these appalling conspiracy theories by commenting further at this time.

Particulars

Mr Meuleman does not presently have a copy of the original Joint Media Statement and is not presently able to further particularise the manner and full extent of its original publication from Mr and Mrs Andrews to members of the mainstream

media.

However, the original publication of the pleaded words by Mr and Mrs Andrews to various persons and/or organisations in the mainstream media (sometime during the day on 17 September 2024, by no later than 5.40pm) may be inferred from:

- i. the references to Mr and Mrs Andrews having published the Joint Media Statement (such as their statement being a “rare joint statement”, “joint public statement”), and the inclusion of the pleaded words from the Joint Media Statement being published in articles, reports or broadcasts in the mainstream media commencing on and from around 5:40pm on 17 September 2024, including:
 - A. an article published on the website of *The Age* by Broede Carmody on and from 5.40pm on 17 September 2024 under the headline ‘Appalling conspiracy theories: Andrews blasts former cop’s crash claims’, which as at the date of this statement of claim remains available to the public at large at URL: <https://www.theage.com.au/politics/victoria/appalling-conspiracy-theories-andrews-blasts-former-cop-s-crash-claims-20240917-p5kbbj.html> (**Online Article**). A copy of the Online Article is set out at Annexure B to this statement of claim;
 - B. an article published in the print edition of *The Age* by Broede Carmody on 18 September 2024 under the headline ‘Appalling conspiracy theories: Andrews blasts former cop’s crash claims’ (**Print Article**). A copy of the Print Article is set out at Annexure C to this statement of claim.
 - C. an article published on *The Daily Mail AU Edition* website by Antoinette Milienos on 18 September 2024 under the headline ‘Dan Andrews breaks his silence after bombshell report into car crash ‘cover up’ that left a teen cyclist seriously injured’, which as at the date of this statement of claim remains available to the public at large at URL <https://www.dailymail.co.uk/news/article-13861689/Dan-Andrews-car-crash.html>;
 - D. an article published on the website of *The Australian* by Lily McCaffry at 7:27pm under the headline ‘Victoria Police confirms it has no plans to reopen Daniel and Catherine Andrews car crash probe’, which as at the date of this statement of claim remains available to the public at large (alternatively subscribers of *The Australian* newspaper) at URL

<https://www.theaustralian.com.au/nation/politics/victoria-police-confirms-it-has-no-plans-to-reopen-daniel-and-catherine-andrews-car-crash-probe/news-story/9330da65b48e087c0bfcfcfb971bb27> ;

- E. an article published on the website of Sky News Australia by Laura Grassby and Patrick Hannaford under the headline “‘Concerted effort’: Former Victoria police chief’s bombshell claim about probe into Daniel Andrews’ crash with teenage cyclist”, which as at the date of this statement of claim remains available to the public at large <https://www.skynews.com.au/australia-news/politics/concerted-effort-former-victoria-police-chiefs-bombshell-claim-about-probe-into-daniel-andrews-crash-with-teenage-cyclist/news-story/3bcd219388122c13eff2edd338e5556>;
- F. an article published by Tony Jones on the website of *3AW Melbourne*, first published under the headline “Father of Daniel and Catherine Andrews’ crash victim reacts to new bombshell allegations”, which as at the date of this statement of claim remains available to the public at large at URL <https://www.3aw.com.au/father-of-daniel-and-catherine-andrews-crash-victim-reacts-to-new-bombshell-review/>; and
- ii. the response of Mr Leon Zwier and Ms Teresa Ward of Arnold Bloch Liebler, Mr and Mrs Andrews’ lawyers, to Mr Meuleman’s concerns notice on 7 October 2025 (**the Zwier Response**), wherein Mr Zwier and Ms Ward (on behalf of their clients), impliedly admitted that Mr and Mrs Andrews had published the alleged “comments” in the “Joint Media Statement” as a response to “*an article published by the Herald Sun under the byline of Michael Warner (Warner Article) which purported to report on an opinion authored by the late Dr Raymond Shuey (deceased) (Shuey Claims)*”.

Copies of the articles referred to in subparagraphs iC to iF above can be provided upon request.

Further particulars may be provided following Mr and Mrs Andrews’ service of a statement concerning publication in compliance with [4.7] of Defamation Practice Note (DEF-1) and/or following discovery, interrogatories and/or subpoenas.

14. On or after 17 September 2024, the words in the Joint Media Statement were read or otherwise comprehended by a substantial number of persons in Victoria and throughout Australia, including in Victoria, the Australian Capital Territory, and the Northern Territory.

Particulars

The fact is inferred from the usual readership of the mainstream media publishers listed in the particulars in subparagraphs 13.A to 13.F above, and from the subsequent discussion of the Joint Media Statement, including on social media and in other subsequent mainstream media articles (including those not relied upon as publications of the Joint Media Statement, given they do not include all the relevant words and/or convey the defamatory sense and substance of the Joint Media Statement).

Mr Meuleman's present best estimate is that the words in the Joint Media Statement were read or comprehended by hundreds of thousands, if not millions, of individual readers/viewers.

Further particulars concerning the full extent of publication may be provided following Mr and Mrs Andrews' service of a statement concerning publication in compliance with [4.7] of Defamation Practice Note (DEF-1) and/or following discovery, interrogatories and/or subpoenas being served on the media organisations that Mr and Mrs Andrews issued the Joint Media Statement to.

15. Further or alternatively to paragraph 13, the wording from, and/or the defamatory sense and substance of, the Joint Media Statement was republished, as the intended, authorised and/or natural and probable consequence of its publication to the mainstream media by or in the Online Article and the Print Article, and more broadly in the mainstream news media, on social media, and elsewhere including via the grapevine effect.

Particulars

Mr Meuleman refers to and repeats the particulars to paragraph 13 (and as to the extent of republication, paragraph 14) above.

Further particulars of republications of the Joint Media Statement that are to be relied upon will be provided after discovery, interrogatories and subpoenas to, amongst others, relevant media organisations and social media companies.

16. The Joint Media Statement was of and concerning Mr Meuleman.

Particulars

- i. It may reasonably be inferred that:
 - A. The journalists to whom the Joint Media Statement was first issued

identified Mr Meuleman, as shown by the fact that Mr Meuleman was named and referred to in each subsequent mainstream media publication and/or republication of the Joint Media Statement presently known to Mr Meuleman; and

- B. the persons who read or comprehended the words from the Joint Media Statement in each subsequent mainstream media publication and/or republication of the Joint Media Statement (as presently listed in the particulars in subparagraphs 13.A to 13.F above), identified Mr Meuleman, as shown by the fact that Mr Meuleman was named and referred to in all of those articles.
- ii. Further or alternatively, as at the dates of the publication of the Joint Media Statement, the facts matters and circumstances pleaded at paragraphs 4 to 10 above were notorious and/or well known and understood by the ordinary reasonable readers/viewer, and by referring and responding to the Herald Sun Articles (which identified Mr Meuleman both by name and photograph as the boy riding the bike and as the person whose lawyers' had commissioned the Shuey Report and who was seeking damages in the litigation), the Joint Media Statement identified Mr Meuleman to ordinary reasonable readers/viewers.
 - iii. Further or alternatively, in stating:
 - A. 'This so-called report was commissioned by lawyers on behalf of their clients who are seeking money through the courts by suing their former lawyers' and 'We are not a party to this legal action', the Joint Media Statement referred to, and would be understood by the ordinary reasonable reader of the words in the Joint Media Statement as referring to, the Supreme Court Proceeding and the Shuey Report, and Mr Meuleman (being the client was seeking money in the litigation by the commissioning of the Shuey Report);
 - B. 'We did nothing wrong. This matter has already been comprehensively and independently investigated and closed by Victoria Police and integrity agencies', the Joint Media Statement referred to, and would be understood by the ordinary reasonable reader of it, as referring to, the Collision,

meaning, the ordinary reasonable reader (or a substantial body of the numerous unidentified readers of the Joint Media Statement) would

understand that the Joint Media Statement was of and concerning Mr Meuleman.

17. In their natural and ordinary meaning, the publications of the words in the Joint Media Statement referred to in paragraph 13 above, further or alternatively the republications of the words in the Joint Media Statement referred to in paragraph 15 above, were defamatory of Mr Meuleman and carried the following defamatory meanings (or meanings not different in substance):

- a) Mr Meuleman has lied about and is lying about the facts and circumstances of the collision which occurred on 7 January 2013.
- b) Mr Meuleman has sought to use legal proceedings to obtain money based on his false claims about the collision.
- c) Mr Meuleman has sought to rely on a specious report from Dr Shuey in order to gain a financial advantage to which he is not entitled.

18. Alternatively to paragraph 17, by way of innuendo arising for persons with knowledge of either or both of the Herald Sun Articles and/or some or all the facts matters and circumstances pleaded in paragraphs 4 to 9 above, the words in the Joint Media Statement referred to in paragraph 13 above were defamatory of Mr Meuleman and carried the following defamatory meanings (or meanings not different in substance):

- a) Mr Meuleman has lied about and is lying about the facts and circumstances of the collision which occurred on 7 January 2013.
- b) Mr Meuleman has sought to use legal proceedings to obtain money based on his false claims about the collision.
- c) Mr Meuleman has sought to rely on a specious report from Dr Shuey in order to gain a financial advantage to which he is not entitled.

SERIOUS HARM

19. The publication of the Joint Media Statement was likely to cause or has caused serious harm to Mr Meuleman's reputation.

Particulars

- i. Prior to the publication of the Joint Media Statement:

- A. Mr Meuleman had a credible reputation and did not have a reputation for being dishonest and/or “grifting” and/or abusing the Court’s processes.
 - B. Despite there being differences in their evidence or versions of events in relation to the Collision and/or their views on the adequacy of the investigations into it, Mr and Mrs Andrews had never publicly accused Mr Meuleman of lying or conduct to the effect of the imputations.
- ii. Given, amongst other things, Mr Andrews’ public profile and the notoriety of the subject matter, and the prominence and extent of publication of the Herald Sun Articles, it was always likely that the Joint Media Statement and/or its sense and substance would be widely reported and/or republished together with commentary identifying Mr Meuleman.
 - iii. In fact, the words in the Joint Media Statement were widely published and/or republished to the world at large through the media, together with further identification of Mr Meuleman. It may therefore be inferred that the imputations have or are likely to have come to the attention of many people who know Mr Meuleman, know of him, did not know of him before 17 September 2024, or will come to know him in the future (including from those publications, many of which are still available online).
 - iv. The seriousness of the pleaded imputations, which strike at the heart of Mr Meuleman’s reputation for honesty and integrity, which have an inherent tendency to cause serious harm to a person’s reputation, and which were particularly apt to cause harm to Mr Meuleman, given (amongst other things) he was then involved in contested litigation against his former lawyers.
 - v. The derisory, emotive, punchy and dismissive language used in the Joint Media Statement, which included gratuitous sleights against Mr Meuleman and his lawyers and their motives in commissioning the Shuey Report, and terms like “appalling conspiracy theories”, which were clearly designed to (and in fact had the effect of) undermining the credibility of Mr Meuleman and those, like Dr Shuey, who had carefully investigated his concerns and allegations, but who were no longer able to defend themselves.
 - vi. The fact that the Joint Media Statement was a ‘rare’ public statement by a recent multi-term Premier of Victoria, and a ‘joint’ statement with his wife, thereby giving it higher status, gravitas and credibility; and the fact that credibility was reinforced by the publication of the words by a variety of

mainstream media organisations, including legacy newspapers like *The Age*, making it more likely readers would believe the imputations to be true.

- vii. The fact Mr Meuleman was and is less articulate and more vulnerable (and with a lesser media profile) than the publishers, and the fact that Dr Shuey was by then deceased and unable to defend Mr Meuleman or the integrity of the commissioning of his report, and the fact that Mr Meuleman was then involved in ongoing litigation (meaning his lawyers were also constrained, including by privilege), and he was therefore unable to properly defend himself or the integrity of his and his lawyers' commissioning of the Shuey Report from such a brutal and defamatory attack.
- viii. The inherent likelihood that the style of words used in the Joint Media Statement (which was effectively drafted in "soundbite" form, ready-made for re-reporting or sharing on social media) would result in a significant grapevine effect, and the adoption of defamatory labels and monikers like "grifter" being applied to Mr Meuleman, which has in fact occurred on social media since;
- ix. The fact the words in the Joint Media Statement were intended to be (and have been) published in printed form, and therefore available for reading for an extended period, and still available as a result of Google searches, as opposed to being transient in nature;
- x. Mr and Mrs Andrews refusal to retract, apologise for or clarify the alleged intended effect of the Joint Media Statement at any time since it was published, despite being requested to do so on at least two occasions, by letters from Griffins Lawyers on behalf of Mr Meuleman dated 24 January 2025 and from Blair Arthur & Associates on behalf of Mr Meuleman 10 September 2025.

Further particulars in support of the serious harm element may be provided following discovery or subpoenas or the provision of witness statements.

CONCERNS NOTICE

20. On 10 September 2025, Mr Meuleman, through his solicitors, gave a concerns notice to Mr and Mrs Andrews, through their solicitors, in accordance with the *Defamation Act 2005* (Vic) in relation to the Joint Media Statement.

21. On 7 October 2025, Mr and Mrs Andrews sent the Zwier Response, in essence:

- a. denying that Mr Meuleman had any claim for defamation, including on the basis

that any claim was time barred, the Joint Media Statement was not 'of and concerning' Mr Meuleman, the imputations did not arise, Mr Meuleman did not suffer serious harm, and that they had certain defences to any claim that did not require them to engage with the truth or falsity of the imputations, based on the incorrect assumption that Mr Meuleman had authorised or permitted the provision of the "Shuey Claims" to the media with the intention it would be published by Mr Warner or other outlets; and

- b. refusing to make any offer to make amends or settlement offer, despite the very modest parameters for a suggested settlement set out in the concerns notice.

Particulars

Mr Meuleman had proposed a settlement offer to resolve the matter on the basis that Mr and Mrs Andrews, among other things, pay an amount of \$50,000 in compensation and publish an apology to the following effect:

We sincerely apologise to Ryan Meuleman for hurt, harm and humiliation caused by our comments in our earlier joint public statement to this masthead dated 17 September 2024. Our comments were unjustifiable and we unreservedly retract them.

Ryan has at all times had good and honest reasons for believing that he was not at fault in the collision between our car and his bicycle on 7 January 2013.

We apologise for any suggestion that Ryan has lied or acted dishonestly in relation to the collision on 7 January 2013 or that he has done so to obtain some unjustified benefit for himself.

DAMAGES

22. By reason of the publication by Mr and Mrs Andrews of the Joint Media Statement, Mr Meuleman has been gravely injured in his reputation and has suffered and will continue to suffer substantial hurt, distress and embarrassment.
23. Further, Mr and Mrs Andrews' conduct with respect to the publication and/or republication of the Joint Media Statement was improper, unjustifiable or lacking in bona fides, thereby exacerbating the harm caused to Mr Meuleman and entitling him to aggravated damages.

Particulars

- i. Presently, Mr Meuleman relies on the following:
 - a. Mr and Mrs Andrews' knowledge of the falsity, alternatively reckless indifference to the truth or falsity, of the imputations set out at paragraphs 17 and 18 above;
 - b. Mr and Mrs Andrews' failure to make any or adequate inquiries as to the truth of the imputations set out at paragraphs 17 and 18 above, or as to many of the other matters stated or implied in the Joint Media Statement including:
 - i. their failure to contact Mr Meuleman or his lawyers prior to issuing the Joint Media Statement, including the failure to inquire whether the assumption he had provided the Shuey Report to Mr Warner was true, prior to attacking his integrity (see paragraph 23(b) of the Zwier Response);
 - ii. their failure to take any steps to obtain, review and/or seek to consider the Shuey Report before so vigorously attacking it (including by describing it as "a so called report" and "appalling conspiracy theories") and/or the integrity of its author and those who commissioned it (see paragraph 23(d) of the Zwier Response);
 - c. Mr and Mrs Andrews statement that '*We did nothing wrong*', which was not only manifestly false and known to be so by Mr and Mrs Andrews, but also apt to cause unnecessary hurt and distress to Mr Meuleman, by reason of the trauma he has been through as a result of and since the Collision;
 - d. Mr and Mrs Andrews' knowledge that the claim in the Joint Media Statement that the Collision was '*comprehensively and independently investigated and closed by Victoria Police and integrity agencies*' was false, given the following facts about the investigation of the Collision that are notorious and known by Mr and Mrs Andrews:
 - i. Victoria Police failed to breathalyse the driver of the vehicle involved in a near fatal road collision, in a breach of standard operating procedures;

- ii. Victoria Police failed to obtain any scene photographs, scene measurements (including for example, the exact point of impact or the point of Mr Meuleman's landing) or conduct any vehicle examination; and
 - iii. aside from Mr and Mrs Andrews, Victoria Police failed to obtain any written statements from any witnesses to the Collision (including Mr Meuleman);
- e. Mr and Mrs Andrews publishing the Joint Media Statement, which gratuitously attacked Mr Meuleman's credibility and motives for bringing the Supreme Court Proceeding and commissioning the Shuey Report, at a time when Mr Meuleman was actively involved in ongoing litigation, being the Supreme Court Proceeding, being aware that it may:
 - i. influence perceptions of persons involved in the Supreme Court Proceeding;
 - ii. diminish confidence in the reliability of the evidence sought to be adduced by Mr Meuleman in the Supreme Court Proceeding, particularly in circumstances where Dr Shuey had recently died;
 - iii. diminish confidence in the merits of Mr Meuleman's claim in the Supreme Court Proceeding; and
 - iv. affect the Supreme Court Proceeding,rather than offering a more informed and measured response and/or offering to give evidence as part of the Supreme Court Proceeding;
- f. the unnecessary and gratuitous nature of the Joint Media Statement, alternatively substantial parts of the Joint Media Statement, at a time when Mr Andrews was no longer in public office (and therefore did not have any political imperative to immediately respond), and Mr and Mrs Andrews were not parties to the Supreme Court Proceeding and had no direct interest in Mr Meuleman's claims, and where they knew that any deficiencies in or objections to the Shuey Report were likely to be raised by the defendant lawyers in the Supreme Court Proceeding;
- g. the derogatory, dismissive and absolute language used by Mr and

Mrs Andrews in the Joint Media Statement, including the references to '*appalling conspiracy theories*' and '*so called report*', which were sensational and out of proportion to the alleged attack;

- h. the Joint Media Statement being provided to journalists or media organisations that were expected or perceived to report it favourably, rather than to all media outlets, as a standalone statement;
- i. the Joint Media Statement forming part of an ongoing course of statements being made against Mr Meuleman by Mr and Mrs Andrews to discredit Mr Meuleman's account of, and exculpate Mr and Mrs Andrews from any liability for, the Collision (**Mr and Mrs Andrews' Ongoing Campaign**), including:
 - i. Mr and Mrs Andrews' statements to police following the Collision dated 5 February 2013 and 31 January 2013, respectively;
 - ii. an interview given by Mr Andrews to Justin Smith that aired on the radio station *3AW* on 16 January 2013;
 - iii. an interview given by Mr Andrews to Bruce Guthrie that aired on the radio station *ABC Radio* on 16 January 2013;
 - iv. Mr Andrews' statement given to Lucille Keen and published by the *Australian Financial Review* in an article called '*Andrews' wife not breath-tested after accident*' on 17 January 2017; and
 - v. a media conference given by Mr Andrews on 26 October 2017.
- j. Mr and Mrs Andrews failing to inform Mr Meuleman of the imputations they intended to publish before publishing the Joint Media Statement;
- k. Mr and Mrs Andrews' response to the concerns notice dated 10 September 2025, which sought to ignore or downplay the obvious and demonstrable consequences of the publication of the Joint Media Statement and relied upon highly technical arguments to avoid making any reasonable offer to make amends, where an offer was self-evidently called for; and
- l. Mr and Mrs Andrews failing to retract, clarify or apologise for the

publication of the Joint Media Statement at any time since it was published, despite a retraction, clarification or apology being self-evidently called for and Mr and Mrs Andrews being requested to do so on at least two occasions.

- i. Further particulars of aggravated damages may be provided in due course.

This pleading was prepared by Natalija Nikolić, lawyer and settled by Michael D Wyles, Toby J Mullen and Angus M Christophersen of counsel.

Certificate of lawyer

I Natalija Nikolić certify to the Court that, in relation to the statement of claim filed on behalf of the Applicant, the factual and legal material available to me at present provides a proper basis for each allegation in the pleading.

Date: 4 November 2025



Signed by Natalija Nikolić
Lawyer for the Applicant

Annexure A – the Herald Sun Articles
(spread from pages 4 and 5 of the print edition on 17 September 2024)

04 NEWS

Herald Sun | Tuesday, September 17, 2024

Review claims ex-premier's SUV on wrong side of road

POLICE PROBE WAS AN 'OVERT COVER-UP'



EXCLUSIVE
Michael Warner

A bombshell review of the Daniel and Catherine Andrews car crash has found Victoria Police engaged in "an overt cover-up to avoid implicating a political figure in a life-threatening incident."

The 36-page assessment by a former police assistant commissioner asserts that the Andrews' SUV was "travelling at speed" and on the wrong side of the road when it struck cyclist Ryan Meuleman in a Blairowrie side street on January 7, 2013.

The former premier and his wife have always insisted that they came to a "complete stop" and "turned right from a stationary position" just "moments" before being "T-boned" by the bike.

But the expert review – conducted by the state's former assistant commissioner for traffic and operations, Dr Raymond Shuey – concludes the police investigation that supported the Andrews' version of events was "deeply flawed", "unfounded" and "contrary to the available evidence".

"The version, as provided by Catherine and Daniel Andrews, is considered improbable and implausible," Dr Shuey asserts.

"The truth is still outstanding. It is most probable that the vehicle undertook a sweep turn at speed, cutting the corner and still on the incorrect side of the roadway in Ridley St, 27 metres from Melbourne Rd, when the collision occurred."

The review states that "the propagation of a lie" and "a striking deception" began when

the driver's name was recorded as "Catherine Louise Kesik" – Mrs Andrews' maiden name – in a Traffic Incident System report submitted by police in the hours after the crash.

"This is contrary to the name of Andrews as recorded by police as contemporaneous notes on the form 502, the investigation notes, TAC reports, statements and all other recordings provided," the reviews says.

"Kesik then becomes the name under which the crash is indexed and retrievable. This irregularity would be a stand-out for supervisors, insurance, legal reviewers.

"It is my opinion that this deception is part of a course of conduct and a component of an overt cover-up to avoid implicating a political figure in a life-threatening crash. Failure by supervisors and reviewers to identify this, or seek explanation, is inexcusable."

Dr Shuey's review – commissioned by Mr Meuleman's lawyers as part of ongoing Supreme Court damages proceedings into the crash – concludes that "the investigation ... does not demonstrate competent professional practice for Victoria Police."

"The investigators' failure to follow even a rudimentary examination of the evidence is demonstrated in the hasty and illogical conclusion," it asserts.

"The (police) report lacks critical information including measurements, photographs and professional interview techniques. Instead, the investigator has drawn a baseless and unsupported conclusion that fails to account for the available evidence.

"This negligent approach not only undermines the integrity of the investigation but also jeopardises the pursuit of justice and accurate account-



Ryan Meuleman in hospital after being knocked off his bike by a car in Blairowrie.



ability in this case. Further, it demonstrates a high level of incompetence or, alternatively, a deliberate attempt to simplify the crash."

The Shuey review – based on an analysis of FOI documents, witness statements and his own reconstruction of the incident – also questions the veracity of "collusive" and "unusual prepared sworn statements" given by the couple in the weeks after the smash and leaves open the possibility that Mr Andrews – not his wife – was driving.

"The contents of the statements do not match the gravity of the incident ... and should not have been accepted by any supervisor, review or audit," Dr Shuey says.

"The statements from both Daniel and Catherine Andrews that their vehicle stopped at Melbourne Rd are not consistent with impact consequences, nor the report by (witness) Brad Morgan of the squeal of tyres prior to impact ... the effective vehicle-stopping distance of 19.2m following impact is indicative of a speed of 45km/h prior to impact."

A police summary of the crash was also omitted from the Traffic Incident System report provided to Mr Meuleman's lawyers at the time.

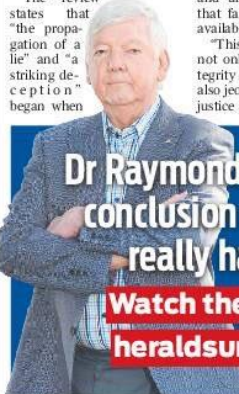
"This appears to have been deliberate," Dr Shuey says. As an expert in Transport Accident Commission cases, lawyers Slater & Gordon should

safety, a long-time president of the International Safety Foundation, and a Member of the Order of Australia. He died last month after a health battle – just days after completing his review.

The Meuleman family is suing Slater & Gordon, which acted for Ryan in the aftermath of the crash, accusing the firm of failing to conduct "a full and proper investigation into the circumstances" of the crash and breaching its duty of care and obligations to him when negotiating his \$80,000 TAC compensation payout.

Slater & Gordon denies the claims and says it will defend the proceedings. A trial is scheduled for next May.

michael.warner@news.com.au



Dr Raymond Shuey's conclusion on what really happened

Watch the video at heraldsun.com.au



"It is most probable that the vehicle undertook a sweep turn at speed, cutting the corner and still on the incorrect side of the roadway in Ridley St, 27m from Melbourne Rd when the collision occurred."



"If the vehicle was travelling from a stationary start in Melbourne Rd (as stated by Catherine and Daniel Andrews), 27m prior to impact, it would not have reached the resultant speed to cause the damage and injuries."



Daniel Andrews and wife Catherine; (opposite) injured cyclist Ryan Meuleman.

“
The version, as provided by Catherine and Daniel Andrews, is considered improbable and implausible

Dr Raymond Shuey

Former police assistant commissioner

‘Glaring’ flaws blasted

Breaches ‘inexcusable’

Michael Warner

An officer from the Rye police station “jumped the call” to take charge of the Daniel and Catherine Andrews car crash scene – two minutes after it had been allocated to another unit in closer proximity, a bombshell review has revealed.

The senior constable stated that she “was closer” to the Blairgowrie street where teenage bike rider Ryan Meuleman was struck, “but was actually at Rye police station doing urgent correspondence, then taking six and a half minutes to leave”, the review by the state’s former assistant commissioner for traffic and operations Dr Raymond Shuey found.

“This raises critical questions as to why “the senior constable (name redacted) wanted to take over the call and cancel a unit already en route. What external communications, via telephone or radio with “the senior constable” occurred in the time from the crash to being en route?”

The review identifies more than a dozen “inexcusable” breaches of standard operating procedures that were committed in the original police probe, including a failure to validate who was behind the wheel when Ryan Meuleman was struck in January 2013.

It also questions why experienced highway patrol officers or the Major Collision Unit were not called “as required by policy, custom and practice” and why Victoria Police hierarchy was kept in the dark about “a public, political figure involved in a serious incident”.

It chronicles how police had been “deceptive and misleading” and “perpetuated a lie” by “falsely” reporting that a breath test had been conducted – and was negative – before changing documents to say that a test had not been given because Mrs Andrews “did not smell of intoxicating liquor”.

The review outlines a “course of conduct and pattern of behaviour” by police raising serious questions about the integrity of the inquiry, including IMMEDIATE acceptance of the Andrews’ version of events “when the vehicle damage, ambulance report and cyclist catapult clearly indicates vehicle speed”.

SPENDING just 35 minutes at the crash scene “without thorough examination”, HASTILY closing the investigation at 6.21pm on the day of the crash; and

FAILING to isolate the crash site with crime-scene tape or conduct door knocks.

The review also condemned police for stating that the SUV was “drivable” when it was “clearly unroadworthy” and questioned who allowed Mr Andrews to drive it away with a smashed windscreen.

“If police, it is a dereliction of duty, if Daniel Andrews, it is the removal of evidence and in any event dangerous/careless driving at a minimum,” it says.

Another “glaring omission” was the fact “no action was taken or contemplated” against the driver because Mr Andrews’ son Noah was not wearing a seatbelt, it says.

The failure by police “to validate the driver” of “a government vehicle involved in a serious crash” was another “serious omission”, it concludes.

“Witness Jane Crittenden states she viewed Catherine Andrews in the passenger seat after the crash,” it asserts.

The position of the driver’s seat was also not checked.

“In my opinion, this investigative failure is a deliberate omission. It... leaves the question of who was driving unresolved and in dispute,” the review says.

Dr Shuey said police also failed to ask Mrs Andrews why she was driving and if she was familiar with the vehicle’s handling.

Dan’s conflicting comments on high-speed crash

Michael Warner

Daniel Andrews has always insisted that Ryan Meuleman’s bicycle struck his family’s Ford Territory “at speed”.

“He absolutely T-boned the car, hit it at such force he was literally inside the car,” the former premier declared after the 2013 Blairgowrie crash.

But a review of his statements to police reveals that Mr Andrews admitted, in his own words, that he actually had no way of knowing that was the case.

“The first I saw of him was when he smashed into the windscreen on the driver’s side,” he said in his sworn statement to police.

It’s a contradiction former assistant police commissioner Dr Raymond Shuey hammers home in his review of the crash.

“Both statements cannot be true,” he asserts. “Daniel Andrews, in various press statements, reconstructed versions clearly intended to place fault on the cyclist.”

Instead, Dr Shuey paints a very different picture of the likely cause of the near-fatal collision – a speeding vehicle that cut the corner of Melbourne Rd, smashing into Ryan on the wrong side of Ridley St – just 1.5m from the far edge of the right-hand side of the roadway – 27m up from the intersection.

“It was definitely not a low-speed vehicle impact,” the 35-page review asserts.

“It was definitely not a high-speed bike impact against a slow-speed vehicle, otherwise the flip motion of the cyclist would have been in a different and opposite direction to his

actual trajectory. Low-speed impacts propel pedestrians and cyclists forward of impact.

“This impact was so severe, it flipped the cyclist... on to the bonnet, propulsion over the roof line and then sideways on to the roadway.”

Dr Shuey’s analysis also details why Ryan, who was riding his sister’s bike with a mechanics bag full of tools on his back, could not have been travelling at speed.

“The track where the tool-laden bike was being ridden was a gravel, sandy track not enabling any bike speed, as well as there being a distinct lip to negotiate prior to crossing Ridley St,” the review says.

The squeal of tyres in the seconds before the impact – heard by local resident and

witness Brad Morgan – also pointed to the Andrews’ SUV taking the corner at speed, the review asserts.

From the available information, including the vehicle stopping 19.2m after the point of impact, Dr Shuey concludes: “It is my opinion that the impact speed of the vehicle was in excess of 40km/h and more likely to be in the range of 40km/h to 50km/h.”

“The point of impact was approximately 1.5m on to the bitumen from the cyclist entry point where the road is 3.8m, placing the SUV still partially on the incorrect side of the road at that 27m point.

“The forward momentum of the SUV carried the cyclist a further 5.7m... It was definitely not a slow-speed crash, as the prime factor was vehicle speed.”



“The rider’s explanation, the bike, the load, plus the track do not enable the determination of any type of entry speed on the part of the cyclist.”



“Low speed impacts propel pedestrians and cyclists forward of impact. This impact was so severe, it flipped the cyclist... onto the bonnet, propulsion over the roof line and then sideways on to the roadway.”



“This throw distance and angle is critical and together with the trajectory indicates the vehicle was travelling at speed prior to impact... The impact speed of the vehicle was... likely to be in the range of 40km/h to 50km/h.”

Annexure B – the Online Article

THE  AGE

Politics Victoria Victorian Parliament

This was published 10 months ago

‘Appalling conspiracy theories’: Andrews blasts former cop’s crash claims



Broede Carmody

September 17, 2024 – 5.40pm

Former premier Daniel Andrews and his wife Catherine have issued a rare joint statement post-politics to blast a report by a former police officer that cast doubt on their version of a 2013 car accident that injured a teenager.

The report was compiled by former police assistant commissioner Dr Raymond Shuey, shortly before his death, in his capacity as an expert witness for a court case brought by Ryan Meuleman, who was hit by the couple’s car when riding his bike.



Daniel Andrews with his wife, Catherine. WAYNE TAYLOR

Meuleman is suing his former lawyers over the handling of his original claim for compensation after the crash. Previous investigations by Victoria Police and the state's integrity watchdog have cleared Daniel and Catherine Andrews over the accident and its handling.

In their statement, the couple took aim at the *Herald Sun*, which first published the report's findings on Tuesday, describing the article as "conspiracy theories dressed up as journalism". Andrews' wife, Catherine, was driving a taxpayer-funded 4WD when the then 15-year-old cyclist was hit. Andrews, who was opposition leader at the time, was also in the car, along with the couple's three children.

Shuey's report, seen by *The Age*, alleges authorities engaged in an "overt cover-up to avoid implicating a political figure in a life-threatening crash".

In response, the couple said in a statement on Tuesday afternoon: "This so-called report was commissioned by lawyers on behalf of their clients who are seeking money through the courts by suing their former lawyers.

"We are not a party to this legal action. We did nothing wrong. This matter has already been comprehensively and independently investigated and closed by Victoria Police and integrity agencies.

"We will not dignify these appalling conspiracy theories by commenting further at this time."

Meuleman, who in 2022 secured an \$80,000 compensation payout from the Transport Accident Commission, is suing his former law firm, Slater & Gordon.

He alleges the firm did not conduct a thorough enough investigation into the January 7, 2013, crash and that the firm should have fought for a larger payout.

The damages proceedings are due to be heard in the Supreme Court. While Shuey's report may be tabled with the court, it is not clear how much weight a judge will place on it given its author can no longer be cross-examined.

In his report, Shuey cited the distance the cyclist was thrown from the car and concluded the 4WD could not have come to a complete stop before turning onto Ridley Street, an allegation that clashes with the couple's evidence.

"It was definitely not a low-speed vehicle impact," Shuey wrote, noting the cyclist was flipped over the car roof.

He found the car was likely travelling at between 40km/h and 50km/h at the point of impact, which is within the speed limit for unsigned suburban streets in Blairgowrie.

The former police officer also took issue with the "lack of rigour" surrounding the investigation.

The police officers who attended the scene did not breathalyse anyone, in breach of standard operating procedures. IBAC cleared police of wrongdoing in December 2017.

A Victoria Police spokeswoman said: "As has been previously stated, Victoria Police conducted a thorough investigation into this matter, as did IBAC, and all findings were consistent. We have no further comment to provide on the matter."

A Slater & Gordon spokeswoman declined to comment, citing ongoing court proceedings.

The Age has contacted the Meuleman family for comment via the family's barrister.

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Broede Carmody is a state political reporter for *The Age*. Previously, he was the national news blogger for *The Age* and *The Sydney Morning Herald*. Connect via [Twitter](#) or [email](#).

Annexure C – the Print Article

WEDNESDAY, SEPTEMBER 18, 2024 THE AGE 7

Andrews blasts ‘appalling’ claims

Broede Carmody
State politics reporter

Former premier Daniel Andrews and his wife Catherine have issued a rare joint statement to blast a report by a former police officer that cast doubt on their version of a 2013 car accident that injured a teenager.

The report was compiled by former police assistant commissioner Dr Raymond Shuey, shortly before his death, in his capacity as an expert witness for a court case brought by Ryan Meuleman, who was hit by the couple's car when riding his bike.

Meuleman is suing his former lawyers over the handling of his original claim for compensation after the crash. Previous investigations by Victoria Police and the state's integrity watchdog have cleared the Andrews over the accident and its handling.

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Andrews' wife Catherine was driving a taxpayer-funded 4WD when the then 15-year-old cyclist was hit. Andrews, opposition leader at the time, was also in the car, along with the couple's three children. Shuey's report, seen by *The Age*, alleges authorities engaged in an "overt cover-up to avoid implicating a political figure in a life-threatening crash".

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Daniel Andrews

Booming Indian sport set for Melbourne debut

Kieran Rooney
State politics reporter

DELHI: A showcase of one of India's most popular sports will be brought to Melbourne, reviving an unrealised promise of the cancelled Commonwealth Games as Premier Jacinta Allan seeks to grow Victoria's cultural and sporting ties.

The move to stage a kabaddi fixture comes as the government's refreshed India Strategy, released yesterday, signals an ambition to grow connections to the country through sport, film and television, and booming markets such as beauty and wellness.

Allan, who is on a five-day trip to India, said in Delhi yesterday that the government would partner with the Pro Kabaddi League (PKL) of India to bring an exhibition match to Melbourne within 18 months. Kabaddi is a contact sport described as a mix of rugby, wrestling and tag. "As the sporting capital of Australia, we're proud to be partnering with the Pro Kabaddi League to explore bringing a PKL showcase in Melbourne, with the sport attracting one of the fastest-growing fan bases around the globe," Allan said.

She made the announcement alongside PKL Commissioner Anupam Goswami at the Tyagaraj Sports Complex in Delhi. *The Age* is travelling with the premier this week as she meets Indian and Australian delegates and

visits holy sites. Allan also launched an update to the state's India Strategy, identifying areas where Victoria wants to strengthen, grow and explore its connections to the world's most populous nation. It outlines that almost 40 per cent of Australia's Indian diaspora lives in Victoria, with communities in Melbourne's west and south-east, Dendigo and Geelong.

Since the strategy was last updated in 2018, Victorian merchandise exports to India have grown 51 per cent and the number of direct flights quadrupled to 13 per week, including a 20 per cent increase in business arrivals.

"The data tells us... around 60 Indians will move to Victoria today. Perhaps that number will be 61 tomorrow, and so on into the future," Allan said. "In Victoria, we're building for that future. There's a big three that we are focused on: transport, homes and renewable energy."

Allan said India shared these same interests and challenges. Other areas for growth identified in the strategy include environmental sustainability, the beauty industry, and building stronger ties between Victoria's film industry with India's Bollywood.

Allan's delegation yesterday also toured the University of Melbourne's new global outpost in Connaught Place – one of Delhi's biggest financial centres and a symbol of India's massive economic growth – where it will demonstrate the university's courses and hold special events.